

SECTION 2 – ITEM 6

Application No: 21/P/1521/FUL

Proposal: Permanent retention of existing temporary sales office (as originally permitted under application reference 20/P/0412/FUL) at Court Farm together with proposed single storey extension and associated parking to create a new office space

Site address: Court Farm, All Saints Lane, Clevedon

Applicant: P Yates Ltd

Target date: 16.07.2021

Extended date: 15.10.2021

Case officer: Ellena Fletcher

Parish/Ward: Clevedon/Clevedon East

Ward Councillors: Councillor David Shopland

REFERRED BY COUNCILLOR SHOPLAND

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 proposed site is located on the outskirts of Clevedon. The existing site consists of a tarmac hardstanding, a temporary site office and a timber shed. The site is adjoined by the Court Farm residential development to north and Clevedon Court to the east.

The Application

Full permission is sought for:

- the retention, alteration and extension of the existing site office for use as an office.
- The external floor area for the existing temporary building is approximately 78 sq m and adjoins a timber shed.
- The proposed external floorspace is approximately 124 sq m. However, the adjoining timber shed will be removed.
- The existing site has 18 parking spaces. 5 spaces including 1 disabled space will be allocated to the proposed office premises.
- The proposal is likely to provide office accommodation for up to 10 staff, including the creation of 3-4 full time jobs.

Relevant Planning History

Year: 2020

Reference: 20/P/0412/FUL

Proposal: Erection of a single storey office build for a temporary period of three years.

Decision: Temporary permission until 23 April 2023 or when the housing site is completed.

Policy Framework

The site is affected by the following constraints:

- Adjoins the settlement boundary
- Adjoins the Green Belt boundary
- Landscape Character Area *E5 Tickenham Ridges and Combes*
- Flood Zone 3a
- In the setting of Clevedon Court, a Grade II Listed Building

The Development Plan

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

The following policies are particularly relevant to this proposal:

CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS6	North Somerset's Green Belt
CS11	Parking
CS12	Achieving high quality design and place making
CS20	Supporting a successful economy
CS31	Clevedon, Nailsea and Portishead

Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)

The following policies are particularly relevant to this proposal:

DM1	Flooding and drainage
DM4	Listed Buildings
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM12	Development within the Green Belt
DM28	Parking standards
DM32	High quality design and place making
DM47	Delivering a prosperous economy

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

The following policies are particularly relevant to this proposal:

SA4 Business employment development – allocations/safeguarding

Other material policy guidance

National Planning Policy Framework (NPPF) (2021)

The following sections are particularly relevant to this proposal:

- 4 Decision-making
- 6 Building a strong, competitive economy
- 11 Making effective use of land
- 12 Achieving well designed places
- 13 Protecting Green Belt Land
- 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)
- 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: 5 letters of objection have been received. The principal planning points made are as follows:

- The existing building is temporary and should be removed
- The building could be changed to a different use under amended planning legislation without any regulation from the LPA.
- The proposal would result in an increase in traffic and would harm highway safety.
- Inadequate parking
- Loss of privacy

Clevedon Town Council:

"Clevedon Town Council objects to the application being submitted.

The original application - 20/P/0412/FUL stated the temporary erection of the sales office, to be removed within 3 years, with very strict conditions as stipulated by NSC attached. The whole development was designed to be of a prestige nature due to the locality to the Clevedon Court Estate.

The temporary office space needs to be removed and used as additional parking space for residents and visitors."

Other Comments Received:

Avon Gardens Trust: No objection.

Historic England: No comments.

Principal Planning Issues

The principal planning issues in this case are (1) principle of development, (2) historic environment, character and appearance, (3) neighbour impacts, (4) highway safety and parking, (5) green belt, and (6) flood risk.

Issue 1: Principle of development

The proposed site adjoins the settlement boundary of Clevedon and adjoins Tickenham Road, which is one of the town's main roads and consists of a mix of residential and businesses. It is therefore within a sustainable location which forms part of the north east edge of the town.

The proposal seeks to create an office premises to be used by the applicant. The applicants' existing premises are based in Bristol and they are seeking to create a local office in Clevedon. The applicant has advised that around 5-6 staff are expected to use the office and that they will be seeking to recruit 3-4 further full-time positions from the local area. The proposal would therefore result in 8 to 10 permanent jobs being created in Clevedon. This would reduce out-commuting for jobs in Bristol. The creation of further jobs would also provide more opportunity for employment in the local area, which will benefit the local economy.

Policy DM47 is considered relevant to the proposal. Policy DM47 in the Sites and Policies Plan (Part 1) supports proposals for economic development provided they do not adversely harm the character of the area; adversely harm adjoining neighbours; does not result in detrimental harm to highway safety; the development encourages sustainable travel; and the proposal makes efficient use of its location. These criteria are assessed in more detail below.

There were concerns raised that the planning permission 20/P/0412/FUL was for a temporary building rather than a permanent structure. This was a temporary permission because the building was only going to be used as a sales building for the new houses being built on the adjoining site. However, the existing building can be physically retained permanently. Although the existing permission is only for temporary use we have to consider this application on its individual planning merits and the proposed development for economic proposals is supported in principle by planning policies.

There were also concerns raised that the revision of use classes would prevent the regulating of any future use of the building. However, a condition could be attached which restricts alternative use of the premises.

Policies CS20 in the Core Strategy and DM47 in the Sites and Policies Plan (Part 1) support proposals for economic development within Clevedon. The proposal would be within a sustainable location, would be easily accessible and would be compatible with

surrounding development. The proposal is therefore in accordance with policy CS20 and DM47.

Issue 2: Historic environment, character, and appearance

The proposal falls within the setting of Clevedon Court - a Grade II Listed Building. The proposed plans seek to amend the existing temporary building to create a design that is more sympathetic to the historic surroundings. The natural stone wall and landscaping would somewhat screen the proposal and the proposed size and scale of the building would appear subservient to the new housing development which forms part of Court Farm. Historic England and the Avon Garden's Trust also do not object to the proposal.

The proposal would not unacceptably harm the character of the existing site or the character of its surroundings. The proposal is therefore in accordance with policy CS5 and CS12 of the North Somerset Core Strategy, policy DM4 and DM32 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Issue 3: Neighbour impacts

There were concerns the proposal would result in a loss of privacy. However, the proposed site is at lower ground level to the adjoining houses. The existing dwellings have boundary treatments which are likely to prevent any unacceptable overlooking. The frontage of the adjoining houses is visible from public viewpoints and so it is unlikely the proposal would result in an unacceptable loss of privacy. The proposed windows would be angled away from directly overlooking the existing dwelling. Furthermore, the height differences between ground levels would prevent any unacceptable loss of privacy.

The proposed use for offices is not incompatible with the adjoining houses. In terms of noise disturbance, the proposed use is unlikely to generate more noise than Tickenham Road. Furthermore, the premises would only be used during business hours and so would be unlikely to result in disturbance during unsociable hours.

The proposed development would not result in a significant adverse impact upon the living conditions of neighbouring residents. In this respect, the proposal complies with policies policy CS3 of the Core Strategy and DM32 of the Sites and Policies Plan (Part 1).

Issue 4: Highway safety and parking

Access

The proposed office is accessed via an existing upgraded access (granted planning permission 17/P/2435/O) off All Saints Lane. There are no changes proposed for the access.

The proposed development is likely to lead to a small increase in trip generation from its extant use. This is unlikely to result in a significant impact on local traffic volumes and will not be of detriment to local highway conditions. All Saints Lane is used by children to access schools and there is a narrow footpath adjacent to the access. Both motorists and pedestrians who use this lane on a regular basis will be aware of the highway conditions at

this point. Considering the above, it is unlikely that a small increase in trip generation in this location will be detrimental to highway safety.

Cycle parking

Local cycle parking standards are set out in the North Somerset Parking Standards SPD and outline the minimum required number of cycle parking spaces for non-residential B1 development, specifying 1 cycle parking space per 6 staff (minimum 4 spaces) or 1 space per 100sqm of space (whichever is greater). Furthermore, Policy DM28 of the Sites and Policies Plan states that development proposals should meet the council's standards for the parking of bicycles.

Plans show 10 covered cycle spaces which meets the required standard and is acceptable.

Car parking

Local car parking standards are set out in the North Somerset Parking Standards SPD and outline the minimum required number of car parking spaces for non-residential B1 development, specifying 1 car parking space per 30 sqm of space. Furthermore, Policy CS11 of the Core Strategy states that adequate parking must be provided and managed to meet the needs of anticipated users (residents, workers and visitors) in usable spaces. This development requires 4 parking spaces.

