
Appeal Decision

Site visit made on 5 November 2019

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2019

Appeal Ref: APP/C3240/W/19/3236467

Land to the rear of 32 Bratton Road, Telford, Shropshire

- 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 Shropshire Homes Ltd against the decision of Telford & Wrekin Council.
 - The application Ref TWC/2019/0288, dated 28 March 2019, was refused by notice dated 23 July 2019.
 - The development proposed is 3 additional dwellings and associated garages, plus the repositioning of a further 8 dwellings and associated garages, all served off approved access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The site is located to the rear of existing properties on Bratton Road and sits on the fringe of the existing urban area. Bratton Road and Cheshire Coppice Lane are relatively narrow roads with mature hedge planting present along the highway. Whilst there is a public footpath to one side of Bratton Road it is separated from the highway by mature hedging.
4. The existing dwellings adjacent to the site are large detached properties, set in substantial plots, and the spacing between the dwellings permits views through to, and an appreciation of, the open countryside beyond. There is mature landscaping present within the site and along its boundaries with the existing residential properties and wider countryside. Consequently, the surrounding area has a spacious, verdant and distinctly semi-rural character.
5. I saw on my site visit that there is denser residential development within the wider surrounding area, such as to the south of the site. However, the access and location of these developments tends to differ significantly from the appeal site. They are either accessed off the main thoroughfare, not located on the urban fringe or the adjacent development does not have the same open, spacious pattern that is present along Bratton Road. Where the higher density developments are located on the urban fringe it is clear that these result in a harsh urban edge to the settlement.

6. The appeal scheme proposes dwellings set within relatively small plots, in relation to existing adjacent development, and due to a lack of spacing between the dwellings there would be little relief between the built form. The development would lack the spaciousness that is an integral part of the predominant, established pattern of development on the western side of Bratton Road.
7. There is mature landscaping to the west of the site, and I saw on my site visit that from the north views would be more restricted. However, the landscaping to the site boundaries is not so substantial that it would act as a sufficient screen or buffer to the development.
8. There would still be clear views from the surrounding countryside and the development would result in a denser roofscape and visually be more dominant in the landscape. This would be at odds with the established pattern of development on Bratton Road, where spacing between the existing development ensures it is not overly dominant and it appears as being nestled into the landscape. The rear gardens to the proposed dwellings, due to their limited depth, would do little to mitigate this impact.
9. Whilst views from Bratton Road may be more limited, due to the spacing between the properties there are still views through to the appeal scheme and the development would be visible. Considering this and the lack of relief between the built form it would diminish the existing sense of openness and rural character.
10. It is acknowledged that the site lies within the settlement development boundary and has long been considered for development. I note that the principle of residential development is not disputed between the parties. The appellant has drawn my attention to The Telford & Wrekin Strategic Housing Land Availability Assessment, 2012 (SHLAA) which they consider identifies the site as being available, suitable and achievable for the number of dwellings currently proposed.
11. However, the SHLAA is clear that it only provides an indication of the number of dwellings that could potentially come forward, and the assumed densities are an indicative exercise only. It is not clear in the evidence before me the exact area that the SHLAA site relates to, though the SHLAA does state that the density of the development would need further consideration at application stage due to the site's edge of urban area location.
12. Similarly, the Landscape Sensitivity Study, 2014 (LSS) also referenced, covered a wider area, and although it identifies the site as not being of high landscape value such that it would be an impediment to development, it does state that the urban edge is mostly hidden. As detailed above, this would not be the case with the appeal scheme.
13. The appellant has referred to a previous planning approval for 14 dwellings on the wider site.¹ As part of that submission a Character Appraisal of surrounding properties and design principles of proposed dwellings (CHA) and Framework for Detail Design (FDD) were produced. These documents informed the previous proposals, though it is acknowledged that Policies within the Local Plan do not require adherence to them.

