



Appeal Decision

Site visit made on 17 June 2020 by S Watson BA(Hons) MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 3 July 2020

Appeal Ref: APP/C3240/W/20/3249378

The Dell, Cherrington, Newport TF10 8PQ

- 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 C Hames against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2019/0833, dated 10 October 2019, was refused by notice dated 17 January 2020.
 - The development proposed is the erection of a dormer bungalow.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was carried out by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. For the sake of clarity, I have used the site address from the appeal form as it is more concise than that used in the planning application form.
4. The proposal before me has been made in outline with only the matter of access being considered at this stage. All other matters, including appearance, landscaping, layout and scale, have been reserved for a subsequent application. I understand from the appellant's case that the submitted drawings are for illustrative purposes only, and I shall consider them as such.

Main Issues

5. The main issues in this case are:
 - whether the appeal site is in a suitable location for new housing; and,
 - the effect of the proposal on trees and drainage within the site and its vicinity.

Reasons for the Recommendation

Principle of Development

6. Policy HO10 of the Telford and Wrekin Local Plan (TWLP) supports limited infilling within named settlements, including Tibberton, which the appellant calculates is 1.5 miles from the appeal site. Outside of these settlements the policy states that residential development is restricted other than where it meets one of the policy's four requirements. The appeal site is outside of any named settlement and both parties are silent on whether the proposal meets any of these requirements. As such, and in the absence of evidence to demonstrate otherwise I find that the proposal would not be the type of residential development supported by this policy.
7. The appeal site is part of the garden to the south of, and serving, The Dell. It is on the east side of a single-track road, Cherrington Lane, serving some sporadic residential development. The lane itself has no pavement and is not illuminated, with the surrounding area primarily rural in nature. To the north of the site is a crossroads where the B5062 (east-west) cuts across Cherrington Lane (north-south), the B5062 also does not have streetlights or a pavement.
8. Both Cherrington Lane and the B5062 have the national speed limit. However, it was only along the B5062 that, during my visit, I noted vehicles traveling close to this speed. The B5062 is also a busy road. I find that walking or cycling along either Cherrington Lane or the B5062 would be unsafe and unattractive. This would especially be the case when travelling at night, in inclement weather, or with a child or vulnerable person. I am not aware, from the information before me or my site visit, of any other routes to nearby services.
9. During my site visit I drove to, and around, Tibberton. Mindful of the temporary closures brought about by the Covid-19 lockdown, I nevertheless saw very little in the way of services and facilities within the village. It is therefore unlikely that the majority of a future occupier's needs could be met within the village and it would be necessary for them to travel to further settlements. It would not be realistic for future occupiers to walk or cycle to more distant settlements for the purposes of the weekly shop or commuting and given the local highway conditions it would be unlikely that they walk or cycle to Tibberton either.
10. I note that the appellant refers to bus routes to Telford, Wellington and Newport which pass near the site, but they have only provided times for buses to and from Telford. From the limited information available to me, it does not appear that the bus routes are regular or convenient. In light of this I am minded that there would be a high probability that the intended future occupiers of the new dwelling would not make use of buses to reach the nearest settlements.
11. Accordingly, I find that the appeal site is remote from a settlement and in order to access even day-to-day services and facilities, including places of employment, shopping and education, the intended future occupiers of the new dwelling would have a high reliance on a private motor vehicle. For those that did not have access to such a vehicle, the nearest services and facilities would not be accessible.

12. Given the appeal site's location outside of a named settlement, and its remote relationship to services and facilities resulting in a high dependency on the private motor vehicle, I conclude that it is not within a suitable location for a new dwelling. The proposal is contrary to the locational strategy of Policy HO10 of the TWLP. It would also be conflict with the National Planning Policy Framework (Framework), which requires the planning system to contribute to the achievement of sustainable development, with accessible services.

Effect on Trees

13. The appeal site contains a small number of young trees, on the most part they are not of any substantial size. The two largest trees within the site are proposed to be removed as part of the scheme. From the information before me I understand that their loss is not unacceptable to the Council and that the reason for refusal hinges on the retention of the remaining trees both on and surrounding the site.
14. I note that very limited information has been submitted regarding the protection of the retained trees and any mitigation against their loss or damage. I am also mindful of the Council's concerns that the root protection areas do not comply with the relevant British Standards, and that the siting of the parking and turning areas, and swale would breach them. However, as the proposal is only at outline stage, with siting and landscaping as reserved matters, I find that a detailed arboricultural report would be of little meaningful benefit in this instance.
15. I find that in the event of the appeal being allowed, conditions could be attached requiring the submission, at the reserved matters stage, of a landscaping scheme alongside details of tree protection and mitigation. I therefore conclude that the proposal would be unlikely to have a harmful effect upon trees upon and within the vicinity of the appeal site subject to suitable protection and mitigation. In light of this, the proposal before me does not conflict with Policy NE2 of the TWLP which expects development to protect trees which have biodiversity, visual, amenity or landscape value.

Effect on Drainage

16. No evidence has been submitted to demonstrate that the area is currently, or at risk of being, susceptible to surface water flooding. My visit took place shortly after a number of days of heavy rainfall in the area, and I noted some puddles on Cherrington Lane. However, I did not note any surface water on or around the appeal site where there is little development.
17. Given the lack of supporting evidence from the Council, and my experiences on the site visit, I find that it is more than likely that this area, in the most part, capably drains away surface water. Relative to the surrounding open landscape, the proposal would result in the site being covered to only a very limited degree, it is likely that this would have only a minimal impact on the drainage capability of the site and its surroundings.

18. Nevertheless, in order to ensure that there would be no adverse effects on the site or surrounding area, in the event of this appeal being allowed, I find it would be acceptable for a condition to be attached requiring suitable drainage to be provided alongside any reserved matters application.
19. In light of the above I find that the likely impact of a new dwelling on the appeal site is not so significant as to require the submission of drainage details at the outline stage, given the matter which is before me. In this way the proposal would not conflict with Policies ER11 and ER12 of the TWLP. These collectively require development to provide the effective and safe management of surface water and sewerage systems.

Recommendation

20. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR