

PLANNING AND REGULATORY COMMITTEE

UPDATE SHEET

14 December 2016

Section 2

Item 6 – 16/P/1701/F - 47B Hill Road, Clevedon, BS21 7PD

Additional Third Party comments

4 additional letters of objection have been received, 2 letters from one objector. Summary of points:

- Extension is larger than shown on plans
- Proposal is in conflict with the Residential Design Guide Section 1 with regards to privacy
- Unable to maintain side wall due to extension
- Overdevelopment of site
- Setting a precedent
- Dispute regarding boundary wall ownership
- Outbuilding is being used as a bedroom
- Inaccurate plans

Officer comments:

- *Access to walls for maintenance is covered by other legislation.*
- *Response to other points have already been addressed in the committee report.*
- *Comments received that the outbuilding is larger than shown on the plans. Although the outbuilding measures 3.2m in depth and 4 metres in width, there is a void between the rear of the outbuilding and the rear wall. The void is covered and is included as part of the roof terrace therefore the outbuilding appears larger than shown. This void is 1.5m from north-east corner of the outbuilding and 3.2m from the north-west corner of the outbuilding. Therefore the outbuilding is not larger than shown on the amended plans.*

Issue regarding ownership: As referred to in **Other Matters** in the Committee report, there is a dispute regarding the ownership of the south-east boundary wall. The Council has requested evidence from both parties to confirm ownership. The applicant and objectors have both submitted information but the information submitted to date has not confirmed definitively who owns the wall. The applicant has been advised that it is his responsibility to sign the correct ownership certificate and signing an incorrect certificate can lead to invalidation of the planning permission. Given the information it is considered that the application can be determined and the objectors can take action against the applicant if the incorrect notice has been served.

We have received further correspondence from an objector providing a solicitors letter which states the wall is solely owned by the objector. We have received legal advice on this correspondence and it is concluded that it does not provide detailed evidence of ownership, therefore it does not clarify the ownership issue.

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Complaint: A complaint has been received regarding the handling of the planning application and procedures. This complaint is being dealt separately as a stage 1 complaint under the council's complaint procedure and the matters the complainant has raised have been investigated and a response sent.

The complainant has been advised that it would not be reasonable to delay the determination of the planning application whilst a formal complaint is considered because the planning application must be determined on its planning merits.

Clevedon Civic Society: No comments on the amended plans at the time of writing.

Clevedon Town Council: RECOMMEND REFUSAL due to the increased size of the outbuilding and terrace. Consider the amended plans to be overdevelopment of the site, out of keeping with this Conservation Area and to be intrusive to the amenities of the neighbouring property.

Officer comments:

The issues raised by the Town Council have been addressed in the committee report.

Typing error: Under issue 3 in the penultimate paragraph it says the out building is not being used for storage, this is incorrect and should read that the outbuilding is be used for storage.

Item 7 – 16/P/2225/F - Car Park Area, Crown Glass Shopping Centre, Crown Glass Place, Nailsea, BS48 1RD

Changes to Recommendation.

The applicant has requested longer working hours and has requested that the hours be extended from 17.00 hours to 18.00 hours on Weekdays and Saturdays and from 16.30 to 17.00 hours on Sundays and Bank Holidays

The Councils Environmental Protection officer has been consulted and has no objection to the proposed extension of the hours including Bank Holidays.

It is also considered that an additional condition (6) is required to ensure that outside the approved hours the car parking area should be available for use by others.

Change to the Recommendation

RECOMMENDATION: APPROVE subject to the conditions in the report and subject to the amendment of condition 5 and the addition of condition 6 as follows:

5. The use hereby permitted shall not take place before 08.00 hours or after 18:00 hours on weekdays and Saturdays and shall not take place before 10.30 hours or after 17:00 hours on Sundays and Bank holidays.

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6. Outside the hours of operation as specified within condition 5 the use of the parking spaces for the car wash facility hereby approved shall be available for car parking in association with the shopping and town centre use.

Reason: To provide sufficient parking to maintain the vitality and viability of the shopping and employment centres and in accordance with Policy DM29 of the Sites and Policies Plan (part 1).