

## Development Management Report

Responsible Officer: Tim Rogers

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### Summary of Application

**Application Number:** 18/01916/FUL

**Parish:**

Shrewsbury Town Council

**Proposal:** Erection of single storey side extension and glazed rear extension with associated internal alterations.

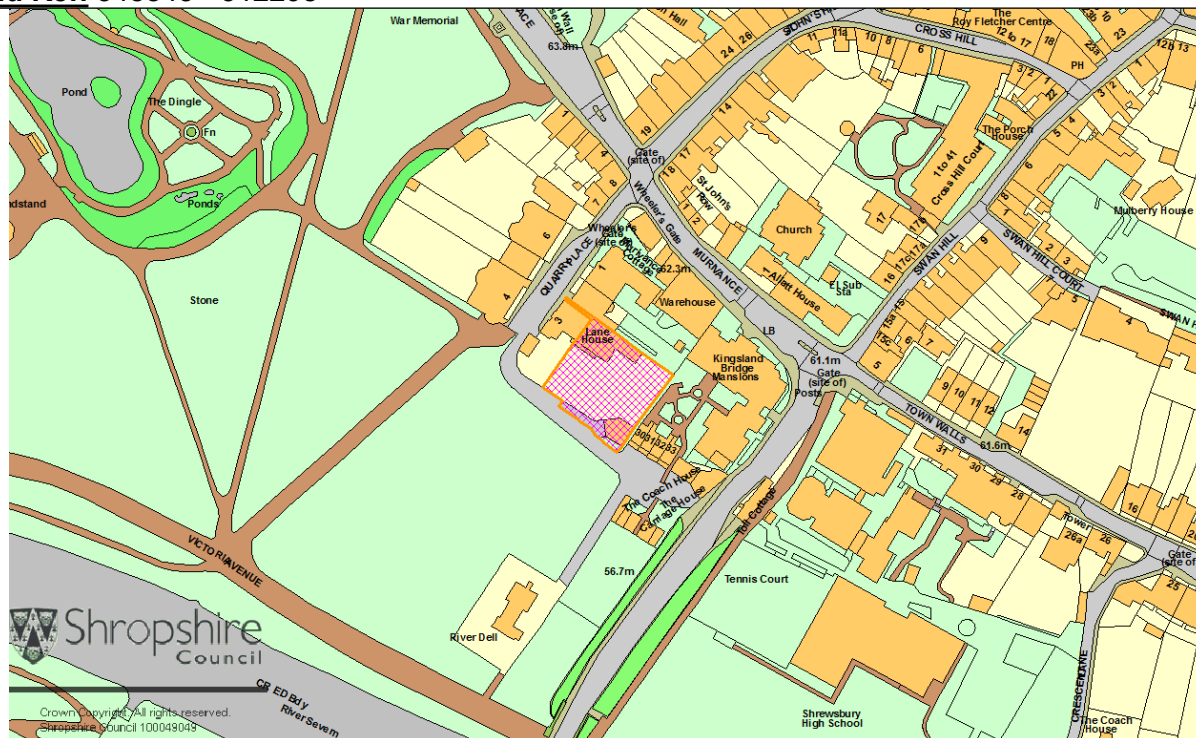
**Site Address:** Lane House Quarry Place Shrewsbury SY1 1JN

**Applicant:** Mrs Clair Gethin

**Case Officer:** Kelvin Hall

**email:** [planningdmc@shropshire.gov.uk](mailto:planningdmc@shropshire.gov.uk)

**Grid Ref:** 348845 - 312298



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

## **REPORT**

### **1.0 THE PROPOSAL**

1.1 The application seeks planning permission for the erection of a single storey side extension and glazed rear extension with associated internal alterations to the dwelling. The side extension would provide a utility/boot room and WC. It would measure 4 metres wide x 4.25 metres deep x 4 metres high. It would incorporate a crenulated parapet to match the existing building, and the walls would be painted render also to match. It would have powder coated aluminium windows and a lantern rooflight behind the parapet. The glazed extension would provide additional dining space. It would measure 6.9 metres wide x 4 metres deep x 2.9 metres high. It would have a flat rooflight, aluminium window frames and white painted hardwood fascia and soffit.

1.2 The property is a Grade II listed building. An associated application for listed building consent is being considered separately (ref. 18/01917/LBC).

### **2.0 SITE LOCATION/DESCRIPTION**

2.1 Lane House is located to the south-west of the town walls in Shrewsbury. There is pedestrian access directly from Quarry Place. Vehicle access and a further pedestrian access is via a private lane which leads from Quarry Place. Surrounding land to the north-west, north-east and south-east is in residential use. The Quarry Park, a Grade II Registered Park and Garden, lies to the south-west. The house and garden covers an area of approximately 1100m<sup>2</sup>, with the dwelling itself having a footprint of approximately 180m<sup>2</sup>. The main part of the house occupies three stories. There is an attached two storey and single storey element to the side, and a wrought iron-framed canopy to the front. The property lies within the Shrewsbury Conservation Area.

### **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The Town Council's views are contrary to the officer recommendation. The Planning Manager in consultation with the Committee Chairman agrees that the Town Council has raised material planning issues and that the application should be determined by Planning Committee.

### **4.0 COMMUNITY REPRESENTATIONS**

#### **4.1 Consultee Comments**

4.1.1 **Shrewsbury Town Council** Objects. Members recognise the significance and prominence of this building and consider all works to it should be sympathetic to the existing house. Members consider the proposed works to be lacking in detail and feel the glazed extension at the rear should reflect some of the design from the porch. The Town Council does not object to the principle of extending this property but would welcome a redesign.

4.1.2 **SC Conservation** No objections. Further to our earlier comments the amended plans show a reduced amount of demolition to the remaining internal corner tower

feature so that the corner extent of this is retained. The amended layout is generally satisfactory. It still does provide somewhat of an open plan configuration but now better delineates the original extent of the building.

Background: These concurrent applications affect the site occupied by the Grade II listed Lane House, a large four window range stucco over brick mid-19th Century dwelling with an interesting two storey castellated 'tower' bay to the easterly end and a lovely traditionally styled early wrought iron canopy to the front elevation. A linear kitchen extension to the east side was granted in 1996 which mimics the tower's castellated approach. This current application proposes a further small extension to the 1996 kitchen range for a utility room, as well as a more contemporary glazed kitchen extension to the front of the 1996 range.

Lane House is sited immediately to the rear of and attached to No 3 Quarry Place, also Grade II listed, and the property is sited in a visually concealed but sensitive position immediately north of and facing the easterly end section of The Quarry, a Grade II Registered Historic Park and Garden. As noted in the Design and Access Statement, I have met with the agent and the applicant on site at an informal pre-application meeting and the scheme has been revised to some degree from its initial iteration.

Due regard to the following local and national policies, guidance and legislation would be required in terms of historic environment matters: CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, Policies MD2 and MD13 of the SAMDev component of the Local Plan, the National Planning Policy Framework (NPPF) and relevant planning Guidance including Historic England's Setting of Heritage Assets. As the proposal is within the 'Town Centre Special Character Area', which forms part of the larger Shrewsbury Conservation Area, special regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would be required in terms of the extent to which this proposal would preserve or enhance the character or appearance of the Conservation Area. I would also note that as the building is listed, and is part of an area comprised of additional designated heritage assets, Section 66 of the Act is also relevant, where the Act requires the need to pay special regard to the preservation of listed buildings and their settings.

In principle the extension works proposed are generally acceptable and mainly affect later extensions to the main building. Both extensions have been designed to be subordinate to the main listed building, and the two approaches, one sleek and contemporary with much glazing and the other a more modest extension of the castellated early and later elements on the site, are fine in these locations, and do not compete with the other interesting elements of the building which add to its character, such as the delicate wrought iron canopy. I would suggest that a roof detail condition is added so that the most slender of roof details can be agreed for the contemporary extension, as well as conditions on external materials and finishes and joinery details. Overall the extensions are not considered to have an unacceptable impact on the character, significance or the setting of the listed building and likely a very minimal impact on the character and the appearance of the Conservation Area.

Should the application be approved the following conditions are recommended: JJ3: Services, JJ5: Metal rainwater goods/plumbing, JJ6: Roof materials, JJ7: Roof

details, JJ8: Rooflight, JJ20: Joinery, JJ21: Retain and protect architectural features, JJ23: Scribe around historic features, JJ24: External finishes, JJ31: Historic fabric, JJ34: Decorative finishes.

4.1.3 **SC Archaeology** No comments to make.

4.1.4 **SC Trees** No objections. Root protection areas (RPA) have now been added to the plan. This scheme has less impact on the trees than previous proposals. The trees are to be retained as screening and as conifers internal to the site are not considered important public amenity trees. Therefore I am satisfied with the amended plan and the arboreal aspects to this proposal. A tree protection condition will ensure protection of the RPA's (see Appendix 1).

