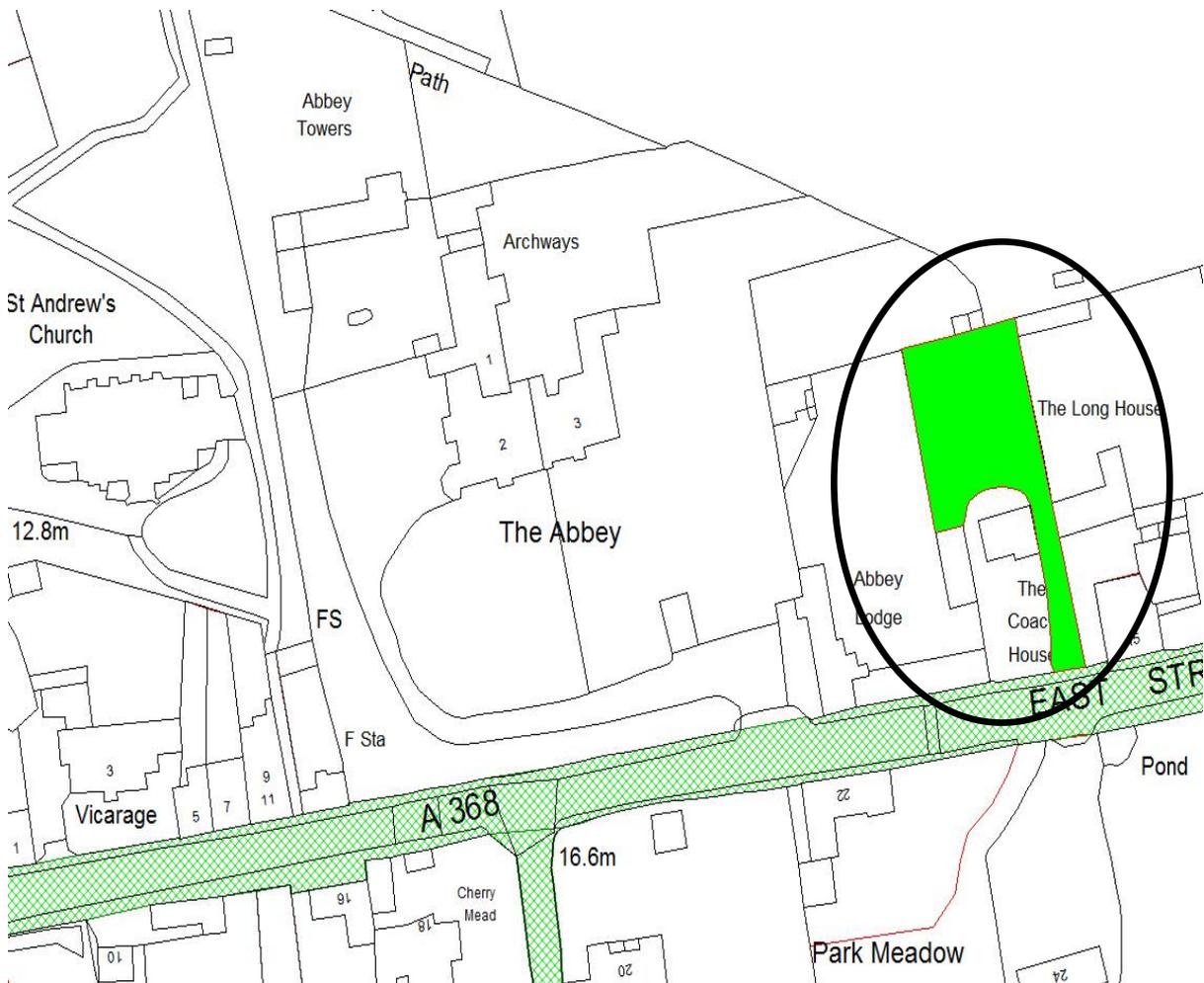


SECTION 2

APPLICATION NO: 17/P/0191/F	CASE OFFICER: Sam Watson
APPLICANT: Mr & Mrs P Whittington	Extended expiry date:
PARISH/WARD: Banwell/Banwell and Winscombe	TARGET DATE: 15 March 2017
WARD COUNCILLOR(S): Cllr J O'Brien Cllr Mrs A F Harley	
SITE ADDRESS: The Longhouse, 25 East Street, Banwell, BS29 6BW	

