



Appeal Decision

Site visit made on 26 October 2021

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2021

Appeal Ref: APP/C3240/W/21/3279859

Pryce Builders Ltd, Leonard Street, Oakengates, Telford TF2 6EU

- 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 Andrew Pryce, Pryce Builders Ltd, against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2020/0781, dated 8 September 2020, was refused by notice dated 24 February 2021.
 - The development proposed is the demolition of existing single storey office, workshop and storage buildings, erection of 2no. semi-detached dwellings with associated driveways and erection of two storey building containing 2no. apartments with associated access and car parking.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The revised National Planning Policy Framework (the Framework) was published in July 2021 and has replaced the 2019 iteration. Both main parties had an opportunity to comment upon the implications of the revised Framework.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area, and
 - the living conditions of occupiers at Nos 48-54 New Street, with particular regard to privacy.

Reasons

Character and Appearance

4. The appeal site comprises a builder's yard of considerable depth, located on Leonard Street. Although the street pattern is somewhat varied and there is not an overly strong building line along Leonard Street, the locality is nevertheless predominantly characterised by dwelling which tend to front and be positioned within close proximity to the highway, with gardens extending to the rear. The proposed pair of dwellings fronting Leonard Street would largely reflect this pattern of development.
5. However, the proposed two-storey apartment block would be set back a considerable distance from the highway, to the south west corner of the appeal

site, and it would be orientated at ninety degrees. This siting and orientation would appear at odds with the established layout of built form in the locality. Whilst glimpses of the block may be achieved through the proposed access point, the frontage would not be readily apparent from the public realm thus it would lack integration and cohesiveness with the street scene. Views from the public realm would largely be dominated by the proposed long stretch of hardstanding leading to car parking at the rear. Overall, by virtue of its arrangement, the proposal would fail to establish a strong sense of place. It would therefore appear incongruous in this locality and it would not be a visually attractive development that adds to the overall quality of the area, contrary to paragraph 130 of the Framework.

6. I acknowledge the referenced example at Leonard Court, where there are properties to the rear accessed through an undercroft. The immediate street scene differs from Leonard Street as there are other examples of substantial built form set well back from Church Parade. Moreover, I do not know the full circumstances that may have led to its approval. Therefore, this example does not justify the appeal proposal.
7. Accordingly, the proposed development would harm the character and appearance of the area and would conflict with Policies SP4 and BE1 of the Telford and Wrekin Local Plan 2011-2031 (January 2018) (the TWLP) and the Framework, as noted above. Together, these seek to ensure that developments respect and respond positively to its context, through an integrated design and layout, amongst other things.

Living Conditions

8. The proposed apartment block would be sited within very close proximity to the rear boundary of gardens of 48-54 New Street. The two proposed rear windows on the first floor would be floor to ceiling height and would serve a communal stair core and the hallway of the first floor flat. Although these would serve non-habitable rooms, their size and use would nevertheless create opportunities for future residents to overlook the nearby rear gardens. That being said, a condition requiring these windows to be obscurely glazed could be attached to prevent this.
9. Taking this into consideration, the proposal would not harm the living conditions of occupiers at Nos 48-54 and would therefore accord with Policies SP4 and BE1 of the TWLP and the Framework which seek to ensure development maintain a high standard of amenity for existing neighbours.

Conclusion

10. The proposal would provide additional homes which would bring some accompanying benefits associated with the investment and employment during construction and from the spending in the local area from future occupants. The nature of these benefits would be limited due to the scale of the development. Accordingly, they would attract only limited weight.
11. It is acknowledged that the proposal seeks to optimise the potential of this large site. However, the proposed layout would harm the character and appearance of the area, harm which would lead to conflict with the development plan and to which I afford substantial weight. Material considerations, including the Framework, do not therefore indicate that a

decision should be made other than in accordance with the development plan, thus the appeal should be dismissed.

H Ellison
INSPECTOR