



Appeal Decision

Site visit made on 28 July 2026

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2026.

Appeal Ref: 6007355

20 Kennedy Road, Shrewsbury, Shropshire SY3 7AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dr Charlesworth-Jones & Dr Williams against the decision of Shropshire Council.
 - The application Ref is 25/03653/FUL.
 - The development is proposed side, rear and basement extensions and refurbishment of existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A new National Planning Policy Framework (Framework) was published on 17 August 2026. As such, I have had regard to the new Framework in reaching my decision, which both main parties have had the opportunity to comment on.
3. The proposed development lies within the Shrewsbury Conservation Area. Therefore, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act), I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
4. As part of the appeal the appellant has submitted a series of documents and plans, including a Heritage Statement, March 2026 and Tree Survey, December 2025. I acknowledge that the Council did not have this information with the original planning application, but the information does not materially alter the proposal, and it was submitted with the appeal submission in a timely manner. Therefore, I am satisfied that no party, including the Council, would be prejudiced by my assessing the scheme with regard to the additional documents and I have taken them into account in determining this appeal.

Main Issue

5. Whether the proposed development would preserve or enhance the character or appearance of the Shrewsbury Conservation Area (the CA), including the effect on trees and hedges.

Reasons

6. The appeal site comprises a large, two-storey semi-detached house which includes a basement, as well as living accommodation in the roof. The property is set within

a spacious plot, located in a residential area, within the CA. Neighbouring houses are primarily detached buildings that are similarly large, occupying sizeable plots that front the road.

7. The CA encompasses an extensive area, incorporating the historic town centre and surrounding suburbs. The site falls within the Kingsland Special Character Area (the Kingsland SCA).
8. While my attention has not been drawn to a formal appraisal or character assessment for the Kingsland SCA, the significance and special interest of this part of the CA, in my view, is primarily derived from the well-preserved, late Victorian suburban housing, set within generous plots and with spacious gaps between the buildings. The buildings, although varied in appearance, demonstrate architectural influences of the period, and there is also historic interest from the growth of the estate as a Victorian suburb. Highly noticeable ornate front boundary walls contribute to the commanding appearance of the houses, as do the large side and rear gardens. Frontage garden hedges, a preponderance of mature trees, including those within gardens, ensure this part of the CA has an open, verdant character which further contributes positively towards its significance.
9. Identified as a non-designated heritage asset (NDHA), the significance of the appeal property largely derives from its age, architectural appearance and substantial size, set within a generous verdant plot, which maintains the prevailing rhythm of development along the street.
10. It is the case that there are houses along the road which are built up close to side boundaries, and some plots are atypical, but the majority of the garden plots along the road are spacious with significant gaps between houses, including to the front and rear. Indeed, although other pairs of semi-detached houses along the road have very little space to the side, and some detached properties along the road have outbuildings to the side, the side garden of the appeal property and the adjoining neighbour have a significant and spacious gap to their respective side boundaries. In combination with the generous side gardens of the other properties in the row, large gaps between buildings are a consistent feature along sections of the road, forming an important characteristic of this part of the CA.
11. With an extensive width, built up close to the side boundary with 22 Kennedy Road (No 22), the proposed extension, including the covered side passage, would dominate the side garden of the appeal property. Significantly reducing the spacious gap between the two properties.
12. Although the height of the main part of the proposed extension would be single storey, with a substantial footprint, the bulk and mass of the proposal would be noticeable from certain viewpoints along the road. Coupled with the extensive width, the proposed extension would be a hefty development at the side of the property, and its mass would not be mitigated or softened by the proposed timber panelling.
13. The height, visual presence and mass of the proposed development within the street scene would be further exacerbated by the proposed first-floor barrel-vaulted element, which would protrude above the front wall and hedge, introducing an uncommon, large design feature into an area which lacks similar features. The distance of the feature from the side elevation of the main house, and its prominent appearance, would emphasise the vast width of the proposed extension.

Consequently, the proposed extension would harmfully erode the spacious appearance of the existing plot which would be at odds with the prevailing pattern of development along this part of the road, and within the CA.

14. The barrel-vaulted element, with a curved roof, seeks to replicate other arched features in the area, as part of its contemporary / innovative design approach. Indeed, the contemporary design, the finish and use of materials would ensure that aspects of the proposed extension would be high-quality. The subservient height and roof alignment of the proposal with the main dwelling would also help to retain the principal architectural and historic interests of the original building, as a NDHA. Thus, the fabric of the NDHA would not be altered and therefore would be unharmed by the proposed extension.
15. I am mindful that this part of the CA and wider area is not defined by a single architectural style or uniform design approach, and other schemes identified by the appellant¹ have successfully progressed a contemporary design concept within the CA. Furthermore, even though substantial weight can be given to innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, a development should also be consistent with the overall form and layout of surroundings. In this case, the proposal would be a vast single storey extension that would not sit comfortably within the plot, and there would be harm to the character and appearance of the CA.
16. My attention has been drawn to previous planning approvals² along the road and elsewhere in the CA, which have resulted in an increased built form within the plots. In particular, 19 Kennedy Road (No 19), which is opposite the appeal site. No 19 has planning permission³ for the demolition of the existing house and the erection of a replacement dwelling. Although that development is not completed, the evidence suggests that the replacement dwelling would be a vast building, particularly at the rear, built up to each side boundary. Nevertheless, it is on the opposite side of the road, whereby the appearance of houses and the spacings is different to the side of the road that the appeal site sits on. I also have limited details of the reasons for the decision at No 19. Similarly, details of the extension to 27 Kennedy Road are limited but on the information that I do have it does not appear comparable to the appeal scheme. In respect of Rosemount Cottage, it is a notable distance from the appeal site, set within a different built context and pattern of development compared to this part of Kennedy Road.
17. Inevitably, it is the detail and specific context of any development which determines whether it is acceptable in practice. Therefore, notwithstanding the development at No 19, and those other approvals highlighted, having considered the design and layout of this proposal, for the reasons given, I consider that there would be unacceptable harm to the CA. Given this, these examples do not add weight in favour of the development, and I have determined the case before me on its own merits. In any event, while I acknowledge that consistency of decision making is important to ensure public confidence, I am not bound by previous decisions of the Council, and I have exercised my own judgement on the appeal proposal.

¹ Rosemount Cottage, Council ref. Ref. 17/03372/FUL

² 27 Kennedy Road, Council ref. 25/04818/FUL - large extension to a dwelling.

³ Council ref. 23/03766/FUL

18. In a similar vein, even though I acknowledge the positive comments made by the Victorian Society and other interested parties, they have not eased my concerns that harm would arise.
19. As identified in the Tree Survey, it is proposed to remove large parts of the hedge on the shared boundary with No 22, and a small section to the front. The removal would provide an opportunity to introduce a more appropriate landscaping outcome for the site by planting specimen native hedges on the side and front boundary, as well as trees within the site. The Tree Survey and accompanying Arboricultural Statement are robust documents which demonstrate that appropriate mitigation would not result in the loss or harm to visually significant trees and hedges within the CA.
20. Overall, for the reasons outlined above, I conclude that there would be harm to the significance of the CA. Accordingly, the proposal would fail to preserve or enhance the character or appearance of the CA, contrary to the expectations of the Act. The appeal scheme would therefore have a harmful effect on the area's character and appearance and conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy, 2011 and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development Plan, December 2015, which together and amongst other things, require high quality design and development which avoids harm to the significance of designated heritage assets.

