



Committee and Date  
Northern Planning Committee  
18<sup>th</sup> August 2020

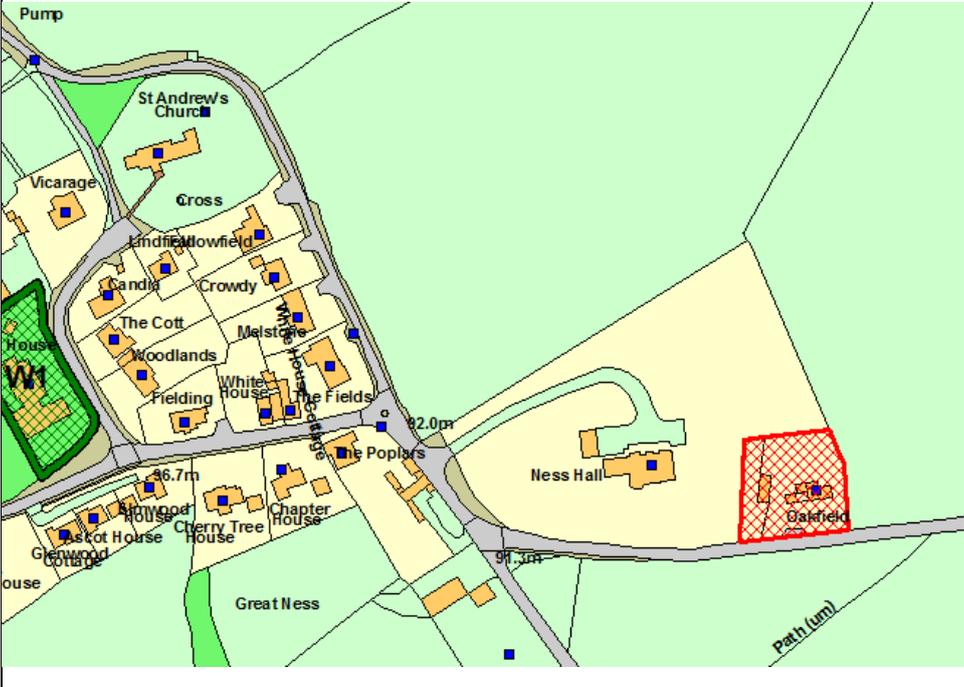
Item  
**8**  
Public

## 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>Application Number:</b> 20/01879/FUL	<b>Parish:</b> Great Ness
<b>Proposal:</b> Erection of single storey and part first floor rear extension and portico to front elevation; internal and elevational alterations	
<b>Site Address:</b> Oakfield Great Ness Shrewsbury Shropshire SY4 2LB	
<b>Applicant:</b> Mr Justin Pocock	
<b>Case Officer:</b> Sara Robinson	<b>email :</b> <a href="mailto:planning.northern@shropshire.gov.uk">planning.northern@shropshire.gov.uk</a>

<b>Grid Ref:</b> 340056 - 318881

© Crown Copyright. All rights reserved. Shropshire Council 100049049. 2019 For reference purposes only. No further copies may be made.

**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 and part first floor rear extension and a portico to the front elevation including internal and external alterations

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

2.1 The application site is located in countryside in the area of Great Ness, northwest of Shrewsbury. The dwelling subject to the application is orientated to face the highway to the south with a large garden to the front and rear. The wider boundaries of the site are formed of mixed species hedge planting and post and rail fencing.

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

3.1 The opinion of the case officer differs from that of the Parish Council, who have not supported the proposal. The application was therefore taken to Council's agenda setting meeting to discuss whether it warrants further consideration at planning committee. The Chair and Vice Chair consider the Parish Council raised material considerations that warrant Committee consideration.

### **4.0 Community Representations**

#### **- Consultee Comments**

SC Conservation (Historic Environment) –08/06/2020

The proposed extensions are more extensive than those previously approved under 19/05495/FUL. No objection to the overall scheme subject to the inclusion of appropriately worded conditions to ensure the external materials to match the existing brick.

SC Archaeology (Historic Environment) – 21/05/2020

No comment.

Parish Council – 09/06/2020

Objects to the proposed development due to lack of justification for the increase in scale. The development is out of character with the Conservation Area.

#### **- Public Comments**

This application was advertised via notice at the site and newspaper advertisement. Additionally, the residents of two neighbouring properties were individually notified by way of publication. At the time of writing this report, no representations had been received in response to this publicity.

## 5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and design of structure
- Visual impact and landscaping

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 Alterations and development to properties are acceptable in principle providing they meet the relevant criteria of Shropshire Core Strategy Policy CS6: Sustainable Design and Development Principles; this policy seeks to ensure any extensions and alterations are sympathetic to the size, mass, character and appearance of the original property and surrounding area.

Policy MD2: Sustainable Design of the Site Allocations and Management of Development (SAMDev) Plan additionally seeks to achieve local aspirations for design where possible.

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.

Shropshire Core Strategy Policy CS17: Environmental Networks is concerned with design in relation to its environment, but places the context of the site at the forefront of consideration i.e. that any development should protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment and does not adversely affect the visual, ecological, geological, heritage or recreational values and function of these assets.

MD13 of the SAMDev component of the Local Plan seeks to ensure Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored through appropriate and well considered design.

