
Appeal Decision

Site visit made on 28 February 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 24 March 2017

Appeal Ref: APP/C3240/W/16/3160738

Land adjacent to 27 Heath Hill, Dawley, Telford TF4 2JT

- 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 K Sahota against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2016/0430, dated 18 April 2016, was refused by a notice dated 15 August 2016.
 - The development proposed is 12 Flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The emerging Telford and Wrekin Local Plan has recently been examined at Hearings, however the Inspector's report has not yet been issued. I do not have any evidence before me to the extent to which there are any unresolved objections relating to Policy BC1 which was referred to in the Council's decision, and the weight that I can afford to it is therefore limited.

Main Issues

3. The main issues in this case are the effect on the:
 - Character and appearance of the area; and
 - Living conditions of the occupants of Nos. 24 and 27 Heath Hill, with particular regard to outlook and light; and future occupiers of the development, with particular regard to external amenity space.

Reasons

Character and appearance

4. The appeal site lies on the edge on Dawley District Centre and fronts onto Heath Hill at point where there is a distinct change in the character of the area. Dawley's District Centre to the South has a distinct urban grain derived from its historic core where development is tight knit, varies in its scale and form, and there is little open space. In contrast Heath Hill displays a more spacious and verdant appearance and is characterised by the simple two-storey form of its traditional cottage style detached dwellings which are situated within modest garden areas.
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5. The proposed apartment blocks are substantial both in terms of their overall footprint and height. Whilst I recognise that the appellant has sought to keep the height of the buildings down by introducing a mansard roof, this roof form with its dormer windows to my mind reinforces the overall scale and bulk of the buildings. Furthermore, the apartment block's overall design, including its height, roof design and fenestration, would not reflect the intrinsic simple form and design characteristics of neighbouring development.
6. The apartment block which would front onto Heath Hill would, by reason of its overall mass and height, appear visually dominant at the entrance to Heath Hill. Burton Close provides a clear transition from Dawley's commercial core to a more domestic scale of development where two-storey properties predominate. The introduction of a building of the scale proposed would appear visually incongruous in this location and detract from the locally distinct character of Heath Hill which I have identified above.
7. The second apartment block would be sited on land to the rear of 27 Heath Hill. This part of the site is presently seen as part of a wider open area of grassland which sits above Heath Hill and forms part of the street scene of Captain Webb Drive. It has no visual connection with Heath Hill due to its higher level and the presence of a tree line which cuts across the site. Furthermore, the site is visually separate from Burton Close which is well screened by vegetation. Consequently, although the appeal site is not isolated in the sense of being remote, it is not visually connected with the neighbouring residential development which occupies lower land and is only two-storey in height.
8. When approaching Dawley District Centre from the North along Captain Webb Drive, existing housing development is not visually prominent as it is set back from the road, low lying and displays a two-storey simple form. The introduction of a building of the scale proposed would be visually conspicuous from Captain Webb Drive and would conflict sharply with the existing street scene. Whilst it would be possible to provide some screen planting, this would not diminish the bulk and height of the proposal, and moreover its visual prominence in this location would be heightened by its uncharacteristic design and roof form. The Council do not dispute that the site would be suitable for some form of housing development; however for the reasons I have set out above, I agree with the Council that the form and scale of proposal in this case, would not be appropriate for this site, and would not reinforce local distinctiveness.
9. I conclude that the proposed development would have a harmful effect on the character and appearance of the area. It would conflict with the development plan, and in particular I find conflict with Policy CS15 of Telford & Wrekin's Core Strategy, Development Plan Document 2007 (CS) and saved Policy UD2 of the Wrekin Local Plan (LP) which are consistent with paragraph 58 of the National Planning Policy Framework (the Framework) in seeking, amongst other things, to protect local identity, ensure new development respects and relates to any adjacent buildings in relation to scale, massing, form and proportions and responds positively to local context.

Living conditions

10. No 27 Heath Hill is orientated at right angles to the road with its main frontage and habitable rooms overlooking its private garden area and towards the appeal site. Its main windows would therefore look towards the side facing wall of the proposed apartment block which would front onto Heath Hill. Despite the distance between No 27 and the proposed block, the sheer scale of its facing side wall and steep pitched roof form would dominate the outlook from No 27's front windows. There is no doubt in my mind that it would have an overbearing effect on the outlook from this property. Moreover, it would significantly enclose and overshadow No 27's sole garden area which would lie to the north west of it.
11. The apartment block proposed on the upper portion of the site would lie close to the sites common boundary with No 24 Heath Hill. Due to its position to the north east of No 24, this block would be unlikely to cause any significant loss of sunlight to No 24's garden area or conservatory. However, the elevated position and scale of the block would be imposing and have a harmful enclosing effect on this property's garden area and outlook from its conservatory which are positioned at a much lower level.
12. The layout of the proposed development is such that the proposed external amenity space for the use of future occupiers would be located to the rear of No 24 Heath Hill. Whilst it may well be that the amount of amenity space available would be adequate to serve the needs of all future occupiers, the location of the space is remote from the apartments which would front onto Heath Hill. I do not therefore consider that it would provide a convenient and therefore suitable external amenity space for all future occupiers to utilise for daily activities, for example as a space to dry clothes, sit out or to supervise children during play.
13. I conclude that that the appeal proposal would have a harmful effect on the living conditions of the neighbours at 24 and 27 Heath Hill with particular regard to outlook and light, and would not provide acceptable living conditions for future occupiers, with particular regard to external amenity space. I therefore find conflict one of the Framework's core planning principles of seeking to secure a good standard of amenity for all existing and future occupiers of land and buildings. I do not however find conflict with Policy CS15 of the CS or UD2 of the LP in respect of this main issue, as these policies relate to design principles.

Other Matters

14. I recognise that the density of new housing development can vary and that there are other three-storey developments and different roof forms within Dawley and its surrounding area. However, the appeal proposals need to be considered in the context of the character and appearance of the area in which they would be located.
15. I recognise that the site is sustainably located. However, even if the Council could not demonstrate a five year housing land supply, the adverse environmental impacts of the proposal set out above would significantly and demonstrably outweigh limited social and economic benefits that would flow from the appeal proposal, when assessed against the Framework as a whole.

Conclusion

16. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR