

Development Management Report

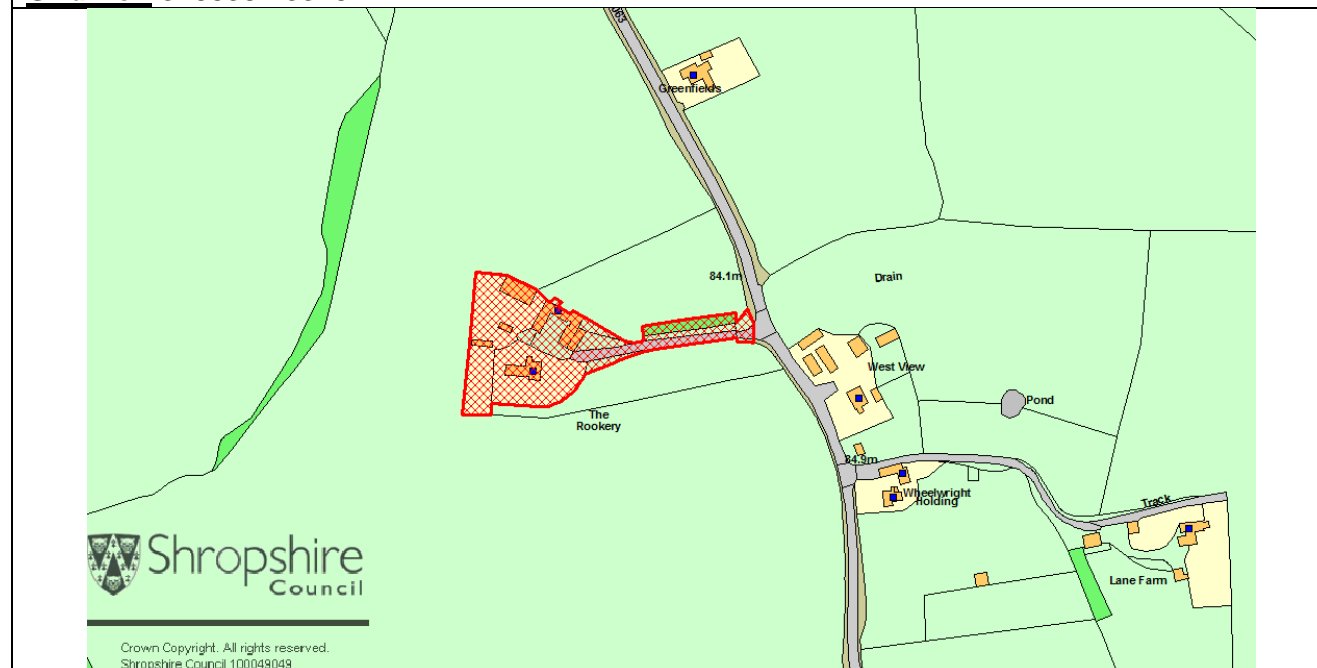
Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 20/03670/FUL	<u>Parish:</u>	Wem Rural
<u>Proposal:</u> Erection of two-storey extension, single storey entrance porch, re-rendering existing house, replacement windows, remodel existing side entrance and clad in timber to match new extension.		
<u>Site Address:</u> The Rookery, Northwood, Shrewsbury, SY4 5NH		
<u>Applicant:</u> Philip Goldby		
<u>Case Officer:</u> Shannon Franklin	<u>email:</u> planning.northern@shropshire.gov.uk	

Grid Ref: 346638 - 332811



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Recommendation:- Refusal for the following reasons:

1. The proposed development is considered to be out of context and character in relation to the existing dwelling on site, as well as that of the original dwelling, to which the proposed extension is not sufficiently subservient in scale representing over development in relation to the existing dwelling and prevailing theme of the surrounding built character.
2. The proposed two storey extension will result in an increase in floor area which adds further to an originally modest dwelling which has already been significantly increased in size, the proposed extension would adversely impact on the character, appearance and context of both the dwelling and the surrounding rural area contrary to Local Development Core Strategy Policies CS6 and CS17, SAMDev Plan Policy MD2, the SPD Type and Affordability of Housing and the National Planning Policy Framework.