## 4.2 **Public Comments**

4.2.1 The application has been advertised by site notice and in the local press. In addition eight adjacent properties have been directly notified. No public representations have been received.

## 5.0 **THE MAIN ISSUES**

- 5.1 ☐ Policy & Principle of Development
- ☐ Design, Scale and Character; impact on historic environment
- ☐ Residential and local amenity considerations
- ☐ Tree considerations

## 6.0 **OFFICER APPRAISAL**

### 6.1 **Policy and Principle of Development**

6.1.1 The proposal is for extensions within the curtilage of the dwelling which itself lies within the development boundary of Shrewsbury. There is no specific policy restriction on the proposal and it is considered acceptable in principle. Relevant policies and considerations are set out below.

6.1.2 Planning permission and associated listed building consent was granted in 2010 for the erection of a conservatory to east elevation; relocation of garden storage shed to include removal and other works to trees. However these were never implemented and have now lapsed.

### 6.2 **Design, Scale and Character; impact on historic environment**

6.2.1 Core Strategy policy CS6 (Sustainable Design and Development Principles) requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. Core Strategy policy CS17 also seeks to protect, restore and enhance the natural, built and historic environment. SAMDev Plan policy MD2 requires that development contributes to and respects locally distinctive or valued character and existing amenity value. Policy MD13 seeks to protect, conserve, enhance and restore Shropshire's heritage assets. In addition, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is given to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 specifies that 'special' attention shall be paid to the desirability of preserving or enhancing the character and appearance of the

## Conservation Area.

6.2.2 The proposed extensions would be relatively well screened from wider views due to existing substantial trees around the property boundary. The proposal would extend the single storey wing of the house onto part of the patio area of the property. Its design would incorporate specific features of this side of the house, including the castellated parapet, the string course and painted render to match. The extension would be small in scale with a roof height approximately 0.5 metres lower than the adjacent wing, and as such would appear as a subordinate addition but in keeping with the existing design. An existing brick wall situated across this part of the patio would be re-built further to the east.

6.2.3 In relation to the proposed glazed extension the Design and Access Statement advises that this has been designed to be slender and minimalist, to serve as a contrast to the vernacular architecture of the existing house. The Town Council however considers that it should pick up on elements of the porch. Officers recognise that the main house includes a variety of interesting architectural features. These would be retained as part of the current proposals. The design of the glazed extension does not attempt to replicate elements of the front canopy. Instead it is of a contemporary and simple design. Officers are of the view that this contrast, comprising a modern addition, would be appropriate. The proposed internal works have been amended in line with advice from the Conservation Officer to retain part of an internal wall and are now acceptable. Detailed design matters can be agreed by planning condition. Subject to this it is considered that the extensions are of an acceptable design and scale to ensure that they would preserve the special interest of the listed building, and are therefore in line with the requirements of the above policies and legislation.

## 6.3 **Residential and local amenity considerations**

6.3.1 Core Strategy policy CS6 requires that proposals safeguard residential and local amenity. The proposed extensions would be well screened from the view of neighbouring dwellings by the existing boundary wall and tall trees along the boundary. As such it is not considered that the proposal would harm residential amenity.

## 6.4 **Tree considerations**

6.4.1 The proposed side extension would bring the house to within approximately 3 metres of the line of mature trees that are along the eastern boundary. It is considered that these trees should be retained as they provide good screening. There are also other, smaller, trees slightly closer. Following comments raised by the Tree Officer the applicant has provided details of an Arboricultural Report that was prepared for the previous application for an extension which was granted in 2010. This shows the proposed extension would not be within the root protection area of the nearest trees. The Tree Officer has raised no objections. A condition can be imposed to require that tree protection fencing is retained for the duration of the construction period, and it is considered that this would ensure that harm to the boundary trees is avoided.

## 7.0 **CONCLUSION**

7.1 The design and scale of the proposed extensions would satisfactorily protect the special interest of the listed building, and preserve the character and appearance of the Conservation Area. The proposals would not adversely affect the setting of the

Registered Park and Garden of the Quarry Park, and avoid harm to residential amenity and important trees. As such the proposal is in line with Development Plan policy and planning permission can be granted subject to the conditions set out in Appendix 1.

## **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 - written representations, a hearing or inquiry.
- ❑ The decision is 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 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 give 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 1970.