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



SECTION 2

12. Section 2: 17/P/0191/F Conversion of garage to garden room and store at The Longhouse, 25 East Street, Banwell, BS29 6BW

APPLICANT IS COUNCIL EMPLOYEE

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 East Street within the settlement boundary of Banwell, the area is characterised by residential dwellings. The site contains a single storey 'L' shaped dwelling set behind a modern two storey detached dwelling. The site is only partially visible from the highway when viewed along the access drive for the site.

The Application

Full permission is sought for:

- The conversion of the attached garages in to a habitable room and a store room.
- The installation of two full height timber windows, a glazed timber double door and a vertically clad timber door. The finishes are to match the existing building.

Relevant Planning History

Year	Reference	Proposal	Decision
2015	15/P/0940/F	Proposed sub-division of existing dwelling to create 1no. one bed and 1no. two bed dwelling units. Works to include the erection of a porch and a first floor extension	Approval
2012	12/P/0981/F	Application for the removal of conditions to allow the division of properties and associated land and garages.	Approval
2008	08/P/0891/LUE	Use of annexe approved under application 2796/75 as a separate self-contained dwelling	Approval

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2002 02/P/1940/F Conversion of garage to provide approval
additional living accommodation with
refurbishment of existing garages.

Policy Framework

The site is affected by the following constraints:

- Within the settlement boundary for Banwell
- Within a Conservation Area
- In the setting of a Grade II Listed Building (Abbey Lodge).
- Within a known bat habitat
- Within an area controlled by an Article 4 Direction covering fenestration

The Development Plan

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

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS11	Parking
CS12	Achieving high quality design and place making

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

The saved policies are not particularly relevant to this proposal:

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
DM3	Conservation Areas
DM4	Listed Buildings
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM28	Parking standards
DM32	High quality design and place making
DM38	Extensions to dwellings

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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
11	Conserving and enhancing the natural environment
12	Conserving and enhancing the historic 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)
- 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: No letters of objection have been received.

Banwell Parish Council: "At their meeting on the 13th February 2017, Banwell Parish Council voted to recommend approval of this application."

Principal Planning Issues

The principal planning issues in this case are (1) the principle of development, (2) the character and appearance within the conservation area, (3) the setting of listed buildings, and (4) the living conditions of neighbours.

Issue 1: Principle of development

The site is within the settlement boundary for Banwell. Policy DM38 allows for extensions to dwellings where they respect the existing dwelling, do not harm the street scene and surrounding area and do not harm the living conditions of neighbours. Similarly policies CS12 and DM32 permit development where it is of a high quality design and place making.

The proposal is for the conversion of a garage in to a garden room and store by installing windows and doors on the front elevation. This would usually be permitted development but as the proposal is within a Conservation Area with an Article 4

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Direction which restricts permitted development for the construction or alteration of fenestration, a planning application is required.

The principle of converting the existing garages in to habitable rooms and the installation of fenestration on the front elevation is acceptable subject to it being in accordance with the relevant policies as set out below.

Issue 2: Character and appearance within conservation area

The site is within the settlement boundary for Banwell and within the Banwell Conservation Area. Development within Conservation Areas is controlled by policies CS5 of the Core Strategy and DM3 of the Sites and Policies Plan. These require that proposals protect, or where possible, enhance the features which contribute to the special character and appearance of the Conservation Area and repair past unsympathetic development. Policies CS12, DM32 and DM38 require that all proposals are of a high quality design and do not affect the existing building or its surroundings.

