



Appeal Decision

Site visit made on 8 December 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/C3240/D/20/3259122

6 Manor Farm, Little Wenlock, Telford TF6 5BZ

- 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 D Cooper against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2020/0540, dated 29 June 2020, was refused by notice dated 28 August 2020.
 - The development proposed is first floor roof terrace above garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the impact the proposed development would have on the living conditions of the neighbouring properties with regard to loss of privacy and the effect of the proposed development on the character and appearance of the street scene.

Reasons

Living conditions

3. The site is located in a residential area and is one of a small number of properties on a narrow cul-de-sac. The property has undergone various alterations and has a rendered appearance, different from the remainder of the cul-de-sac properties which still retain the original brick detailing.
4. The proposed roof terrace would be located on the flat roof of the attached garage which is located to the front of the appeal property. It would be accessed through a bedroom of the property.
5. At the time of my site visit, tree covering was sparse, specifically to the south. Even in summer, the appellant would be able to overlook a considerable area and this would result in a loss of privacy for the occupiers of surrounding dwellings when using their gardens and amenity space. The high vantage point offered at first floor level when stood on the flat roof of the garage would result in the real sense of being overlooked from above which would considerably lower the levels of privacy and detract from the enjoyment of outdoor space.
6. I have to consider whether the harm could be mitigated through the use of conditions, for example the use of high privacy screening in addition to the proposed "green wall" to the eastern boundary. However in order to be effective, such screens would need to be of a height that would negate any

outlook from the terrace and would undoubtedly affect its functionality as outdoor space. I am not satisfied that the harm could be mitigated in a satisfactory manner.

7. Therefore, the development would result in the loss of privacy for the occupiers of the neighbouring dwellings when using their gardens and amenity spaces which would result in harm to their living conditions. As a result I find that the proposal would be contrary to Policies BE1 and BE2 of the Telford & Wrekin Local Plan (adopted 2018) (the LP) which amongst other matters, expects that development does not have a significant adverse impact on nearby properties.

Character and Appearance

8. The proposed terrace would utilise the flat roof of the garage and be enclosed by a screen for protection, as well as a 'living wall'. The property has undergone considerable alteration and now has a significantly different appearance externally to the remaining properties on Manor Farm, principally the use of render to the external walls rather than the traditional brick construction.
9. The proposal would not be visible in the wider street scene, given the location of the cul-de-sac and its secluded outlook and as such the effect the proposal would have would be limited.
10. Nonetheless, it would be visible from various private vantage points and the requirement for good design, as referenced in Paragraph 130 of the National Planning Policy Framework, is not limited to development that is prominent in the public domain. However, I find that the proposals, with low screens and the living wall, would not look incongruous given the more modernist approach to design represented by the significant alterations to the house design, and as such I find the design of the proposals would not be incongruous within the street scene and as a result the proposal is consistent with policies BE1 and BE2 of the LP. However, this does not outweigh the harm that I have identified to the living conditions of the neighbouring residents from the loss of privacy caused by the terrace.

Other Matters

11. Whilst it has been indicated that the proposals would be of benefit to the appellant's living conditions in regard to further enabling the enjoyment of their property, this does not compensate for the harm that would be caused by the resultant terrace and the impact on neighbouring occupiers living conditions.
12. The appellant has drawn my attention to other developments, but I do not have the details of these, and I must make an assessment on this particular set of circumstances, and despite previous approvals demonstrated as examples, I have identified potential harm in this instance, and must react accordingly.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR