

SECTION 2

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| <b>APPLICATION NO:</b> 17/P/0023/F  | <b>CASE OFFICER:</b> Angela Norris         |
| <b>APPLICANT:</b> Mrs S Downs   | <b>Extended expiry date:</b> 17 March 2017 |
| <b>PARISH/WARD:</b> Winscombe and Sandford/Banwell and Winscombe<br><b>WARD COUNCILLOR(S):</b><br>Cllr J O'Brien<br>Cllr Mrs A F Harley | <b>TARGET DATE:</b> 14 February 2017       |
| <b>SITE ADDRESS:</b> Cothill, Station Road, Sandford, Winscombe, BS25 5RQ   |  |

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



SECTION 2

7. **Section 2: 17/P/0023/F Erection of a new dwelling at Cothill, Station Road, Sandford, Winscombe, BS25 5RQ**

**DEPARTURE FROM DEVELOPMENT PLAN POLICIES**

**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 located on the south side of Station Road to the west of the Strawberry Line and Sandford Station residential site. The site is part of the garden of Cothill, which is a detached house in a large plot and it is on the south side of the dwelling. The site is approximately 57 metres in length and 20 metres wide on the south west boundary and 10 metres wide on the north east boundary. It is approximately 910 square metres in area.

**The Application**

Full permission is sought for:

- Sub-division of the site
- the erection of one 2-bed detached house
- Part of the first floor would be within the roof space
- on-site open parking for 2 vehicles
- separate vehicular access off shared lane leading to Station Road

**Relevant Planning History**

| <b>Year</b> | <b>Reference</b> | <b>Proposal</b>   | <b>Decision</b> |
|-------------|------------------|---|-----------------|
| 1972        | 81887/C          | Conversion of existing integral garage to form utility room and bedroom with shower and erection of detached double garage. | Approved        |

**Policy Framework**

The site is affected by the following constraints:

- Outside the settlement boundary for Sandford

**The Development Plan**

North Somerset Core Strategy (NSCS) (adopted January 2017)

The following policies are particularly relevant to this proposal:

**SECTION 2**

| <b>Policy Ref</b> | <b>Policy heading</b>                          |
|-------------------|--|
| CS1               | Addressing climate change and carbon reduction |
| CS2               | Delivering sustainable design and construction |
| CS4               | Nature Conservation                            |
| CS10              | Transport and movement                         |
| CS11              | Parking  |
| CS12              | Achieving high quality design and place making |
| CS14              | Distribution of new housing                    |
| CS33              | Smaller settlements and countryside            |

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>   |
|---------------|---|
| DM8           | Nature Conservation   |
| DM9           | Trees   |
| DM10          | Landscape   |
| DM24          | Safety, traffic and provision of infrastructure etc associated with development |
| DM28          | Parking standards   |
| DM32          | High quality design and place making  |
| DM34          | Housing type and mix  |
| DM37          | Residential development in existing residential areas                           |

**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>                           |
|-------------------|--|
| 4                 | Promoting sustainable transport                  |
| 6                 | Delivering a wide choice of high quality homes   |
| 7                 | Requiring good design                            |
| 11                | Conserving and enhancing the natural environment |

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

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- North Somerset Parking Standards SPD (adopted November 2013)
- Biodiversity and Trees SPD (adopted December 2005)

## SECTION 2

### Consultations

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

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

- The site is outside Sandford settlement boundary
- Policy CS33 of the Core Strategy does not allow new residential development outside settlement boundaries,
- Location will increase potential ribbon development along A368, leading to a loss of current boundaries of Sandford as a community
- Site is located on busy lane used by walkers, cyclists and farm machinery
- If combined with other recently approved applications in the village in Green Hill Road and Broadleaze Farm in Winscombe it would start development on western side of Strawberry Line
- It would lead to Strawberry Line running through a housing estate

**Winscombe and Sandford Parish Council:** "At a meeting held on 6th February, Winscombe and Sandford parish Council supported approval of the above planning application."

### Principal Planning Issues

The principal planning issues in this case are (1) The principle of residential development in this location, (2) The character and appearance of the development, (3) The impact of the development upon the surrounding neighbours, (4) The impact of the development on access, parking and highway safety, (5) Ecology and Biodiversity, (6) Other matters, and (7) Setting of a Listed Building.

#### **Issue 1: The principle of residential development in this location**

Sandford is defined in policy CS33 of the Core Strategy as an 'Infill village'. CS33 seeks to strictly control development in order to protect the character of the rural area and prevent unsustainable development. The site lies outside the settlement boundary where the policy restricts new residential development to replacement dwellings, residential sub-divisions, residential conversions of buildings where alternative economic uses are not appropriate or dwellings for essential rural workers. The proposal for a new dwelling on this site does not fall into any of these categories, so normally would not be acceptable in principle.

However, the policy on residential development on housing outside the settlement boundary must be read in conjunction with the current progress on the Council's 5 year housing supply, housing distribution and recent appeal decisions. The last tested position was about 4.2 years supply based on a 20% buffer. The Council's direction of travel is positive, with sites coming forward through a series of permissions that have not relied solely on allocated sites. In addition, the Site

**SECTION 2**

Allocation Plan has been finalised for submission for examination and the flexibility introduced through the Core Strategy will enable further sustainable sites of an appropriate scale to come forward. This is expected to significantly boost supply. In the meantime the Council must continue to respond positively to the delivery of new housing.

An appeal decision for 118 houses to be developed on land to the north of the A368 road in Sandford (ref: 15/P/0583/O) addressed the issue of the sustainability of Sandford. The appeal was allowed, and part of the judgement was that Sandford has a reasonable degree of sustainability when public transport to neighbouring settlements is taken into account. Following that appeal decision, permission was granted at Committee for the erection of a dwelling in Greenhill Lane (ref: 16/P/1936/F) on east side of Sandford. In that application the site was separated from Sandford by fields whereas this site is linked to Sandford by built up area.

Prior to the appeal decision in Sandford, it had also been recognised by the Council that small scale residential development on sites outside the Sandford settlement boundary on its west side in areas close to the Care Village on the former Station site, would comply with the presumption in favour of sustainable development in the NPPF. Therefore, a new dwelling was allowed at land at Appleton House, Mead Lane, Sandford (ref: 15/P/1145/F), by the Committee in August 2015. That site is very close to this application site, on the north side of Station Road.

**Issue 2: The character and appearance of the development**

The proposal is to sub-divide the plot and to erect a detached dwelling on its south side. It is a substantial sized plot that has sufficient area around both the new and the existing dwellings to provide for sufficient amenity and garden area and for on-site parking provision for both properties. Therefore, it is considered that it would not affect the spacious character of the surrounding residential area. The proposed new dwelling would be a two storey house, which is in keeping with the existing dwelling and surrounding dwellings. It is therefore considered that the scale and design of the new dwelling would be acceptable and in keeping with the surrounding area. As the proposed new dwelling would be to the rear of the existing dwelling and accessed off a small lane, there would be limited views of the proposed new development from the main road. Therefore it is considered that the modern construction materials that are proposed to be used would be acceptable. In this respect, the proposal would not harm the character of the rural area and is in compliance with policy CS12 of the Core Strategy and with policies DM32 and DM37 of the Sites and policies Plan (Part 1).

**Issue 3: The impact of the development upon the surrounding neighbours**

The proposed new dwelling would be sited to the south of the existing dwelling. It would be sited 15 metres away from the existing dwelling at its closest point, so there would be a minimal impact upon the living conditions of the occupiers of the existing house. Outside the site, the closest dwellings would be the flats in nos.66-73 Harpil Close within the Care Village which is located to the north east of the proposed development. Those dwellings would be sited on the opposite side of the

**SECTION 2**

lane and would be 25 metres away from the new proposed dwelling at its closest point. Therefore, there would be a minimal impact of the proposed new dwelling upon the living conditions of the occupiers of nos. 66-73 Harpil Close.

With regard to impact upon other dwellings in the locality, none of the dwellings in Station Road are close enough to the site to be affected by the proposed new development. The proposed development complies with all the relevant tests that are contained within the Adopted Supplementary Policy Guidance document – Residential Design Guide (Section 1: Protecting living conditions of neighbours). Therefore, it is considered that it would not result in any significant adverse impact upon the living conditions of the neighbouring residents. In this respect, the proposal is in compliance with policies DM32 and DM37 of the Sites and Policies Plan (Part 1).

**Issue 4: The impact of the development on access, parking and highway safety**

The proposal is for the new dwelling with its own access on to a shared lane that is a southern spur off Station Road. There is an existing access onto this part of the site, but it would be altered. It would be close to the main access to the existing house, on its south side. As the lane is off the main road, the access would not affect traffic on Station Road. On the lane the gate is set back and there is good visibility, and at the access from the lane onto Station Road there is acceptable visibility. Therefore, the development would not create any additional traffic hazard on Station Road.

Concern has been raised by local residents that the lane is used by agricultural vehicles, walkers and cyclists as it leads to the Strawberry Line. However, this would only be one additional dwelling with insignificant increase in traffic movements. Therefore, it is considered that the proposed new development would not increase the potential for a traffic hazard, and consequently, it is in accordance with policy CS11 of the Core Strategy and with policy T/10 of the NSRLP.

The proposed new dwelling would be a two-bed dwelling. The proposed on-site parking provision for the proposed new dwelling would be two open parking spaces. As the residential parking standards set out in the adopted North Somerset Parking Standards SPD requires two spaces for a two bed house, the provision would be the required standard and as such is acceptable. Regarding the existing dwelling, it is likely that it has more than four bedrooms. On this basis, the requirement is for provision of three car parking spaces on-site. As the existing dwelling would have an ample sized driveway remaining within the site, there is potential for more than three cars to be parked within the site. It is considered that the parking provision for both the existing and proposed new dwelling would comply with the standards and there would be sufficient space within each curtilage to provide for the turning of vehicles. Therefore the on-site parking provision complies with the standards set out in policy DM28 of the Sites and Policies Plan and the North Somerset Parking Standards SPD.

**Issue 5: Ecology and biodiversity**

**SECTION 2**

The site is part of a domestic garden with mown grass, so has negligible potential for bats or other protected species to be affected by the development. However, as a precautionary measure, an advice note is recommended warning the applicant of the requirements should bats or other protected species be encountered during the development works. Therefore, it is considered that 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 DM8 of the North Somerset Sites and Policies Plan – Part 1 and the advice in the Council's adopted Biodiversity and Trees SPD.

**Issue 6: Other matters**

Concern has been raised by the local residents that this proposed new development is linked to the proposals for more housing to be erected in Sandford. However, this application is separate to other applications and therefore it can only be considered on its own merits, as a small scale infill development.

**Issue 7: 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.

**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.

**Conclusion**

The proposal complies with the presumption in favour of sustainable development and is therefore considered to be acceptable in principle. The layout, scale and design of the proposed new dwelling is considered acceptable and does not adversely impact upon the character of the area. It is considered that there are no

**SECTION 2**

adverse impacts upon the living conditions of the occupiers of the neighbouring dwellings and that there are no highway safety issues. Therefore it is concluded that the proposal is acceptable, and is in accordance with Paragraph 14 of the National Planning Policy Framework.

**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 external walling and roofing materials to be used in the building works for the dwelling and garage hereby permitted shall be in strict accordance with the approved plans. If any other material is proposed no development shall take place until such has been approved, in writing, by the Local Planning Authority.

Reason: To ensure the works maintain the rural character of the surrounding area and in accordance with section 7 and paragraph 17 of the National Planning Policy Framework, policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan – Part 1.

4. The dwelling hereby approved shall not be occupied until the access has been formed and the parking and turning areas have been constructed and laid out for both the new and existing properties in accordance with the approved plans and these parking spaces shall thereafter be permanently retained and shall not be used except for the parking of vehicles in connection with the dwellings.

Reason: To ensure that the development 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 and DM28 of the North Somerset Sites and Policies Plan – Part 1.

5. The dwelling hereby approved shall not be occupied until measures to generate 10% (less if agreed with the Local Planning Authority) of the

**SECTION 2**

energy required by the use of the development (measured in carbon) through the use of micro renewable or low carbon technologies have been installed on site and are fully operational in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to secure a high level of energy saving by reducing carbon emissions generated by the use of the building in accordance with paragraph 17 and section 10 of the National Planning Policy Framework and policies CS1 and CS2 of the North Somerset Core Strategy.

6. The dwelling shall not be occupied until the facilities for the storage and collection of waste have been implemented in accordance with the approved plans. Thereafter the approved space and facilities for the storage and collection of waste shall be permanently retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: The Local Planning authority wishes to encourage sustainable waste collection initiatives in the interests of local amenity and sustainable waste management and in accordance with policies CS1 and CS7 of the North Somerset Core Strategy

7. No development shall be commenced until foul and surface water drainage details together with a programme of implementation have been submitted to and approved, in writing, by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of foul and surface water drainage and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, the Technical Guidance to the National Planning Policy Framework (March 2012) Planning Policy Statement 25 Practice Guide (Development and Flood Risk) and policy CS/3 of the North Somerset Core Strategy.

8. All works comprised in the approved details of landscaping should be carried out in accordance with the approved plans during the months of October to March inclusive following occupation of the building or completion of the development, whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with policy CS5 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan – Part 1.

**SECTION 2**

9. Trees and hedges shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and retains the rural character of the development and area in accordance with policy CS5 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan.

**Summary of advice notes to be included on the decision notice**

Advice notes are not conditions but are a means of making a statement to the applicant or drawing attention to the requirements of other legislation.

1. Drainage
2. Bats and protected species