



Appeal Decision

Site visit made on 31 October 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/C3240/W/24/3347104

1 Former Estates Office, Roden Lane, Telford, TF6 6BJ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robin Hooper, Verity House Limited against the decision of Telford and Wrekin Cooperative Council.
 - The application Ref is TWC/2024/0322.
 - The development proposed is the change of use from storage, garage, office to residential.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from storage, garage, office to residential at 1 Former Estates Office, Roden Lane, Telford, TF6 6BJ, in accordance with the terms of the application, Ref TWC/2024/0322, subject to the conditions set out in the Schedule appended to this Decision.

Application for costs

2. An application for costs was made by Mr Robin Hooper, Verity House Limited against Telford and Wrekin Cooperative Council. This is the subject of a separate Decision.

Description

3. The appeal site is situated just off the B5062 Roden Lane with vehicular right of access over an unadopted estate road off the public highway. The site contains a redundant, single-storey, brick storage and garage building attached to an early 20th century water tower to the south, which is identified as a non-designated heritage asset. Directly to the north is the former estate office, which has recently been converted into a two-bedroom dwelling with associated car parking space conditioned to be provided within the current appeal building.
4. The proposal is to convert the appeal building into a single dwelling with a total of five car parking spaces to be shared with the recently converted former estate office, one to the rear of the appeal building, two on its frontage to the estate access road and two at the side of the former estate office, between the building and the back of the footway on Roden Lane. The conversion involves radical alteration of the front elevation of the building to replace two garage doors with windows.

Planning Issues

5. The Council is satisfied that the proposed change of use meets all relevant development plan policies with respect to the principle of the residential conversion, the design of the dwelling and with regard to the attached non-heritage asset. I have no reason to disagree.
6. The sole main issue in the case is whether the car parking arrangements would be acceptable in terms of residential amenity, car parking and road safety.

Reasons

Residential Amenity

7. I consider that the car space to the rear of the building would be unacceptable because, as advised by the Council, it would reduce the private amenity space available to the dwelling to an unacceptable level.

Parking and Road Safety

8. I do not share the concern of the Council and highway authority that the pair of spaces north of the former estate office would cause undue obstruction to the footway on Roden Lane, as incidents of car doors opening in the path of pedestrians can be expected to be occasional and brief.
9. The total parking requirement for the two dwellings together is three spaces, such that the two on the frontage would be more than adequate if they could be provided without causing dangerous obstruction to carriageway width and visibility close to the junction of the estate road with Roden Lane.
10. The unadopted estate road serves a number of users as a matter of documented right over a stated width of 12 feet [3.6m], involving the operation of commercial vehicles.
11. Notwithstanding that cars have habitually parked in front of the appeal building, in its new use as a dwelling it is important that its associated parking be defined in such a way that passing vehicles would not be obstructed, especially this close to the Roden Lane junction. This would require there to be sufficient remaining carriageway width, when the frontage car parking spaces were occupied, for vehicles to pass in front of the dwelling and approach the junction safely with adequate emerging visibility. From submitted evidence, borne out by inspection, there is sufficient remaining width and space at the front of the appeal building to accommodate the two proposed car parking spaces there.
12. Given that the estate road is lightly trafficked and visibility at the junction appears entirely adequate, I consider that there is sufficient overall space and carriageway access for an acceptable arrangement to be achieved by the installation of permanent, reflective road markings.
13. I recognise that, a recent appeal, Ref APP/C3240/W/24/3347104, for a residential conversion of the same building, was dismissed on design and heritage grounds but the Inspector found no objection on highway safety and parking. Essentially, I agree with that assessment. However, the Inspector commented that certain details were not available, could have been secured by condition but took the matter no further as the appeal failed on other issues. Assessing the present proposal afresh, with evidence focused on the sole issue

of parking and road safety, I too find that there is insufficient detailed information to demonstrate that road safety would be maintained.

14. In the present case, the rear parking space is unacceptable whilst the frontage spaces would, in my view, require clear demarcation to define the parking area outside the width of the right of access. The proposed parking area itself is currently rough and unlevel and does not readily lend itself the parking of cars hard against the front wall of the dwelling as shown on the application plans.

Conditions

15. However, I consider that sufficient detailed information could be provided by an amended version of Condition 7, suggested by the Council. This already requires the car parking shown on the approved plans to be provided before occupation of the dwelling, properly laid out, hard surfaced and drained. This covers any necessary reprofiling and reconstruction of the ground surface. I consider it necessary to add a further requirement that permanent reflective, white-line demarcation be provided to define the parking area and the edge of the estate road carriageway.
16. A further condition should be added to prohibit car parking in the rear part of the curtilage of the proposed dwelling in the interests of amenity.
17. As for the rest of the conditions suggested by the Council and comments upon them by the Appellants: Condition 2 is necessary but amended simply to require matching or complementary construction materials in view of the significant alterations required to the building, in particular its front elevation; that is notwithstanding that supplies of such traditional materials may be immediately available close to the site. Condition 3 is needed to secure proper drainage as there is no such information on the plans submitted with this appeal. Condition 4 is appropriate to secure advance details of the proposed windows and door, to be in keeping with the original building, given also its immediate proximity to the water tower of recognised heritage value. Condition 5 is necessary to secure appropriate enclosure to the site in the interests of amenity and appearance, albeit simplified by reference only to boundary treatments. I find suggested Condition 6 requiring great detail of working arrangements to be disproportionate to the relatively simple conversion proposed and consider it unnecessary. Suggested Condition 8 properly requires compliance with the approved plans and is renumbered 6. This is followed by Condition 7 on parking, amended as indicated above, and the additional condition to prohibit parking at the rear of the dwelling, replacing the original suggested Condition 8.

Conclusion

18. I conclude that, with those conditions in place, the proposed development would be compliant with Policies SP4, BE1 and C5 of the adopted Telford and Wrekin Local Plan with respect to design, parking and sustainability. The proposals are accordingly to be regarded as compliant with the development plan as whole. This appeal should therefore allowed on that basis.

B J Sims

INSPECTOR

SCHEDULE OF PLANNING CONDDITIONS

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All external construction and finishing material shall match or complement the existing building.

Reason: To ensure that the external appearance of the development is satisfactory.

3. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

4. Development shall not take place until detailed specification and drawings including sections of the proposed windows and doors at a scale of 1:10 or 1:20 together with details of proposed finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: To ensure the satisfactory appearance and character of the building.

5. Development shall not take place until details of all site boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be implemented prior to the occupation of the dwelling.

Reason: To provide adequate privacy and an acceptable external appearance.

6. The development shall be carried out only in accordance with the approved plans Refs HP-RD-01, HP-RD-02 and HP-RD-03, dated September 2023.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

7. The development hereby permitted shall not be brought into use until the total of four car parking spaces shown on the approved plans at the frontage of the proposed dwelling and north of the former estate office have been provided, properly laid out, hard surfaced, drained and marked out on the ground in permanent reflective white lining, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be maintained thereafter free of any impediment to their designated use.

Reason: To ensure the provision of adequate car parking, avoid congestion on adjoining roads.

8. Notwithstanding the car parking space shown on the approved plans at the rear of the building hereby approved for residential conversion, at no time shall any parking space be provided or any car parking take place at the rear of the building.

Reason: For the avoidance of doubt and in the interests of residential amenity.

- End of Schedule -