

TWC/2019/0499  
9 Belgrave Crescent, Stirchley, Telford, Shropshire, TF3 1BJ  
Erection of a first floor front extension

**APPLICANT**  
, Andrew Havard

**RECEIVED**  
17/06/2019

**PARISH**  
Stirchley and Brookside

**WARD**  
Brookside

**CLLR ARNOLD ENGLAND ORIGINALLY REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE**

**THIS REPORT IS BEING PRESENTED TO THE PLANNING COMMITTEE DUE TO THE SUBMISSION OF AN APPEAL AGAINST NON-DETERMINATION**

- A) The purpose of this report is to advise the Planning Committee of the recently received 'Non-Determination' Appeal in regards to this application, and to request guidance on the issues relating to the Council's Statement of Case to be presented as part of the Appeal.
- B) The Appeal has been validated by the Planning Inspectorate (PINS), and accordingly the Local Planning Authority is required to prepare a formal Statement of Case to outline the position of the LPA. The LPA has achieved an Extension of Time until 26<sup>th</sup> September 2019 to finalise its Statement of Case in order to set out the decision that would have been made by Planning Committee should the application have come back to Committee without being the subject of an Appeal.
- C) The Application was presented to Members at Planning Committee on 31<sup>st</sup> July 2019. Officers recommended Approval of the application subject to Condition(s). Members resolved to defer the application to allow for a Members Site Visit on Wednesday 25<sup>th</sup> September 2019.
- D) In respect of the Appeal process, all persons notified or consulted on the application, alongside all other interested persons who made representations regarding the Application have been notified regarding the Appeal. As the Appeal is for Non-Determination, the Planning Inspectorate has confirmed that this cannot be dealt with as a Householder Appeal and objectors have been consulted to notify them of the appeal.

## **RECOMMENDATION**

Members are requested to confirm how they would have determined the application were it not the subject of an Appeal against Non-Determination. If Members would have been minded to refuse the application, Reasons for Refusal will be required.

\*\*\*\*\*The report to Planning Committee on the 31 July 2019 is presented below and takes account of the Verbal Update to Committee\*\*\*\*\*

**CLLR ARNOLD ENGLAND HAS REQUESTED THAT THIS APPLICATION BE  
DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE**

**1.0 SUMMARY RECOMMENDATION**

1.1 Grant Full Planning Permission subject to Condition(s) and Informative(s).

**2.0 SITE AND SURROUNDINGS**

2.1 The application site is a residential property located on Belgrave Crescent in Stirchley, a predominantly residential area of Telford, consisting of 10 properties, each property having a flat roof garage, many of which protrude past the front of the properties. The application property itself is a detached property set in a large plot.

**3.0 APPLICATION DETAILS**

3.1 This application seeks Full Planning Permission for the erection of a first floor extension over the existing double garage. The extension itself is required to meet the needs for the Applicant's disabled son.

**4.0 RELEVANT HISTORY**

4.1 None

**5.0 RELEVANT POLICY DOCUMENTS**

5.1 National Guidance:

National Planning Policy Framework (NPPF)

5.2 Local Development Plan:

Telford & Wrekin Local Plan 2011-2031:

BE1 Design Criteria

BE2 Residential Alterations

**6.0 SUMMARY OF CONSULTATION RESPONSES**

**6.1 Local Member & Town/Parish Council Responses**

6.1.1 Stirchley & Brookside Parish Council: Object:

- Disproportionate size of development, loss of local character, development not being in keeping with the existing buildings in the Crescent and a loss of amenity.

## **6.2 Standard Consultation Responses**

### **6.2.1 Highways: No Objection.**

### **6.2.2 Shropshire Fire Service: Comment:**

Requires consideration to be given to advice provided in Shropshire Fire and Rescue Service's Fire Safety Guidance.

## **7.0 SUMMARY OF PUBLIC RESPONSE**

7.1 Eight objections have been received which are available in full on the planning file, but key points have been summarised as follows:

- extension is disproportionate in size to the existing dwelling;
- design does not remain in keeping with the existing building and alters its character;
- extension does not respect the character of the area and would become an imposing eyesore;
- adversely affects the amenity and privacy of neighbouring properties;
- alternative options to successfully meet the needs of the applicant's family without impacting on the neighbouring areas;
- consideration could be given to converting the pair of garages at the front of the property to living accommodation along with installing a wet room and the installation of hand rails, ramps and stair lifts within the property to allow the disabled person to have easier independent movement within;
- will be very difficult to match the bricks and mortar exactly to these properties and therefore the proposed extension will be unsightly.

