



Stileways, West Hill, Wraxall

Planning Statement

On behalf of **Mr N Smythe**

Project Ref: P0135 Date: November 2023

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For and on behalf of Chroma Planning and Development				

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1 Introduction

- 1.1.1 This Planning Statement has been produced by Chroma Planning and Development on behalf of our client to support the submission of an application for the provision of a new dwelling and associated works, at the rear of Stileways, West Hill, Wraxall (herein referred to as the Site).
- 1.1.2 The Site comprises an area of land to the rear of the existing residential property known as Stileways.
- 1.1.3 The proposals relate to the subdivision of the existing large rear garden to facilitate the provision of a new single two-bedroom dwelling, and associated works including the provision of appropriate access arrangements, landscaping, and parking.
- 1.1.4 The proposals are set out in greater detail in Section 4 of this statement.
- 1.1.5 This planning statement provides a review of the relevant national, regional, and local planning policy and guidance relevant to the nature of the proposals being considered and is structured as follows:
- Section 2 – Site and Surroundings** - a description of the Site and surrounding context
 - Section 3 – Planning History** – Details of the relevant planning history position
 - Section 4 – The Proposals** – Details of the proposals
 - Section 6 – Planning Policy** – A summary of the relevant planning policy framework
 - Section 7 – Planning Considerations** – As assessment of the key issues associated with the proposals
 - Section 8** – Summary and Conclusions
- 1.1.6 The following documents are submitted in support of this planning application:
- a) Completed application forms and certificates
 - b) Completed Community Infrastructure Levy (CIL) Additional Information Form
 - c) Site Location Plan at Scale 1:1250 at A3
 - d) Suite of drawings prepared by Space Plus Architectural Design
 - e) Transport Technical Note prepared by Miles White Transport
 - f) Preliminary Ecological Appraisal Report prepared by Clarkson and Woods
 - g) Bat Emergence and Re-entry Surveys prepared by Arbtech
 - h) Sustainability and Energy Statement prepared by Space Plus Architectural Design
 - i) Arboricultural Report prepared by Silverback Arboricultural Consultancy Ltd

2 Site and Surroundings

- 2.1.1 The Site comprises an existing residential property and land located to the rear, currently providing amenity space to the residential property. The proposals would subdivide the existing amenity space at the rear of the property.
- 2.1.2 There is a substantial garage / workshop with pitched roof located within the rear garden, two outbuildings and a large hardstanding area which formally housed a substantial garage before it was demolished.
- 2.1.3 The Site is located to the south of the Clevedon Road (B3128) and north of the town of Nailsea. Due to the topography of the surrounding land, the Site is set far below the Clevedon Road and is well enclosed on all sides. There are no passing public views into the site. There is substantial existing boundary vegetation surrounding the Site.
- 2.1.4 Vehicle access to the Site is provided from an existing unregistered road which connects to the Clevedon Road to the northeast of the Site. The access arrangements serve a number of existing residential properties, including the existing Stileways property. There is a secondary access directly off Clevedon Road.
- 2.1.5 There is an existing public right of way that adjoins the western boundary of the Site but this does not provide public views into the Site itself.
- 2.1.6 The immediate surrounding area comprises a mix of residential properties of differing styles, detail and scale. Properties in the immediate area are primarily substantial, detached dwellings (plus of 4 bedrooms) with generous surrounding amenity space, particularly to the north and northeast of the Site. These larger properties have been delivered as the result of recent planning permissions. The most recent permission was granted to provide a substantial three storey dwelling with detached double garage immediately north of the site off Clevedon Road
- 2.1.7 To the south and west of the Site the area is characterised by large woodland areas.
- 2.1.8 The Site itself is located within the Green Belt and is not located within a defined settlement boundary. Even so, the Site is located within close proximity to the large settlement of Nailsea (around 1.5miles). The Site is centrally located on a busy thoroughfare which connects Nailsea to Bristol to the east and Clevedon to the west. The road is well used by cyclists and commuters alike. Clapton-in-Gordano to the North is less than 1 mile and provides some basic services. Access to the M5 motorway is located 4miles to the north and 5miles to the south.
- 2.1.9 The existing property is not listed and is not located within a conservation area. There are no listed buildings in close proximity of the Site.

