



Committee and date
Northern Planning Committee
19th November 2024

Development Management Report

Responsible Officer: Rachel Robinson, Director of Health Wellbeing and Prevention

Summary of Application

Application Number: 24/03469/FUL	Parish:	Shrewsbury Town Council
Proposal: Erection of rear single storey extensions to dwelling and internal alterations		
Site Address: 120 Battlefield Road Shrewsbury Shropshire SY1 4AQ		
Applicant: Mrs Rachael Vasmer		
Case Officer: Nia Williams	email: nia.williams@shropshire.gov.uk	

Grid Ref: 351566 - 316558

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

REPORT

1.0 THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of rear single storey extension to an existing dwelling and internal alterations.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 120 Battlefield Road is a detached dwelling located on a large curtilage approximately 3 miles north east of Shrewsbury town centre. The property benefits from off road parking and has neighbouring dwellings to the north and south elevations.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The application relates to the property of a Member of the Council for which a Committee consideration is mandatory under the Council's Scheme of Delegation.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

- 4.1.1 **Shrewsbury Town Council** - The Town Council raise no objections to this application

4.2 Public Comments

- 4.2.1 None received at the time of writing this report.

5.0 THE MAIN ISSUES

Principle of Development
Design, Scale and Character
Impact on Residential Amenity

6.0 OFFICER APPRAISAL

6.1 Principle of Development

- 6.1.1 The erection of rear single storey extensions to the dwelling and internal alterations to provide additional living accommodation for the existing dwelling is acceptable in principle.

6.2 Design, Scale and Character

- 6.2.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. This is reiterated in policy MD2 of the SAMDev Plan which indicates the development should contribute and respect the locally distinctive or valued character and existing amenity value. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development.

- 6.2.2 The proposed scale, design and appearance of the works will respect the existing character of the dwelling and will not result in any visual impact in the locality. The siting and scale of the proposed is therefore acceptable. The works will have little

impact as this will fall in line with the existing dwelling and the case officer has no concerns over the materials proposed as they will match the existing.

6.3 Impact on Residential Amenity

6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity. Having regard to the proposed orientation and distance away from neighbouring properties the proposed works will not result in any detrimental impact from causing an overbearing impact or loss of light.

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.

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 - written representations, a hearing or inquiry.
- The decision is 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 a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose 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 give 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 1970.

9.0 FINANCIAL IMPLICATIONS

9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application - in so far 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

Core Strategy and Saved Policies:

CS6 - Sustainable Design and Development Principles

MD2 - Sustainable Design

CS17 - Environmental Networks

RELEVANT PLANNING HISTORY:

24/02927/HHE Erection of a rear single storey extension to detached dwelling, dimensions 2.90 metres beyond rear wall, 3.50 metres maximum height, 2.40 metres high to eaves WDN 16th September 2024

24/03469/FUL Erection of rear single storey extensions to dwelling and internal alterations PDE

SA/88/0299 Erection of a detached garage and snooker room. PERCON 2nd June 1988

SA/89/0283 Proposed two storey extension to provide snooker room, and extension to lounge on ground floor and extension to bedroom, two bathrooms and additional bedroom on first floor. (The proposed extension to be completed in two phases). PERCON 7th July 1989

SA/98/0470 Erection of a detached workshop/store. PERCON 24th June 1998

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SJK4TBTDK9R00>

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 Dean Carroll

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 match in colour, form and texture those of the existing building.

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