REPORT**1.0 THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of two storey extension, single storey entrance porch, re-rendering of the existing house, installation of replacement windows throughout and the remodelling of an existing side entrance including cladding it in timber to match new extension, at the existing dwelling known as 'The Rookery'.
- 1.2 The submission of this application follows the approval of application referenced 19/05250/FUL which approved a single storey extension together with the rendering and porch alterations. This previous scheme was heavily amended from a previous two storey extension upon the advice of Officers that a two-storey extension would be refused.

2.0 SITE LOCATION

- 2.1 The proposal relates to the existing dwelling known as The Rookery, a detached property situated within a generous plot, surrounded by land within the applicant's ownership. To the north of the main house are detached agricultural outbuildings and an associated yard.
- 2.2 The site lies south of the village of Northwood on the west side of the B5063. The boundaries of the site are currently formed of a mixture of trees hedging and fencing. The driveway from the nearby highway is lined with mature trees.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council are in support of the application and the Local Member has called in the application within 21 days of notification. As Officers have recommended refusal of the application contrary to Local Member and Parish Council support, this has triggered the consideration of the application by Committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 - Consultee Comments

4.1.1 Wem Rural Parish Council – 07.10.2020 – Supports

At the meeting of Wem Rural Parish Council held on 6 October 2020 it was resolved to support the application.

4.1.2 SC Conservation – 17.12.2020 – Amendments Recommended

The proposal affects The Rookery which is a historic farmstead that is featured on the Historic Environment Record (HER) as part of the Historic Farmsteads Characterisation Project. Therefore the principal farmhouse is considered to be a non-designated heritage asset as defined under Annex 2 of the NPPF. The existing building forms of a 'T' plan and has been heavily modified with regards to being rendered with a slate tiled roof.

It is noted that this proposal is a resubmission to that of 19/05250/FUL that was granted permission, where this application is effectively an amendment where the proposed single storey extension on the south elevation is now substituted by a two-storey extension. Whilst a single storey extension would be preferable, it is noted that the ridge height shall be set down along with side recesses. Therefore, there are no principle objections to the proposal including the re-rendering of the property in an off-white finish (as previously proposed).

No objections subject to conditions as previously attached with regards to external materials and finishes including matching roof slates (samples etc).

4.2 - Public Comments

4.2.1 This application was advertised via notice at the site. At the time of writing this report, no representations had been received in response to this publicity.

4.2.2 The Local Member has provided written comments in support of the proposal, 'calling in' the application such that it must be considered for a committee determination at the relevant agenda setting meeting. The Local Member comments are provided below:

From a planning perspective, given the nature of the dwelling I don't believe the current application causes significant harm to the non-designated asset and is therefore consistent with para 197 of the NPPF and MD13 & CS17 of Shropshire's Local Plan. The Conservation Officer in his response has already said that he has no objection in principle.

The proposals do not compromise the original and ensure its form is recognisable and therefore does not overwhelm the current dwelling. Based on this and the Conservation Officer's comments, it would appear the current proposals satisfy the requirements of policy CS6 and items 2/3 & 7 supported by paras 3.6, 3.7 & 3.9 of MD2. It would also meet the needs of this large family and whilst perhaps not an immediate planning consideration nevertheless is a factor. Meeting the needs of the family (how many properties are capable of accommodating a family of 11??) does not compromise the planning issues and the proposals are both sustainable and complement the existing dwelling which is set on its own and back from the highway so causing no harm visually.

Members have previously been advised by the Planning Services Manager that planning is a matter of judgement and interpretation. In this instance, therefore, I strongly feel there are material planning reasons as outlined in CS6, CS17, MD2, MD13 and para 197 of the NPPF for this application to be approved as set out.

However, should Officers be minded to recommend refusal of the application, I would ask that it be referred to Committee for decision to enable it to exercise its judgement and interpretation. I trust this is acceptable on the basis of material planning reasons for approval being given.