Plans show 5 parking spaces within the car park (1 of which is a disabled bay). The car parking spaces will be repositioned to accommodate the office extension. All spaces meet the Council's required dimensions and therefore meet the parking standard. The two corner spaces in the bottom left of the car park may involve slightly more manoeuvring to access/egress the spaces but are still accessible.

There were also concerns raised by neighbours that the use of car parking spaces for business use would remove parking for nearby residents. However, the new housing at Court Farm complies with the Council's parking standards in their own right. Therefore, the use of some parking spaces for the business premises is unlikely to generate on street parking to an extent it would be detrimental to highway safety.

On-site parking provision is adequate and complies with the standards set out in the North Somerset Parking Standards SPD. The proposal is therefore in accordance with policies DM24, DM28 and DM47 of the Sites and Policies Plan (Part 1).

Issue 5: Green Belt

The proposed site adjoins Green Belt land. However, the existing site is within Clevedon and is already developed. The proposal would not therefore cause unacceptable harm to the openness of the Green Belt. The proposal does not constitute inappropriate development in the Green Belt and is in accordance with policy DM12 of the Sites and Policies Plan (Part 1) and section 13 of the NPPF.

Issue 6: Flood risk

The site is within a flood zone. As the proposal seeks to extend and alter an existing building, it is therefore unlikely to increase the risk of flooding. In this respect, the proposal

is in accordance with policy CS3 of the North Somerset Core Strategy, policy DM1 of the Sites and Policies Plan (Part 1) and section 14 of the NPPF.

Conclusion

Policy CS20 in the Core Strategy and policy DM47 in the Sites and Policies Plan (Part 1) support proposals for employment development provided they do not result in unacceptable harm. The proposals would not result in adverse harm to the character of the area, adjoining neighbours, highway safety, the openness of the Green Belt or increase flood risk. In the absence of unacceptable harm, the proposal is considered sustainable development which would provide employment opportunities and should be approved.

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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Orders revoking and re-enacting those Orders, with or without modification), the premises shall only be used for class E(g)(i) office use and for no other purpose.

Reason: The Local Planning Authority wishes to retain control over the use of the premises in the interests of preserving employment used in Clevedon and in accordance with policy CS31 of the North Somerset Core Strategy and policy SA4 of the North Somerset Sites and Policies Plan (Part 2).

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 extensions or external alterations to the building shall be carried out other than those expressly authorised by this permission.

Reason: The Local Planning Authority wish to retain control over extensions in order to maintain the integrity and appearance of this development and the living conditions of neighbouring residents and in accordance with policy CS12 of the North Somerset Core Strategy, policies DM32 and DM47 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).

5. The office use hereby permitted shall not take place outside the hours of 0800 hours to 1800 hours Mondays to Saturdays and 1000 hours to 1600 hours on Sundays, Bank and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to minimise noise nuisance in the interests of nearby occupants and in accordance with policy CS3 of the North Somerset Core Strategy.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement 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 used in constructing the development
- (d) measures to keep access roads clear of vehicles
- (e) routing restrictions

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 construction works do not pose a threat to amenity, health or safety.

7. The office building hereby permitted shall not be brought into use until a parking area for 5 vehicles, including 1 disabled bay, has been provided in accordance with the approved plans and specifications. The approved parking area shall be properly consolidated and surfaced and the parking spaces marked out before the building is occupied/the use commences and thereafter it shall not be used except for the parking of vehicles in connection with the development hereby permitted.

Reason: In order to ensure that adequate parking provision is made in the interests of preserving highway safety and in accordance with policies CS10 and CS11 of the North Somerset Core Strategy, policies DM24 and DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

8. The use hereby permitted shall not be commenced until secure parking facilities for bicycles have been provided in accordance with the approved plans and specifications. The approved facilities shall thereafter be permanently retained and kept available for the parking of bicycles at all times.

Reason: To ensure that secure cycle parking facilities are provided in order to encourage the use of more sustainable transport choices and in accordance with policies CS1 and CS11 of the North Somerset Core Strategy, policy DM28 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Parking Standards SPD.

9. The office shall not be brought into use until a soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a

planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation. The landscaping scheme shall be carried out in accordance with the approved details, specifications and programme of implementation. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure a satisfactory landscaping scheme is implemented and maintained in the interests of the character and biodiversity value of the area, and in accordance with policies CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM8, DM9, DM10 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD.

For advice on how to discharge this condition, please refer to www.n-somerset.gov.uk/landscapingconditions