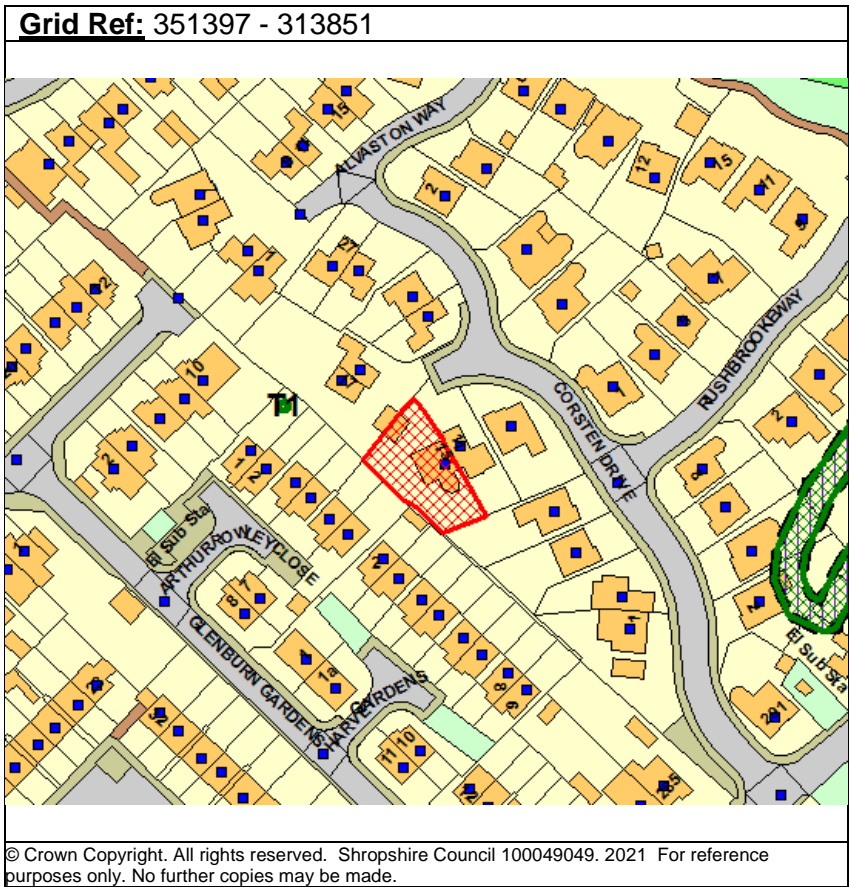


Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 21/03197/FUL	Parish:	Shrewsbury Town Council
Proposal: Erection of two storey rear extension and proposed patio area		
Site Address: 15 Corsten Drive Shrewsbury SY2 5TJ		
Applicant: Mr D Corden		
Case Officer: Tim Rogers	email	: tim.rogers@shropshire.gov.uk



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

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks permission for a part two-storey and part single-storey rear extension to a semi detached two storey dwelling. The two storey element to the proposal would be across half of the rear elevation to the property with a pitched roof (lower than the ridge to the main house) and a gable end. The two-storey part would be the element that is furthest from the neighbouring (attached) dwelling. The single storey element of the proposed extension would have a lean-to roof running back to the current rear wall of the house. The proposals include the creation of a new patio area to the rear of the single storey part of the extension.
- 1.2 The new accommodation to be provided would comprise a new kitchen and dining area on the ground floor and an additional bedroom above. There is an existing small conservatory to the rear of the property which would be replaced by the proposed extension.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application property is a modern red brick two-storey semi-detached dwelling within an estate of similar properties off Monkmoor Road in the north -eastern part of Shrewsbury. The surrounding properties include a mixture of semi-detached and detached properties of differing scales and plot sizes. The house is on a large corner plot and is accessed via a private drive running off a turning head adjacent to Corsten Drive.
- 2.2 The rear elevation of the application dwelling is south-east facing and the adjoining property is the north-east. The application property has previously been extended by the addition of a two storey side extension.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The applicant is a member of staff who reports indirectly to the Planning Services Manager and therefore a Committee decision is required under the adopted scheme of delegation.

4.0 Community Representations

4.1 Consultee Comments

- 4.1.1 Shrewsbury Town Councils have raised no objection to the proposal.

4.2 Public Comments

The application has been advertised by means of a site notice and notification of neighbouring properties. No comments have been received.

5.0 THE MAIN ISSUES

Principle of development
Siting, scale and design of structure
Impact on the residential amenity of adjoining occupiers.

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 extension and alterations are sympathetic to the size, mass, character and appearance of the original property and surrounding area and should also safeguard residential and local amenity. Policy MD2: Sustainable design of the adopted Site Allocations and Management of Development (SAMDev) Plan additionally seeks to achieve local aspirations for design where possible. Section 12 of the National Planning Policy Framework also requires development to display favourable design attributes which contribute positively to making better for people, and which reinforces local distinctiveness.

6.1.2 In addition to the above considerations it should also be noted that the application property is within an estate of dwellings that vary quite considerably in terms of their size, design and scale and therefore the further extension of this property will not appear out of character or alien within that context.

6.2 Siting, scale and design of structure

6.2.1 It is acknowledged that the application property has had a previous extension of a significant size in the form of a two-storey side extension, and the proposal is for further extension at both ground and first floor. Nevertheless, it should be noted that the property is situated in a large corner plot, and the proposed extension will clearly be subservient to the main house, such that it will not appear cramped or overdeveloped. Furthermore, there are other extensions that could be undertaken to the property under permitted development rights without the need for planning permission.

6.3 Impact on the residential amenity of adjoining occupiers.

6.3.1 The two-storey element of the proposed extension is situated furthest from the adjoining dwelling to which the application property is attached. As the extension is to the south-west of the neighbour there may be some minimal impact on direct sunlight to the immediate rear of that property in the late evening, but this would not be significant or unacceptable by any means. The neighbours have been notified of the application and have not objected. The single storey element of the extension would extend to roughly in line with the rear element of the neighbouring property and would have very little impact on their amenity.

6.3.2 The proposed extension will be visible from the rear of a number of surrounding properties including some on Corsten Drive, Harvey Gardens and Arthur Rowley Close but the distances involved between properties would be such that the extension would not appear overbearing and would not have any unacceptable visual impact.

7.0 CONCLUSION

The proposal is considered to be in scale and character with the original dwelling and its setting, and would have no significant adverse impact on the visual or residential amenities of the surrounding area. The application therefore accords with the determining criteria of the relevant development plan policies as set out above. Approval is therefore recommended, subject to conditions as set out below.

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:

RELEVANT PLANNING HISTORY:

21/03197/FUL Erection of two storey rear extension and proposed patio area PDE
SA/95/0749 Erection of 48 dwellings, construction of estate roads and provision of public open space. PERCON 25th March 1996
SA/02/0536/F Erection of a two storey side extension PERCON 5th June 2002

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 Ed Potter
Local Member Cllr David Vasmer
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 in colour, form and texture those of the existing building.

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