



Appeal Decision

Site visit made on 27 May 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 June 2025

Appeal Ref: APP/C3240/W/24/3353783

Four Ways, Queens Road, Donnington TF2 8BZ

- 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 Carl Garbett against the decision of Telford & Wrekin Council.
 - The application Ref is TWC/2024/0138.
 - The development proposed is the reinstatement of former shop use (use class E(a)) and the erection of a single storey side extension, erection of a detached garage, installation of roller shutters, steel barrier rail, timber fence with associated parking and landscaping.
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Decision

1. The appeal is dismissed insofar as it relates to the timber fencing fronting St Georges Road.
2. The appeal is allowed insofar as it relates to the remainder of the application, and planning permission is granted for the reinstatement of former shop use (use class E(a)) and the erection of a single storey side extension, erection of a detached garage, installation of roller shutters, steel barrier rail, with associated parking and landscaping, at Four Ways, Queens Road, Donnington TF2 8BZ, in accordance with the terms of the application TWC/2024/0138, so far as relevant to the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans as they relate to the reinstatement of the former shop use (use class E(a)) and the erection of a single storey side extension, erection of a detached garage, installation of roller shutters, steel barrier rail, with associated parking and landscaping. The plans are referenced:

2020-210-01 Rev B – Existing & Proposed Floor Plans & Elevations

2020-210-02 – Block Plan, Location Plan, Proposed Site Plan, Boundary Details, Specification and Garage Details
 - 2) No further above ground work shall take place until a scheme for both foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The details of the proposed surface water drainage scheme shall be based on sustainable drainage (SuDS) principles. The approved details shall be implemented in full prior to the first occupation of the development.
 - 3) Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person

confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

- 4) The materials to be used in the construction of any further external surfaces of the development hereby permitted shall match those used in the existing building in terms of size, colour and texture.
- 5) All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site, by the erection of protective fencing in accordance with British Standards 5837: 2012. Any parts of trees, hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following completion of the approved development, shall be replaced as soon as is reasonably practicable and, in any case, no later than the end of the first available planting season, with plants of such size and species and in such positions as approved in writing with the Local Planning Authority.
- 6) The retail unit hereby permitted shall not be brought into use until the areas shown on the approved plans for parking, loading, unloading and turning of vehicles has been properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.
- 7) The retail unit, as detailed on the approved plans, shall not be used for any purpose other than purposes within Class E(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Preliminary Matters

3. In the banner above, and in my formal decision, I have used the description of development as detailed on the decision notice of the Council rather than that which is contained within the application form. This is because it more accurately describes the development proposed.
4. The development proposed includes various severable elements. On my site visit I observed that parts of the development had commenced. A timber fence which fronts onto St Georges Road has been erected and is complete. I have considered this part of the scheme based on what I saw on site, as the Council have done.
5. A single storey side extension has commenced and appears to be at the latter stages of construction with its roof appearing to be incomplete. I note that photographic evidence has been provided by the parties which suggests that the roof was once constructed to reflect the submitted plans. However, the roof form now appears to have been altered. Therefore, I have considered the extension, and the remaining parts of the development, on the basis of the plans which have been submitted.

Background and Main Issue

6. As noted above, the scheme relates to various separate elements. The Council have raised no concern with regard to the change of use of part of the building to a retail unit, the detached garage and various new boundaries, landscaping and associated development across the site. I have no reason to disagree with the Council's conclusions on these matters. The Council's concerns relate to the side extension and the timber fencing fronting St Georges Road.
7. Therefore, the main issue is the effect of the timber fencing fronting St Georges Road and the single storey side extension on the character and appearance of the surrounding area and building.

Reasons

8. The appeal building is a detached, two-storey property with a pyramid roof design to its main roof, and cat slide roof to one side. The building occupies a corner plot at the crossroad junction of St Georges Road, Queens Road, Wrekin Drive and Oakengates Road and, as such, the plot is prominent from surrounding streets. The plot is large with the building occupying a central position, set away from its front and side boundaries. The front façade of the building is oriented so that it addresses the crossroads. Site boundaries comprise a mix of hedges and close board fencing. Existing hedging helps to screen the building from the crossroads. The building is surrounded by areas of hardstanding and garden space, with close board fencing also crossing the site. The surrounding area is predominantly residential in character comprising two storey buildings of varying form and design. Dwellings within the surrounding streets close to the site are generally set back behind landscaped front gardens with low level walls and/or hedges defining their front boundaries. This creates a general sense of openness to the front of properties within the street scene.
9. The fence is positioned prominently along the site frontage with St Georges Road and splays into the site. The height of the fence is much greater than other existing walls or fences in the area where they are positioned along the roadside boundaries. As such the height of the fence appears as an anomaly within the street. Its solid finish results in a stark and defensive enclosure to this part of the site. Together, the position, height and design of the fence results in a prominent addition to the street which erodes its sense of openness, markedly contrasting with the low level, and unobtrusive, front boundaries found in the surrounding area.
10. The single storey extension projects from the side of the dwelling by some distance appearing as a wide addition to the property. However, it is sited in a deep position against the side elevation and consequently is positioned some distance away from St Georges Road. The proposed roof form includes a crown roof which would slope back by a short distance from the front and side eaves. The overall height of the extension would be set well below the height of the dwelling and would not be significant. Therefore, notwithstanding its width, the position of the extension within the plot along with its modest height would ensure that it would appear subservient to the existing dwelling and unobtrusive from the street.
11. I note that the roof form would not reflect that of the existing dwelling. Nonetheless, I consider that the proposed crown roof would have a similar pitch to the main roof and would be of sufficient depth to enable it to visually assimilate with the roof

characteristics of the host dwelling. I note the concerns raised with regard to materials. However, the tiles which remained on the roof at the time of my site visit appeared to be similar in colour and appearance to the existing dwelling. In any event, as this part of the scheme is not yet complete, appropriate materials could be secured by condition.

12. The extension includes a wide garage door and the one which has been installed is of a horizontal roller shutter design. Its appearance and design is inherently domestic in character and is one which is commonplace for domestic garages. I note that the roller shutter for the shop would be externally mounted and would have a distinctly different appearance. In addition, the position of the side extension set some distance back from the front façade of the building would ensure that there would be limited intervisibility with other roller shutters at the site.
13. I acknowledge that I have raised issue with regard to the fence and, should a lower or more permeable boundary be provided, the extension would become more visible from the street. Nonetheless, I consider that the modest height of the extension along with its position, set some distance from the public highway, would be sufficient to ensure that it would not appear prominent or incongruous on the street scene if the existing fence was removed.
14. For the reasons given above, the timber fence has a harmful effect on the character and appearance of the surrounding area. Therefore, that part of the scheme is contrary to Policies SP4 and BE1 of the Telford and Wrekin Local Plan 2011-2031 (2018) (the LP). However, I find that the side extension would not have a harmful effect on the character and appearance of the surrounding area and the building and, therefore, that part of the scheme complies with Policies SP4 and BE1 of the LP. Together, amongst other things, these Policies seek to deliver sustainable development which respects and responds positively to its context.

Other matters

15. I note the concerns of Donnington and Muxton Parish Council with particular regard to vehicular access arrangements for the shop. The scheme has been subject to consultation with the Highway Authority who have raised no concerns in this regard. In the absence of substantive evidence to the contrary, I consider that access arrangements for the site are acceptable.

Conditions

16. As the development has commenced it would not be necessary to attach the standard commencement condition. A condition requiring the development to be completed in accordance with the approved plans is required for certainty.
17. A number of other conditions have been suggested by the Council. Conditions were attached to an extant approval for similar development¹ and it is understood that the information required by some of those conditions, which remain relevant, had not been provided or agreed.
18. With regard to site stability a condition relating to intrusive site investigations (with details of remediation work) and a condition relating to a statement or declaration that the site has been made safe have been suggested. The Coal Authority in their

¹ Application Reference TWC/2021/0003

response to the planning application have indicated that they have reviewed a Coal Mining Risk Assessment Report for the scheme which they consider to be satisfactory. As such, they have only indicated that the declaration condition as being necessary. In light of this, I consider that only the condition which has been requested by the Coal Authority is necessary in the interests of site safety and stability.

19. A condition requiring drainage details is required in the interests of suitable drainage being delivered at the site. A condition requiring materials to match the existing building is required in the interests of the character and appearance of the development. A condition requiring existing vegetation to be protected during construction is necessary to ensure that retained landscape features are not harmed. A condition requiring the delivery of the parking and turning areas to be provided prior to first use is necessary the interests of highway safety. Finally, a condition restricting the use of the retail premises for such purposes in Class E(a) only is necessary in the interests of the living conditions of neighbouring properties as other permitted uses in that Use Class may be incompatible. Where necessary I have altered the wording of the conditions for conciseness, clarity and precision.

Conclusion

20. The element of the scheme with which I take issue is severable from the remainder of the proposal. Therefore, having regard to all other matters raised, I conclude that the appeal should be dismissed in relation to the timber fencing fronting St Georges Road. However, the appeal should succeed in relation to the reinstatement of the former shop use (use class E(a)) and the erection of a single storey side extension, erection of a detached garage, installation of roller shutters, steel barrier rail, with associated parking and landscaping.

D Cleary

INSPECTOR