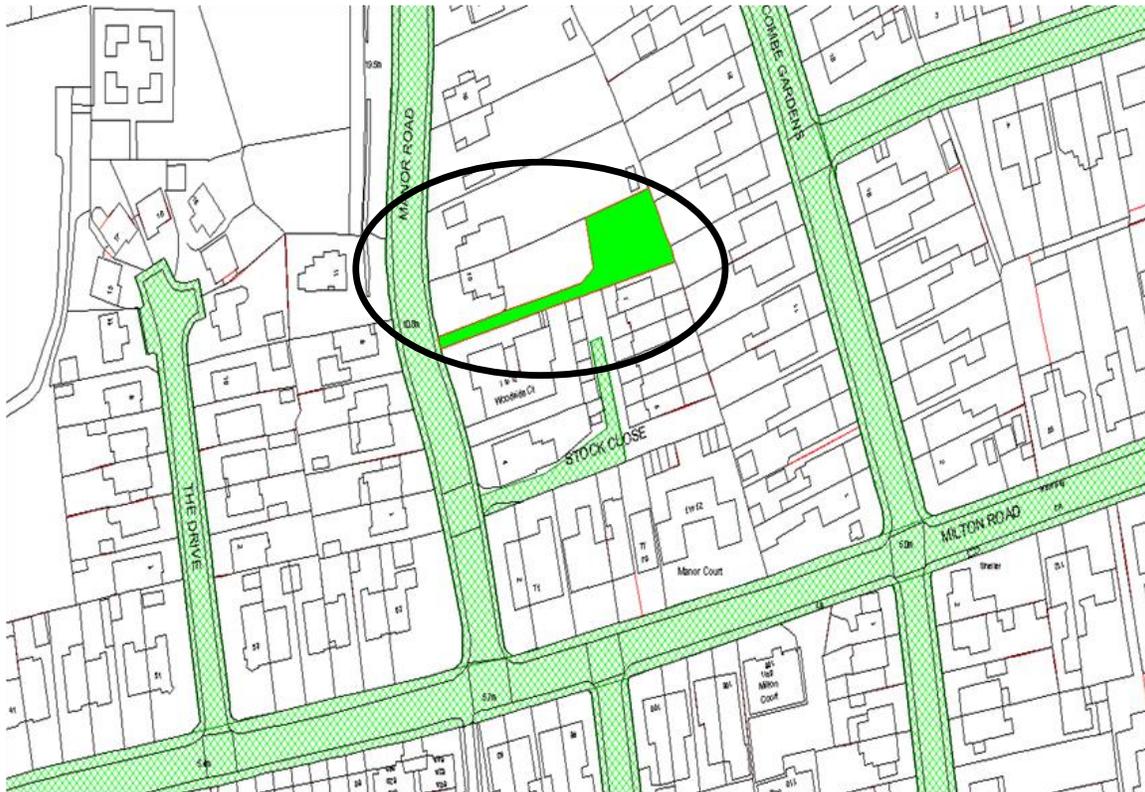


Planning and Regulatory Committee 12.10.16

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<b>APPLICATION NO:</b> 16/P/1312/F	<b>CASE OFFICER:</b> Owen Gore
<b>APPLICANT:</b> Mr Thomas Johnson	<b>Extended expiry date:</b> 19 October 2016
<b>PARISH/WARD:</b> Weston-super-Mare/Weston-super-Mare Hillside <b>WARD COUNCILLOR(S):</b> Cllr J Crockford-Hawley Cllr M Canniford	<b>TARGET DATE:</b> 27 July 2016
<b>SITE ADDRESS:</b> Land to the rear of 10 Manor Road, Weston-super-Mare, BS23 2SS	

LOCATION PLAN: The following plan shows the general location of the site only and is for illustrative purposes. The circle identifies the location of the site and is not a representation of the site boundaries. The site boundaries and other details submitted with the application can be viewed on the council's website at [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk). This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office © Crown copyright and database rights 2016 Ordnance Survey 100023397. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form



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8. **Section 2: 16/P/1312/F Conversion of existing domestic garage and first floor storage area to create 1no. detached dwelling at land to the rear of 10 Manor Road, Weston-super-Mare, BS23 2SS**

**REFERRED BY COUNCILLOR CROCKFORD-HAWLEY**

**Summary of recommendation**

It is recommended that the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

**The Site**

The application site is on the east side of Manor Road, towards the southern end. The site is at the eastern end of No.10. The existing garage sits in the north east corner of the site adjacent to the dwellings in Stock Close to the south and to the rear of the properties in Ashcombe Gardens to the east of the site.

**The Application**

The proposal is to convert an existing stone and tile, domestic garage and its first floor storage area to create a detached one bedroom dwelling with the associated parking area and garden space. The dwelling would have a lounge, kitchen and storage on the ground floor and a bedroom and bathroom on the first floor.

To replace the loss of the existing garage, a permeable parking area for 3 cars and a turning area for No.10 would be provided, as well as the parking and turning space for the proposed dwelling.

**Relevant Planning History**

<b>Year</b>	<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
1982	1049/82	Erection of bungalow, conversion of coach house to two garages and alteration of access drive.	Refuse
1981	1207/81	Erection of a 2-storey block of 12 flats.	Refuse
1974	25986/F	Erection of four terraced houses with car parking spaces and new double garage.	Refuse
1974	25986/G	Erection of five terraced houses with car parking spaces and new double garage.	Refuse

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**Policy Framework**

The site is affected by the following constraints:

- Within the settlement boundary for Weston-super-Mare

**The Development Plan**

**North Somerset Core Strategy (NSCS) (adopted April 2012)\***

The following policies are particularly relevant to this proposal:

<b>Policy Ref</b>	<b>Policy heading</b>
CS11	Parking
CS12	Achieving high quality design and place making
CS28	Weston super Mare

**\* Core Strategy - High Court Challenge**

Following a legal challenge to the adopted Core Strategy, Policy CS13 (housing requirement) was remitted back to the Planning Inspectorate for re-examination. In addition, Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32, CS33 were also remitted on the grounds that should the housing requirement be increased, then this may have consequences for one or more of these policies. All other policies remain adopted. Policy CS13 was approved by the Secretary of State on 18 September 2015 and forms part of the development plan. The examination of the other remitted policies is currently taking place.

**North Somerset Replacement Local Plan (NSRLP) (saved policies) (adopted March 2007)**

The following saved policies are particularly relevant to this proposal:

<b>Policy Ref</b>	<b>Policy heading</b>
H/7	Residential development within settlement boundaries

**The Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)**

The following policies are particularly relevant to this proposal:

<b>Policy</b>	<b>Policy heading</b>
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM28	Parking standards
DM32	High quality design and place making
DM39	Subdivision of properties

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**Other material policy guidance**

National Planning Policy Framework (NPPF) (March 2012)

The following is particularly relevant to this proposal:

<b>Section No</b>	<b>Section heading</b>
6	Delivering a wide choice of high quality homes
7	Requiring good design

Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014)
- North Somerset Parking Standards SPD (adopted November 2013)
- Biodiversity and Trees SPD (adopted December 2005)

**Consultations**

Copies of representations received can be viewed on the council's website. This report contains summaries only.

**Third Parties:** None received at time of writing.

**Weston-super-Mare Town Council:** - "No objection".

**Principal Planning Issues**

The principal planning issues in this case are (1) principle, (2) character and appearance, and (3) impact on neighbours (4) parking and highway safety, (5) protected species and (6) setting of listed building.

**Issue 1: Principle**

The proposal is to convert an existing domestic garage and its first floor storage area to create a detached dwelling with the associated parking area and garden space. Policy DM39: Sub-division of properties is applicable in this instance.

The application site is outside of any of the Areas of Restricted Subdivision. Under Policy DM39 proposals within settlement boundaries for the conversion of

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outbuildings to form self-contained accommodation will be permitted provided that they meet the criteria within the policy.

The policy requires that proposals provide a satisfactory standard of accommodation and living conditions and that the proposal does not create an over-intensive use of the site. Whilst the building is a small single dwelling it will meet the standard within the relevant guidance, the 'Technical housing standards – nationally described space standard'. Other criteria in policy DM39 are addressed below.

The proposal is considered to be acceptable in principle.

### **Issue 2: Character and appearance**

Under policy DM39 proposals must not have a harmful effect on the character of the area and not contribute to an unacceptable change in the balance of types of properties in one street or area. The existing building will be set away from the highway and will not be visible from the public realm. Since it is proposed to convert the existing building, with no new building works proposed, the proposal would not unacceptably harm the characteristics of the existing building or the character of its surroundings. In this respect, the proposal complies with policy CS12 of the Core Strategy and policies DM32 and DM39 of the emerging Sites and Policies Plan (Part 1).

### **Issue 3: Impact on Neighbours**

Under policy DM39 proposals must not have a harmful effect on the character and living conditions of the property, adjoining properties or local area. The proposal will include the addition of two roof lights in the pitch of the roof on the south elevation; both of these will be above 1.7m of the floor. As such the proposals would not adversely affect the living conditions or cause a loss of privacy to the occupiers of adjoining properties.

