

## Development Management Report

Responsible Officer: Tim Rogers

Email: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk) Tel: 01743 258773 Fax: 01743 252619

### Summary of Application

<b><u>Application Number:</u></b> 19/02915/FUL	<b><u>Parish:</u></b>	Myddle Broughton And Harmer Hill
<b><u>Proposal:</u></b> Proposed first floor extension and associated internal alterations		
<b><u>Site Address:</u></b> 8 Lower Road Harmer Hill Shropshire SY4 3QX		
<b><u>Applicant:</u></b> Mr & Mrs A. Begley		
<b><u>Case Officer:</u></b> Richard Denison	<b><u>email:</u></b> <a href="mailto:planning.northern@shropshire.gov.uk">planning.northern@shropshire.gov.uk</a>	

**Grid Ref:** 348094 - 322657



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

## REPORT

### 1.0 THE PROPOSAL

- 1.1 This application relates to the erection of a first floor roof extension to an existing single storey dwelling. The extension will raise the roof to provide a first floor master bedroom within the roof void which will be accessed via an internal staircase, whilst a large full width flat roof rear dormer will provide a walk in wardrobe and en-suite wet room. The bedroom will have a large glazed window which will be recessed and lead out onto a terrace within the roof plane.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The existing dwelling is located approximately 0.3km to the west of Harmer Hill settlement on a raised elevation within a woodland slope. Small sandstone outcrops surround the property, whilst two semi-detached properties (Nos.1 & 2 Moss Cottages) are located directly to the south adjacent to Lower Road. A sandstone wall is located along the north western boundary of the site adjacent to a public right of way which is overgrown with woodland to the north, east and west. A garage/store is located directly adjacent to the road with a private driveway running up to the property. The existing front elevation of the dwelling overlooks the rear elevation of 1 & 2 Moss Cottages. The original property consisted of a small sandstone dwelling which has been extended to the side to provide bedrooms and is white rendered, whilst two front gables have been provided which is constructed from timber frame and brick infill.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 Given that the applicant is the Director of Adult Services which is a politically restricted post then in accordance with the Councils Scheme of Delegation this application is required to be considered by the Northern Planning Committee.

### 4.0 COMMUNITY REPRESENTATIONS

#### 4.1 Consultee Comments

- 4.1.1 **Shropshire Council, Flood & Water Management Team** - A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Council's Surface Water Management: Interim Guidance for Developers document. It is available on the council's website at:

<https://www.shropshire.gov.uk/media/5929/surface-water-management-interim-guidance-for-developers.pdf>

The provisions of the Planning Practice Guidance, Flood Risk and Coastal Change, should be followed. Preference should be given to drainage measures which allow rainwater to soakaway naturally. Soakaways should be designed in accordance with

BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

4.1.2 **Shropshire Council, Trees & Woodland Amenity Protection Officer** - No comments or objections on arboreal grounds.

4.1.3 **Myddle and Broughton Parish Council** - No objections were raised by members.

#### 4.2 **Public Comments**

4.2.1 No public representations have been received.

### 5.0 **THE MAIN ISSUES**

- Background
- Principle of Development
- Design, Scale and Character
- Impact on Residential Amenity

### 6.0 **OFFICER APPRAISAL**

#### 6.1 **Background & Principle of Development**

6.1.1 The original single storey sandstone property consisted of two rooms and measured 9.2 metres wide by 5.3 metres deep with a central chimney stack and small store room to the rear measuring 3.4 metres wide by 1.6 metres deep (total gross floor area of 54.2sqm).

6.1.2 A pitched roof side extension, together with a rear projecting flat roof extension was approved in February 1976 (application reference N/75/1020/MY/16). This extension provided three bedrooms and bathroom together with a loft storage area, whilst the original part of the property provided the lounge and dining/kitchen room. The extension extended the width of the property by a further 7.7 metres (although the rear bedroom was slightly recessed) with a depth of 8.3 metres which extending past the original rear elevation of the property. This provided a total gross floor area increase of an additional 61.2sqm.

6.1.3 A subsequent application was approved in April 1988 which provided a front extension to the original dwelling to provide two gables and recessed entrance hall (application reference N/88/217/MY/16). This allowed the provision of an enlarged lounge and kitchen/dining room and was constructed from timber framing with brick panelling infill. The front extension extended past the front corner of the original property in front of the previous extension to provide a small conservatory and second entrance. The extension projected the front elevation 2.7 metres further forward and was 11.5 metres wide. This provided a total gross floor area increase of an additional 31.0sqm.

