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# Appeal Decision

Site visit made on 7 September 2021

by **Helen B Hockenhull BA (Hons) B. PI MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 September 2021

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**Appeal Ref: APP/L3245/D/21/3277723**

**26 Belle Vue Gardens, Shrewsbury SY3 7JH**

- 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 Emily Pulford against the decision of Shropshire Council.
  - The application Ref 20/05316/FUL, dated 18 December 2020, was refused by notice dated 9 April 2021.
  - The development proposed is a front extension and alterations to dwelling and creation of parking area.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue in this case is whether the proposal preserves or enhances the character or appearance of the Belle Vue Conservation Area.

## Reasons

3. The appeal site forms a detached 1960's two storey dwelling constructed in brick. It has a cat slide roof to the front elevation and is set back in the plot. It is located within the Belle Vue Conservation Area (CA).
4. The CA includes the largely residential streets around Belle Vue Road. Its significance lies in the prevalent 19th and early 20th century dwellings that reflect its history as an early Shrewsbury suburb. Belle Vue Gardens includes buildings of this period but also includes some more modern infill development.
5. The appeal property is flanked on either side by more traditional brick-built 19<sup>th</sup> century semi-detached dwellings. Of note is Nos 28-30, which lie to the south east of the appeal site, a three-storey building with louvred towers. Historic OS mapping indicates this was one of the first dwellings built on the south side of Belle Vue Gardens. The Council has identified both neighbouring dwellings as non-designated heritage assets.
6. The appellant queries their designation. Planning Practice Guidance advises that clear and accessible up to date information on non-designated heritage assets should be provided to the public to provide greater clarity and certainty for developers and decision makers. I have not been made aware of a Local List of non-designated heritage assets or any other form of public information on this matter. Nevertheless, the property at No. 28-30, has heritage

significance in terms of its history, form and architectural detailing. Whilst No. 24 has less historic interest, it still has merit due to its period detailing and the positive contribution it makes to the street scene of the CA. On this basis I do not find their designation unreasonable.

7. It is notable that the reason for refusal does not refer to the impact of the proposal on the setting of the adjacent non designated heritage assets themselves, just referring to the impact on the CA. Nevertheless, in line with paragraph 203 of the Framework I am required to make a balanced judgment in assessing the effect of development on the significance of a non-designated heritage asset, which should have regard to the scale of any harm and the asset's significance.
8. A Heritage Statement did not accompany the original planning application. The appellant has brought my attention to planning applications for works to Nos 24 and 28 which did not require the preparation of such a statement. Be that as it may, the appellant has helpfully provided one in support of the appeal.
9. Both parties agree that the appeal dwelling does not contribute positively to the character and appearance of the CA and is of no historic merit. From my own observations, I concur with this view. It is out of character with the immediately adjoining Victorian buildings. However, when viewed from the road, due to its set back, the intervening vegetation in the front garden area and the long slope of the cat slide roof, the building has a neutral impact on the character and appearance of the area.
10. The proposal includes a part single storey and part first floor extension to provide additional living space. It does not form a two-storey front extension and does not project further forward than the existing front elevation as described in the Planning Officers report. The front extension would create a hipped roof two storey gable. This would have a greater prominence in the street scene than the current roof arrangement. The proposed render finish in a pale colour, together with the proposed rendering to the remainder of the existing front elevation of the dwelling, would serve to increase its prominence. This would result in an incongruous proposal having a detrimental impact on the character and appearance of the area. It would visually compete with the neighbouring non designated heritage assets and have a negative impact on their setting.
11. I accept that there are other residential properties on Belle Vue Gardens that have either a full or partial render finish, so that in principle the use of this material would not be out of keeping in the CA. Similarly, there are other dwellings with two storey gable extensions. I noted other infill dwellings in Belle Vue Gardens which exhibit a variety of design on my site visit. I also acknowledge that the proposal tries to draw from the defining architectural characteristics of the area. However, the appeal property is, in my view, in a particularly sensitive location, with the historic and attractive traditionally built non designated heritage assets either side. In this context, the appeal scheme would form an inharmonious development.
12. In terms of other alterations, the scheme includes a single storey front extension to provide a larger entrance hall. This minor addition has little impact on the character of the dwelling or the wider area and is acceptable.

13. The appeal proposal includes the removal of the front garden area and the creation of further tarmacked car parking to serve the extended dwelling. I observed on my visit that there are other properties in the CA that have removed the front gardens and introduced a hard surface treatment. However, in the appeal case, these works would increase the visual prominence of the proposed dwelling in the street scene, causing further harm to the character and appearance of the area.
14. Given the above, I find that the appeal proposal would fail to preserve the character and appearance of the CA. In relation to the CA as a whole, I consider the harm caused would be less than substantial but nevertheless of considerable importance and weight. There would also be harm to the setting of the non-designated heritage assets either side of the site.
15. Paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The scheme would provide additional living space for the appellant, but this would form a private not a public benefit. The appellant suggests that the proposal provides the opportunity to upgrade and improve this poorly designed 1960's dwelling. In principle this could be a public benefit, enhancing the character and appearance of the CA. However, I have found that the proposal would not achieve this objective.
16. Given the above, the proposal would fail to satisfy the requirements of paragraph 197 of the Framework and conflict with Shropshire Core Strategy Policy CS6 and Policies MD2 and MD13 of the SAMDev. These policies seek to provide high quality sustainable design and conserve and enhance the heritage assets of the area.

### **Conclusion**

17. For the reasons given above, and having considered all other matters raised, I dismiss this appeal.

*Helen Hockenhull*

INSPECTOR