Therefore the proposed development complies with the relevant tests contained within the Residential Design Guide (Section 1: Protecting living conditions of neighbours) and would not result in a significant adverse impact upon the living conditions of neighbouring residents. In this respect, the proposal complies with policies DM32 and DM39 of the emerging Sites and Policies Plan (Part 1).

### **Issue 4: Parking and highway safety**

Under policy DM39 proposals should meet the council's parking standards. The proposal will include a single space for the proposed dwelling and 3 spaces for the existing property. On-site parking provision is adequate and complies with the standards set out in the North Somerset Parking Standards SPD. The proposal is

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therefore in accordance with policies DM24, DM28 and DM39 of the emerging Sites and Policies Plan (Part 1).

**Issue 5: Protected species**

The results of a protected species survey have been submitted with the application which conclude that there is negligible potential for bats to be affected by the development. As a precaution, an advice note is recommended warning the applicant of the requirements should bats be encountered during the development works. A condition is recommended to secure the recommendations set out in the ecologist's report. In this respect, regard has been paid to the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006, and to policy CS4 of the North Somerset Core Strategy, policy ECH/11 of the North Somerset Replacement Local Plan, policy DM8 of the emerging Sites and Policies Plan (Part 1) and the council's Biodiversity and Trees SPD.

**Issue 6: Setting of Listed Building**

The proposal does not affect the setting of any listed buildings.

**Natural Environment and Rural Communities (NERC) Act 2006**

The proposed development will not have a material detrimental impact upon biodiversity. See issue 5 above.

**The Crime and Disorder Act 1998**

The proposed development will not have a material detrimental impact upon crime and disorder.

**Local Financial Considerations**

The Localism Act 2011 amended section 70 of the Town and Country Planning Act 1990 so that local financial considerations are now a material consideration in the determination of planning applications. This development is expected to generate New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in this report, continue to be the matters that carry greatest weight in the determination of this application.

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**Conclusion**

It is considered that the proposal will not unacceptably impact the neighbouring properties in terms of overlooking, overbearing or loss of light and it would not adversely impact the character of the area. The proposal will meet the required parking requirement and is not considered to create any greater impact on the highway.

As such the proposed dwelling is considered acceptable and it complies with policies DM/8, DM/24, DM/28, DM/32 and DM39 of the North Somerset Sites and Policies Plan Part 1 and the Councils Residential Design Guide (RDG1) Section 1, North Somerset Parking Standards SPD and Biodiversity and Trees SPD.

**RECOMMENDATION: APPROVE** (for the reasons stated in the report above) subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. The development hereby approved shall not be occupied until the parking areas for the existing dwelling and the proposed dwelling, hereby approved, have been constructed and the parking spaces marked out in accordance with the approved plans. These parking spaces shall thereafter be permanently retained and shall not be used except for the parking of vehicles in connection with the existing dwelling and the dwelling hereby approved.

Reason: To ensure that the existing house and proposed dwelling is served by a suitable parking area in order to preserve highway safety and in accordance with paragraph 39 of the National Planning Policy Framework, policies CS10 and CS11 of the North Somerset Core Strategy and Policies DM24 & DM28 of the North Somerset Sites and Policies Plan (part 1).

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4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order amending or revoking and re-enacting that Order, no extensions to the dwelling shall be carried out other than those expressly authorised by this permission.

Reason: The Local Planning Authority wish to retain control over extensions in order to maintain the integrity and appearance of this development and the living conditions of neighbouring residents and in accordance with policy CS12 of the North Somerset Core Strategy, policies DM32 and DM39 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Residential Design Guide SPD - Section 1: Protecting living conditions of neighbours.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order amending or revoking and re-enacting that Order, no additional windows, rooflights or dormers shall be inserted in the south, north and east elevations of the dwelling without the prior written consent of the Local Planning Authority.

Reason: To protect the living conditions of occupiers of adjoining properties and in accordance with Policy DM39 of the North Somerset Replacement Local Plan (saved policies) and the North Somerset Residential Design Guide SPD - Section 1: Protecting living conditions of neighbours.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending or revoking and re-enacting that Order, no garage, shed or other structure shall be erected within the curtilage of the dwelling hereby permitted.

Reason: The Local Planning Authority wish to retain full control over the matters referred to in order to protect the character and appearance of the building and its setting and in accordance with policy CS12 of the North Somerset Core Strategy and policies DM32 and DM37 of the North Somerset Sites and Policies Plan (Part 1).