



Appeal Decision

Site visit made on 17 August 2021

by Helen B Hockenhull BA (Hons) B. PI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 September 2021

Appeal Ref: APP/C3240/W/21/3270401

**Land adjacent to the Crown Inn, Hodge Bower, Ironbridge, Telford
TF8 7QG**

- 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 B. Dhanda against the decision of Telford and Wrekin Council.
 - The application Ref: TWC/2020/0721, dated 27 July 2020, was refused by notice dated 27 October 2020.
 - The development proposed is the construction of a new 2 storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. As the works affect the setting of a listed building located within a conservation area, I have had regard to section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, the Act.

Main Issues

3. The main issues in this case are:
 - whether the proposal would preserve the setting of the Grade II listed Crown Inn including outbuildings adjoining to the south west (Ref: 1038646), whether it would preserve or enhance the character or appearance of the Severn Gorge Conservation Area (SGCA) and whether it would safeguard the Outstanding Universal Value (OUV) of the Ironbridge Gorge World Heritage Site (IGWHS);
 - the effect of the proposal on the living conditions of the occupiers of No.7 Hodge Bower, with particular regard to outlook;
 - the effect of the proposal on land stability.

Reasons

4. Planning permission has been granted to convert the former Crown Inn and rear car park to provide 7 dwellings and 5 self-contained apartments. These works are nearing completion. The appeal site, located to the south of the former Crown Inn and to the north of the residential property at No.7 Hodge Bower, forms part of this wider residential development, and was previously approved as public open space. It is proposed to erect a new two storey 2-

bedroom dwelling, designed to complement the new build dwellings to the rear. The site lies within the SGCA and the IGWHS.

Significance

5. The SGCA covers a large area of the Severn Gorge, including other nearby towns such as Jackfield and Coalbrook. The area has a long industrial history. After the discovery of the technique of smelting iron and coke by Abraham Darby in 1709, the area saw massive industrial growth which led to the building of the world's first Ironbridge in 1779, now a Grade 1 listed structure. Extensive evidence and artifacts remain of that period. Given the above, I find the significance of the CA, as far as it relates to this appeal, to derive from its history as a thriving industrial area and the community that grew up around it.
6. The CA and the listed buildings within it, contribute to the universal significance of the WHS, an area recognised for its unique role in the Industrial Revolution of the 18th century which largely originated in Britain and later spread across the world.
7. The expectations for development in this context are justifiably high. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
8. The former Crown Inn forms a three-storey early 19th century building, constructed in red brick with plain clay tiles, a central doorway with wood pilaster hood and a radial fanlight, sash windows with cambered brick arches and a blocked window at the centre. A two-storey outbuilding is attached to the south, probably a former malthouse which projects forward with its gable end fronting the road. The building forms a prominent landmark within the street scene, its special interest being derived from its architectural features and its part in the social history of a community at the heart of the once thriving industrial area.

Effect on designated heritage assets

9. The appeal site contributes positively to the setting of the listed former Inn. The infilling of this area of open space and the close siting of the proposed dwelling to the southern elevation of the heritage asset, would provide a cramped and incongruous development causing harm to its setting. I note from the appellant's evidence that historic maps show the presence of a small building on the appeal site between approximately 1880 and the 1960's. However, it appears to have had a much smaller footprint than the dwelling proposed. It was most likely a further outbuilding possibly used for storage. The fact that there was a building in this location does not justify the appeal scheme, as the current context and setting of the listed building needs to be considered.
10. Hodge Bower is characterised by groups of terraced cottages and larger detached dwellings. The pattern of development consists of loosely spaced terraces directly facing and located tight up to the back of the road with larger dwellings in more spacious plots to the south west. Areas of landscaping at certain points, provide a break from built development. The proposed detached

dwelling, infilling this small open space, would occupy a restricted plot, and as a result would be out of keeping with this historic character and the pattern of development in this sensitive location within the SGCA and the IGWHS. Furthermore, the loss of this open space would remove an area providing some relief from the tightly knit built form.

