

**SECTION 2 – ITEM 11**

<b>Application No:</b>	20/P/0348/FUH	<b>Target date:</b>	15.04.2020
<b>Case officer:</b>	Anna Hayes	<b>Extended date:</b>	19.06.2020
<b>Parish/Ward:</b>	Portishead Portishead West	<b>Ward Councillors:</b>	Councillor John Cato Councillor Nicola Holland
<b>Applicant:</b>	Mr & Mrs Hemsley		
<b>Proposal:</b>	Proposed remodelling of existing detached dwelling, to include minor extensions to current form.		
<b>Site address:</b>	Westacre, Belton Road, Portishead, Bristol, BS20 8DR		

**REFERRED BY COUNCILLOR CATO**

**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 comprises a detached dwelling set within a very large garden, located within a residential area of Portishead with the dwellings vary in design and scale.

**The Application**

Full planning permission is sought for remodelling of the existing dwelling including

- Altering the sloping ground to form a stepped area to increase the size of the lower ground floor level creating an internal staircase to connect the lower ground floor with the main dwelling
- Single storey extension to west elevation with ground levels increased to allow direct access from property to garden.
- Removal of the existing hipped roof extension on the north elevation and erection of a single storey extension with pitched roof

**The Application**

<b>Year</b>	<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
2019	19/P/1636/OUT	Outline permission for the erection of detached dwelling (all matters reserved for subsequent approval)	Approved

2019	19/P/0603/FUL	Proposed construction of a 3 bedroom family home with associated storage, garage and parking space	Refused. Allowed on appeal
2005	05/P/0737/F	Erection of a double garage and balcony to roof	Approved with conditions
2004	04/P/0320/O	Erection of a detached dwelling with double garage and attached double garage to existing dwelling (Outline)	Approved with conditions

### **Policy Framework**

The site is affected by the following constraints:

- 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>
CS2	Delivering sustainable design and construction
CS4	Nature Conservation
CS11	Parking
CS12	Achieving high quality design and place making

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
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

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 and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)

**Consultations**

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

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

- Loss of light
- Loss of privacy
- Out of keeping with character of area
- Over development

One letter of support has been received. The principal planning points made is that it is a modern design

**Principal Planning Issues**

The principal planning issues in this case are (1) impact on neighbours and (2) character and appearance of the area.

**Issue 1: Impact on neighbours**

The application site is located on undulating land with the front of the site sloping downwards towards the Severn Estuary. The existing property is at a lower level than the properties to the south and west.

The proposal is to remodel the existing dwelling including alterations to the existing ground levels and a single storey extension to the west elevation with the removal of the existing hipped roof extension on the north elevation and the erection of a single storey extension with pitched roof.

The proposed single storey extension would be located 17m from the west boundary which adjoins the rear gardens of the properties on Nichols Road. A number of objections have been submitted raising concerns about potential overlooking and loss of privacy to the properties to the side (west) and rear (south) of the site from the proposed extensions.

The Council's Residential Design Guide (RDG1) advises that the minimum distance between directly opposite windows is 21m. The proposed single storey extension will be located approximately 30m from the rear elevations of nos 20, 22 and 24 Nichols Road. The properties on Nichols Road are in an elevated location with existing high hedging between on the boundaries of the site.

The distance between the application site and the property to the south 'The Wheel House' measures approximately 18m. 'The Wheel House' is a two storey dwelling located at a higher level. None of the proposed windows on the south and west elevation are directly opposite neighbouring windows and their properties are located at a higher level. Furthermore, the distance between these properties is substantially in excess of the minimum distances in the RDG1. It is not considered that the proposal will result in an unacceptable loss of privacy to the neighbours or result in a loss of light.

The north elevation will face a new dwelling which was recently granted full planning permission on appeal (application no.19/P/0603/FUL) and subsequently outline planning permission no.19/P/1636/OUT for a revised position on the site. The proposed north elevation has been designed with a large glazed window and terrace area. The proposed new dwelling has also been designed with glazed areas on the south elevations. Although the proposed development does fall below the minimum distance of 21m required by the Residential Design Guide, due to the design of the dwellings on Nichols Road and Belton Road a degree of mutual overlooking in close proximity already exists and it would be consistent with the existing neighbour relationships which characterise this residential area.

The approved two storey dwelling in the garden of Westacre is set at a lower level than the existing house and existing garden area, roof terrace and windows allow views towards the proposed dwelling. Due to the difference in ground levels, views from these vantage points are likely to be towards the Severn Estuary, over the proposed house.

A landscaping condition was attached to the appeal decision requiring a boundary treatment to be installed to reduce the amount of overlooking between these properties. However, due to the design of the proposed dwelling, there is potential for overlooking to Westacre from the proposed first floor level of the proposed dwelling.

The north elevation of the application site, Westacre has been designed with a large glazed window and terrace area. Both the existing layout and the proposed development fall below the minimum distance of 21m required by the Residential Design Guide. However, it is considered that this proposal would not increase the mutual overlooking in close proximity that already exists. This was an issue considered and accepted by the Inspector in allowing the appeal referred to above

The layout of the properties on Nichols Road and Belton Road has led to some overlooking in close proximity between the properties. The proposed development would be consistent with the existing neighbour relationships which characterise this residential area. As such, it is considered that the proposal would not unacceptably prejudice the living conditions of the occupiers of either Westacre or the future occupiers of the proposed dwelling.

The proposed development therefore 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).

## **Issue 2: Character and appearance**

The existing dwelling is located within a very large garden that slopes down towards the Severn Estuary. Planning permission has been granted for the construction of a 3 bedroom family home with associated storage, garage and parking space in the garden area to the north of the existing dwelling.

The properties within the immediate vicinity vary in size and design and are at different levels. The properties to the west and south are at a higher level and trees and vegetation screen private gardens.

The layout of the area is not uniform in design and the spacing and positioning of the dwellings varies. For example, the properties to the west of the site, nos.22 and no.24 Nichols Road, quite tightly positioned. Given the varying layout it is not considered that the proposal will result in a cramped form of development or overdevelopment of the site.

The proposal would not unacceptably harm the characteristics of the existing building 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 guidance in the Residential Design Guide (Section 2: Appearance and Character of house extensions and alterations).

## **Natural Environment and Rural Communities (NERC) Act 2006**

The proposed development will not have a material detrimental impact upon biodiversity.

## **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 living conditions of the surrounding properties and the impact on the character and appearance of the area. These issues have been addressed and considered to be in accordance with planning policies and advice.

The proposed development 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 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).

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: 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.