



Committee and date

South Planning Committee

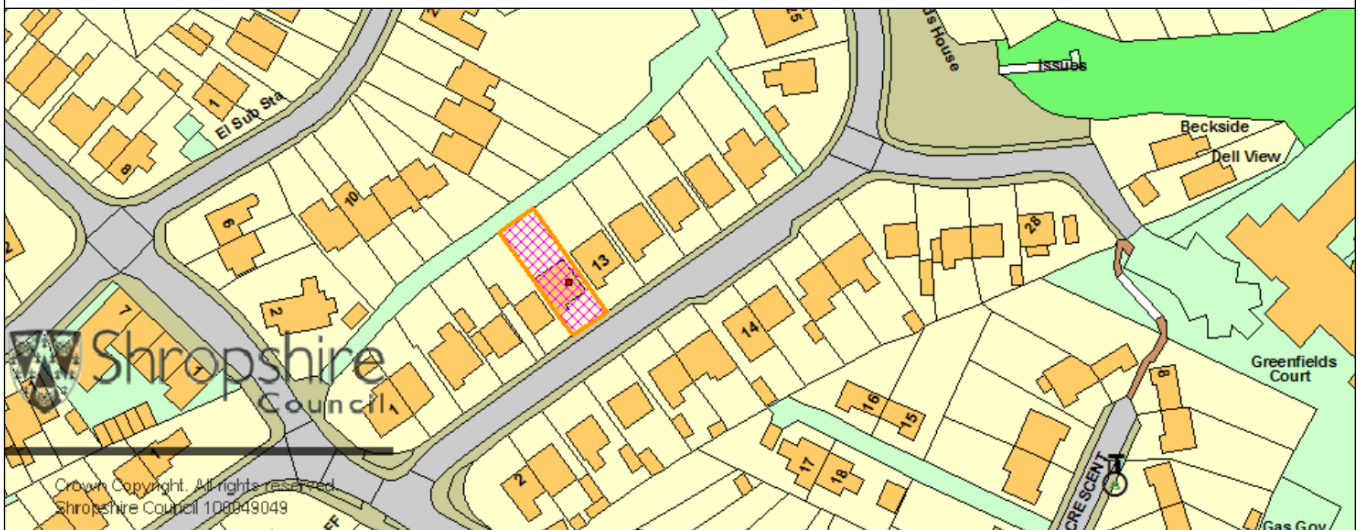
5 June 2018

Development Management Report

Summary of Application

Application Number: 18/01814/FUL	Parish: Bridgnorth Town Council
Proposal: Erection of single storey front extension	
Site Address: 11 Greenfields Road Bridgnorth Shropshire WV16 4JG	
Applicant: Mrs Gill Fuller	
Case Officer: Heather Bradley	email: planningdmsw@shropshire.gov.uk

Grid Ref: 371059 – 293777



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

Contact: Tim Rogers (01743) 258773

REPORT

1.0 THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey extension.
- 1.2 The extension would project off the front elevation of the property by approximately 1.8m, bringing the existing bow window forward to expand the size of the properties existing lounge. The addition is proposed to be of hipped roof design constructed in facing brick and roof tiles to match the existing dwelling.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The property subject to this application is a detached red brick dwelling under a concrete tiled roof located to the south east of Greenfields Road in an established residential area of Bridgnorth.
- 2.2 Detached dwellings sit either side of the application site (south west and north east) and opposite, separated by Greenfields Road is a row of detached bungalows. To the rear the garden backs onto a footpath, on the opposite of which run the rear gardens of residential properties accessed off Dunval Road.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The applicant works within the planning department of Shropshire Council and to accord with the Scheme of Delegation it is a requirement that this application be determined by Planning Committee.

4.0 Community Representations

4.1 Consultee Comments

- 4.1.1 Bridgnorth Town Council: No objection in principle but the extension would appear to be in front of the building line which could set a precedent.