11. The dwelling is proposed to be sited with the side gable facing Hodge Bower. This would be out of character with the majority of other dwellings in the area which face the road. The proposal would therefore form a discordant addition. I recognise that the orientation reflects the outbuilding to the former Inn, however this forms a secondary structure at right angles to the host principal building. A dwelling side on to the road in this location, would be at odds with the character and appearance of the CA.
12. In support of the development of the appeal site, the appellant argues that the appeal site is redundant and has no viable use. I do not agree that it has no useful purpose. It functions as an area of open space and as I have outlined above, it is important to the character of the area.
13. Given the above, I find that the appeal proposal would diminish the sense of space in this part of the CA and fail to accord with the pattern of development in the area. It would fail to preserve the setting of the listed building and the character and appearance of the CA. For the same reasons it would also fail to safeguard the OUV of the WHS. In relation to the CA and WHS as a whole, I consider the harm caused would be less than substantial but nevertheless of considerable importance and weight.
14. Paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The new dwelling would contribute to the supply of housing in the area and would be a public benefit in the context of national housing need. However, this forms a modest benefit, which in the circumstances of this case, would be considerably outweighed by the harm to the designated heritage assets. The proposal would therefore fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with Policies BE3, BE4 and BE5 of the Telford and Wrekin Local Plan. These policies seek to conserve and enhance the heritage assets of the area.

Living conditions

15. The proposed dwelling would be sited approximately 1.4 metres from the side boundary and extend past the rear elevation of No. 7 Hodge Bower. I note that the building would be set far enough back so that it would not overlap the existing lounge window in this side elevation. The scheme would therefore not affect light to this window and in this regard would have no adverse effect on living conditions of the occupants.
16. However due to the topography, with No.7 being set at a lower level, together with its proximity, the proposed dwelling would have an overbearing effect, increasing the sense of enclosure particularly in the rear garden area. This would have a negative impact on the living conditions of the occupiers of the adjacent cottage. Accordingly, the proposal would be contrary to Policy BE1 of the Telford & Wrekin Local Plan 2011-2031 which seeks to ensure that development has no adverse impact on nearby properties or undermine existing surrounding uses.

Land stability

17. The application site falls within Zone 3 of the Ironbridge Gorge Geomorphological Map Report which requires developers to submit a standard stability report and carry out a 12-month monitoring exercise of the stability of the land as part of a planning application for development within this zone. This requirement is outlined within Policy BE9 of the Telford & Wrekin Local Plan 2011-2031 and is requested to ensure that development will not harm the structural integrity of the Gorge.
18. I acknowledge that the appellant has undertaken an assessment of the wider site, including the appeal site as part of the consented housing scheme. This concluded that the development of the site would be acceptable in this regard. However, this investigation was carried out in 2014. It was not unreasonable in my view, for the Council to require a more up to date assessment as the position may have changed. Whilst the conclusions may ultimately be the same, this should be confirmed by a new assessment.
19. In these circumstances I cannot conclude that the appeal scheme would not lead to issues of ground instability. The appeal scheme would therefore fail to comply with Policy BE9 of the Local Plan.

Conclusion

20. I have found that the proposal would fail to preserve the setting of the Grade II listed Crown Inn including outbuildings adjoining to the south west, would fail to preserve or enhance the character or appearance of the Severn Gorge Conservation Area (SGCA) or safeguard the Outstanding Universal Value (OUV) of the Ironbridge Gorge World Heritage Site (IGWHS). Furthermore, it would cause harm to the living conditions of the occupiers of No.7 Hodge Bower, and it has not satisfactorily been demonstrated that the scheme would not cause land stability issues.
21. The proposal would therefore be contrary to the development plan read as a whole and the material considerations in this case do not outweigh this conflict.
22. For the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR