

SECTION 2 – ITEM 8

Application No: 19/P/2313/FUL

Proposal: Demolition of existing garage to form amenity area and storage to proposed development of four dwellings

Site address: 1 Woodlands Road, Clevedon, BS21 7QD

Applicant: Mr & Mrs P.J and A Moore

Target Date: 12.11.2019

Extended date: 18.09.2020

Case officer: Mike Cole

Parish/Ward: Clevedon/Clevedon Walton

Ward Councillor: Councillor Caroline Cherry

REFERRED BY COUNCILLOR CHERRY

Summary of recommendation

It is recommended that subject to the approval of application 19/P/2298/FUL the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

Background

This application was deferred by the Committee at its meeting on 19 August for a Committee site visit. This meeting is scheduled to take place on 8 September and members will be updated of any issues that arise.

An additional condition (no 5) has been added to require the retention of natural stone on site for use in any future development. This was proposed in the update sheet for the August meeting of the committee.

The Site

The application site is located within a residential area of Clevedon on the northern side of Woodlands Road to the west of its junction with Alexandra Road. The site contains a range of commercial buildings formally used as a commercial garage. Residential properties adjoin the site to the north west and to the east the site is bounded by commercial properties fronting on to Alexandra Road. The land slopes down to the north west.

The Application

Full permission is sought for the demolition of the existing garage to form an amenity area and storage to the proposed development for 4No dwellings which forms part of planning application 19/P/2298/FUL which is elsewhere on the agenda.

Relevant Planning History

Year: 2019

Reference: 19/P/2298/FUL

Proposal: Erection of a terrace of 3no.dwellings (1 x two-bedroom, 2 x three-bedroom) and 1no. detached four bedroom dwelling with associated parking, refuse storage and landscaping following demolition of the existing garage and warehouse

Decision: Current application. See preceding item on this agenda.

Year: 2017

Reference: 17/P/5036/FUL

Proposal: Erection of a terrace of 3no. (2no.three-bedroom and 1no. two bedroom) dwellings and 3no. detached two-bedroom dwellings (6no. dwellings in total) with associated parking, refuse storage and landscaping

Decision: Withdrawn

Year: 2016

Reference: 16/P/1920/F

Proposal: Erection of a terrace of 4no three-bedroom dwellings and a three storey building comprising undercroft parking and 4no. two-bedroom flats following the demolition of the existing garage and warehouse

Decision: Refused

Policy Framework

The site is affected by the following constraints:

- Within Clevedon settlement boundary
- Within Clevedon Conservation Area
- NS and Somerset Bats SAC. Greater Horseshoe Bats Zone C
- Setting of statutory listed buildings, Grade II

The Development Plan

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

The following policies are particularly relevant to this proposal:

CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS11	Parking
CS12	Achieving high quality design and place making
CS13	Scale of new housing

CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS31	Clevedon, Nailsea and Portishead
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:

DM2	Renewable and low carbon energy
DM3	Conservation Areas
DM4	Listed Buildings
DM6	Archaeology
DM8	Nature Conservation
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)

None of the policies in the Plan are particularly relevant to this proposal:

Other material policy guidance

National Planning Policy Framework (NPPF) (February 2019)

The following sections are particularly relevant to this proposal:

- 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
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

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

- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted March 2015)
- 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: 14 letters of objection have been received. The principal planning points made are as follows:

- Affect local ecology
- Too close to adjoining properties leading to loss of light and privacy
- Demolition should not be approved as new housing has not yet been agreed.
- Inadequate access and parking provision for demolition work
- Increased danger of flooding
- Increase of pollution
- The demolition works will have an unacceptable impact on the living conditions of neighbours

Officer comment: Many of the representations received relate principally to the application for the redevelopment of the site which is subject to the separate planning application 19/P/2298/FUL.

Clevedon Town Council: "Objects to the proposed application, as it is felt the plans are an overdevelopment of the site which is in a conservation area. There is insufficient information on the application with regards to the drainage plans, the unmade road and access and concern with loss of light to the existing properties surrounding the development.

If the District Council should support this application, then Clevedon Town Council would request that this application be called in to the Planning & Regulatory Committee for further consultation and consideration by the Panel."

In terms of the amended plans, "the Council notes the shadow survey and the slight change to the roof elevation of plot 4 of around a third of a metre. Although this has been reduced it is viewed that the roof line will still have a negative impact by way of loss of privacy and light to those residents living in Copse Road.

Officer comment: Many of the Town Council's comments relate principally to the application for the redevelopment of the site which is subject to the separate planning application 19/P/2298/FUL.

Other Comments Received:

Clevedon Civic Society

The Civic Society objects because pedestrian and vehicular access to the site will be taken from the lane to the rear of the existing properties on Alexandra Road, and this lane is not part of the application site, according to the site location plan. The site has an established vehicular access onto Woodlands Road, which should be used for the development so that the residents of any new houses have a proper legal access, not one from an already overloaded, narrow, unsurfaced, shared access way which is not part of the application site.

Historic England

No comments.

Principal Planning Issues

The principal planning issues with this application are (1) Is the demolition of the existing garage buildings acceptable, (2) Impact on the setting of listed buildings and (3), Impact on living conditions of neighbours. Other planning issues connected with the proposed development of the site are considered under the related planning application No 19/P/2298/FUL reported elsewhere on this agenda.

Issue 1: Is the demolition of the existing garage buildings acceptable?

Policy CS4 of the Core Strategy states that the council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as conservation areas, listed buildings, buildings of local significance, scheduled monuments, other archaeological sites, registered and other historic parks and gardens. Particular attention will be given to aspects of the historic environment which contribute to the distinctive character of North Somerset, such as the Victorian townscapes and seafronts in Weston and Clevedon.

Policy DM3 of the Sites and Policies Plan Part 1 states that when considering proposals within a Conservation Area the council will seek amongst other things, to secure the retention of existing buildings, features etc that contribute to its special character.

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 Area does not 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 any harm to a designated heritage asset.

The existing garage buildings that are located on the site are of some age but are not considered to contribute to the special character of this part of the Clevedon Conservation Area. Their removal is therefore not considered to be significant, dependent upon the quality of the development that is proposed to replace them. This latter issue is considered under planning ref 19/P/2289/FUL which is elsewhere on the agenda and the recommendation below takes this into account.

A condition is proposed to ensure that the demolition is undertaken in a managed way and the site left in an appropriate condition pending redevelopment.

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. The development would comply with the requirements of policies CS5 and DM3.

Issue 2: Impact on the setting of listed buildings

The Planning (Listed Buildings and Conservation Areas) Act 1990 and policy DM4 require that any proposal that affects the setting of listed buildings, should not have an adverse impact on the setting of those listed buildings. As such development must not harm the setting of the Listed Building. 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 any harm to the designated heritage assets.

The impact on the setting of the Listed Building has been fully assessed and it is considered that the proposals do not adversely affect it. The site falls within the wider setting of 18 – 32 Copse Road which is a terrace of Grade II listed buildings. The demolition of these garage structures is not considered to have an adverse effect on the setting of this listed terrace, given the poor quality of the garage buildings involved. However, consideration of this is also dependent upon the quality of the proposed re-development. Issues arising in connection with this are considered under application 19/P/2289/FUL which is a separate item on this agenda.

Overall the proposal would have a neutral effect on the setting of the listed buildings and would not result in any harm, be that substantial or less than substantial, to the setting of the Listed Building and therefore complies with advice in the NPPF. Furthermore, it is considered that the proposal does not adversely affect the setting of the Listed Building and is therefore not contrary to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 or policy DM4.

Issue 3: Impact on living conditions of neighbours

The demolition and removal of the existing garage buildings will not have any impact on the living conditions of neighbours except for the short period of active works. A condition is proposed to ensure that the site is properly cleared and left in a tidy condition in the event that the demolition proceeds in advance of any works to erect any other buildings. The interests of the neighbours are therefore safeguarded in this regard.

Natural Environment and Rural Communities (NERC) Act 2006

The proposed development will not have a material detrimental impact upon bio-diversity.

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 poor quality of the existing garage structures means that the demolition would not adversely affect the setting of the Listed Building and would preserve the character of the Conservation Area and it therefore complies with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 provided a suitable redevelopment scheme is implemented. Nor would it have an adverse effect on the living conditions of neighbouring dwellings. A condition is proposed to manage the demolition in the event that it proceeds in advance of any proposals to develop the site and the recommendation is subject to the approval of planning application 19/P/2298/FUL for the redevelopment of the site. A further condition requires the applicant to supply a signed contract for works of redevelopment has been made and a copy of it supplied to the Council. The development complies with policies CS5 of the Core Strategy, DM3 and DM4 of the Sites and Policies Plan Part 1 on this basis.

RECOMMENDATION: Subject to the approval of application 19/P/2298/FUL for the erection of a terrace of 3no.dwellings (1 x two-bedroom, 2 x three-bedroom) and 1no. detached four bedroom dwelling with associated parking, refuse storage and landscaping following demolition of the existing garage and warehouse 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. No demolition shall take place until a Demolition Management Plan (DMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved DMP shall be adhered to throughout the demolition and restoration period. The DMP shall provide for:

- (a) the parking of vehicles of site operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) times of site operation
- (e) wheel washing facilities
- (f) measures to control the emission of dust and dirt during construction
- (g) measures to control noise from works on the site
- (h) a scheme for recycling/disposing of waste resulting from demolition works
- (i) measures to keep access roads clear of vehicles
- (j) routing restrictions
- (k) volume of HGV traffic
- (l) protection of pedestrians
- (m) mitigation measures for any required remedial works

Reason: In order to preserve highway safety, local amenity and the living conditions of nearby residents and in accordance with policy CS3 of the North Somerset Core Strategy and policy DM24 of the North Somerset Sites and Policies Plan (Part 1). The details are required prior to the commencement of development in order to ensure that demolition works do not pose a threat to amenity, health or safety.

4. No demolition works hereby approved shall be commenced until a signed contract stating that the works of redevelopment hereby permitted will be commenced within 6 months of the date of the contract has been made and a copy of the contract supplied to the Local Planning Authority.

Reason: The signed contract is required prior to commencement in order to safeguard against premature demolition that may be harmful to the character and appearance of the Conservation Area, and in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), policy CS5 of the North Somerset Core Strategy and policy DM3 of the North Somerset Sites and Policies Plan (Part 1).

- 5 All natural stone on site should be retained on the site for re-use for boundary walls and retaining walls in any future re-development of the site

Reason: To contribute towards maintaining the character and appearance of the conservation area in accordance with policies CS5 and CS12 of the North Somerset Core Strategy and policies DM3, DM4 and DM32 of the North Somerset Sites and Policies Plan (Part 1).