



---

## Appeal Decision

Site visit made on 31 October 2024

**by B J Sims BSc (Hons) CEng MICE MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 November 2024**

---

**Appeal Ref: APP/L3245/D/24/3347742**

**Fernleigh, High Street, Clive, Shropshire, SY4 3JL.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Lansdale against the decision of Shropshire Council.
  - The application Ref is 24/00747/FUL.
  - The development proposed is the erection of a two-storey extension.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The two-storey extension subject to appeal is proposed to replace an existing single-story rear extension which, inspection reveals, has already been removed in favour of fresh, ongoing building works. These works do not appear to accord with the detailed plans now before me and I do not take them into account. I determine this appeal strictly with reference to the submitted plans for a two-storey rear extension.

### Main Issues

3. The main issues in this case are the effects of the proposed extension, first, on the character and appearance of the mid-terrace host property and the terrace as a whole, second, on the amenity of neighbouring properties and, third, on the setting of the nearby Grade II Listed Old Manor House.

### Reasons

#### *Character and Appearance*

4. Fernleigh faces north onto High Street along with its terraced neighbours, Oakleigh to the west and April Cottage to the east. The terrace was historically a U-shaped farmstead associated with the Grade II Listed Old Manor House, close by to the south. The U-shape remains due to substantial rearward projections from both the end the dwellings. However, the properties were converted for residential use in the 1930s, since when their joint identity as a farmstead has become obscured by domestic curtilages. However, the terrace is now identified as non-designated heritage asset.
5. The previous single-storey, rear extension was relatively subservient to the main dwelling at Fernleigh. In contrast, the two-storey addition now proposed

would not only rise to the same eaves height as the host dwelling but would be significantly greater in both rearward projection and width. The double-cropped pitched roof would reach a point as high as the main ridge of the terrace and would be linked to the main roof by a lower-level section of pitched construction, resulting in incongruous combination of forms.

6. The development would virtually double the size of the existing main house and appear out of scale and keeping with Fernleigh and the terrace as a whole. This would also result in less than substantial harm to the non-designated heritage asset, requiring overriding public benefit to justify approval, in terms of the National Planning Policy Framework (NPPF).

#### *Amenity*

7. For the same reasons the proposed extension would appear more dominant than its predecessor, especially from the garden of Oakleigh, where two new first floor windows in the wall, hard on the shared boundary, would also introduce a degree of overlooking. There is further concern that the extension would cause additional overshadowing of both adjacent gardens and also harm the outlook from the Old Manor House.
8. I agree that the development would give rise to these effects and thus be harmful to local amenity to some degree, although the southern aspect of the terrace and the existing presence of the rear projections at Oakleigh and April Cottage would lessen the net amount of overshadowing.

#### *Listed Building*

9. There are conflicting representations with respect to heritage interests, with the heritage impact assessment provided by the Appellants claiming no harm but the Council and neighbouring residents submitting that there would be less than substantial harm to the setting of the Grade II Listed Old Manor House.
10. It is a matter of judgement.
11. It is my view that, despite the appeal terrace being no longer identified as a farmstead potentially associated with the Manor House, its proximity to the main front elevation of the Old Manor House is such that the visually unacceptable addition to Fernleigh proposed would indeed cause less than substantial harm to the setting of the designated asset.

#### *Conclusions*

12. I consider that the potential harm to the character and appearance of Fernleigh, and the terrace as a whole, places the appeal proposal into unacceptable conflict with aims of Policies CS5-6 of the adopted Shropshire Core Strategy and Policy MD2 of the adopted Shropshire Council Site Allocations and Management of Development (SAMDev) Plan to achieve sustainable design. This alone warrants dismissal of the appeal.
13. I do not consider the harm to amenity to be decisive but it is still contrary to the sustainable design principles of Policy CS6 and adds to the case against the development.
14. The less than substantial harm to the designated and non-designated heritage assets affected is contrary to SAMDev Plan Policy MD13 to protect the historic environment. This also adds to the case against the appeal.

15. There are no evident public or other benefits sufficient to outweigh these objections and I consider the appeal proposals to be in conflict with the development plan as a whole.

16. I therefore conclude that this appeal should be dismissed.

*B J Sims*

INSPECTOR