

## DELEGATED REPORT

<b>Application No:</b>	20/P/0285/FUL	<b>Target date:</b>	15.05.2020
<b>Case officer:</b>	Mike Cole	<b>Extended date:</b>	
<b>Proposal:</b>	Demolition of existing house, workshop and outbuildings and erection of 4no. new dwellings		
<b>Site address:</b>	Wallflower House, 30 Coronation Road, Bleadon, Weston-super-Mare		

### SUMMARY OF MAIN ISSUES AND RECOMMENDATION

#### Planning History/Background – most recent applications

No recent planning history

#### Monitoring Details (if applicable)

4No 3 bedroomed dwellings

#### Policy Framework

The site is affected by the following constraints:

- Within settlement boundary
- Within setting of Grade I listed church
- NS and Mendip Bats SAC consultation Horseshoe Bat Zone C

#### The Development Plan

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

The following policies are particularly relevant to this proposal:

<b>Policy Ref</b>	<b>Policy heading</b>
CS1	<a href="#">Addressing climate change and carbon reduction</a>
CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS12	Achieving high quality design and place making
CS13	Scale of new housing

CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS33	Smaller settlements and countryside
CS34	Infrastructure delivery and Development Contributions

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

The following policies are particularly relevant to this proposal:

<b>Policy</b>	<b>Policy heading</b>
DM2	Renewable and low carbon energy
DM4	Listed Buildings
DM6	Archaeology
DM7	Non-designated heritage assets
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM11	Mendip Hills Area of Outstanding Natural Beauty
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
DM36	Residential densities
DM37	Residential development in existing residential areas
DM42	Accessible and adaptable housing and housing space standards
DM71	Development contributions, Community Infrastructure Levy and viability

Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

The following policies are particularly relevant to this proposal:

<b>Policy</b>	<b>Policy heading</b>
SA2	Settlement boundaries and extension of residential curtilages

**Other material policy guidance**

National Planning Policy Framework (NPPF) (February 2019)

The following is particularly relevant to this proposal:

<b>Section No</b>	<b>Section heading</b>
1	Introduction
2	Achieving Sustainable Development
4	Decision-taking
5	Delivering a sufficient supply of homes
11	Making effective use of land

12	Achieving well designed places
14	Meeting the challenge of climate change, flooding and coastal change
15	Conserving and enhancing the natural environment
16	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)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted March 2015)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)
- Accessible Housing Needs Assessment SPD (Adopted April 2018)

### **Consultation summary**

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

#### Historic England

On the basis of the information to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisors, as relevant.

#### Conservation Officer

The proposed new dwellings will be located within the setting of a Grade I listed church of St Peter and St Paul. Views of the church tower can be seen throughout the village and add greatly to the character of the area. These views should be protected as they add to the setting of the listed church in the area it is visible from. No street scene drawing has been submitted so it is not possible to fully understand the effect of the proposed dwellings could have on views across the plot towards the church. It is however considered that dwellings 3 and 4 are likely to interrupt views towards the church.

The proposal would therefore conflict with advice in the NPPF, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM4 of the SPPP1.

#### Archaeologist

Wallflower House is situated on the northern edge of the historic core of Bleadon and is therefore covered by policy DM7 and paras 184 and 190 of the NPPF. No justification has been set out in the application for the loss of this historic building from the historic core of the village.

Whilst the re-building of stone walls in association with the scheme would be welcome there would be harm to the historic core of the village resulting from the loss of the cottage. This harm must be taken into account in the planning balance.

If consent is granted a level 2 building record will be required along with a condition requiring an archaeological watching brief during the undertaking of groundworks to monitor and record any archaeological features and deposits, particularly in relation to the former smithy that was present on the site.

### Bleadon Parish Council

4 three storey dwellings of this nature are not in keeping with the existing dwellings in the historic centre of Bleadon. The style, design and finish of the proposed houses are of the type found on the new development known as Haywood Village, Weston-Super-Mare.

