



Appeal Decision

Site visit made on 8 February 2022 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2022

Appeal Ref: APP/C3240/D/21/3285826

23 Victoria Road, Wellington, Telford TF1 1LG

- 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 Mrs Khan against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2021/0661, dated 16 June 2021, was refused by notice dated 16 August 2021.
 - The development proposed is detached garage with ancillary accommodation above.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a detached garage with ancillary living accommodation above at 23 Victoria Road, Wellington, Telford TF1 1LG in accordance with the terms of the application, Ref TWC/2021/0661, dated 16 June 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location and Block Plan Dwg No 3118/1; Proposed Block Plan Dwg No 3118/3; and Proposed Plans Dwg No 3118/2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the host dwelling.

Appeal Procedure

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

Main Issue

3. The effect of the proposed development upon the character and appearance of the host dwelling and the immediate surrounding area.

Reasons for the Recommendation

4. No 23 is located in an area with mixed commercial and residential uses near to the centre of Wellington. The dwelling is a detached building constructed from red brick with dark coloured roof tiles. Next to the dwelling are the Bethal United Church and the Telford Central Mosque; both are constructed from similar materials but are larger in scale than the dwelling. Next to the site is the Tan Bank car park and around the car park is a mix of commercial and

residential development which generally uses similar materials but varies in scale.

5. No 23 is a deep but narrow building and the associated site is similarly long and narrow. Between the dwelling and the proposed garage is garden land and a vehicular access to the site, which is shared with the church. The garage would be built using matching materials to the dwelling and whilst it would be similar in width and overall form, it would be smaller than the dwelling in all other respects. The garage would also be significantly smaller than the church and the mosque that sit between the site and Tan Bank.
6. Given its siting, the proposed garage would not be prominent when seen from surrounding roads and would principally be viewed from within the car park and the development that surrounds it. The sympathetic design and use of materials, combined with its smaller scale would ensure that the building would not appear disproportionate to the dwelling.
7. Because the garage would be located at the other end of the site, it would appear physically disconnected from the dwelling. However, the similarity in form and materials to the tall, narrow detached dwelling, itself an unusual form in this area, would create a visual link between the two. They would also be seen within a single enclosed site and therefore would be seen together with the dwelling. The appearance of the existing dwelling complements the surrounding development in terms of materials and design and as such, the similarly designed but smaller garage would do the same. As a result, when the building is viewed alongside the surrounding development it would not appear out of place.
8. Whilst the garage would extend across most of the width of the site, this is inevitable given the narrow form of the plot. There would be a generous space between it and the dwelling providing a reasonably sized garden. Furthermore, the building would be situated away from the surrounding buildings. Therefore, the proposal would not appear cramped or contrived in this context.
9. While the Council considers another form or siting for an outbuilding would be more appropriate, I can only consider the scheme before me on its own merits.
10. Planning permission is being sought for a detached garage with ancillary accommodation above, however the Council has raised concerns that it would not be used in this way. The garage is located within the garden for No 23 and the two buildings would share a vehicular access. As a result, there would be a functional and physical association between the dwelling and the proposed building. Additionally, given the size of the accommodation above the garage, as well as the limitations of the size and orientation of the garden between the two buildings, it would be difficult and impractical for the two buildings to be used as separate dwellings. Consequently, I am satisfied that the proposed outbuilding would be capable of being used for purposes ancillary to the main dwelling, as is being proposed.
11. In any event, if the structure is not built or used as proposed, or if there is a material change of use in the future to create a separate dwelling, then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission is not granted. Therefore, it would not be necessary to include a condition restricting the use of the building as the Council suggests.

12. Therefore, the proposal would not harm the appearance of the host dwelling or the immediate surrounding area and would comply with Policies BE1 and BE2 of the Telford and Wrekin Local Plan 2011-2031 (adopted 2018). These policies expect development to respect and respond positively to its context and support residential alterations or extensions where it is not disproportionate in size in relation to the existing building/plot and respect the character of the area.

Other Matters

13. The proposed garage would not physically block or otherwise alter the access to the church. Any legal right of access would be a civil matter and is not within my remit in considering this planning appeal.

Conditions

14. I have considered the planning conditions suggested by the Council, having regard to the tests set out in the National Planning Policy Framework. Where appropriate, I have amended the wording for reasons of precision.
15. Further to the statutory commencement condition it would be necessary for the development to be carried out in accordance with the approved plans in the interest of certainty. Furthermore, it would be necessary for the surface materials of the development to match the host dwelling in the interest of preserving the character and appearance of the area.

Conclusion and Recommendation

16. The proposed development would comply with the development plan as a whole and for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree and shall allow the appeal subject to the conditions set out above.

L McKay

INSPECTOR