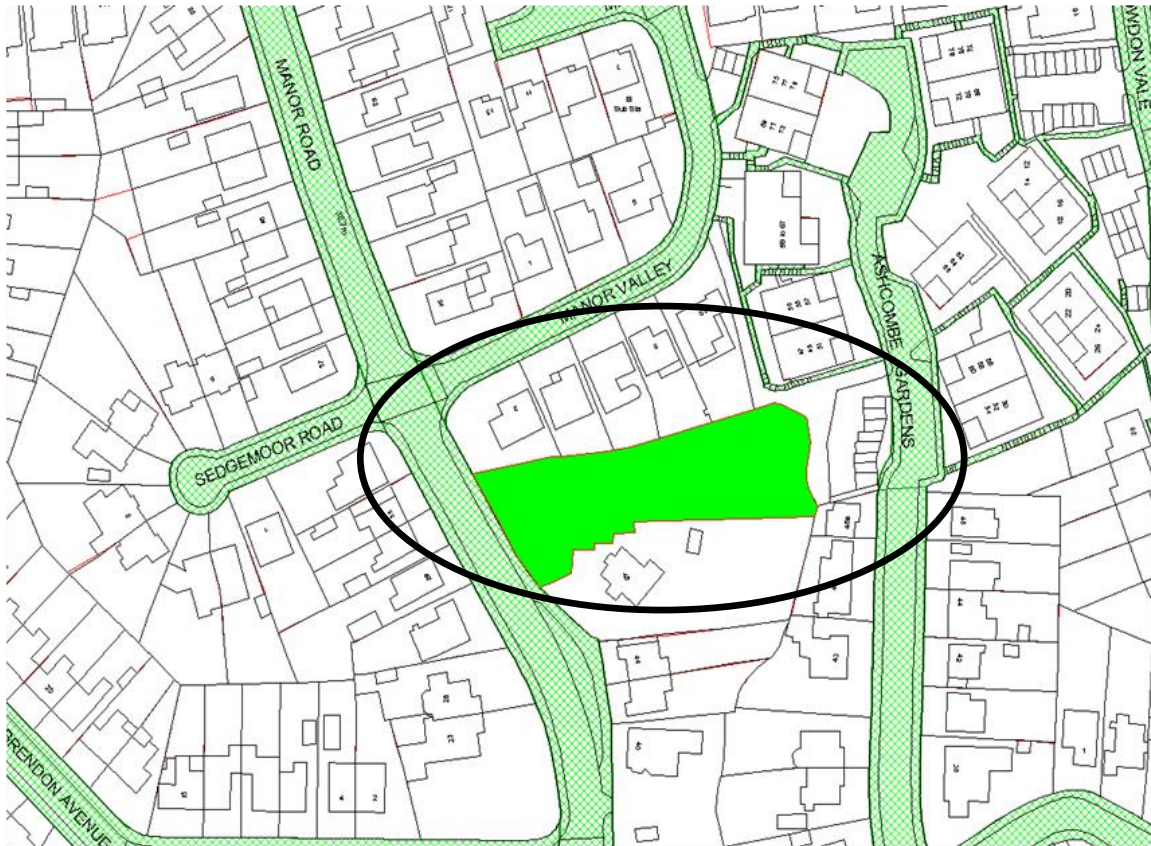


Planning and Regulatory Committee 12.10.16

SECTION 2

APPLICATION NO: 16/P/1375/F	CASE OFFICER: Owen Gore
APPLICANT: Mr K Kimitri	Extended expiry date: 19 October 2016
PARISH/WARD: Weston-super-Mare/Weston-super-Mare Hillside WARD COUNCILLOR(S): Cllr J Crockford-Hawley Cllr M Canniford	TARGET DATE: 26 July 2016
SITE ADDRESS: 50 Manor Road, Weston-super-Mare, BS23 2SU	

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. 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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9. **Section 2: 16/P/1375/F** **Erection of a split 2 storey level annex to rear of property at 50 Manor Road, Weston-super-Mare, BS23 2SU**

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 property is towards the northern end of Manor Road, on its eastern side. The site stretches from Manor Road to the garages on Ashcombe Gardens and is immediately south of the properties which front Manor Valley.

The ground level changes significantly, falling from west to east across several different ground levels and from north to south gradually. The area around the main house is level. The existing property at No.50, the driveway and the patio are level, but set lower than the properties on Manor Valley and the area of the proposed annex is significantly lower again.

The Application

The proposal is to erect a split level, 2 storey detached annex in the rear garden area of the existing property. The annex is intended for the applicants mother/mother in-law, who would like to maintain some degree of independence. The proposal includes a single bedroom, bathroom, kitchen/diner and lounge.

The building will be approx. 9m long (5.7m at first floor level) and 6m wide; the first floor will be approx. 3.5m tall above the level of the existing path at the front (west side). The proposal has a long sliding roof and the highest part of the ground floor aspect will be 4m above the lower ground level and the lower part 2.4m. The building will be timber cladding on the first floor and stone on the ground floor; the roof will be made up of tiles made of timber.

The building is similar to a bungalow at the front and is split across two storeys due to the levels on the site; the first floor is at the ground level of the adjacent path at the front and is contained within a shallow pitched roof which has short sections of roof on the north, east and west elevations and a long cat-slide roof on the South Elevation. The proposed 'ground floor' is at the level of the existing lawn area in the south east of the site.

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Access to the annex will be from the existing path, running along the north boundary wall through the garden. Car parking will be provided by the existing house where there is parking spaces of 4 cars. There will be no vehicle access to the annex.