Access to the site onto an already dangerous road (located on a blind corner) is totally unsuitable for such a dense development, inevitably parking problems will arise (due to visitors etc. to the 4 properties ) which will be detrimental to the village.

In order to gain planning permission for 24a Coronation Road (which is adjacent to the East Elevation of the proposed houses) the height of the roof ridge line was kept at 1 metre lower than that of a conventional modern two storey house so that it would be in keeping with a cottage style development ie. the first floor rooms are partly contained under the sloping lines of the roof construction. First floor windows overlooking neighbouring dwellings are glazed in obscure glass and roof lights positioned at a height in the roof slope so that overlooking neighbours cannot take place. (The only view possible is that of the sky).

The height and position of the new development will cause overlooking and will adversely affect natural light and will also cause loss of privacy to neighbouring property.

A more sympathetic development would be to renovate the existing cottage, replace the flat roof over the rear extension so its in keeping with the original cottage and construct one additional style dwelling.

### Neighbours' views

25 objections received.

The principal planning points made are as follows:

- Development too high
- General dislike of proposal
- Inadequate parking provision
- Increase danger of flooding
- Increase in traffic
- Out of keeping with character of area
- Over development
- Traffic or Highways concerns

## Conclusions

### The principle of development

Policy CS33 of the Core Strategy specifies that within settlement boundaries of infill villages such as Bleadon, residential development of an appropriate scale which support sustainable development. Policy CS5 specifies that the council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as listed buildings. Policy CS12 commits the council to achieving high quality buildings and places across North Somerset. Proposals of all scales will be required to demonstrate sensitivity to the existing to the existing local character already established in an area and should take the opportunity to enhance the sense of place and local identity through a well thought out design.

Policy DM4 of the SPPP1 states that development will be expected to preserve and where appropriate enhance the character, appearance and special interest of the listed building and its setting. Opportunities will be sought to repair or remove harm caused from past unsympathetic alterations and additions. Policy DM32 of the Plan states that the design and planning of development proposals should demonstrate sensitivity to the local character, and the setting, and enhance the area taking into consideration the existing context. Design solutions should seek to enhance local distinctiveness and contribute to the creation of a sense of place and identity.

Taking the above into account, whilst the site is located within the settlement boundary of Bleadon which would allow an infill development of additional housing in principle, there are concerns in respect of the impact of the scheme on the character of the village and the setting of the listed church in the vicinity and on neighbours, that mean that the proposed scheme is considered unacceptable. These issues are expanded upon below.

### EIA Screening

The proposed development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A formal EIA screening opinion is not, therefore, required.

### Setting of Listed Building

The proposal falls within the setting of the Church of St Peter and St Paul - a Grade I Listed Building. The proposal is considered to have an adverse impact on the setting of this Listed Building. As explained by the Conservation Officer, views of the church would be obscured from various vantage points to the north.

Para. 196 of the NPPF requires that all developments that affect Heritage Assets should be assessed by the harm they will cause. It is considered that this development would be less than substantial harm. However, this harm is only acceptable if there is a public benefit from the development or that it would secure the optimum viable use of the property or heritage asset. It is considered that in this particular case there would be little public benefit from the erection of 4 dwellings and such development is not needed to retain the viability of the property. As such it is considered that there are no special circumstances that outweigh the harm.

However the NPPF is guidance and does not override the legislation of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). This requires that development must not adversely affect the setting of Listed buildings.

As such it is considered that the proposal is contrary to policies CS5 of the North Somerset Core Strategy, policy DM3 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### Character and appearance

The proposed construction of 4 large, 3 storey dwellings of a modern design on this plot would constitute overdevelopment which would be out of character with surrounding area. As such it would harm the characteristics of the existing site and the character of its surroundings. In this respect, the proposal conflicts with policy CS12 of the Core Strategy, policies DM32 and DM37 of the Sites and Policies Plan (Part 1).