6.1.4 The original property was very small consisting of only 54.2sqm and has been extend in 1976 and 1988 to provide an additional 92.2sqm floor area (total 146.4sqm

gross floor area). This equated to a 168% increase in the original floor area. Although this increase appears significant the original building only provided two small habitable rooms which were extended into a three bedroom family home over 40 years ago.

- 6.1.5 This application now provides an extension to provide an additional bedroom for the applicant's family which provides an additional nett floor area of 33sqm. The provision of this residential extension to provide additional living accommodation for the existing dwelling is acceptable in principle subject to the design, scale and character.

## 6.2 Principle of Development

- 6.1.1 Policy CS6 'Sustainable Design and Development Principles' of the Core Strategy states that development should conserve and enhance the built environment and be appropriate in its scale and design taking account of local character and context. It further states that development should safeguard residential and local amenity. Whilst Policy MD2 'Sustainable Design' of the SAMDev Plan builds on Policy CS6 providing additional detail on how sustainable design will be achieved. For a development proposal to be considered acceptable it is required to contribute to and respect locally distinctive or valued character and existing amenity value by:

- i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and
- ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion;
- iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and
- iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.

- 6.1.2 Furthermore the Supplementary Planning Document on the Type and Affordability of Housing notes that the size of dwellings in the countryside can be of concern as the market trend is towards providing larger and more expensive dwellings and this tends to exclude the less well-off, including those who need to live and work in rural areas. Whilst this problem can be partly addressed through providing affordable rural dwellings, it is also important to maintain and provide an appropriate stock of smaller, lower cost, market dwellings (paragraph 2.20). Therefore, the Council is concerned to control the size of extensions to houses in the countryside, as these can otherwise create larger and larger dwellings. Additionally, the visual impact of such large buildings in rural areas and the need to ensure the development is sympathetic to the character and appearance of the original building are also considerations (paragraph 2.21).

- 6.1.3 The National Planning Policy Framework supports the local policy outlined above under paragraph 17, whilst paragraph 127 within Section 12 'Achieving well-

designed places’, further promotes the requirement for a development to respond to local character, reinforce local distinctiveness, and improve the character and quality of an area and the way it functions, not just for the short term, but over the lifetime of the development.

- 6.1.4 The existing 3-bedroom dwelling provides 146.4sqm gross floor area and is located within a large curtilage. The value of the dwelling and associated land (sold for £310,000 in 2012) would put the dwelling outside of the bracket as a low cost affordable rural dwelling. The applicant wishes to extend the property to provide a long-term family home and in principle the additional bedroom and visual enhancements to the dwelling are supported in principle. The layout, scale and design of the extension and alterations are considered in detail in the following section of this report.

## 6.2 Design, Scale and Character

- 6.2.1 Policy CS6 ‘Sustainable Design and Development Principles’ of the Shropshire Core Strategy 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. This is reiterated in policy MD2 of the SAMDev Plan which indicates the development should contribute and respect the locally distinctive or valued character and existing amenity value.
- 6.2.2 This property has been extended over the years from what was originally a small dwelling. It would appear that two gables have been constructed to the south west facing elevation and a large side extension creating the three bedrooms and the bathroom. The increase in floor area has been significant. The proposed extension now proposes to extend above the existing bedrooms to provide a master bedroom within the roof void. This will result in the increase in the roof height and provision of a recessed vertical window and terrace on the front facing elevation and large flat roof dormer window to the rear. This property is visible from the public highway (albeit glimpses) and from the rear elevation of the two neighbouring properties.
- 6.2.3 Officers have viewed the property from within the site as well as from the public highway, the neighbouring properties and the public footpath. Concerns were raised that the proposed scale of the roof extension would detract from the character and appearance of this property and would dominate the front elevation. Officers sympathise with the need and desire for the applicant to extend their property, although in its original submission officers were unable to support this scheme.
- 6.2.4 Ideally a rear extension would provide less visual impact on the character of the existing property, although due to the existing topography and ground conditions significant excavations and sandstone removal would be required which would make this an unviable option. A further extension on the side elevation of the existing white rendered extension could be provided on the gravel terrace, although this would further extend the width of the property to the detriment of the scale and character of the existing property.
- 6.2.5 Officers wish to work proactively with applicants to try and secure developments that improve the economic, social and environmental conditions of an area in accordance with the National Planning Policy Framework. Therefore, officers have

had discussions with the applicant to suggest improvements which would overcome officers concerns and provide a scheme which would be more supportive. The following suggestions were made which would allow officers to make a favourable recommendation:

- Provision of a recessed glazed link between the original side elevation of the dwelling and proposed roof extension to provide a clear separation from the original dwelling and new extension.
- Lowering of the ridge height by 400mm to lessen the scale and dominant appearance of the roof extension whilst maintaining a first floor ceiling height of 2500mm.
- Provision of additional roof slop to provide symmetrical balcony and help further reduce the visual impact.
- Replacement of the white render with a dark finish feather edge boarding.
- Rear dormer window enhanced with the provision of increased glazing providing a more contemporary appearance.