3 Planning History

- 3.1.1 The Site has been the subject of a number of previous applications for planning permission. Those permissions and approvals considered most relevant to the proposals are set out below.

Reference Number	Description of Development	Decision	Date
22/P/2026/FUL	Retrospective planning permission for repair works to existing outbuildings associated with an agricultural use. Engineering works comprising the installation of gabions on the site to support the existing access to east of site and laying of trackway with crushed stone top dressing.	Granted	1 Dec 2022
11/P/1783/F	Erection of a two-storey side extension	Granted	21 Nov 2011
08/P/1522/F	Erection of a detached garage (retrospective)	Granted	21 Aug 2008
08/P/0918/F	Erection of a single storey rear extension	Granted	27 May 2008

Outbuildings - 2022

- 3.1.2 Retrospective planning permission was granted on land to the west of the application Site in October 2022 for repair works to existing outbuildings and engineering works comprising the installation of gabions to the support the existing access and the laying of a trackway with a crushed stone top dressing (application reference: 22/P/2026/FUL).

Detached Garage - 2008

- 3.1.3 The officers report that accompanied this decision noted that although situated within the Green Belt, the garage was unlikely to harm the open character of the area, despite being located further than 5 metres from the existing property.
- 3.1.4 As part of this application, it was also noted that a much larger previous garage had been removed from the Site, for which the hardstanding still remains within the garden. This is shown on the below OS extract that formed part of the garage decision outlined in blue.
- 3.1.5 Outlined in red show the existing outbuildings and in green is the existing garage now on the site.



Image 1: 2008 Application Plan

- 3.1.6 This plan illustrates that the Site has therefore historically had more physical structures on it than currently exist.

Other Decisions of Relevance

Belle Vista, West Hill, Wraxall

- 3.1.7 Planning permission was granted on the 15 October 2021 on the site immediately to the north of the application Site, for the demolition of the existing dwelling, garage and outbuildings, and the erection of a single three storey dwelling and detached double garage (application reference: 21/P/1357/FUL).

- 3.1.8 This decision is considered to be of relevance given its proximity to the application Site and how officers assessed the proposals in the context of the sites Green Belt location.

- 3.1.9 The officers report that accompanied the decision identified the following:

“The application site includes a dwelling, detached garage and a number of existing outbuildings, all of which are proposed to be demolished. Following the submission of an updated existing site plan with the correct scale and taking the existing cumulative footprint of all building on site into account, it is considered that the proposed replacement dwelling and detached double garage would not exceed the permitted additional 50% floor space increase permitted within Policy DM12 and as such is not considered to be regarded as inappropriate development or materially larger than the cumulative floorspace spread across the site.”

- 3.1.10 As noted in the above extract, officers considered and assessed the principle of development in the Green Belt taking the existing cumulative footprint of the site which included a large number of buildings, outbuildings and structures. The cumulative footprint of all existing buildings and structures was then compared to the proposed replacement dwelling and garage, in footprint and volume terms.

- 3.1.11 Officers also took the view that whilst the proposed dwelling would be larger in scale than that of the existing dwelling, it would be set back from the road from where it is 'unlikely to have any further impact on the openness of the Green Belt than that of the existing dwelling and general site layout'.
- 3.1.12 The retention of mature trees was considered to provide some screening thereby reducing the overall visual impact of the openness of the Green Belt and views of the site from the public right of way.
- 3.1.13 The proposals were considered to be unlikely to harm the rural and open character of the Green Belt.
- 3.1.14 We will go on to contend that the same conclusion must be taken for the proposals forming part of this application submission.

Golden Acres Fruit Farm, Clevedon Road, Tickenham

- 3.1.15 Planning permission was granted on the 13 May 2021 for the erection of 18 dwellings and associated works at the former Golden Acres Fruit farm garden centre (application reference: 20/P/1260/FUL).
- 3.1.16 The officers report that accompanied this decision notes that the former garden centre consisted of a number of single-storey buildings including greenhouses, storage buildings, a farm shop and café and hard surface areas including a car park.
- 3.1.17 The combined footprint of the former buildings formed part of the officers assessment of the application proposals. In officers consideration of the impact of the proposals on the openness of the Green Belt a table is provided showing the gross footprint, gross floorspace and volume of the proposed development in comparison with the former garden centre buildings (and another planning permission in place on the site at that time).
- 3.1.18 This is therefore considered to be an acceptable approach in assessing a proposals impact on the openness of the Green Belt.

Hillside Nursery, Clevedon Road, Wraxall

- 3.1.19 Planning permission was granted, at appeal, on the former Hillside nursery site, located to the north west of the application Site in January 2015 for the demolition of all existing commercial and residential buildings, hardstandings and ancillary structures, and the erection of three detached chalet style bungalows (application appeal reference: APP/D0121/A/14/2225472).
- 3.1.20 In their decision, the Inspector also uses the approach of assessing the impact on openness of the proposals in the context of the footprint and volume of the previous buildings and structures on the site versus what is being proposed.
- 3.1.21 The Inspector comes to the view that the consolidation of the existing buildings and structures on the site would, overall, have no greater impact on openness.
- 3.1.22 The appeal decision is also of relevance through the Inspector's consideration of the issue of accessibility.
- 3.1.23 At paragraph 32 of the appeal decision the Inspector acknowledged that the site is located outside of a settlement and is in the countryside, albeit close to a number of other dwellings. The Inspector considered that whilst the route to Nailsea would not be conducive to walking, the site is reasonably close to the town and would be a fairly short cycle distance. Further, there is a regular bus service that the Inspector considered to provide a realistic and sustainable alternative means of transport to the private car.
- 3.1.24 The Inspector came to the view that an appropriate level of sustainable transport options would be available for the future occupants of the proposed dwellings. The proximity of the

site to the application Site dictates that the same conclusions can be founded, as supported by the enclosed Transport Technical Note.

4 Proposals

- 4.1.1 The proposals forming this application submission relate to the subdivision of the rear garden area of an existing residential property and removal of an existing garage and associated outbuildings to facilitate the provision of a new single two-bedroom dwelling, and associated works including the provision of appropriate access arrangements and parking.
- 4.1.2 The proposed dwelling will provide living accommodation at ground floor level with two bedrooms provided at first floor level and will serve to provide a needed small scale residential property for young families.
- 4.1.3 The proposed building will be two storeys in height with a recessed first floor level.
- 4.1.4 There will be a separate private garden space to the new property, separate from the existing property which will retain a good level of private amenity space for its occupiers.
- 4.1.5 Access will be provided via a new access point that will utilise the access and trackway arrangements provided by a recent (October 2022) planning permission. Beyond, access to the Clevedon Road is provided via an existing access road that serves the other residential properties within the immediate context of the Site.
- 4.1.6 Car parking is provided for two vehicles with cycle parking provided within a secure cycle store at the rear of the property.
- 4.1.7 The car parking and access within the Site itself will be provided on a Geocell Cellular Confinement system which will not have an impact on the existing trees on the Site or the associated root protection areas (RPA's).
- 4.1.8 The dwelling will be finished in standing seam cladding with aluminium framed glazing. The design and appearance of the dwelling takes cues from the local area.
- 4.1.9 The new property will be well enclosed by existing substantial vegetation surrounding the site.
- 4.1.10 Further details are provided within the submitted plans with the application.

5 Planning Policy Framework

5.1 Policy Framework

- 5.1.1 National Policy Guidance is produced by Central Government in the form of the National Planning Policy Framework (NPPF), adopted in July 2018 and updated in 2023. This is a material consideration when determining planning applications.
- 5.1.2 The Statutory Development Plan comprises of the policies set out in the following documents:
- a) The North Somerset Core Strategy, January 2017;
 - b) Sites and Policies Plan Part 1: Development Management Policies, July 2016; and
 - c) Site and Policies Plan Part 2: Site Allocations Plan, April 2018.
- 5.1.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

5.2 NPPF

- 5.2.1 The NPPF document sets out the Government's planning policies for England and how these are expected to be applied. It summarises in a single document, previous national planning policy statements.
- 5.2.2 The following sections of the NPPF are considered relevant to the consideration of these proposals:
- Section 11 – Making effective use of land
 - Section 12 – Achieving well-designed places
 - Section 13 – Protecting Green Belt land
 - Section 14 – Meeting the challenge of climate change
 - Section 15 – Conserving and enhancing the natural environment

