

**SECTION 2 – ITEM 8**

<b>Application No:</b>	19/P/2514/FUH	<b>Target date:</b>	05.12.2019
<b>Case officer:</b>	Ellena Fletcher	<b>Extended date:</b>	31.07.2020
<b>Parish/Ward:</b>	Wrington	<b>Ward Councillors:</b>	Councillor Steve Hogg
<b>Applicant:</b>	Miss Helen Gwinnett		
<b>Proposal:</b>	Erection of two storey side extension and single storey porch with associated works following the demolition of a lean-to domestic store.		
<b>Site address:</b>	Cinderford Cottage, Ropers Lane, Wrington, Bristol, BS40 5NH		

**REFERRED BY COUNCILLOR HOGG**

**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.

**Committee Site Inspection**

The application was deferred by the Committee at its meeting on 20 May to enable a committee site inspection to take place. The report has been updated following the last Committee meeting and comments made about the accuracy of the report and plans are addressed.

**The Site**

The site is located within the settlement boundary for Wrington. The site is located to the northern part of Wrington and lies within the Conservation Area. Cinderford Cottage is sited to the rear of Greystones which fronts Ropers Lane and is sited between the new dwelling of Bramley House to the west and Swallow Barn to the east.

**The Application**

Full permission is sought for the erection of a two-storey side and rear extension and a porch to the principal elevation

**Relevant Planning History – in part of the garden area (now Bramley House)**

<b>Year</b>	<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
2008	08/P/1290/F	Erection of a two storey dwelling and garages with office/workroom.	Refuse
2009	09/P/1182/F	Erection of two storey dwelling with	Approved

office/workroom

2012 12/P/0744/F Removal of conditions 6, 7, & 8 of planning permission 09/P/1182/F (Erection of two storey dwelling with office/workroom) to remove the requirement of office/workroom. Approved

**Policy Framework**

The site is affected by the following constraints:

- Within the settlement boundary for Wrington
- Within Wrington Conservation Area
- Setting of a Listed Building
- NS and Mendip SAC Bat Consultation Zone B

**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>
CS2	Delivering sustainable design and construction
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS12	Achieving high quality design and place making
CS32	Service Villages

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>
DM3	Conservation Areas
DM8	Nature Conservation
DM28	Parking standards
DM32	High quality design and place making
DM38	Extensions to dwellings

**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
11	Making effective use of land
12	Achieving well designed places
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)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)

### Consultations

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

**Third Parties:** 7 letters of objection have been received. The principal planning points made are as follows:

- Overshadowing impact on neighbours
- Overbearing and loss of light to neighbours' private gardens and patio
- Out of character with the Conservation Area
- Scale/bulk of the development is disproportionate and will harm openness
- Harm to protected species (bats)

### **Wrington Parish Council:**

"Has no objections to the proposals as submitted."

### Principal Planning Issues

The principal planning issues in this case are (1) character and appearance, (2) impact on neighbours, (3) impact on the conservation area, (4) Car Parking, (5) protected species, (6) setting of a listed building, and (7) Community Infrastructure Levy.

### **Issue 1: Character and appearance**

Cinderford Cottage is a 19<sup>th</sup> Century dwelling finished with natural stone. The cottage adjoins the neighbour at Greystones along the rear. The principal elevation of Cinderford Cottage faces south and so is not very visible from Ropers Lane. The gradient of the site falls towards the south, so the height of the buildings appears lower from Ropers Lane. The decrease in gradient mitigates against the height, so it reduces the impact from the street scene along Ropers Lane. From Ropers Lane, dwellings are fronted by natural stone walls and landscaping. These important boundary features contribute to the pleasant rural aesthetic but they also obscure views in and out of the private dwellings. Although the

boundary features do not entirely obscure a full two-storey extension, they draw the eye away from the private realm. The impact in relation to views of Listed Buildings has been assessed and there is not an unacceptable impact.

The application seeks to create a two-storey side extension to the east of Cinderford Cottage. The proposed extension would extend 2.2 metres forward of the main elevation at Cinderford Cottage and would be within 1 metre of the eastern boundary at the narrowest point. The amended plans propose a gable end extension with a ridge height of 0.8 metres below the ridge height of the existing dwelling whilst the roof design on the north elevation has a hipped end. A porch is proposed in the centre of the south elevation.

There were concerns raised at the May committee that Cinderford Cottage dominates Greystones. However, this is a matter of judgement and is not considered to be the case. The agent has submitted information to show the two dwellings are a similar size.

Because of the change in ground level, there are views of the south elevation from Yeomans Orchard when approaching from the south. The north elevation can also be viewed from the highway along Ropers Lane. However, the proposal is set back from any part of the public realm and the garden at Greystones provides a visual break. The surrounding boundary treatment also reduces the visual prominence of the extension. Considering the sizeable plots and the surrounding dwellings and the siting of the proposal, the extension would not harm the character and appearance of the local area.

When considering household planning applications, the Residential Design Guide Section 2 is given significant weight in decision making. The RDG2 outlines design principles a proposal must comply with to be considered acceptable. When viewing the proposal in context with the street scene, the proposal would comply with principle 1, 2 and 3 of the RDG2 – ‘scale’, ‘shape’ and layout and is therefore considered not disproportionate to the existing dwelling and is unlikely to have a harmful impact on the character of the area.

In conclusion, the proposal would not unacceptably harm the characteristics and appearance of the existing dwelling or the character and appearance of the surroundings. In this respect, the proposal complies with policy CS12 of the Core Strategy, policies DM32 and DM38 of the North Somerset Sites and Policies Plan Part 1 and the advice in the Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014).

## **Issue 2: Neighbour Impacts**

Cinderford Cottage adjoins Greystones along the rear elevation. It is also sited adjacent to Swallow Barn and Bramley House. To assess whether a proposed development would have an unacceptable impact on adjoining neighbours the neighbour impact tests set out in the Residential Design Guide Section 1 (RDG1) are applied. Paragraph 2.1.1 of the RDG1 explains that to assess whether a proposed development would have an unacceptable overbearing impact on a neighbour, a 45-degree test is applied. To be considered unacceptable a proposal must fail to comply in terms of both height and depth/width when applying a 45-degree line from a neighbour's window serving a habitable room. When applying the test to the ground floor kitchen window at Greystones and the rear dining/living room doors on Swallow Barn the proposal would pass in both depth/width and height. Consequently, it is considered that the impact in terms of loss of light on the adjoining dwellings is not unacceptable.

There were also concerns the proposal would overshadow the private gardens of Swallow Barn and Greystones and create a tunnelling affect. However, the proposed extension would not be built up to the boundary and is set at lower ground level than Greystones. Sunlight to the front and sides of Greystones would not be interrupted by the proposed development, therefore it is unlikely to have an unacceptable overshadowing impact on the private garden at Greystones. The garden and patio areas at Swallow Barn are flanked by the dwelling at Summer Barton. There were concerns the proposal would result in the garden becoming 'walled in.' However, the proposed extension is set off the boundary and would extend by only 2.2 metres towards the rear. The gradient reduces towards the south which would mitigate against the impact of buildings along Home Close. Therefore, due to the context of the site, it is considered that the proposal would not have an unacceptable overbearing impact on the occupiers at Swallow Barn.

There were also concerns about overlooking from the side rooflights on the east elevation. However, these rooflights would be 1.7m above floor level which would not result in a loss of privacy and comply with the RDG requirements. The ground floor window serving the proposed dining room is at high level and any views out of the window would be screened by the existing boundary wall.

In conclusion, 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 unacceptable impact upon the living conditions of neighbouring residents. In this respect, the proposal complies with policies DM32 and DM38 of the Sites and Policies Plan (Part 1).

### **Issue 3: Conservation Area**

The proposed development is within the Wrington (extension) Conservation Area. The Conservation Area encompasses the historic core of the village of Wrington. Cinderford Cottage itself first appears on the 1888 first edition OS map and adds to the character and significance of Wrington Conservation Area.

The Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM3 require that a proposal within a Conservation Area, should preserve or enhance the character of the area. As such development in a Conservation does not only have to enhance the Conservation Area but it must not harm it. Section 16 of the NPPF advises that when assessing the impact on a heritage asset, it should be considered whether the proposal would result in less than substantial harm.

There were concerns regarding the proposed design of the original proposals which resulted in the submission of amended plans. The re-siting of the porch and the reduction in the size and redesign overcame the concerns that it would harm the visual symmetry of the building and the Conservation Area.

The impact of a development in a Conservation Area needs to be considered from public and not private views. In this case, the main impact of the extension from public views will be the two-storey extension as seen from Ropers Lane to the north, where the first floor and roof would be visible. The top part of the extension can also be seen from the south along some points of Yeomans Orchard, however, the building does blend in with the surrounding buildings and the proposed extension is unlikely to create a prominent feature.

When considering the context of the surrounding site, the proposed extension is unlikely to appear unduly prominent from public viewpoints. The impact on the setting of the Conservation Area has been fully considered and it is concluded that the proposals preserve the setting of the Conservation Area and do not adversely affect it.

Overall therefore the proposal would not result in substantial harm or less than substantial harm to the Conservation Area and therefore complies with advice in the NPPF. Furthermore, it is considered that the proposals preserve the character of the Conservation Area and are therefore not contrary to part II section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM3.

#### **Issue 4: Car Parking**

There are 3 available car parking spaces to the west of the site in front of Bramley House. The proposal would require two parking spaces as set out on the North Somerset Parking SPD, so the proposal would comply with the with the councils parking requirements.

#### **Issue 5: Protected Species**

An ecological survey was submitted with the application. The survey concluded that there were not any features to affect roosting bats on the roof of the cottage and the outbuildings were unlikely to support the bats. Any light spill from the proposed window is unlikely to have an adverse impact due to the developed nature of the area. The results of a protected species survey conclude that there is negligible potential for bats to be affected by the development. As a precaution, an advice note is 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.

#### **Issue 6: Setting of Listed Building**

Due to the distance between the two buildings and the intervening road, the proposal would not affect the setting of Ropers Lodge which is a Grade II listed building.

#### **Issue 7: Development Contributions and Community Infrastructure Levy**

The Council's Community Infrastructure Levy (CIL) Charging Schedule took effect on 18 January 2018. This means that the development may be liable to pay the CIL. The Charging Schedule and supporting information can be viewed on the website at [www.n-somerset.gov.uk/cil](http://www.n-somerset.gov.uk/cil).

#### **The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

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.

## The Crime and Disorder Act 1998

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

## Conclusion

The main issues relating to this application are how the proposals will impact upon the appearance and character of the Conservation Area and adjoining neighbours. These issues have been addressed and considered to be in accordance with planning policies and advice.

The proposal would not unacceptably harm the characteristics of the existing dwelling or the character of its surroundings. In this respect, the proposal complies with policy CS12 of the Core Strategy, policies DM32 and DM38 of the Sites and Policies Plan (Part 1) and the advice in the Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014).

The proposed extension complies with the relevant tests contained within the Residential Design Guide 1 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 and DM38 of the Sites and Policies Plan (Part 1).

The proposed extension preserves the character of the conservation area and is not contrary to part II section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM3.

Other relevant planning issues have been reviewed in terms of parking and highway safety, protected species and setting of a listed building and are all considered to be acceptable.

**RECOMMENDATION:** the application be **APPROVED** (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 materials to be used in the development hereby permitted shall be in complete accordance with the approved plans and specifications unless details of any alternative material have first been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that the materials to be used are acceptable in order to maintain the character and appearance of the building and those of the surrounding area, and in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policies DM3, DM32 and DM38 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 revoking and re-enacting that Order, with or without modification), no windows, rooflights or dormers (other than any expressly authorised by this permission) shall be inserted or enlarged in the first floor of the east elevation (side) or the north (rear) elevation of the extension and the east side of the roof elevation without the prior written consent of the Local Planning Authority.

Reason: To protect the living conditions of occupiers of adjoining properties and in accordance with 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).