6.2.6 Amended plans have been received which have lowered the ridge height by 200mm, the balcony has been slightly shorted by removing one window, one additional window pane has been added to the en-suite window on the rear and horizontal timber boarding is proposed to replace the white render on the south west and south east facing elevations.

6.2.6 The narrow recessed glazed link which would help to provide a visual break between the original dwelling from the side extension has not been incorporated into the amended plans. However, this is due to the requirement that a structural wall and support for the roof would cut through the proposed staircase. The applicant wishes to utilise the existing wide sandstone wall of the original house to provide the support for the new roof rather than install a supporting beam or construct a new structural wall to the side of the proposed staircase.

6.2.6 Although the height of the extension has been slightly lowered it will still be taller than the original height of the roof by 1.05 metres. However, the roof extension is set back from the front elevation of the property by 1.7 metres, whilst the main approach to the property and most prominent view is from the driveway which is to the south east. The dwelling is screened by a mature woodland and landscaping within the residential garden which helps to break up clear views of the dwelling. The replacement of the white render wall with dark finish feather edge boarding will help to reduce the visual prominence of the extension and be more reflective to the woodland setting. The large flat roof dormer window is effectively the same as originally proposed except with the provision of an additional window pane. However, this is located to the rear of the dwelling and not clearly visible from any public vantage point.

### 6.3 **Impact on Residential Amenity**

6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity. The proposed first floor extension will be located above the existing bedrooms and will result in a large window and balcony facing south west over the

applicants enclosed garden, whilst the north east elevation will have an en-suite and dressing room window facing the woodland to the north. A small window is proposed on the north west facing elevation and will provide additional light close to the bedroom door and will overlook the rear roof slope of the original part of the dwelling. The proposed extension will be located 16 metres away from the rear boundary with Nos.1 & 2 Moss Cottages and 29 metres away from the rear elevation of these properties. Having regard to the contours of the land there is also a difference in the height with the applicant's property being positioned 8 metres higher than Moss Cottages. However, the applicants dwelling is slightly angled away from the main rear elevation and is partly screened by trees, hedgerows and shrubs. Having regard to the proposed orientation and distance away from the neighbouring properties the proposed first floor extension will not result in any significant detrimental impact from causing overlooking or loss of privacy, overbearing impact or loss of light.

## **7.0 CONCLUSION**

7.1 Although the proposed roof extension has not been amended fully in line with officer's recommendation the dwelling is well screened from any public vantage point and is set back from the main front elevation. The original character of the small cottage has already been lost with the previous side and front extension. The terrace has been reduced in width and sits more comfortably on the front elevation reducing the impact, whilst the dark timber cladding will reduce the visual prominence of the walls of the existing side extension. On balance officers consider that in view of the existing alterations and additions to the dwelling the proposed roof extension will not result in significant visual impact or cause any detrimental impact on neighbouring properties.

7.2 In arriving at this decision the 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.

## **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 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.

## 10.0 BACKGROUND

### 10.1 Relevant Planning Policies

Policies material to the determination of the Application. In determining this application the Local Planning Authority gave consideration to the following policies:-

#### **National Planning Policy Framework:**

#### **Shropshire Council Core Strategy (February 2011):**

CS6 : Sustainable Design and Development Principles

#### **Site Allocations Management Development Plan (December 2015):**

MD2 : Sustainable Design

## 10.2 **Relevant Planning History**

NS/88/00217/FUL - Alterations and additions. Granted 25<sup>th</sup> April 1988.

N/75/1020/MY/16 - Proposed extension of existing dwelling to provide 3 bedrooms and bathroom facilities and erection of a private garage and store/workshop. Granted 3<sup>rd</sup> February 1976.

## 11.0 **ADDITIONAL INFORMATION**

List of Background Papers - Application Reference 19/02915/FUL

Cabinet Member (Portfolio Holder) - Cllr Gwilym Butler

Local Member - Cllr Brian Williams

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. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.  
Reason: To ensure that the external appearance of the development is satisfactory.