



Appeal Decision

Site visit made on 2 July 2019

by B Bowker Mplan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 July 2019

Appeal Ref: APP/C3240/W/19/3223803
64 Ladycroft, Wellington, Telford TF1 3BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs James Lewis against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2018/1054, dated 6 December 2018, was refused by notice dated 20 February 2019.
 - The development proposed is erection of bungalow and garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal as submitted is for outline planning permission with all matters reserved apart from access. Appearance, landscaping, layout and scale are reserved for later consideration and the appeal has been determined on this basis, with the layout plans referred to for illustrative purposes.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises an open residential garden that serves 64 Ladycroft; a two storey detached dwelling that has a frontage onto Ladycroft. Although varied in scale, plot size, design and in distances set back from the highway, the local pattern of development predominantly has frontages onto Ladycroft with rear gardens. The open and vegetated appearance of the appeal site and surrounding residential gardens create a spacious and verdant character. This is a positive local characteristic that prevails in the site vicinity despite development to the rear of No 58 Ladycroft (which has a stronger visual affinity with development at Oliver Court) and No 47 Ladycroft (which is sited away from the appeal site).
5. Despite the proposed bungalow design, the siting, mass and overall scale of the dwelling would reduce the open and vegetated appearance of the site. Based on the appellants calculations (not disputed), the proposal would result in a density of about 16.5 - 24 dwellings per hectare. Also, views of the development from the public highway would be limited. Nonetheless, the

proposal would undermine the positive contribution the open and vegetated appeal site makes to the area's character, appearing cramped in appearance in this context. As the development would be seen from neighbouring properties and gardens, the resultant harm to the spacious and verdant character that prevails to the rear of properties along this section of Ladycroft would be noticeable.

6. Local Plan (LP) Policy BE1 sets out that an SPD will be provided to clarify how the criteria within the policy will be applied. However the absence of an SPD does not disapply Policy BE1 or reduce the weight afforded to it. Whilst paragraph 122d) of the National Planning Policy Framework (the Framework) supports development that makes efficient use of land, it also requires that the desirability of maintaining an area's prevailing character (including residential gardens) is considered. Although policy does not preclude backland development and paragraph 127c of the Framework refers to increased densities, LP Policy BE1 and the Framework are consistent with one another in that they seek to ensure that development is sympathetic to its context and local character. In this case the proposal would materially harm the area's prevailing character, and not receive support from LP Policy BE1, a negative factor that weighs against the development.
7. Therefore the proposal would have a harmful effect on the character and appearance of the surrounding area. Consequently the proposal would not accord with LP policies SP1, SP4, BE1 and paragraphs 122 and 127 of the Framework. Of relevance, these seek to ensure development is sustainable, respects and responds positively to its context, preserves and reinforces historic street patterns, and is sympathetic to local character.

Other Matters

8. The proposal would increase housing supply within the built-up area of Wellington and future occupants would have access to public transport and local amenities, including the nearby hospital. In addition, the proposal would support construction employment and local services and facilities. However, these modest benefits combined would not outweigh the harm to local character and appearance identified above.

Conclusion

9. The proposal would conflict with the development plan as a whole and with the Framework, and as there are no other material considerations that indicate permission should be granted, the appeal is dismissed.

B Bowker
INSPECTOR