4.2 Public Comments

- 4.2.1 This application has been advertised for 21 days (expired 16th May 2018) in writing directly to the neighbouring properties whom share a contiguous boundary with the application site.

No response received.

5.0 THE MAIN ISSUES

Principle of development
Siting, scale and design of structure
Visual impact and street scene
Residential Amenity

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 There is a general presumption in favour within the development plan policy for alterations and extensions to dwellings, provided they comply with the relevant criteria of Core Strategy Policy CS6 and SAMDev Policy MD2 which seeks to ensure development is sympathetic to the size, mass, character and appearance of the original property and surrounding area. Section 7 of the National Planning Policy Framework reinforces these goals at a national level, by requiring development to display favourable design attributes which contribute positively to making places better for people, and which reinforce local distinctiveness.

6.2 Siting, scale and design of structure, visual impact and street scene

6.2.1 The extension proposed in this case is of a single storey nature and would have an external footprint of approximately 7.5sqm. The use of materials to match the existing construction and the retention of the bow window feature would provide a visual connection to the existing property. The extension is a small scale modest addition that would not detract from the scale or character of the dwelling.

6.2.2 The Town Council whilst having no objection in principal raise a concern that the extension would project past the existing front building line and that this could set a precedent for future development. Each planning application is determined on its merits and in accordance with the adopted planning policy. The property in this case is within a residential estate where there are a mix of housing styles and designs, including front extensions such as at 21 Greenfields Road which already breaks the building line of the properties along this side of the street. It is acknowledge that the proposed extension would project approximately 0.6m past the existing porch, however the property is a detached dwelling and set back from the highway by its existing driveway and the extension proposed is single storey. In this context it is judged that such a projection would not be at odds with the character or appearance of the street scene and the visual amenity of the estate would be preserved.

6.3 Residential Amenity

6.3.1 The neighbouring property opposite is a bungalow and is separated from the site by the highway. It is considered that such distance between these properties would protect the residential amenity of the occupiers of this neighbouring dwelling. Given the small scale, single storey nature of this addition, it is judged that the proposal would not be overbearing, would not result in loss of privacy or loss of light and thus would not harm the level of residential amenity currently enjoyed by the neighbouring properties situated either side of the application site.

7.0 CONCLUSION

7.1 The scheme would not harm the scale or character of the existing dwelling or its relationship with the street scene, the visual appearance of the area being

preserved. Furthermore the extension would not unduly harm the levels of residential amenity which the occupiers of the nearest neighbouring properties should expect. The scheme therefore complies with the main objectives of CS6 and MD2 of the development plan and it is recommended that planning permission is granted.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☒ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☒ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee

members’ minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework
National Planning Practice Guidance

Shropshire Core Strategy:
CS6 - Sustainable Design and Development Principles

Shropshire Site Allocations and Management of Development (SAMDev) Plan:
MD2 - Sustainable Design

Supplementary Planning Document: Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

17/03114/CPE Application for Lawful Development Certificate to confirm that the existing works of loft conversion, erection of porch with pitched roof and pitched roof over garage, installation of bow window to front elevation, creation of hardstanding to front garden, dropped kerb and erection of garden wall were within permitted development or have been completed for more than four years LAWFUL 17th January 2018

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

List of Background Papers
Cabinet Member (Portfolio Holder) Cllr R. Macey
Local Members Cllr Christian Lea & Cllr William Parr
Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun 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).

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

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

3. The external materials shall match in colour, form and texture those of the existing building.

Reason: To ensure that the works harmonise with the existing development.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 187.
2. In determining this planning application the Local Planning Authority took into account the following policies:

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Shropshire Council Core Strategy Development Plan Document
CS6 Sustainable Design and Development Principles

Site Management and Allocations of Development (SAMDev) Plan
MD2 Sustainable Design

Supplementary Planning Document (SPD) on the Type and Affordability of Housing