5.0 THE MAIN ISSUES

- 5.1**
 - **Principle of development**
 - **Siting, scale and design of the structure**
 - **Visual impact**
 - **Other matters**

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.
- 6.1.2 Policy MD2: Sustainable Design of the Site Allocations and Management of Development (SAMDev) Plan additionally seeks to achieve local aspirations for design where possible.
- 6.1.3 Section 12 of the National Planning Policy Framework; Achieving good design, 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.
- 6.1.4 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.
- 6.1.5 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. This policy is relevant to this current application where the original cottage is attributed some heritage value due to its age.

6.1.6 The Supplementary Planning Document on the Type and Affordability of Housing (SPD) also sets out policies in connection with extensions to existing dwellings. The policy requires a mix of housing to be available whilst there is a need to maintain acceptable living standards for the occupants of dwellings including the internal size of living accommodation and the provision of external private amenity space. It is also commented that it is important to ensure that such development does not have unacceptable impact on neighbouring properties due to overshadowing or loss of privacy.

6.1.7 The principle of development for the provision of an extension to the property is considered to be acceptable, subject to compliance with the criterion of additional policies as discussed below.

6.2 Siting, scale and design of structure

6.2.1 In addition to the policies mentioned above, policy CS5 also states that development in rural areas needs to consider the scale and design of proposals to ensure that development is of an appropriate scale, well designed and does not erode the character of the countryside. Plus, within the SPD on the Type and Affordability it sets out the Council's objectives with regard to extensions to dwellings in the countryside. It has been noted that the size of dwellings in these areas is a concern as the trend is towards providing larger and more expensive dwellings. This leads to the exclusions of less well-off including those who need to live and work in these areas. As such it is important that an appropriate stock of smaller, lower cost, open market dwellings are provided.

6.2.2 The policy states that the Council seeks to control the size of extensions to houses in the countryside for two reasons:

- To control the size of dwellings to maintain housing stocks; and
- Larger dwellings can have a visual impact on the rural landscape and as such affect the character and appearance of the area and the original dwelling.

6.2.3 The existing dwelling has been subject to an extension previously approved under decision notice referenced NS/88/00934/FUL in 1988. This provided a two-storey extension to the rear wing of the existing dwelling. As such the original dwelling has already undergone significant extension and the cumulative impact of a further two storey extension must be taken into consideration. Whilst Officers note the stepped down ridge line and the slight set back from the principal elevation it is still considered that the provision of a further two-storey extension would be unacceptable in terms of scale, cumulative impact on the original dwelling and would therefore constitute over development.

6.2.4 The extension would measure 6.4m in length and approximately 5.5m in width. The extension would be slightly narrower in footprint than the original dwelling, set back from the principal elevation and rear elevation by 100mm.

6.2.5 The existing dwelling occupies a 'T' shaped floor plan. The proposed two storey extension is sited to the south elevation of the original dwelling. This siting, whilst

within the existing established curtilage of the dwelling will result in the two storey extension occupying a prominent position when approaching along the entrance drive such that the over dominant nature of the extension is emphasised.

6.2.6 The scheme seeks to provide modernisation and refurbishment to the wider dwelling such that it will have a more modern appearance and those aspects which appear dilapidated at present will be improved in terms of their visual appearance. Given the extent of the existing alterations to the original dwelling; rendering, replacement with windows and extensions and alterations, the remodelling and further façade changes are not considered to be unacceptable. It should be noted that these changes have been permitted within the earlier approval for a single storey extension and therefore the principle of development for these changes has been established.

6.2.7 The additional changes included within the scheme are summarised as below:

- Remodelling of existing side entrance with cladding to match new extension, new entrance door and corner window element, skylight to west roof plain;
- Replacement of angled glazing unit with ordinary casement windows
- Replacement of all existing windows with RAL 7016 UPVC Windows with wood grain texture;
- Replacement of window to existing kitchen/new snug with french doors (to match other windows);
- Externally insulating and re-rendering property, associated remedial works to bargeboards/soffits where necessary;
- Any solar panels to be low profile of a type approved under GPDO criteria;

Where planning permission is required for these alterations, the proposal is considered to be acceptable.

6.3 Visual impact

6.3.1 As outlined above the visual alterations to the dwelling; re-renderings, replacement windows, remodelling of the existing porches, is considered to represent a slight visual improvement in the dwelling on site.

