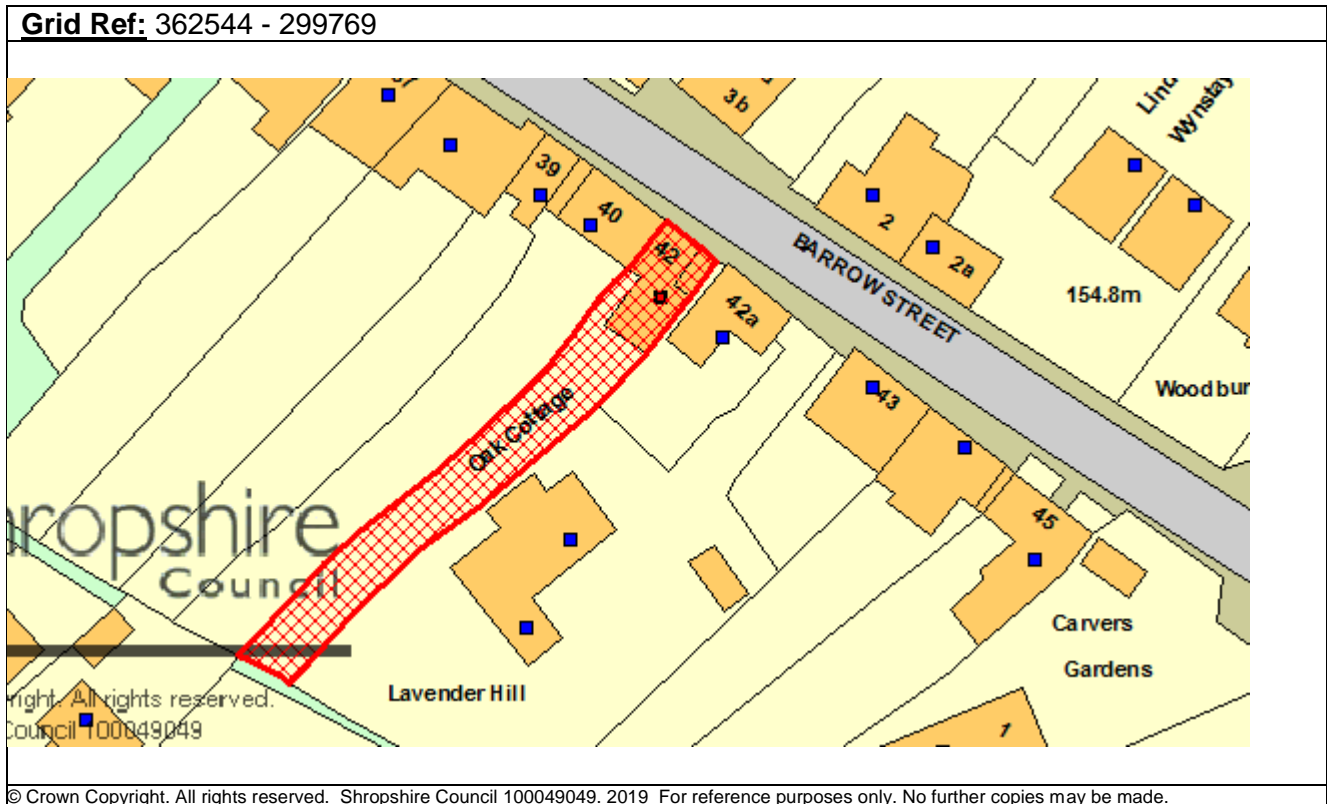


## Development Management Report

Responsible Officer: Tim Rogers  
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### Summary of Application

<b>Application Number:</b> 21/01799/FUL	<b>Parish:</b>	Much Wenlock
<b>Proposal:</b> Erection of a first floor side extension and single storey rear extension together with internal alterations.		
<b>Site Address:</b> 42 Barrow Street Much Wenlock Shropshire TF13 6ET		
<b>Applicant:</b> Passmonds Estates Ltd		
<b>Case Officer:</b> Lynn Parker	<b>email</b> : <a href="mailto:lynn.parker@shropshire.gov.uk">lynn.parker@shropshire.gov.uk</a>	



