



Appeal Decision

Site visit made on 15 December 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2021

Appeal Ref: APP/C3240/W/20/3259242

Lilac Cottage, Holyhead Road, Oakengates, Telford, TF2 6DJ

- 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 S Vadukul against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2020/0119, dated 4 November 2019, was refused by notice dated 6 April 2020.
 - The development proposed is demolition of existing residential dwelling and development of 4 No 3 Bed town houses and 1 No 4 bed detached dwelling, and associated access drive.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is in outline. The means of access, layout, appearance, and the scale of the development fall to be considered at this stage, whereas landscaping is reserved for future consideration. I have considered the appeal on this basis.

Main Issues

3. The main issues are the effect of the development on:
 - (a) The character and appearance of the area;
 - (b) Highway safety;
 - (c) The living conditions of neighbouring occupiers with regard to outlook;
 - (d) The living conditions of future occupiers of the development with regard to noise and disturbance, and;
 - (e) The adjoining Green Network.

Reasons

Character and appearance

4. The appeal site consists of an existing property at No 13 Holyhead Road and an overgrown area of land between the railway line and the rear of Nos 14-32. The surrounding area is mainly residential in character.
5. The development would introduce a row of townhouses to the rear of the established building line. These dwellings would have a significant footprint

and would be 3 stories in height. Whilst they would be partly screened by existing properties, they would be clearly visible from along sections of Holyhead Road, from the car park to the Hare and Hounds public house, and from the rear of Nos 14-32. In these views, the townhouses would appear as a large backland addition that would contrast sharply with the established pattern of development in the area. Moreover, their height and narrow shape would be dissimilar from any of the surrounding properties, and they would be a discordant addition that would draw the eye. Whilst landscaping is a reserved matter, additional planting would not be capable of mitigating the development's impact in my view.

6. My attention has been drawn to a recent dismissed appeal¹ decision that related to a proposal for 3 dwellings to the rear of the adjacent public house. That Inspector concluded that the scheme would not respect the existing linear pattern of development along Holyhead Road due to its position behind the building line. Given the proximity of that site, and the clear parallels with the current appeal proposal, I attach significant weight to that Inspector's findings.
7. The appellant states that there are many examples of similar arrangements across Telford in terms of location, separation, and scale. However, no specific examples have been drawn to my attention and I am therefore unable to assess any direct comparability to the current appeal proposal.
8. For the above reasons, I conclude that the development would significantly harm the character and appearance of the area. It would therefore be contrary to the relevant sections of Policy BE 1 of the Telford and Wrekin Local Plan (2018), which supports development that preserves and reinforces historic street patterns and layouts.

Highway safety

9. The development would make use of an existing access point onto Holyhead Road, and a plan has been submitted that shows a 2.4 x 90 metre visibility splay in both directions. However, this plan does not take account of on-street parking spaces located immediately to the north west of the proposed access. These spaces serve Nos 14-32 Holyhead Road, most of which do not benefit from off-street parking. When vehicles are parked in these spaces, visibility to the north west is heavily restricted for vehicles emerging onto Holyhead Road. As the proposal would intensify the use of this access point, which currently serves only a single dwelling, it would significantly increase the risk of collisions in my view.
10. For the above reasons, I conclude that the development would prejudice highway safety. It would be contrary to the National Planning Policy Framework ('the Framework') in this regard, which requires that new development be served by a safe and suitable access.

Living conditions – neighbouring occupiers

11. The proposed townhouses would be 3 stories in height and would be positioned side-on to the existing properties fronting Holyhead Road. This layout would include a tall side gable in close proximity to the rear boundaries of Nos 24-26. From those gardens, the side gable would be seen as a tall expanse of brickwork that would dominate views from the rear of the properties. In this

¹ APP/C3240/W/19/3240319

regard, it would have a significant enclosing effect along the boundary and would be an overbearing presence to users of the garden areas. At the time of my site visit, I also noted that the parts of the gardens closest to the proposed gable appeared to be well used and included well maintained lawns and seating areas. Whilst the distance between the side gable and the rear elevations of Nos 24-26 would exceed that found in some modern estates, this is an existing situation. Moreover, the position of the proposed townhouses on slightly lower ground would have only a modest effect on the perception of their height.

12. For the above reasons, I conclude that the development would significantly harm the living conditions of neighbouring occupiers with regard to loss of outlook. It would therefore be contrary to the relevant sections of Policy BE 1 of the Telford and Wrekin Local Plan (2018), which requires that new development does not prejudice or undermine existing surrounding uses.

Living conditions – future occupiers

13. The appeal site is adjacent to a railway line, part of which is enclosed within a tunnel. No assessment has been provided in relation to the effect of noise and vibrations from the railway line on future occupiers of the development. From the information before me, it is also unclear how frequently trains pass the site, or at what speed. I further note that Network Rail have raised noise concerns in their representation to the appeal. In these circumstances, and in the absence of further details, I cannot be sure that this matter is capable of being dealt with by condition. Moreover, whilst the appeal is in outline, layout, scale, and appearance fall to be considered at this stage.
14. I conclude that it has not been demonstrated that the development would provide acceptable living conditions for future occupiers with regard to noise and disturbance. It would be contrary to the Framework in this regard, which seeks to ensure a high standard of amenity for existing and future users.

Green Network

15. The appeal site adjoins land alongside the railway line that is designated as part of a Green Network under Local Plan Policy NE 6. This policy states that the Green Network will be protected, maintained, enhanced and, where possible, extended. Development will only be supported where it identifies, protects, and enhances the Green Network and its functions.
16. The appellant has submitted an Ecological Appraisal² which concludes that the development could proceed without the loss of habitat of significant value, and without the loss of favourable conservation status of any protected species. Whilst it is asserted that this document does not address Policy NE 6, I note that it recommends the provision of new hedging along the eastern site boundary to the railway line to enhance connectivity, and that a dark corridor be maintained along the site boundaries. These measures could be secured by condition, and at reserved matters stage when landscaping falls to be considered. The appeal site itself is not within the Green Network, and given that it currently has limited ecological value and could deliver some enhancements, I do not consider that any harm would arise.

² Greenscape Environmental Ltd (Ref 2326 2001R, January 2020)

17. For the above reasons, I conclude that the development would not harm the adjoining Green Network. It would therefore accord with Policy NE 6 of the Telford and Wrekin Local Plan (2018).

Other Matters

18. Network Rail submitted an objection to the development at appeal stage which covered a number of issues. However, as I am dismissing the appeal on other grounds, these matters are not determinative in this case.
19. Any concerns regarding the Council's conduct during the processing of the planning application fall outside the remit of this Decision.

Conclusion

20. As set out above, I conclude that the development would prejudice highway safety, would significantly harm the character and appearance of the area, and the living conditions of both neighbouring and future occupiers. Whilst it would provide new housing on an urban site, and would generate some economic benefits during the construction phase, that does not alter my view that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR