

# Appeal Decision

Site visit made on 1 December 2023

**by N McGurk BSc (Hons) MCD MBA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 December 2023**

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**Appeal Ref: APP/C3240/D/23/3330899**

**56 Jubilee Avenue, Donnington, Telford, TF2 8HS**

- 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 Paul Smith against the decision of Telford and Wrekin Co-operative Council.
  - The application Ref TWC/2023/0383, dated 12 May 2023, was refused by notice dated 5 October 2023.
  - The development proposed is demolition of detached garage. Installation of a side and rear single storey extension and a garden room.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of Number 58 Jubilee Avenue, with regards to outlook and privacy.

## Reasons

### *Character and appearance*

3. The appeal property is a two-storey end-terraced dwelling located along Jubilee Avenue.
  4. The surrounding area is residential and is characterised by the presence of similar brick-built, two storey terraced and semi-detached dwellings set back from the road behind front gardens and/or parking areas.
  5. The similarity in the materials and appearance of dwellings combines with the regularity of their spacing to contribute an attractive uniform quality to the character of the area.
  6. During my site visit, I observed the presence of hedgerows, trees and planting and noted that this, together with the spaces afforded by parking areas, lends the area a green and spacious quality.
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7. This sense of greenery and spaciousness is enhanced by glimpses through to considerable rear garden areas, with occasional and largely small-scale, ancillary buildings, mainly garden sheds and outbuildings.
8. The wide grass verges to either side of the road contain street trees and together, the street trees, verges, gardens and occasional hedgerows combine to afford this relatively high-density urban area a notable sense of greenery and spaciousness.
9. I also observed during my site visit that, due to a change in levels, the appeal property sits considerably higher than its neighbour, Number 58 Jubilee Avenue.
10. The proposed development would extend the appeal property to the side and rear at single storey height and would add a large single storey garden room, which would largely fill the width of the plot. Both proposed additions would have footprints considerably greater than that of the existing dwelling. Taken together, I find that the proposed additions would be of such a scale as to visually overwhelm the appearance of the rear garden and unduly dominate an otherwise predominantly green and spacious area.
11. Further to the above, I find that the flat roof of the proposed extension would draw undue attention to itself as an incongruous feature, due in part to the overall scale of the extension, in part to the raised height of the appeal property in relation to the neighbouring dwelling, No 58 and also due to the general absence of such large, flat-roofed buildings in the surrounding area.
12. Taking all of the above into account, I find that the proposed development would unduly dominate its surroundings and detract significantly from the uniform, green and spacious qualities of the area.
13. Given this, the proposal would harm the character and appearance of the area, contrary to the National Planning Policy Framework; and to Local Plan<sup>1</sup> Policies BE1 and BE2, which together amongst other things, seek to protect local character.

#### *Living conditions*

14. Whilst the proposed extension would extend the appeal property towards No 58, I find that its flat roof would prevent it being of such a height as to appear unduly overbearing when seen from this neighbouring dwelling. Furthermore, the proposed windows to the side of the extension would be obscured and set at a high level, such that they would neither result in overlooking nor result in a sense of overlooking.
15. Consequently, I am satisfied that the proposal would not result in any significant harm in respect of outlook or privacy and in this regard, it would not be contrary to the National Planning Policy Framework; or to Local Plan Policies BE1 and BE2, which together amongst other things, seek to protect residential amenity. However, the absence of harm in this regard does not mitigate against the harm identified in respect of the proposal's effect on local character and hence the conclusion below.

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<sup>1</sup> Reference: Telford and Wrekin Local Plan 2011-2031 (2018).

### **Other Matters**

16. The appellant, in support of the proposal, draws attention to the circumstances relating to an occupier of the appeal property and further support for the proposal has been provided by an occupational health advisor. I acknowledge and am sympathetic to the circumstances identified and, in this regard, I am mindful that the proposed development would result in notable benefits in respect of meeting specific needs. However, whilst this is something that weighs in support of the proposal, it does not outweigh the significant harm to local character identified above.
17. The appellant, also in support of the proposal, draws my attention to other developments in the surrounding area. However, neither of these are so similar to the proposal before me as to provide for direct comparison and in any case, I have found that the proposal would result in significant harm, and this is not something that is mitigated by the presence of other developments elsewhere.

### **Conclusion**

18. For the reasons given above, the appeal does not succeed.

*N McGurk*

INSPECTOR