## **8.0 PLANNING CONSIDERATIONS**

8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Scale, Design and Impact on the Character of the Area
- Impact on Neighbouring Amenity

### **8.2 Principle of Development**

8.2.1 The application site is within Stirchley which is within the built up area of Telford where the principle of development is supported.

8.2.2 The proposed first floor extension is to be erected over the existing attached flat roof garage which is positioned to the front of the property. This garage was built at the same time as the property which is evident by the similar design of other houses in the street and the surrounding area.

8.2.3 This scheme was subject to pre-application advice in December 2018 to which Officers gave a negatively worded response however, no supporting information was submitted at that time.

8.2.4 The enquiry was resubmitted in May 2019 explaining the essential need for the alterations together with a series of amendments which made the scheme more acceptable.

### **8.3 Scale, Design and Impact on the Character of the Area**

8.3.1 The first floor extension is proposed over the existing flat roof garage and as such, the footprint of the property is not changing. The existing garage is a subservient element to the existing dwelling. The eaves of the extension will be in line with the existing property but the ridge height will be lower, thus retaining its subservient nature.

8.3.2 Whilst it is appreciated that there have not been any other comparable extensions in the immediate area, with any alterations in a street or on an estate such as this, there will always be a first. The fact that this is the first extension of this kind within an existing uninterrupted street is not in itself reason to refuse planning permission as if this was the case, areas would not evolve to meet changing needs in this instance of a disabled resident.

8.3.3 There have been a series of comments regarding the proposed extension not being in keeping either with the existing dwelling or the area as a whole. These properties were built in the late 1970's/early 1980's and as such are of their time with prominent flat roof garages usually protruding from the front elevation of the properties. Whilst this is a feature of the majority of the properties within the area, this is not considered to be a positive architectural feature which needs to be retained.

8.3.4 The erection of a well-designed first floor extension would eliminate the majority of the unattractive flat roof garage whilst still respecting other architectural features of the property. It has been stated that by allowing this extension it would set a precedent for other properties to follow, however every application has to be assessed on its own merits and whilst it may be considered acceptable for one property to extend in this manner, it may be inappropriate for another. However, by allowing this extension, it may become the catalyst for other home owners to propose a similar form of development which would help to eliminate these flat roof garages and positively enhance the overall character and appearance of the area.

### **8.4 Impact on Neighbouring Amenity**

8.4.1 A series of comments have been received during the course of the application in respect of the loss of privacy and impact on amenity.

8.4.2 In terms of overlooking from the proposed new side window, this is 6 metres away from the boundary with No. 8 and overlooks the open plan front gardens of No.'s 6, 7 and 8. Due to the position of the proposed window, there would

not be any direct view from it into other windows. With regard to overlooking from the front window, the normally accepted distance between front windows is 21 metres. The windows in the proposed extension are 24 metres from the first floor windows of No. 2 which is the nearest property opposite, this is slightly further away than the existing first floor windows at No. 10 are from the windows of No. 2. Whilst it is acknowledged that the new windows would be going closer to the boundary with No. 2 than at present this is only overlooking the current open plan front garden and is not considered to have any significant harm.

- 8.4.3 Due to the distances involved and specifically in regard to the side window and the position of the windows, Officers consider that there would not be any significant detrimental impact on the residential amenity of any neighbouring residential property by means of overlooking or loss of privacy.

## 8.5 Other Matters

- 8.5.1 Comments received state that internal alterations should be explored before any extensions to the property. However as clearly indicated on the drawings, there are internal alterations proposed and these are considered necessary in addition to the proposed extension in order to meet the need of the family.

## 9.0 CONCLUSIONS

- 9.1 The Local Planning Authority considers that the scale and design of the proposals are acceptable. Whilst the design of the property would be altered, it is considered that this would be an improvement to the original design and would not harm the character of the existing house design and would respect and respond positively to its context and the surrounding area and would give the applicants the extra space required in order to meet the need of a disabled resident. The proposed scheme would not cause any detrimental harm upon the amenity of the occupants of neighbouring properties by way of nearness, loss of light or privacy. As such, the proposal is considered to be compliant with the Development Plan and National Planning Policy Guidance.

## 10.0 RECOMMENDATION

- 10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** subject to the following:

- a) The following Condition(s) and Informative(s) (with authority to finalise Conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

A04 Time Limit  
C001 Materials to Match Existing  
C38 Approved Plans

