



Appeal Decision

Site visit made on 3 December 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2019

Appeal Ref: APP/C3240/W/19/3237253

27 Fieldhouse Drive, Muxton, Telford TF2 8JQ

- 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 S Vadukul against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2019/0396, dated 10 May 2019, was refused by notice dated 8 August 2019.
 - The development proposed is a new dwelling on land adjacent 27 Fieldhouse Drive.
-

Decision

1. The appeal is allowed and planning permission is granted for a new dwelling on land adjacent 27 Fieldhouse Drive, Muxton, Telford TF2 8JQ in accordance with the terms of application TWC/2019/0396, dated 10 May 2019, subject to the conditions listed at the end of this decision.

Main Issues

2. The main issues are the effect of the development on:
 - The character and appearance of the locality; and,
 - The living conditions of residents at 27 Fieldhouse Drive with particular regard to sunlight and outlook.

Reasons

Character and appearance

3. 27 Fieldhouse Drive is a detached dwelling located at the head of a residential cul-de-sac of similarly styled detached and semi-detached dwellings. The houses have common detailing and finishes and are set back behind front gardens with private amenity space to the rear. Resident's off-street parking is provided through a combination of forecourt, side drive and integral garage parking.
4. No 27 is located closer to the front boundary than other properties in the cul-de-sac and has an unusually large rear and side garden area in comparison with typical plot sizes on the estate. Only the adjacent detached dwelling at 25 Fieldhouse Drive has a similar sized garden in the immediate vicinity. The combined area provided by these gardens results in an uncharacteristic open aspect to one corner of the cul-de-sac within the otherwise compact arrangement of dwellings. The subdivision of the site would result in plot sizes commensurate with other examples locally and proportionate to the scale of accommodation provided.

5. The position of the dwelling would be set well back from no 27, however, the dwellings on this part of the cul-de-sac are neither symmetrical in their layout, or consistent in their spacing and distance from the road frontage. Whilst the degree of set-back from the road would be greater than other dwellings in the cul-de-sac it would reflect other examples of development adjacent to turning heads found locally.
6. Furthermore, notwithstanding the proposed position of development at the head of the cul-de-sac and shared driveway with no27, the development would appear recessive within the streetscene and retain a sufficient sense of space about the building to ensure it would not appear cramped. The proposed scale and design of the dwelling would reflect the local style that, subject to use of appropriate materials, would integrate the development into its surroundings. Accordingly, it would have a neutral impact on the overall character and appearance of development in this part of the street.
7. For the above reasons, I conclude that the development would comply with policies SP1, SP4 and BE1 of the Telford and Wrekin Local Plan 2011-2031 (2018) (LP) and the National Planning Policy Framework (the Framework) which require, amongst other things, that proposed development has regard to the character and appearance of its location.

Living conditions

8. The proposed development would be sited almost north of the existing dwelling at no 27. Subsequently, any loss of sunlight or overshadowing occurring to the rear garden area and rear-facing windows would be for a very limited time of the day. Given the estate setting, the effect on the living conditions of the neighbouring occupiers with respect to sunlight would not be so severe as to warrant refusal of planning permission.
9. The majority of the bulk of the proposed dwelling would be sited behind the line of the rear elevation of no27 and immediately adjacent to the new plot boundary between the existing and proposed dwellings. However, this would be offset from the rear elevation of the existing house by a distance slightly wider than the proposed garage to serve no 27 and set behind it.
10. The closer position of the garage and height of the pitched roof would visually break up the scale of the side elevation and provide a partial screen of the proposed dwelling. Given the intervening distance and position of the proposed garage, the new dwelling would not dominate views from the rear of no 27 or loom over the external garden space or patio area. The proposed development would therefore retain a suitable standard of living conditions for occupiers of no 27.
11. For the above reasons, I conclude that the development would comply with policies SP4 and BE1 of the LP and the Framework as they seek to protect local living conditions.

Conditions

12. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.

13. In the interests of securing a suitable appearance, details of external materials are required.
14. To ensure the development is suitably drained and avoids increases in flood risk a condition requiring the details of foul and surface water drainage of the site is imposed. This is of necessity a pre-commencement condition to facilitate installation of a suitable scheme.
15. The Council suggests a 'catch-all' landscaping condition to secure amenity. As the plot is an existing residential garden area and the plans and application form detail the proposed layout of parking and garden areas it would not be necessary to secure further landscaping detail to make the proposed development acceptable in planning terms in this instance.

Conclusion

16. For the above reasons, the appeal is allowed.

R Hitchcock

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AP19018-06 Rev.D.
- 3) No development shall take place until a scheme for both foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The details of the proposed surface water drainage scheme will be based on sustainable drainage principles and shall include:
 - If soakaway drainage is proposed: (a)The results of soakaway tests carried out 3 times in accordance with BRE Digest 365. (b) Soakaway calculations, based on the worst case result from the on-site tests. (c) A detailed drainage design including a plan showing the location of any soakaway. Soakaways should be located no less than 5m from any building or boundary.
 - If drainage to a watercourse, sewer or other waterbody is proposed): (a) A detailed drainage design restricting surface water discharge to 5 litres per second per hectare and attenuating all flows up to and including the 1 in 100 year event + 40% for climate change. (b) A drainage layout showing the location of any attenuation and flow control features. Any attenuation or flow control features serving more than one property should be located in an area of shared space or POS. The approved details shall be implemented in full prior to the first occupation of the development.
- 6) No hardstandings shall be laid or development above damp-proof course level take place until details of types and colours of all external materials, including hard surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

End.