



Northern Planning Committee

18th June 2024.

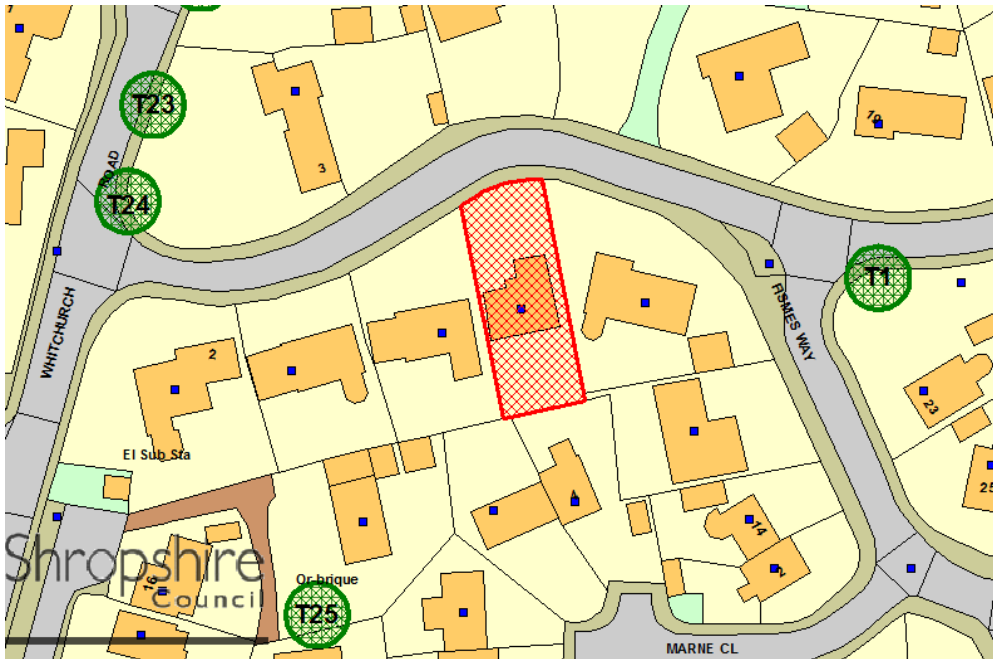
Development Management Report

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

Summary of Application

Application Number: 24/01044/FUL	Parish:	Wem Urban
Proposal: Erection of rear single storey extension		
Site Address: 8 Fismes Way Wem Shrewsbury Shropshire SY4 5YD		
Applicant: Mr Edward Towers		
Case Officer: Philip Mullineux	email: philip.mullineux@shropshire.gov.uk	

Grid Ref: 351657 - 329686



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

REPORT

1.0	THE PROPOSAL
1.1	The application seeks planning permission for the erection of a rear single storey extension, to the dwelling known as 8 Fismes Way, Wem.
2.0	SITE LOCATION/DESCRIPTION
2.1	The dwelling is a detached dwelling which sits within the Wem development boundary, with neighbouring dwellings positioned to the east, south and west elevations of the site.
3.0	REASON FOR COMMITTEE DETERMINATION OF APPLICATION
3.1	The applicant is a Member, therefore, under the terms of the scheme of delegation to officers, as set out in Part 8 of the Council Constitution, the application must be referred to planning committee for determination.
4.0	COMMUNITY REPRESENTATIONS
4.1	- Consultee Comments
4.1.1	Wem Town Council Wem Town Council support the application as it will enhance the property and is in keeping with the built environment.
4.2	- Public Comments
4.2.1	This application was advertised via notice at the site, at the time of writing this report, one representation had been received in response to this publicity which supports the proposals.
5.0	THE MAIN ISSUES
5.1	<ul style="list-style-type: none"> • Principle of development • Siting, scale and design of structure • Impact on amenities
6.0	OFFICER APPRAISAL
6.1	Principle of development
6.1.1	The following policies are relevant in considering this proposal:

	<p><u>Shropshire Core Strategy</u> CS6: Sustainable Design and Development Principle CS17: Environmental Networks</p> <p><u>SAMDev Plan</u> MD2: Sustainable Design</p> <p><u>National Planning Policy Framework</u></p> <p>Details of these policies are available on the planning policy pages of the Shropshire Council website. http://shropshire.gov.uk/planning-policy/</p>
6.2	Siting, scale and design of structure
6.2.1	The siting, scale and design of the proposal are deemed acceptable as the proposals are subservient, sympathetic to the size, mass, character, and appearance of the original dwelling and are not deemed to interfere with the intended character and detail of the original dwelling.
6.2.2	Given that the single storey extension is to the rear of the property, no concerns are raised in relation to the proposed materials which consist of vertical cedar cladding with a standing seam zinc mono-pitch roof.
6.3	Impact of amenities
6.3.1	The proposals will not be visible from the street scene.
6.3.2	The proposals are not deemed to have a significant impact on neighbour amenities due to the single storey nature of the proposals.
7.0	CONCLUSION
7.1	The works are judged to be in scale and character with the original building and of no demonstrable harm in terms of visual impact. No significant harm is considered to arise to the neighbouring resident's amenity and the application therefore accords with the principal determining criteria of the relevant development plan policies including CS6 and MD2 and approval is recommended subject to the conditions as set out in appendix one.
8.0	Risk Assessment and Opportunities Appraisal
8.1	Risk Management
	<p>There are two principal risks associated with this recommendation as follows:</p> <ul style="list-style-type: none"> 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.

	<ul style="list-style-type: none"> 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. <p>Both 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.</p>
8.2	Human Rights
	<p>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.</p> <p>First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.</p> <p>This legislation has been taken into account in arriving at the above recommendation.</p>
8.3	Equalities
	<p>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.</p>
9.0	Financial Implications
	<p>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.</p>

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS3 - The Market Towns and Other Key Centres
 CS6 - Sustainable Design and Development Principles
 CS17 - Environmental Networks
 MD2 - Sustainable Design
 MD12 - Natural Environment
 MD13 - Historic Environment
 Settlement: S17 - Wem
 SPD Sustainable Design Part 1
 National Planning Policy Framework

RELEVANT PLANNING HISTORY:

NS/78/01205/OUT Proposed residential development and construction of estate road GRANT
 26th April 1979
 NS/78/01205/DET Erection of 49 dwellings with garages, construction of estate roads and
 formation of vehicular and pedestrian access
 ALLOWED ON APPEAL 31.03.82 REFUSE 31st March 1982
 NS/78/01205/FUL Erection of 49 dwellings with private garages GRANT 31st March 1982
 NS/89/00227/FUL Erection of dwelling and private garage and formation of vehicular and
 pedestrian accesses (Plot 46). GRANT 10th April 1989
 24/01044/FUL Erection of rear single storey extension PDE

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SAAVIZTDGE600>

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 Chris Schofield
Local Member Cllr Peter Broomhall Cllr Edward Towers
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, drawings and documents as listed in Schedule 1 below.

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 be those as detailed on the submitted application form.

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

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