Relevant Planning History

No relevant history

Policy Framework

- 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:

Policy Ref	Policy heading
CS10	Transport and movement
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.

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

The following policies are particularly relevant to this proposal:

Policy	Policy heading
DM24	Safety, traffic and provision of infrastructure etc associated with development

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DM28	Parking standards
DM32	High quality design and place making
DM43	Residential annexes

Other material policy guidance

National Planning Policy Framework (NPPF) (March 2012)

The following is particularly relevant to this proposal:

Section No Section heading

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)

Consultations

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

Third Parties: 5 letters of objection have been received. The principal planning points made are as follows:

- The proposal will be obtrusive and lead to loss of privacy and light.
- It is not in keeping with the surrounding buildings because of its height.
- It will be backland/garden filling and could set a precedent in this area which would produce over development.
- Concern that the increase in the number of cars parked at the roadside would add to the ongoing problem of obstructing the view of a driver exiting Manor Valley.
- Construction and traffic noise and parking probably ongoing for several months.
- Concern if the future the property is sold separately.
- 2-storey out of proportion to the stated need.

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1 letter of support has been received. The principal planning points made are as follows:

- The dependent relative lives in a flat reached by 4 flights of stairs
- Proposal will be situated at the lower end of their garden in consideration of their neighbours
- It will be arranged on 2 levels with minimum stairs rather than a building being elongated along the length of the garden and this again is in consideration of their neighbours
- No additional cars
- Applicant keeps their vehicles on the drive with the exception of a jeep which is parked outside their property

Weston-super-Mare Town Council: “No objection”.

Principal Planning Issues

The principal planning issues in this case are (1) principle of an annex in this location, (2) character and appearance, (3) impact on neighbours, (4) parking and highways, (5) setting of a listed building and (6) other matters.

Issue 1: Principle of an Annex in this location

Policy DM43: *Residential annexes* is applicable. This policy states that proposals for residential annexes will be permitted within settlement boundaries provided that they are of a good quality design and do not cause significant adverse impacts on the living conditions of adjoining occupiers.

In the towns and service villages subject to other policies in the plan, particularly in relation to policies DM32 and DM37: and the Council’s Residential design guides, annexes can be acceptable in the form of new detached buildings within the grounds of existing dwellings. The principle is therefore acceptable in policy terms, subject to meeting the other criteria.

Issue 2: Character and Appearance

The proposed annex is in the rear garden of the main dwelling at No.50 Manor Road and cannot be seen from the highway. The roofing material and first floor elevations will be made from wood to soften the visual impact from within the site and natural stone to match the existing stone walls onsite.

The proposal would not unacceptably harm the characteristics of the existing building or the character of area. In this respect, the proposal complies with policy CS12 of the Core Strategy and policies DM32, DM37 and DM43 of the North Somerset Sites and Policies Plan (Part 1).

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Issue 3: Impact on Neighbours

The site falls from the highway to the rear of the site and the location of the proposed annexe is significantly lower than the properties which face Manor Valley. The rear of the two properties on Manor Valley that are north of the proposed location for the annexe (No.8 & No.10) are both approximately 13m from the boundary with No.50 Manor Road and approximately 21m from the annexe itself. The proposed annex will be approx. 3.5m above the level of the existing path, with the ridge of the roof approx. 1.5m to 2m (as the ground level falls to the east) above the existing boundary wall.

As such it is considered that the proposed annex would not cause a significant adverse effect on the privacy of, or light to, the neighbouring properties on Manor Valley. No other neighbouring properties are directly affected.

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, DM37 and DM43 of the North Somerset Sites and Policies Plan (Part 1).

Issue 4: Parking and Highways

The main dwelling at No.50 Manor Road has approximately 4 spaces on the existing drive. The on-site parking provision is adequate and complies with the standards set out in the North Somerset Parking Standards SPD. The proposal is therefore in accordance with policies DM24, DM28, DM37 and DM43 of the North Somerset Sites and Policies Plan (Part 1).

Issue 5: Setting of Listed Building

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

Issue 6: Other issues

Within the objections, concerns were raised regarding future plans to sell that property and change its use. A condition has been included to ensure that the annexe remains part of the main dwelling. However each application must be determined on its own merits and the possibility of a future application to change the use to a separate dwelling carries very little weight in the determination of this planning application.

Other matters have been raised by consultees, namely disturbance during construction. However such matters are dealt with by other legislation.

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Natural Environment and Rural Communities (NERC) Act 2006

The proposed development will not have a material detrimental impact upon biodiversity.

The Crime and Disorder Act 1998

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

Conclusion

In principle, a proposed annex as a separate building within the curtilage of the main dwelling, in this location, is considered acceptable. 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 parking onsite is considered adequate and there would be not greater impact on the highway.

The proposal would not unacceptably harm the characteristics of the existing building or the character of area and would not result in a significant adverse impact upon the living conditions of neighbouring residents. It is considered that the proposal complies with policy CS12 of the Core Strategy and policies DM32, DM37 and DM43 of the North Somerset Sites and Policies Plan (Part 1).

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 accommodation hereby permitted shall not be used as a self-contained dwelling and shall be used solely by the occupants of the existing dwelling and for purposes that are ancillary and incidental to

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the use of No.50 Manor Road, in connection with their enjoyment of that dwelling as a single dwellinghouse.

Reason: The proposed annexe, due to its size and relationship with the existing dwelling, will not provide adequate living conditions for a separate dwelling and would conflict with policies DM32, DM37 and DM43 of the North Somerset Sites and Policies Plan (Part 1).

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 annex or existing 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 DM38 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.