
Appeal Decision

Site visit made on 18 November 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 March 2020

Appeal Ref: APP/C3240/W/19/3238321

14 Ironbridge Road, Madeley, Telford TF7 5HU

- 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 Christian Toon against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2019/0583, dated 1 March 2019, was refused by notice dated 4 September 2019.
 - The development proposed is erection of a tree house (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a tree house at 14 Ironbridge Road, Madeley, Telford TF7 5HU in accordance with the terms of the application, Ref TWC/2019/0583, dated 1 March 2019, and the plans submitted with it (amended Location Plan and Proposed Block Plan Ref: 1901 PO1 dated July 2019 and, Proposed Plan and Elevations Ref: 1901 PO3).

Main Issues

2. The main issues are the effects of the development on:
 - (i) The character and appearance of the street-scene.
 - (ii) The setting and views to and from the Ironbridge Gorge World Heritage Site and Severn Gorge Conservation Area.

Preliminary Matters

3. The description of the development has been simplified from that set out on the application form. The appellant has adopted the description used above that was used by the Council in issuing its decision.
4. On my site visit, I observed that the tree house described above has already been built and I have dealt with the appeal on that basis.
5. An amended Location Plan and Block Plan dated July 2019 (Ref: 1901 PO1) has been provided. I have determined the appeal on the basis of the amended plan since the only amendments made compared to the February 2019 version is removal of the treehouse from the Block Plan which does not affect the interests of third parties. The detailed drawings of the tree house remain unaltered in the Proposed Plan and Elevations (Ref: 1901 PO1).

Reasons

Character and appearance

6. No 14 Ironbridge Road is a detached house. Unusually, the dwelling is located at the rear of the plot so that most of the useable garden space is to the front of the house. There is only a small area to the rear. The garden area is well-screened along its boundary with Ironbridge Road including both fencing and foliage. The garden area is also separated from the driveway thus providing a relatively secluded and safe area. A summerhouse has been constructed adjacent to the Ironbridge Road frontage and the tree house lies adjacent to this, built around an ash tree. The tree house comprises play equipment for children including swings, a slide, monkey bars and an elevated deck and den area.
7. No 14 is the end house along this section of Ironbridge Road and the tree house does not directly impact on any nearby dwellings. Although the tree-house is located in a prominent position, close to the highway, views of it are restricted by the degree of natural vegetation and the topography. Ironbridge Road has a footway on the same side as No 14 but it is only possible to see the tree-house when walking directly adjacent to the appeal site. Similarly, for the occupants of vehicles using Ironbridge Road, the structure only becomes visible in the immediate vicinity of the site. The effect on those views are considerably reduced by the vegetation and boundary treatment. I visited the site in the latter part of November so it follows that for much of the year the screening effect will be even greater. As the wood used for construction of the tree house ages it is also likely that it will increasingly blend in with the surrounding foliage. Overall, I consider that most people passing along Ironbridge Road would be unlikely to be aware of the tree house and it is difficult to see how it has had a harmful effect on the character and appearance of the area.
8. Accordingly, taking account of the nature of the development, the layout and character of the site and the immediate surroundings, I conclude that the tree house does not have a harmful effect on the character and appearance of the street-scene and therefore does not conflict with Policies BE1 and BE2 of the Telford & Wrekin Local Plan 2011-2031 (LP) which seek to ensure a high quality of design.

Heritage

9. The appeal site lies adjacent to the boundary of the Ironbridge Gorge World Heritage Site and the Severn Gorge Conservation Area both of which are recognised as designated heritage assets. Their significance as heritage assets is derived from both the 18th century industrial remains with supporting settlements and infrastructure, including the famous Iron Bridge, as well as the natural beauty of the River Severn and gorge. The natural setting greatly enhances the attractiveness of the heritage assets including the woodland hillside alongside Ironbridge Road close to the appeal site.
10. While the proposal does not have a direct impact on the features within either designation the reason for refusal identifies concerns over the impact on the setting of views to and from the Ironbridge Gorge at a key gateway.
11. As Ironbridge Road crosses the brow of the hillside, the road falls away opening up long views into the floor of the gorge with the view framed by the dense

woodland and vegetation on both sides of the road. The sign marking the boundary of the heritage site is located a short distance from the appeal site. The World Heritage Site, as the birthplace of the Industrial Revolution, is a very special place as reflected by Policy BE3 of the LP. This policy is clear that the Council will not support proposals adjacent to the World Heritage Site that adversely affect its setting including existing skylines and views to, and from, the Gorge.

12. In order to assess the effects on the World Heritage Site I observed the view from the decking of the tree house, walked and drove both ways along Ironbridge Road observing the points at which it was possible to see the tree house and, also ventured into the wooded area adjacent to the site to look back at the site from areas to which members of the public could reasonably gain access.
13. I consider that critical views into and out of the World Heritage Site are not compromised by the tree house. This is because of the amount of dense vegetation as well as the topography. Ironbridge Road is on a gentle bend which, coupled with the manner in which the land rises as the road falls away immediately to the south, means that long distance views are not possible either from or into the appeal site. To the extent that the topography may allow, even during winter, the volume of vegetation would prevent views of the tree-house from the Gorge. The critical view for those entering the gorge through this particular gateway is enjoyed by looking directly ahead along the public highway and not by concentrating on looking sideways into dense foliage. In addition, the tree house itself is not of a sufficient height to harm views of the skyline looking both into and out of the Gorge.
14. Accordingly, I conclude that the nature and extent of the surrounding vegetation and topography ensure the tree-house does not have a harmful effect on either the gateway to or the setting of the Ironbridge Gorge World Heritage Site and the Severn Gorge Conservation Area. As such, the neutral impact of the tree house preserves the elements of the setting that make a positive contribution to the significance of the heritage assets and is therefore consistent with both the provisions of Policy BE3 and BE5 of the LP which seek to protect and enhance these heritage assets and the approach set out in the National Planning Policy Framework (specifically paragraph 200).

Conclusion

15. For the reasons stated above, I conclude that the proposal would not cause harm. I allow this appeal and grant planning permission for the development of the tree house. Since the tree house has been completed there is no need to attach conditions.

David Carter

INSPECTOR