¹ TA/2016/1479

14. The CHA does not provide specific density guidelines nor an upper limit for the number of dwellings. It does however identify that the spaces between buildings are quite green and rural and the roadside largely hedged. It states that it is important for development on the site to reinforce the original qualities of the built form in this area, as opposed to the more market led suburban quality of the more recent denser developments, and that in addition to the detail of the buildings and landscape features this would be reflected in the spaces between the buildings.
15. The current appeal scheme would utilise the same access, internal road layout and would not extend development closer to the boundary than the previously approved scheme. It would also generally accord with the detailed design recommendations of the FDD and utilise the house types and materials previously approved. Nevertheless, it would result in a more concentrated form of development and, as detailed above, reduce spaces between the built form. As identified in the CHA this would be at odds with the established character and appearance of development along Bratton Road. It would significantly increase the visual dominance of the built form beyond that of the previously approved scheme.
16. Consequently, the proposals would result in harm to the character and appearance of the surrounding area, unlike the approved scheme. I have considered the proposal on its own merits and do not find that any such fall-back position provides justification for overcoming the harm I have identified.
17. Therefore, for the reasons stated the development would be contrary to Policy BE1 of the Telford & Wrekin Local Plan, 2018 which requires development to respond positively to its context and enhance the quality of the local built and natural environment. For the same reasons the proposals would also not achieve the high-quality design requirements of Section 12 of the National Planning Policy Framework.
18. I note that the Framework emphasises the need to support efficient use of land and significantly boost the supply of new homes and the proposal would provide an additional 3 dwellings. This provision, any employment created during construction and from future occupants use of local services would only result in temporary and modest benefits. Therefore, whilst I have taken this into account, I do not consider these benefits would be sufficient to outweigh the harm I have identified.

Other Matters

19. I note that in response to comments from Shropshire Fire Service, a swept path analysis has been submitted and the proposals would not have a harmful impact on the living conditions of existing occupants, though I consider these matters would have a neutral effect, and therefore, do not weigh in favour of the appeal.
20. With regards to potential Council Tax revenue and New Homes Bonus, bearing in mind the guidance in the Planning Practice Guidance these are also not matters weighing in favour of the appeal. It is acknowledged that the Parish Council did not object to the original planning application, however this does not lead me to a different conclusion.

21. The appellant has submitted a Unilateral Undertaking making provision for education and recreation contributions, which would have the potential to mitigate the effects of the development in those respects. However, as the appellant has noted there is a flaw in the drafting of the undertaking relating to the site address. Whilst the flaw would appear to be capable of being remedied were, I minded to allow the appeal, those provisions would not amount to benefits weighing in favour of the development and, as I am dismissing the appeal for other reasons, I have not pursued this matter further with the main parties.
22. The appeal scheme does not include the provision of any affordable housing, though I note the Council have raised no objections in this regard. Provision of affordable housing was secured as part of the previous planning application though, within the evidence before me, there is an absence of information relating to the terms under which that was secured or the implications in respect of the current appeal scheme. Therefore, whilst I am mindful of this earlier provision, I cannot consider it a benefit of the current appeal scheme.
23. The appellant has drawn my attention to a planning approval for 5 dwellings at a site to the west of Bratton Road². I note that the Case Officer Report for that development, states that the site was previously developed and occupied by a modern detached split-level bungalow. On my site visit I saw that there are also other distinct differences between that site and the appeal site. The dwellings are arranged in a linear fashion almost at a right angle to Bratton Road and are viewed in the context of the existing linear development along Bratton Road.
24. Furthermore, there is existing development to the rear of the site and so it does not have a direct boundary with the countryside beyond. I therefore do not consider this development to be directly comparable to the appeal site or scheme and in any event, each site must be considered on its own merits. These other matters do not, therefore, lead me to a different conclusion.

Conclusion

25. For the reasons given above I therefore conclude that the appeal should be dismissed.

A Denby

INSPECTOR

² TWC/2013/0033