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

## REPORT

### 1.0 THE PROPOSAL

- 1.1 This application is for the erection of a first floor side extension and single storey rear extension together with internal alterations at no. 42 Barrow Street, Much Wenlock. The single storey rear extension would measure approximately 2.25m max width x 5m in depth to match the adjacent existing rear projection with a single pitch roof containing 2 no. rooflights and formed into a catslide with the existing roof to the south east side. It would facilitate an open plan dining/kitchen/living area and add approximately 10.2m<sup>2</sup> to the footprint.
- 1.2 The first floor extension would be positioned above the existing garage which is indicated to be converted into an entrance hall. It would provide approximately 8.7m<sup>2</sup> of additional internal floor area creating a study and staircase/landing. This element is designed with a stepped down dual pitched roof, side gable and 2 no. rooflights.
- 1.3 Other alterations include the replacement of the existing front door with a full height window, 2 no. rooflights to the existing two storey rear projection and new fenestrations to its existing rear stone gable, a further rooflight to the existing front facing roof slope of the main dwelling, internal alterations to re-locate the stairs and reconfigure the rooms to improve internal movement, and removal of the remains of a chimney.
- 1.4 Materials are proposed as block and render walls, roof tiles reclaimed from the site or to match the existing, painted timber windows to match the existing, conservation type rooflights and an aluminium bi-folding door. No alterations are proposed to accesses or parking, and no trees or hedges would be affected.
- 1.5 During the course of the application minor design amendments have been submitted in response to officers' concerns which introduces a panelled lower section to the existing front door to be changed to a window. A case has additionally been presented for the number of rooflights originally proposed to be retained.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site falls centrally within the Market Town of Much Wenlock on the periphery of the main Town Centre area which is adjacent to the north west. It is also within Much Wenlock Conservation Area. This part of Much Wenlock is a residential area formed by close packed traditional two storey cottages and three storey town houses accessed directly from the pavement. No. 42 is an end of terrace two storey cottage, constructed in painted brick and Wenlock limestone with a tiled roof. The dwelling is set at the north eastern front end of a long narrow plot which extends approximately 60m to the south west and has a maximum width of 7m. It has a lean-to garage on its south east facing side elevation which extends up to the boundary on that side.
- 2.2 There are neighbouring dwellings on all sides, those across the road to the north

east being approximately 11m away, however are positioned such that there is an access gap directly across from the dwelling and garage at no. 42. Both dwellings on either side are much wider at the front of their plots and are separated from no. 42s rear garden by a 1m high timber fence on the north west side and by the garage itself together with boundary fencing on the south east side.

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

3.1 Request by the Ward Member at the time the application was submitted, on notification of the proposal, that this application be determined by Committee on the grounds that the loss of the small garage would potentially add to more parking on Barrow Street; surface water flooding in Town needs to be taken into account.

### 4.0 **Community Representations**

#### 4.1 **- Consultee Comments**

4.1.1 Much Wenlock Town Council – Support.

4.1.2 SC Drainage - Informatives recommended in relation to a sustainable drainage scheme for the disposal of surface water from the development and fulfilment of MWNP Policy RF.2.

4.1.3 SC Conservation – The revised drawings are noted and the amendments considered to be acceptable. Previous objection withdrawn subject to conditions as previously recommended.

4.1.4 SC Archaeology - It is recommended that an archaeological inspection of any ground works for the proposed development be made a condition of any planning permission for the development.

#### 4.2 **- Public Comments**

4.2.1 Confirmation of site notice display received on 30<sup>th</sup> April 2021. Proposal advertised in the Shropshire Star on 4<sup>th</sup> May 2021 as being within a Conservation Area.

4.2.2 Four letters of public representation including the Much Wenlock Civic Society have been received, three of which support the proposal, the Civic Society expressing neutrality. These can be viewed in full online, however are summarised below:

- We have viewed the plans for the refurbishment of 42 and Planning and Heritage Statement and give our full support to the development.
- The single storey extension at the rear will improve our privacy.
- The plans are very much in taste with the rest of the street.
- They are turning an unliveable house into an attractive and practical dwelling.

The Civic Society welcomes the archaeological oversight as there are known to have been tobacco pipe kilns in the area. Some design amendments are suggested including that rear pedestrian access is continued.

