



Appeal Decision

Site visit made on 14 April 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2024

Appeal Ref: APP/C3240/D/24/3339622

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 Council.
 - The application Ref TWC/2024/0016, dated 30 December 2023, was refused by notice dated 27 February 2024.
 - The development proposed is demolition of garage and installation of a garden room.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area and effect on the living conditions of neighbours in respect of outlook.

Reasons

3. The appeal building is a two-storey end of terrace dwelling located in a residential area. Its rear garden, and others in the area, provide a sense of spaciousness despite the occurrence of occasional small sheds and outbuildings. Front garden shrubs and hedges add to the character of the streetscene and area.
4. There is an existing garage within the rear garden of the building which is in scale with the dwelling and other outbuildings in the vicinity. The proposed garden room would replace the garage but would have larger dimensions. It would have a footprint greater than that of the dwelling and despite the changes following the previous appeal decision, would not appear as a subservient structure. The garden room would be located near the rear boundary of the garden and would take up almost the full width of the plot. Its upper part would be visible above the driveway gate when viewed from Jubilee Avenue. It would appear overly large and intrusive when seen from the surrounding houses and their gardens.
5. I therefore find that the proposal would be harmful to the character and appearance of the area. It would be contrary to Telford and Wrekin Local Plan policies BE1 and BE2 which together require development to respond to its context, respect the character of the area, and not be disproportionate in size.

Effect on living conditions

6. The proposed garden room would be capable of being overlooked from the facing windows of several dwellings and from their rear gardens. It would appear unduly overbearing because of its height and size and proximity to the property rear and side boundaries. I find therefore that it would be harmful to the living conditions of neighbours by reason of being detrimental to their outlook. It would therefore conflict with Telford and Wrekin Local Plan policies B1 and B2, which, amongst other things, seek to protect residential amenity.

Other Matters

7. The appellant submits that the proposed garden room is specifically designed to cater for the needs of occupants with disabilities. Some detail is included within the Design and Access Statement and the application was also supported by an occupational health specialist. I acknowledge the particular use sought and sympathise with the circumstances involved. I have given careful consideration to the principles of inclusivity and accessibility raised by the appellant as well as the letters of support and benefits that would arise for a future occupant of the proposed building. However, unfortunately these matters would not outweigh the significant harm to the character and appearance of the area, adverse effect on the outlook for neighbours and conflict with development plan policies that I have identified above.

Conclusion

8. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR