



Appeal Decisions

Site visit made on 7 November 2023

by Gareth W Thomas BSc (Hons) MSc (Dist) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2023

Appeal A Ref: APP/C3240/Y/23/3314226

16 Hodge Bower, Ironbridge, Telford TF8 7QG.

The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.

- The appeal is made by Mrs Elizabeth Steel against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2022/0813, dated 5 September 2022, was refused by notice dated 24 November 2022.
 - The works proposed are Demolition of front boundary wall, construction of one off-street gravelled car parking space with new stone wall to create a wheelie bin compound, new timber fencing, garden retaining wall and provision of an electric vehicle charging point.
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Appeal B Ref: APP/C3240/W/23/3314242

16 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 Mrs Elizabeth Steel against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2022/0812, dated 5 September 2022, was refused by notice dated 24 November 2022.
 - The development proposed is Demolition of front boundary wall, construction of one off-street gravelled car parking space with new stone wall to create a wheelie bin compound, new timber fencing, garden retaining wall and provision of an electric vehicle charging point.
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Decisions

Appeal A:

1. The appeal is dismissed and listed building consent is refused for the demolition of front boundary wall, construction of one off-street gravelled car parking space with new stone wall to create a wheelie bin compound, new timber fencing, garden retaining wall and provision of an electric vehicle charging point.

Appeal B:

2. The appeal is dismissed.

Main Issues

3. The main issues are:

- Whether the proposal would preserve a Grade II listed building known as 16 Hodge Bower and any features of special architectural or historic features that it possesses and
- The extent to which it would preserve or enhance the character and appearance of the Severn Gorge Conservation Area and on the Ironbridge World Heritage Site.

Reasons

Special interest and significance

4. The appeal site comprises part of a row of simple terraced cottages dating from the late 18th century of painted render under a clay tiled roof with attractive dormers inserted into the roof at eaves level. The cottage is set back from Hodge Bower by lawned gardens that extend up to raised timbering that provides a space for bin storage; a stone wall sits astride this narrow highway. The alignment of Hodge Bower is defined by buildings generally set immediately behind the road edge and includes the appeal property's random stone boundary wall capped by attractive fired brick copings. Part of the wall was used to create a simple outhouse building, which was probably built sometime after the cottages. The wall and building adds considerably to the character of Hodge Bower, which at this point is at its narrowest.
5. The significance of the conservation area (CA) reflects the outstanding universal value of the World Heritage Site (WHS) and is derived from the preservation of the 18th century industrial remains and surrounding settlements that follow the River Severn and steep wooded hillsides. The industrial archaeology comprises mineral smelting furnaces, china and ceramic works, the iron bridge itself and the incline plane of the Shropshire Union Canal as well as the various settlements that follow the course of the river and up the hillsides. The CA and WHS reflects its history and includes this unique industrial landscape with a series of settlements dotted within the dramatic natural landscape. The character of Hodge Bower is a consequence of its steep topography resulting in a fragmented layout of buildings with narrow roads and paths not well suited to modern traffic.
6. Whilst there have been incursions into roadside boundary walls in a number of places, the prevailing character of buildings and walls built close to the highway has survived and adds considerably to the character and appearance of the CA and to the industrial landscape character of the WHS. In relation to the appeal site, the traditional features comprising the boundary wall and simple outbuilding make a positive contribution to the character of the immediate area of Hodge Bower, in particular.
7. Therein lies the key attributes of the special interest and significance of the appeal building and its associated group. In turn, due to the prominence of such features in the heart of the Hodge Bower settlement and the associated features described above, they make a positive contribution to the special interest and significance of the CA and WHS.

The development and works

8. The proposal involves the demolition of a section of the roadside wall to create an opening to provide an off-street parking area. The remnants of the stone and coping would be dressed and used to provide a new wall between the

outbuilding and lawned area that would screen waste bins and provide an electric charging point. The new opening would provide a gravelled parking hardstanding directly from the road.

The effect of the development and works

9. The existing wall and its positioning provide a traditional boundary treatment to the road frontage and, from what I could observe during my site visit, is contemporaneous with the appeal property helping to provide a sense of enclosure when viewed from the street. There is therefore a strong architectural and historic association between the wall and the listed building at No 16 and, together with its containing outbuilding structure, are factors that reinforce the historic significance of the wall in the context of this listed building.
10. Although recognising the narrow nature of the Hodge Bower road at this point, the walling provides a high degree of legibility as well as the historic understanding of the way that this settlement was built out in terraces up the valley sides. The walling connects architecturally and historically with the listed building itself and the historic layout of streets and buildings within the settlement. Despite a similar opening having been formed some time in the past at the adjacent property, the proposed opening would accentuate the unfortunate loss of traditional boundary features in the area. Moreover, it would lead to a further fragmentation of the prevailing historical character and result in the permanent loss of a substantial quantity of historic fabric that adds considerably to the special interest of the listed building. This is notwithstanding the appellant's view that the wall is a mere fragment of the original walling that would have once occupied much of this part of the street.
11. Accordingly, the demolition of most of this walling that serves to reflect its original use and purpose and highlight its historical and architectural associations as well as the loss of historic fabric would fail to preserve the special architectural and historic interest of the listed building contrary to the Act¹, the desirability of which is a consideration of the Courts have determined as a matter of considerable weight and importance and weight. Moreover, it would fail to accord with the expectations of paragraph 199 of the National Planning Policy Framework (the Framework), which anticipates great weight being attributed to the conservation of designated heritage assets. For the same reasons, the works would fail to comply with policy BE4 of the Telford Local Plan 2018 (the Local Plan).

Effect on the conservation area

12. Having concluded that the proposed works would fail to preserve the special architectural and historic character of the listed building, I consider that the proposal would diminish the contribution that this listed building and its associated structure makes to the CA. The character of this CA and at this location in particular is formed by the juxta positioning of buildings and structures close to the narrow highway boundary that provides enclosure that is such a traditional feature of Ironbridge settlements. Accordingly, the proposed works would fail to preserve the character and appearance of the CA, which would be contrary to what is required in terms of section 72 of the Act, to paragraph 199 of the Framework and to policies BE3 and BE5 of the Local

¹ The Planning (Listed Building and Conservation Areas) Act 1990

Plan. Whilst the appellant points out that there are policies in place that would support proposals of this kind, in my judgment, they would not trump important heritage protection policies.

Planning balance and conclusion

13. Having identified that harm to designated heritage assets would occur, paragraph 202 of the Framework requires the decision maker to consider the magnitude of harm. In this case, I conclude that on balance, the proposals would lead to a less than substantial harm when assessed in the context of the significance of the assets as a whole. In such circumstances, the Framework sets out that such harm should be weighed against the public benefits that would arise from the works themselves.
14. I readily acknowledge the appellant's desire to have an off-street parking facility in an area of the settlement where on road parking is difficult due to the narrowness of the highway. I recognise that the local highway authority also points out parking difficulties in the area and also note that this proposal includes the provision of electric charging facilities for the occupier. The appellant draws attention to a number of properties that have created off-street parking spaces, including the removal of boundary walling.
15. There would be some benefit derived from avoiding on-street parking where road safety and convenience of road users may be potentially problematical, which could represent a bone fide public benefit. The same could be true of the electricity charging point. However, such benefits as far as they could constitute public benefits would be considerably outweighed by the harms that have been identified to the significance of the listed building, CA and WHS. I am not aware of the circumstances as to why walls elsewhere have been removed and cannot comment as to whether planning permission have been obtained. Without doubt though, they have created unfortunate gaps that have certainly had a deleterious effect on the character and appearance of the area. They do not affect my overall conclusions that the identified benefits are largely private benefits.
16. I conclude therefore that both Appeals A and B should fail.

Gareth W Thomas

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/C3240/W/23/3314242	Mrs Elizabeth Steel
Appeal B	APP/C3240/Y/23/3314226	Mrs Elizabeth Steel