6.3.2 That being said the two-storey scale and prominence of the extension proposed when viewed from the principal elevation is considered to be unacceptable. The extension as indicated is considered to represent an over dominant addition to the original dwelling which has already undergone significant extensions to the rear elevation.

6.3.3 The original dwelling on site has some heritage value, in accordance with MD13, and is considered to be a non-designated heritage asset. Whilst it is recognised that the SC Conservation consultee have not formally objected to the proposal they make clear that a single storey extension (as previously approved) would have a reduced visual impact and is therefore preferred from a heritage perspective.

6.3.4 Officers recognise that due to previous alterations implemented at the site, particularly the re-rendering, have degraded the heritage value of the dwelling

and masked any historic features which would previously have contributed to the character of the dwelling, and resultantly those external works proposed (rendering, replacement windows) do not result in an objection in their own right. The alterations proposed will result in a more modern appearance for the dwelling that is supported. The materials; render, tiles and timber cladding left to weather naturally, are both reflective of the existing building on site, as well as suitably reflective of other dwellings in the locality and the rurality of the site.

- 6.3.5 Due to the siting of the dwelling back from the highway edge and the presence of mature tree planting to the majority of its wider boundaries, there are no public viewpoints; including footpaths and the nearest highway. However, this siting does not enable Officers to recommend approval of an application where an unacceptable cumulative impact upon the original dwelling and over development has been identified.

6.4 Other matters

- 6.4.1 The proposal will not alter the existing highways arrangement or the parking facilities on site. Sufficient parking spaces proportionate to the scale of the resultant dwelling will be retained on site and ample turning space will enable vehicles to enter and exit the site in a forward gear.
- 6.4.2 The siting of the proposed extension and resultant alterations ensure that no trees worthy of retention will be removed and no other habitats of ecological value will be impacted.
- 6.4.3 Given the isolated siting of the dwelling there are no nearby neighbours which will be affected by the proposal. The outbuildings to the north, currently used for domestic storage and agriculture in association with the use of the wider site as a domestic small-holding, will also not be affected or altered demonstrably by the proposal. These buildings have permission for conversion to residential dwellings and the proposal is not considered to impact upon this potential use nor them on the existing dwelling.

7.0 CONCLUSION

- 7.1 The proposed development is considered to be out of context and character in relation to the existing dwelling on site, as well as that of the original dwelling, to which the proposed extension is not sufficiently subservient in scale representing over development in relation to the existing dwelling and prevailing theme of the surrounding built character.

The proposed two storey extension would result in an increase in floor area which adds further to an originally modest dwelling which has already been significantly increased in size, the proposed extension would adversely impact on the character, appearance and context of both the dwelling and the surrounding rural area contrary to Local Development Core Strategy Policies CS6 and CS17, SAMDev Plan Policy MD2, the SPD Type and Affordability of Housing and 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, 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

Core Strategy and Saved Policies:
CS6 - Sustainable Design and Development Principles
CS17 - Environmental Networks
MD13 - Historic Environment
MD2 - Sustainable Design
SPD Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

NS/03/00720/FUL Single storey extension to provide sun lounge to existing dwelling CONAPP 13th August 2003
NS/06/01993/ENQ Enquiry re pre-application advice REC
NS/88/00934/FUL Erection of extension to provide bedroom and bathroom. GRANT
PREAPP/12/00390 Proposed conversion of existing outbuilding to residential use PREAIP 29th August 2012
13/00130/FUL Conversion of outbuildings to form two dwellings GRANT 19th September 2013
13/05089/COU Change of use of land to garden and paddock to include erection of post and rail fence GRANT 13th February 2014
16/00333/DIS Discharge of Conditions 3 (Materials) and 4 (Drainage) of Planning Permission 13/00130/FUL for the conversion of outbuildings to form two dwellings DISAPP 22nd February 2016
16/03150/FUL Conversion of outbuildings to form 2 no. dwellings (renewal of extant consent 13/00130/FUL) GRANT 25th April 2017
19/05250/FUL Erection of single story extension, single story entrance porch, re-rendering existing house, replacement windows, remodel existing side entrance and clad in timber to match new extension GRANT 11th May 2020

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 Pauline Dee

Cllr Chris Mellings