The Longhouse is set back from the main road behind an existing, modern, property (Pennyard House) and has limited views from public vantage points. It is proposed to install a full height glazed double door with a full height window on either side to replace part of the garage area, and a double vertically clad timber door to replace the remaining area of garage. The materials will be finished to match the dwelling's existing materials.

It is considered that the proposal would not affect the character of the existing building or surrounding Conservation Area. Due to its location set back from the highway and as it is largely screened from the street scene by Pennyard House, it is considered that the proposal would not affect the historic nature of the Conservation Area. Further the modern design and the use of traditional materials will provide a clear definition between the historic section of the building and the modern alterations. The proposal is of a high quality design which is sympathetic to the existing building and Conservation Area.

In conclusion the proposal to convert the garage to a garden room and store would not affect the character and appearance of the Conservation Area. The proposal is therefore in accordance with policies CS5 and CS12 of the North Somerset Core Strategy, policies DM3, DM32 and DM38 of the North Somerset Sites and Policies Plan as well as the Residential Design Guide SPD.

Issue 3: Setting of Listed Building

Policies CS5 and DM4 require that proposals preserve and, where appropriate, enhance the setting of Listed Buildings. While the site is in close proximity to a Grade II Listed Building (Abbey Lodge) which is to the west of the site it is considered that this Listed Building would be unaffected by the proposal. The proposal is not visible in relation to the Listed Building either from the application site, Abbey Lodge or from public spaces. Therefore the proposal would comply with policies CS5 of the Core Strategy and DM4 of the Sites and Policies Plan.

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Issue 4: Living conditions of neighbours

Policies CS12, DM32 and DM38 require that extensions and alterations to dwellings do not affect the living conditions of neighbouring properties. Specifically these harms include any significant and unacceptable increase in overlooking, loss of private amenity space, overbearing and overshadowing. Due to the location of the proposal it is considered that the only possible harm in this instance would be overlooking from the proposed windows and glazed doors. The Residential Design Guide – Section 1 sets requires a minimum distance of 21 metres between habitable windows to prevent unacceptable levels of overlooking.

It is considered that this proposal would not cause a significant or unacceptable increase in overlooking as the proposed windows are set approximately 26 metres away from any opposing habitable windows and approximately 21 metres from the rear boundary of Pennyard House. There are also a number of existing windows which already face Pennyard House and there is currently no boundary treatment between the application site and Pennyard house meaning that overlooking already exists between the dwellings. It should also be noted that the proposed windows are on the ground floor and so any overlooking would be reduced through the erection of screening.

In conclusion it is considered that the proposal would not affect the living conditions of Pennyard house or the private amenity of its occupiers. As the space between the two dwellings is open with no boundary treatments it is considered that both dwellings are already affected by overlooking and a lack of private amenity space. However, the proposed windows would not significantly increase the existing overlooking and due to the distance between habitable windows the proposal complies with the Residential Design Guide SPD. The proposal is also therefore in accordance with policy CS12 of the Core Strategy and policies DM32 and DM38 of the North Somerset Sites and Policies Plan (part 1).

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

The proposal would not affect the character and appearance of the existing dwelling nor the Conservation Area and Listed Buildings as it is of a high quality design and largely screened from the street scene. The proposal is therefore in accordance with policies CS5 and CS12 of the North Somerset Core Strategy, policies DM3, DM4

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DM32 and DM38 of the North Somerset Sites and Policies Plan as well as the Residential Design Guide SPD.

The proposal does not affect the living conditions of the neighbouring dwellings and specifically would not cause an increase in overlooking to Pennyard House. The proposal is therefore in accordance with policy CS12 of the Core Strategy and policies DM32 and DM38 of the North Somerset Sites and Policies Plan (part 1) and the Residential Design Guide 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.