



Appeal Decision

Site visit made on 29 April 2025

by P Brennan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Appeal Ref: APP/C3240/W/25/3358539

80 Beveley Road, Oakengates, Telford, Shropshire TF2 6SD

- 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 Stephen Parton against the decision of Telford and Wrekin Council.
 - The application Ref is TWC/2024/0262.
 - The development proposed is the Conversion of an existing garage to 1no dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion of an existing garage into 1no. dwelling at 80 Beveley Road, Telford, Shropshire TF2 6SD in accordance with the terms of the application, Ref TWC/2024/0262, and the plans submitted with it, 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 drawing no's 103 Proposed Plans, 104 Proposed Elevations, 106 Proposed Site Plan and 107 Location Plan.
 - 3) The dwelling shall not be occupied until space has been laid out within the site, in accordance with drawing no.106, for cars to be parked and to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.
 - 4) The materials to be used in the external alterations of the garage conversion hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Council has amended the description of development from that seen on the application form. Despite the appellant being content that the original description of development was adequate, I have adopted the Council's revised description of the development, in the interests of clarity.
3. The red line boundary plan submitted does not include the adjacent shared land required for access purposes. Both main parties were asked to comment on how the site would be accessed, whether the correct certificate had been signed and the required people notified. The appellant has confirmed that the certificate is correct, and the required notifications have been undertaken. They have also confirmed that the access would remain as existing, and no changes would be

required for the proposed development. As such, based on the submitted evidence, I am satisfied that all relevant parties are aware of the proposal and have had the ability to provide comment, including on the use of the shared access and I shall proceed with the appeal on this basis.

Main Issues

4. The main issues are:

- The effect of the proposed dwelling on the character and appearance of the area, and
- The effect of the proposal on the living conditions of neighbouring residents with regard to privacy and outlook.

Reasons

Character and Appearance

5. Beveley Road is characterised by a mix of one and two storey, modest sized traditional and modern dwellings, and a restaurant with large car park adjacent to the site. Some of the local dwellings are located at the back of the footway with a limited setback for front gardens, whilst others have parking and gardens to the front. As such, the road has no consistent front building line or street pattern.
6. Number 80 is a two-storey dwelling, within a terrace of three properties, that front Beveley Road, with limited off-set from the back of the footway. It has been, and may currently be, in use as a bed and breakfast. The three dwellings within the terrace have small courtyard gardens to the rear. These differ to the prevailing pattern of development where the dwellings generally have larger rear gardens.
7. The appeal site is a single storey garage with gabled roof, located within a severed plot to the rear of number 80. It is accessed via a driveway shared with the adjacent restaurant. The garage fronts the rear of properties at No's 74, 78 and 80. An internal staircase accesses a first-floor area within the garage. The garage sits below the level of the neighbouring properties as the rear gardens on this side of the road slope down and away from the highway. Due to its unobtrusive location and modest size, the garage makes a neutral contribution to the character and appearance of the area.
8. The conversion of the existing garage to a dwelling would involve several small alterations to its appearance. These include the relocation and replacement of a set of doors and two further new windows at ground floor. These alterations would not materially alter the appearance of the building.
9. The proposed dwelling would have no direct visual relationship with Beveley Road, being located to the rear of existing dwellings. However, the development would be visible by users of the adjacent restaurant and would not therefore be fully hidden from public view, albeit in a backland location. Apart from identifying that the proposed development would have no street frontage, the Council has failed to clearly explain or identify how the proposed development would result in harm to the character and appearance of the area.
10. The adjacent development at No 82a has access from Beveley Road and therefore, would be identified as having a street frontage. However, akin to the

proposed garage conversion, No 82a is set significantly into the plot behind tall solid gates resulting in the dwelling having no meaningful relationship with Beveley Road. It does not however, harm the character and appearance of the area as a result of its lack of relationship to the street. Furthermore, the relationship of No 82a to the street, part informs the pattern of development in the area.

11. The proposed garage conversion would not fragment an existing dwelling or its plot, as the building is already located within its own independent grounds. Whilst parking for the proposed dwelling is not indicated in detail on the plans, sufficient driveway space would be provided to enable a vehicle to park and turn within its curtilage. A small courtyard garden would be provided to the rear of the garage, matching the garden sizes of properties at No's 74, 78 and 80.
12. For these reasons, the proposed development would respect and respond positively to the character and appearance of the area. Whilst the proposed dwelling would not reinforce the traditional frontage street layout, it would not detrimentally harm it. As such, the residential conversion would not adversely harm the general pattern of development.
13. Consequently, the proposed garage conversion to one dwelling would not harm the character and appearance of the surrounding area. Accordingly, I find no conflict with Policies SP1, SP4 and BE1 (i and iv) and BE2(ii) of the Telford and Wrekin Local Plan 2011-2031 (TWLP) with respect to the character and appearance of the area. These policies, amongst other things, support residential development within Telford that respects and responds to its context and the character of the area, enhances the built environment, and preserves and reinforces street patterns, layouts, frontages, and boundary treatments.

Living Conditions

14. The existing garage is located to the rear of the existing dwellings at No's 74, 78 and 80. It sits below the level of the neighbouring properties. Due to the difference in ground levels, the first-floor bedroom window of the garage appears to be between the ground and first floor windows of the rear elevation of the neighbouring dwellings.
15. Whilst in reasonably close proximity, the separation distance of these windows, would be of a sufficient distance and at an oblique angle to prevent direct overlooking, resulting in a limited loss of privacy.
16. Some loss of privacy may occur to the rear gardens of the existing dwellings from both the proposed dwelling and its outdoor space to its front. However, the ground levels work in the neighbouring properties favour, as they are located higher than the appeal site. Furthermore, the existing rear gardens are already subject to overlooking and an impact on privacy from the adjacent restaurant access road. Any potential overlooking and loss of privacy to existing rear garden space from the proposed dwelling would be minimal. As such, no detrimental loss of privacy – actual or perceived - would occur.
17. The existing garage is of single storey height despite having a first floor within its roof space. The combination of ground levels and separation distances would minimise any actual, or perceived impact of the proposed development on neighbouring dwellings in consideration of outlook.

18. Consequently, the proposed garage conversion to one dwelling would not have an unacceptable impact on the living conditions of neighbouring residents in terms of privacy and outlook. Accordingly, I find no conflict with Policies SP1, SP4 and BE1 (xi) and BE2(iv) of the TWLP with respect to the effect of the proposed development on living conditions relating to privacy and outlook. These policies, amongst other things, support residential development within Telford that does not have a significant adverse impact on nearby properties in relation to noise, dust, odour, or light pollution; does not undermine existing surrounding uses and can be adequately accommodated without adversely affecting the living conditions of future or neighbouring occupiers.

Other Matters

19. Although not referred to in the Council's reason for refusal, the officer report has raised concerns with respect to the effect of sunlight and daylight. The garage has several tall trees on its boundary, located on higher ground, which have a shading impact on the building and its plot. These trees appear to be in the ownership of the adjacent restaurant and outside of the appellant's control. This is an existing impact and appears to be most significant in the morning due to sunlight patterns casting the garage and its plot in some shade. However, filtered light would still fall through these trees providing sufficient ambient daylight to future occupiers of the dwelling. As such, overshadowing from these trees would be unlikely to result in an unacceptable loss of sunlight or daylight to the proposed dwelling.

Conditions

20. To ensure certainty and clarity, I have imposed the standard conditions relating to the commencement of development [1] and approved plans [2]. A condition to secure on-site vehicle parking is necessary in the interest of highway safety [3]. A condition is also necessary regarding the use of matching materials to ensure that the external alterations integrate with that of the original building in the interests of the character and appearance of the building [4].

Conclusion

21. For the reasons given above, I conclude that the proposal would comply with the development plan and there are no material considerations, including the Framework, which indicate that the development should be determined otherwise than in accordance with it. As such, the appeal should be allowed.

P Brennan

INSPECTOR