## **9.0 FINANCIAL IMPLICATIONS**

9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature

of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far 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

Core Strategy and Saved Policies:  
CS6 - Sustainable Design and Development Principles  
CS17 - Environmental Networks  
MD2 - Sustainable Design  
MD13 - Historic Environment

### RELEVANT PLANNING HISTORY:

10/02186/FUL Erection of a conservatory to east elevation; relocation of garden storage shed to include removal and other works to trees GRANT 22nd July 2010  
10/02187/LBC Erect a single storey, timber framed, garden room extension with storage shed relocation, tree removal and replacement GRANT 22nd July 2010  
10/02699/TPO Crown reduce up to 5ft off branches 1 x row of Conifers protected by The Shrewsbury Borough Council (Lane House, Quarry Place) Tree Preservation Order 1973 GRANT 18th August 2010  
10/03221/DIS Discharge of condition 3 (joinery details) attached to planning ref. 10/02187/LBC NPW 18th July 2011  
14/04522/TPO To crown reduce by 4.5m a line of Conifer trees protected by The Shrewsbury Borough Council (Lane House, Quarry Place) Tree Preservation Order 1973 GRANT 1st December 2014  
18/01917/LBC Erection of single storey side extension and glazed rear extension with associated internal alterations affecting a Grade II building. PDE  
SA/92/0835 Alterations to wall after demolition of chimney. For Miss A M Morris Jones. PERCON 16th September 1992  
SA/96/0350 Erection of a single storey extension to provide enlarged kitchen after demolition of existing lobby. PERCON 15th May 1996  
SA/93/0691 Minor internal alterations and single storey extension to provide a self contained annexe. PERCON 25th August 1993  
SA/06/0829/TPO Reduce height of 10 conifers protected by SABC (Lane House, Quarry Place) TPO 1973 PERCON 6th July 2006  
SA/05/0777/TRE Various works to trees within Shrewsbury Conservation Area NOOBJC 24th June 2005

## **11. Additional Information**

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder) Cllr R. Macey
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Local Member Cllr Nat Green
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Appendices APPENDIX 1 - Conditions
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**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.

**CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

3. Details of exterior soil and vent pipes, waste pipes, rainwater goods, boiler flues and ventilation terminals, meter boxes, exterior cabling and electrical fittings shall be submitted to and approved in writing by the Local Planning Authority before the commencement of works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

4. All gutters, downpipes, soil and vent pipes and other external plumbing shall be of cast iron or cast aluminium.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

5. Before the relevant parts of the work are commenced, details of roofing materials, including ridge materials and detailing, together with the method of ventilating the roof voids and the method of fixing these items, shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure satisfactory preservation of the Heritage Asset.

6. Details of the roof construction including details of eaves, undercloaks, ridges, valleys and verges shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall be carried out in complete accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

7. Prior to their installation full details of the roof windows shall be submitted to and approved in writing by the Local Planning Authority. The installation of the windows shall be carried out in complete accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

8. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of

each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details  
Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

9. All existing features of architectural and historic interest (e.g. windows, doors, ornamental plaster, joinery, staircases, fireplaces) shall be retained in-situ and fully protected during the approved works.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

10. All new partitions and other elements of construction shall be scribed around historic and architectural features including cornices, picture rails, chair rails, skirting's, panelling, door and window linings and shall not cut through such features.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

11. All new external and internal work and finishes, and work of making good shall match existing original work adjacent, in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: To ensure satisfactory preservation of this Heritage Asset.

12. If hitherto unknown architectural evidence of historic character that would be affected by the works hereby permitted is discovered, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be submitted for written approval by the Local Planning Authority.

Reason: To ensure architectural features are recorded during development.

13. Before the relevant part of works commence details of the proposed decorative finishes and colour scheme shall be submitted to and approved in writing by the Local Planning Authority before commencement of relevant works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

## **CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

14. The trees along the south-eastern boundary of the site and indicated on approved drawing 1.00 rev A shall be retained and protected in accordance with BS 5837: 2012 "Trees in relation to Design, Demolition and Construction recommendations for tree protection".

Protective fences shall be erected prior to commencing any approved development related activities on site, including ground levelling, site preparation or construction. The fences shall be maintained throughout the duration of the development and shall not be moved or removed without the prior approval of the local planning authority.

Reason: To safeguard the amenities of the local area by protecting trees.

**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 38.
2. This planning permission notice must be read in conjunction with the listed building consent notice where additional conditions are attached.