### Impact on neighbours

The proposed development would have an overbearing impact on the nearest neighbours which would be to the detriment of their living conditions and would also cause an increase in overlooking. The dwellings would occupy most of the area of their respective plots bringing the various elevations close to the site boundaries with adjoining dwellings, particularly to the east and south of the site. In the case of No 24a (the property to the east) the rear facades of the new dwellings would be located only some 12m from the west façade of this property.

As a consequence, it is considered that the development would not comply with the relevant tests contained within the Residential Design Guide (Section 1: Protecting living conditions of neighbours) and would result in a significant adverse impact upon the living their conditions. In this respect, the proposal does not comply with policies DM32 and DM38 of the Sites and Policies Plan (Part 1).

### Parking and highway safety

Although each dwelling would be provided with two off street parking spaces (including 4No. integral garages). the limited depth of front gardens would not enable the external spaces to be conveniently used. Neither would the proposed garages be capable of convenient use if the proposed front boundary walls were to be provided, as insufficient space would be available for maneuvering. These deficiencies would increase the likelihood that parking would overspill onto surrounding streets to the detriment of highway safety and the living conditions of neighbours

The proposal therefore conflicts with policies DM24, DM28 and DM38 of the Sites and Policies Plan (Part 1).

### Protected species (bats)

The application is accompanied by a preliminary roost assessment to assess the impact of the development on Bats. The survey concludes that the buildings have a low to negligible habitat value for this species. Furthermore, it is noted that the site is located within the centre of a village at some distance from any habitat to support prey species hunted by horseshoe bats. It is concluded that there is not considered to be significant enough concern in respect of this potential impact, to merit a separate refusal reason.

In the event of an approval having been recommended an advice note would have been recommended warning the applicant of the requirements should bats be encountered

during the development works. In this respect, regard has been paid to the requirements of the Conservation of Habitats and Species Regulations 2017 and the Natural Environment and Rural Communities Act 2006, and to policy CS4 of the North Somerset Core Strategy, policy DM8 of the Sites and Policies Plan (Part 1) and the council's Biodiversity and Trees SPD.

### Planning Balance

The Council is unable to demonstrate a five-year supply of housing land, which means that decisions should apply a presumption in favour of sustainable development exercise, granting permission unless specific policies in the NPPF provide clear reasons for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (Paragraph 11 (d)). It is the LPA's position that the recently adopted and NPPF compliant development plan policies carry significant weight.

It is considered that the proposal contributes to housing delivery by providing 4No. dwellings, which is a level of development that is appropriate to Bleadon and it would be in the centre of the village. Other benefits can include short term economic benefits and the contribution of the development to the sustainability of the village. Set against this, the proposal is detrimental to the setting of the Grade I listed church, has an adverse effect on village character would have inadequate parking arrangements and would adversely effect the living conditions of neighbours. Whilst the housing provision is apportioned moderate weight, it is considered that it does not outweigh the significant harm resulting from the proposed design taken as a whole.

The site may be suitable from a more limited form of housing development and more sympathetic and sensitive design approach but this is not proposed in this development.

As such it is considered that the adverse impacts of the proposed development would not be sustainable and would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

### Recent Appeal Case

A planning application for a similar development involving the erection of 4No. dwellings within the village settlement boundary at Long Ashton was recently the subject of an appeal (see Council Ref: 19/P/1045/FUL and `inspectorate Ref: APP/D0121/W/19/3243543). In his decision letter dismissing the case, the inspector considered that whilst the scheme would have contributed short term benefits to the economy during construction, the future residents giving support to local facilities, this would constitute limited weight given the small numbers of units involved. These benefits would be outweighed by the considerable harm to the character and appearance of the area. Consequently, the adverse impacts of the development would have significantly and demonstrably outweighed the benefits when assessed against the policies in the Framework as a whole. The appeal was dismissed for these reasons.

### Recommendations

**REFUSE** (see draft decision for reasons)

### **Reason for Overriding Parish Council comments (if appropriate)**

n/a

In recommending this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the:

- Natural Environment and Rural Communities (NERC) Act 2006
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Public Sector Equality Duty, Equality Act 2010

Signed: Mike Cole