## 5.0 THE MAIN ISSUES

- 5.1
- Principle of development
  - Design, scale and character
  - Impact on neighbours/residential amenity
  - Impact on the historic environment

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 Policy CS6 of the Shropshire Council Local Development Framework 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. Policy MD2 of the SAMDev Plan builds on Policy CS6 providing additional detail on how sustainable design will be achieved.

6.1.2 LDF Core Strategy Policy CS17 is also 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 historic environment and does not adversely affect the heritage values and function of these assets. Policy MD13 of the SAMDev Plan sets out criteria by which Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored.

6.1.3 Policy GQD2 of the Much Wenlock Neighbourhood Plan requires all development to be designed to a high quality and to reinforce local distinctiveness. Development proposals will be expected to:

- make efficient use of land while respecting the density, character, landscape and biodiversity of the surrounding area.
- be suitably designed for the context within which they are set.
- retain existing important landscape and natural features.
- ensure that the scale and massing of buildings relate sympathetically to the surrounding area.
- use traditional and vernacular building materials where such treatment is necessary to respect the context of the development concerned.

6.1.4 The proposed development, as amended, is not considered to have an adverse impact on the character or context of the existing building or surrounding Conservation Area and would be of an appropriately domestic scale and design, utilising matching and suitable materials. The principle of development is therefore acceptable.

### 6.2 Design, scale and character

6.2.1 The scale of extension proposed would not result in significant additions to the dwelling and the proposed works are considered to be appropriately proportionate in that they would not visually detract from the intrinsic character of the cottage. The first floor side extension would demonstrate subservience by its stepped down roof ridge and long roof pitch sloping away from the front elevation.

Overall the changes indicated appear to be of high quality design and materials that would protect and enhance the character and appearance of the dwelling.

### 6.3 **Impact on neighbours/residential amenity**

6.3.1 It is not considered that there would be adverse impact on the residential amenities of neighbouring properties from overbearing, overshadowing or overlooking from the proposed extension in this instance. Both of the extensions proposed are modest in scale and have been designed to minimise impacts on the adjacent properties with openings positioned such that direct overlooking would be avoided. Representations of support have been submitted from the neighbour directly to the north east to whom the single storey rear extension would be visible.

6.3.2 The conversion of the garage to an entrance lobby with identifiable front door together with the stepped down first floor extension would enhance the appearance of the dwelling within the street scene.

### 6.4 **Impact on the historic environment**

6.4.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas in exercising planning functions.

6.4.2 The proposal affects an end of terrace dwellinghouse that dates from the nineteenth century, constructed in painted brick and local Wenlock limestone. The terrace lies within the Much Wenlock Conservation Area, where it is considered to be a Non-Designated Heritage Asset (as defined under Annex 2 of the NPPF), where it makes a positive contribution to the existing character and appearance of the Conservation Area, albeit it is acknowledged that it is in a poor state of repair where it is noted that the property has been vacant for two years.

6.4.3 SC Conservation initially noted that whilst there was no principle objection to the single storey rear extension, new rear gable fenestrations, or incorporation of the existing lean-to garage into the living accommodation, concerns were raised over the rooflights proposed to the front roof plane. Additionally that the existing front door to be made into a window should be partially glazed with a panelled lower section to match the proposed new front entrance. However it should remain legible that it was the former principal front doorway.

6.4.4 Amended plans have been submitted which alter the existing front door as advised so that it is now considered to be acceptable. Photographs have been submitted showing front rooflights in place on the neighbouring properties either side of the site, the agent advising that it is believed that the rooflights proposed for no. 42 would not have any greater impact. SC Conservation have noted the amendments and consider them to be acceptable.

6.4.5 The proposed development site lies within the Medieval urban form of Much Wenlock (Shropshire Historic Environment Record [HER] No. PRN 05029) as defined by the Central Marches Historic Towns Survey, within a block of tenements on the southwest side of Barrow Street (PRN 05011). Archaeological

investigation of an adjoining plot (42a) in 2001 found evidence for post-medieval tobacco-pipe manufacturing in the vicinity, and in 2006 archaeological investigations a few plots to the northwest (36a) recorded features and deposits dating from the 13th to 14th centuries. The proposed development site is therefore considered to have some archaeological potential.

