

AGENDA ITEM



Committee and date

Southern Planning Committee

24th June 2025

Development Management Report

Responsible Officer: Tim Collard, Service Director - Legal and Governance

Summary of Application

<u>Application Number:</u> 25/00830/FUL	<u>Parish:</u>	Wistanstow
<u>Proposal:</u> Erection of single storey side (north) extension, formation of doorway and porch to front (east) elevation		
<u>Site Address:</u> 2 Glebe Cottages Wistanstow Craven Arms Shropshire SY7 8DQ		
<u>Applicant:</u> Mrs Ceri Ellis		
<u>Case Officer:</u> Tracie Witkiss	<u>email:</u> tracie.witkiss@shropshire.gov.uk	

Grid Ref: 343176 - 285681



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

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single storey extension to the side (north) elevation, formation of doorway and porch to front (east) elevation of this domestic property.
- 1.2 The single storey extension will provide a ground floor shower room and an office. The extension is to be finished in timber horizontal weatherboarding with plain clay roof tiles to match the existing.
- 1.3 The new doorway will replace an existing access which will be closed off and a cloakroom formed in the internal recess.
- 1.4 The proposed porch over the doorway will be part open to sides with a pitch roof. The porch will be constructed in stone and plain clay roof tiles to match the existing.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The subject dwelling is a semi-detached two storey cottage positioned centrally in the village of Wistanstow to the western side of main through road.
- 2.2 The house is constructed predominantly of rubble stone beneath a plain clay tiled roof and is set back from the highway with a gravelled driveway leading to the front of the property. The property is shielded by extensive hedgerows with gardens to all three sides.
- 2.3 Whilst there does not appear to be a definitive principal elevation, the two existing pedestrian accesses are to the front (east) and side (north) elevations.
- 2.4 The dwelling has been previously extended to the rear with the addition of a garden room which was granted planning permission in 2018.
- 2.5 The subject site lies within the Shropshire Hills National Landscape.

3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION

- 3.1 Applicant is a Building Control Surveyor and therefore directly reports to the Planning Services Manager. For this reason the application cannot be decided under delegated powers and must be decided by the relevant Planning Committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comment

4.1.1 Shropshire Council – Historic Environment (Conservation)

We have no comments to make in relation to conservation matters.

4.2 Public Comments

4.2.1 Wistanstow Parish Council

No comments received.

4.2.2 The application was publicised in accordance with relevant legislation and no further public comments were received

5.0 THE MAIN ISSUES

- Principle of Development
- Siting, Scale and Design
- National Landscape

6.0 OFFICER APPRAISAL

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

6.1 Principle of Development

6.1.1 The NPPF (2024) advises that proposed development that accords with an up-to-date Development Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes a material consideration to be given significant weight in determining applications.

The application is considered with due regard of

- Core Strategy: Policy CS6 - Sustainable Design and Development; and
- SAMDev: Policy MD2 – Sustainable Design

The provision of residential extension(s) and/or alterations to provide additional living accommodation for an existing dwelling is acceptable in principle, subject to compliance with Local and National Policy.

6.2 Siting, Scale and Design

6.2.1 Policy CS6 of Shropshire's Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and

design considering the local context and character.

- 6.2.2 This is reiterated in policy MD2 of the SAMDev Plan which indicates that all development should contribute and respect the locally distinctive or valued character and existing amenity value. The development should also safeguard residential and local amenity and ensure sustainable design and construction principles are incorporated within the new development.
- 6.2.3 The proposed development is very modest in scale and density measuring 3m wide x 6m deep x 4.5m at the highest point. It is set back behind the front build line thereby appearing subservient to the original dwelling.
- 6.2.4 The finishing materials of the extension are proposed to be black timber cladding. This would contrast successfully with the traditional style and materials of the original dwelling. In addition, the timber cladding would be of a suitable agricultural and local vernacular.
- 6.2.5 The proposed scale, design and appearance of the extension will respect the existing character of the dwelling and will not result in any visual impact in the locality. There is no significant harm to the neighbouring resident's amenity.
- 6.2.6 The proposed development will not result in any significant loss of garden area and an appropriate level of amenity space will be retained.

6.3 National Landscape

- 6.3.1 The subject site lies within the Shropshire Hills National Landscape. The NPPF affords the highest level of protection to such statutorily designated landscapes.
- 6.3.2 At a local level, Core Strategy Policies CS5, CS6 and CS17, bolstered by SAMDev Plan policies MD2 and MD12, seek to protect and enhance the quality and character of Shropshire's natural environment, including by avoiding isolated or sporadic development in the countryside, particularly in protected landscapes, as well as contributing to and respecting locally distinctive or valued character and amenity value.
- 6.3.3 The Shropshire Hills AONB Management Plan 2019-2024 is also a material consideration in determining planning applications in the National Landscape, where policies P1 (Protection of the AONB), P2 (Landscape), and P4 (Housing and Design of Development) are of particular relevance in this case. These policies require development to accord with the NPPF, and for development to demonstrate sensitivity to both its immediate surroundings and the special qualities of the National Landscape, conserving the integrity of the surrounding landscape.
- 6.3.4 Within the National Landscape consideration of the visual impact of development

proposals and the purpose of conserving and enhancing the natural beauty of the area is naturally very important.

- 6.3.5 The site is within the village centre and the proposed development is of such a scale that it will not conflict with the immediate surroundings or wider landscape character nor lead to a significant adverse effect on the scenic beauty of the National Landscape.

7.0 CONCLUSION

In conclusion, the proposed development is a well-considered approach to balancing property enhancement with natural conservation. By aligning with national and local policies, including those safeguarding the Shropshire Hills National Landscape, the application demonstrates sensitivity to its surroundings and upholds the principles of sustainable design. Furthermore, the retention of amenity space and the minimal impact on neighbours' amenities demonstrates its compatibility with community interests. Approving this application would support growth while preserving the integrity of the local character and natural beauty.

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:

National Planning Policy Framework
CS6 - Sustainable Design and Development Principles
CS17 - Environmental Networks
MD2 - Sustainable Design

RELEVANT PLANNING HISTORY:

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2 Glebe Cottages

18/02171/HHE Erection of a single storey lean to rear extension of existing property dimensions 1.3 metres beyond rear wall, 4.0 metres maximum height, 2.4 metres high to eaves. WDN 22nd May 2018

18/02628/FUL Erection of a single storey rear extension GRANT 4th September 2018

18/04367/DIS Discharge of Condition 4 (Notification to Historic Environment Team) associated with planning application number 18/02628/FUL DISAPP 4th October 2018

25/00830/FUL Erection of single storey side (north) extension, formation of doorway and porch to front (east) elevation PDE

SS/1/8284/P/ Formation of a vehicular access PERCON 20th November 1997

SS/1/04/15491/F Change of use of land from agriculture to domestic. PERCON 20th April 2004

SS/1/99/009590/F Erection of an extension to dwelling. PERCON 11th February 1999

11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SSGKV2TDG8M00>

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 David Walker
Local Member Cllr Joshua Dickin
Appendices APPENDIX 1 - Conditions

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 proposed development shall be constructed from the materials specified on the submitted application form received 3rd March 2025. No alterations shall be made to the materials or the colour without express consent in writing from the Local Planning Authority.

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Reason: To ensure that the external appearance of the development harmonises and are appropriate to the local environment.