Other Matters

21. I am told that there are no Article 4 Directions in place for the CA that remove permitted development rights for domestic outbuildings and structures within side gardens, and that there remains a realistic prospect that the appeal site could accommodate built form under permitted development. However, in the absence of further information which substantiates that claim, I am not persuaded that a scheme carried out under permitted development would be comparable to the appeal scheme, and the harm identified to the CA. Thus, I attach limited weight to this point.
22. I acknowledge the comments with regard to the Council's handling of the planning application, and a perceived inconsistency in their decision-making. Nevertheless, I confirm that I have considered the appeal scheme on its planning merits.

Heritage Planning Balance

23. As recognised in Policy HE4 of the Framework, heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. Development proposals which would affect the significance of heritage assets should maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, and the positive contribution they can make to local character and distinctiveness. Development should avoid (or if that is not possible, minimise) harm to the significance of heritage assets.
24. Policy HE6 of the Framework states that substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance. Harm to a designated

heritage asset will be a matter of considerable importance and weight and should be weighed against any public benefits resulting from the proposal.

25. Not all elements of a conservation area will contribute to its significance, as set out in Policy HE9 of the Framework. However, where a development proposal would result in the loss of a building or other element which contributes to the character or appearance of a conservation area that is desirable to conserve, the assessment of impact should take into account the relative significance of the element affected. As well as its contribution to the significance of the conservation area as a whole, and the effects of this considered in accordance with Policies HE5 and HE6
26. The proposal would result in the loss of an important spacious gap between buildings, and even though it would only affect a small part of the CA, there would be harm (insofar as it relates to the categories of “harm” listed in the Framework) to the significance of this part of the CA. In this case I have judged the extent of harm to be minor given the extent of the development and the localised perspectives from where it would be viewed. Nevertheless, still of considerable importance and weight.
27. Heritage benefits would accrue from the removal of the two-storey rear extension, revealing the three-storey rear projection with its pitched roof form, resulting in an improvement to the legibility and coherence of the property with the adjoining building. I have also concluded that the fabric of the NDHA would be unharmed, and there is some support in this respect from Policy HE7 of the Framework. In addition, as an energy efficient extension, the proposal would reduce carbon emissions by 67%, and, in accordance with the Framework, substantial weight can be given. However, due to the nature and domestic scale of the development the contribution to climate change mitigation would be minor. Even so, the above factors amount to important public benefits.
28. Aspects of the proposed design would also be high-quality, and there would be internal modernisation, and refurbishment works to the existing building. The proposed extension would also provide open plan living accommodation and additional space for a large family, including within the proposed basement level, as well as working from home space to create a live / work residence, and improved connectivity from the house to the garden. These providing private benefits for the appellants. The access and parking arrangements for the site and occupants would also be improved, and hard and soft landscaping proposals for the rear and front garden could be achieved.
29. There would be some economic benefits brought about through the investment into the property and the construction phase would contribute to the local economy using local companies and suppliers. I am also mindful that there is public support for the proposal, which includes praise for the appellants and their representatives. However, these matters are relatively minor in the context of the small-scale nature of the scheme.
30. With an innovative structural approach to construction there would be minimal impacts on neighbouring occupiers during the build phase. No objections have been raised with regards to archaeology, ecology, drainage matters, the effect on neighbouring residential amenity, and there would be no harm to trees. Nonetheless, these are requirements of planning policy and taken together they carry limited positive weight.

31. Overall, the public benefits which would accrue from the proposal would generally be localised and minor in scale and would not be sufficient to outweigh the substantial weight that I attach to the conservation of the CA and the irreversible harm that the development would incur upon it, which in accordance with the Framework is a matter of considerable importance and weight. Therefore, there would be insufficient public benefit to offset the identified harm, and the proposed development would not accord with the Framework.

Conclusion

32. Given the above, I conclude that the proposal would harm and thus not preserve or enhance the character or appearance of the CA and its significance. There are no other considerations or public benefits that would outweigh this harm. It would therefore fail to satisfy the requirements of the Act, policies of the Framework and the development plan. Consequently, for the reasons given, the appeal should be dismissed.

N Bromley

INSPECTOR