6.4.6 In view of this, and in relation to Paragraph 199 of the NPPF and Policy MD13 of the SAMDev component of the Shropshire Local Plan, SC Archaeology recommend that an archaeological inspection of any ground works for the proposed development be made a condition of any approval decision in order to appropriately manage the archaeological potential

6.4.7 Therefore it is concluded that the proposal should enhance the existing Non-Designated Heritage Asset and would not be detrimental to the overall character and appearance of the Conservation Area.

## 7.0 **CONCLUSION**

7.1 It is considered that this proposal is not contrary to adopted policies and would protect and enhance the existing dwelling. It would not be detrimental to the residential amenities of neighbouring properties, or to the surrounding Conservation Area or its street scene. The works to this Non Designated Heritage Asset can be appropriately managed through condition.

## 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 three months 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

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

Much Wenlock Neighbourhood Plan  
Much Wenlock Design Statement 2000

RELEVANT PLANNING HISTORY:

None relevant.

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=QR7GVUTDM6800>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Planning and Heritage Statement.

Preliminary Ecological Appraisal by Biome Consulting Ltd dated 7th April 2021.

Cabinet Member (Portfolio Holder)  
Councillor Ed Potter

Local Member

Cllr Dan Thomas

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. Details of all the materials to be used externally on the works hereby approved, including



for the facing render which should be off-white in a scratched finish, shall have been first submitted to and approved by the Local Planning Authority in writing before being used in the development. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory.

4. No construction works, demolition and associated deliveries in relation to the development shall take place outside the hours of 7.30am to 6.00pm Mondays to Fridays; 8.00am to 1.00pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties from potential nuisance.

5. The construction work shall be carried out in accordance with the Construction Method Statement provided at Section 4 of the Planning and Heritage Statement by Moss Co LLP received on 8th April 2021.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

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

6. No development approved by this permission shall commence until the applicant has notified Shropshire Council's Historic Environment Team not less than three weeks prior to commencement of ground works, and to provide him/her with reasonable access in order to monitor the ground works and to record any archaeological evidence as appropriate.

Reason: The site is known to hold archaeological interest. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

#### **CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

7. Prior to the commencement of the relevant work details of all new external timber joinery on the front elevation and aluminium joinery for the rear 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.

8. Prior to first occupation use of the of the extensions hereby approved, an appropriately qualified and experienced ecologist shall provide a report to the Local Planning Authority demonstrating implementation of the recommendations made in Section 4 - Conclusions and Recommendations, of the Preliminary Ecological Appraisal by Biome Consulting dated 7th April 2021.

Reason: To ensure the protection of and enhancements for wildlife.

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

9. No windows or other openings shall be formed in the north west facing side elevation of the single storey rear extension hereby approved.

Reason: To preserve the amenity and privacy of adjoining properties.

### **Informatives**

1. If your application has been submitted electronically to the Council you can view the relevant plans online at [www.shropshire.gov.uk](http://www.shropshire.gov.uk). Paper copies can be provided, subject to copying charges, from Planning Services on 01743 252621.

2. 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: <http://new.shropshire.gov.uk/media/5929/surface-water-management-interim-guidance-fordevelopers.pdf>.

The provisions of the Planning Practice Guidance, in particular Section 21 Reducing the causes and impacts of flooding, 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.

3. The drainage system should accord with Policy RF.2 of the Much Wenlock Neighbourhood Plan with regards to the disposal of surface water.

4. The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which

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fledged chicks are still dependent.

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal and scrub removal and/or conversion, renovation and demolition work in buildings [or other suitable nesting habitat] should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

[Netting of trees or hedges to prevent birds from nesting should be avoided by appropriate planning of work. See guidance at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees/>.]

[If during construction birds gain access to [any of] the building[s] and begin nesting, work must cease until the young birds have fledged.]

5. In determining the application the Local Planning Authority gave consideration to the following policies:

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

LDF Core Strategy Policies:  
CS6 Sustainable Design And Development Principles  
CS17 Environmental Networks

Site Allocations & Management Of Development (SAMDev) Plan Policies:  
MD2 Sustainable Design  
MD13 Historic Environment

Much Wenlock Neighbourhood Plan 2013-26  
Much Wenlock Design Statement 2000

6. 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 paragraph 38.

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