As the proposal is within the boundaries of the Great Ness Conservation Area, special regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is required in terms of the extent to which this proposal would preserve or enhance the character or appearance of the Conservation Area.

### 6.2 Siting, scale and design of structure

6.2.1 The proposal seeks to provide a single storey extension to the rear and side of the dwelling, link between the dwelling and garage, a part first floor rear extension together with portico to the front elevation at the main entrance door.

The portico is sited appropriately and scale such that whilst it will clearly identify the entrance point of the building, it does not dominate the façade and is therefore acceptable.

It was considered that the development would result in the proposal appearing disproportionate as the ground floor was significantly larger than the first floor.

The proposal has been reduced slightly by reducing the side extension so that the extension sits within the courtyard wall. The proposal will sit partially on the footprint of the existing lounge and will measure approximately 7.3 in depth and will extend 2.8 in width from the existing external wall. It is considered that the side extension does provide some symmetry to the dwelling. Similarly the rear extension which has a depth of 5.2m and a length of 12.7m approximately is considered to be acceptable in terms of scale taking into account the scale of extension. The eaves height of the flat roof design is acceptable and the use of the more modern glazing style for the bifold doors is acceptable. It is also proposed to erect a link between the dwelling and the existing garage. The link will measure 2.96m in depth and 4.4m in width. It is considered that the link will not appear too different to its current appearance due to the courtyard wall/gate which is currently located there.

The first floor extension will measure approximately 2.3 in depth and will extend 4.1 in width. The roof pitch has been designed so as to match that of the existing roof profile.

In terms of design the building will utilise typically domestic features and materials to the single storey rear and side extension and first floor extension, the portico feature is found in the adjacent property to the west and will not be sufficiently prominent to raise concerns.

### 6.3 **Visual impact and landscaping**

6.3.1 The application site is located within the Great Ness Conservation Area however it is set away from the main cluster of development and the Listed Buildings within the village. Its siting within a plot bounded by mixed species planting ensures that it is not overly prominent within the landscape, nor the Conservation Area.

The introduction of a portico to the front elevation will be visible within the street scene but is not considered to significantly impact the overall appearance of proportions of the dwelling such that a negative visual impact occurs, and the proximity to Listed Buildings results in no impact upon their setting.

The single storey extension will not be visible from public vantage points within the Conservation area or along the street frontage due to the position of the existing dwelling, boundary treatments and scale of the extension as such no harm is considered to arise. The first floor extension is considered to be relatively small in scale and to have a minimal impact upon its appearance and limited impact upon the Conservation Area. The Conservation Officer has been consulted and have raised no objection to the proposed development and requested a condition to ensure the proposed external brick is conditioned to match the existing. The ground floor area is to be rendered and its considered this would be acceptable as it provides a contrast between the original dwelling and the modern extension.

### 7.0 **CONCLUSION**

The proposal on balance is acceptable in terms of siting, scale and design and no harm to the character and appearance of the Conservation Area has been

identified. As such the proposal is in accordance with the determining criteria of the relevant policies including CS6 and MD13 and as such approval is recommended subject to the conditions as outline in appendix one attached to this report.

## 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:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

National Planning Policy Framework  
 CS6 - Sustainable Design and Development Principles  
 MD2 - Sustainable Design

### RELEVANT PLANNING HISTORY:

13/03172/FUL Change of use of outbuilding currently used as holiday let to ancillary residential accommodation in association with main house including alterations to fenestration WDN 6th September 2013

14/02833/FUL Erection of an agricultural workers dwelling and detached garage GRANT 4th December 2015

PREAPP/14/00517 Erection of two storey detached dwelling to include garages, new vehicular entrance and driveway. PREAMD 24th October 2014

14/05711/FUL Erection of one dwelling, double garage and formation of vehicular access GRANT 26th June 2015

15/04384/DIS Discharge of Condition 3 (External Materials) on Planning Application 14/05711/FUL for the erection of one dwelling, double garage and formation of vehicular access DISPAR 4th November 2015

16/02273/DIS Discharge of Conditions 3 (External Materials), 4 (Details of Windows & Doors), 5 (Landscape Design) and 7 (Surface Water Drainage) On Planning Permission 14/05711/FUL for the erection of one dwelling, double garage and formation of vehicular access DISREF 29th September 2016

16/04602/DIS Discharge of condition 3 (External Materials) 4 (Details of Windows and Doors) 5 (Landscape Design) 6 (Landscape Maintenance) 7 (Surface Water Drainage) attached to planning permission 14/05711/FUL Erection of one dwelling, double garage and formation of vehicular access DISAPP 29th November 2016

PREAPP/18/00610 Replacement dwelling and access road widening PREUDV 31st January

2019

19/05495/FUL Erection of single storey rear extension and portico to front elevation; internal and elevational alterations GRANT 12th February 2020

20/01879/FUL Erection of single storey and part first floor rear extension and portico to front elevation; internal and elevational alterations PDE

SA/03/0181/F Erection of a 2 storey extension to provide additional en-suite bedroom and study PERCON 28th March 2003

## 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)
Cabinet Member (Portfolio Holder) Councillor Gwilym Butler
Local Member Cllr Ed Potter
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 those of the existing building or be as specified in the approved drawings.

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

**CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE 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 38.

2. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.

3. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.