5.3 Local Planning Policy

- 5.3.1 The Core Strategy was adopted in January 2017. The following adopted policies are considered to be of relevance to the proposals:
- Policy CS1 – Addressing climate change and carbon reduction
 - Policy CS2 – Delivering sustainable design and construction
 - Policy CS4 – Nature conservation
 - Policy CS6 – North Somerset's Green Belt
 - Policy CS10 – Transportation and movement
 - Policy CS11 – Parking
 - Policy CS12 – Achieving high quality design and place making

Policy CS33: Infill villages, smaller settlements and countryside

5.3.2 The Sites and Policies Plan Part 1 was adopted in July 2016 and provides development management policies. The following policies are considered to be of relevance:

Policy DM8 – Nature Conservation

Policy DM12 – Development within the Green Belt

Policy DM28 – Parking Standards

Policy DM32 – High quality design and place-making

6 Planning Assessment

6.1.1 This section of the statement assesses the key planning considerations associated with the proposals which are as follows:

- a) The Principle of Development
- b) Green Belt
- c) Design
- d) Ecology
- e) Transport
- f) Energy and Sustainability
- g) Other matters

6.2 The Principle of Development

6.2.1 The latest North Somerset Annual Monitoring Report (AMR) (April 2022) acknowledges that the Council's five-year housing land supply position has been challenged through a series of public inquiries early in 2022 with the most recent decision, of June 2022, concluding that the Council's deliverable supply stood at only 3.5 years. The AMR notes that this remains the Council's position until the next residential land survey, the results of which are not available at the time of the submission of this planning application.

6.2.2 A recent appeal decision at Land at Lynchmead Farm, Ebdon Road, Wick St Lawrence, Weston-super-Mare (decision issued June 2023 - APP/D0121/W/22/3313624) which was the subject of a public inquiry, found deliverable housing supply to be in the order of 3.5 years (as supported by another appeal decision APP/D0121/W/21/3285624 – Land at Farleigh Farm and 54 and 56 Farleigh Road, Backwell).

6.2.3 A further recent appeal decision at Land at Butts Batch, Wrington (APP /D0121/W/22/3292065 and APP/D0121/W/22/3294867), which was subject to a public inquiry in June and July 2022, noted that the Council accepted that it cannot demonstrate a five-year supply of deliverable housing sites (paragraph 36). Common ground between the appellant and the Council was found that the deliverable supply was in the range of 2.95 – 3.3 years.

6.2.4 This position is further supported by appeal decision APP/D0121/W/22/3292961 at Land to the east of Church Lane and north of Front Street, Churchill, which was also dealt with via public inquiry at which the Council agreed that it could not demonstrate a five-year land supply, indeed the land supply could be as low as 2.96 years.

6.2.5 Based on the above it is evident that the Council cannot demonstrate a 5 year housing land supply. Further, the preparation of a new plan is too far off to have meaningfully addressed this shortfall.

6.2.6 On the basis the Council are currently unable to demonstrate a 5 year housing land supply, and in accordance with paragraph 11 of the NPPF, relevant policies for the supply of housing should not be considered up-to-date.

6.2.7 Having regard to paragraph 11 which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (including land designated as Green Belt); or
 - ii. 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.
- 6.2.8 We will make the case that there are no clear reasons for refusing the development proposals and that there are no adverse impacts that would significantly and demonstrably outweigh the benefits, including contributing to an identified housing need.
- 6.2.9 The proposals will provide a considered two-bedroom dwelling and not a substantial sized property which is characteristic of the area. The provision of this type of accommodation is more in keeping with meeting an identified demand for housing and will provide a more affordable product to the market that will be accessible to more people and young families.

Previously Developed Land

- 6.2.10 The Site forms part of the extensive private amenity space to the rear of the Stileways property. It is our view that the Site should clearly be considered as **previously developed land**.
- 6.2.11 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.2.12 Paragraph 149 of the NPPF states that:
- ‘A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are, inter alia, limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt.’*
- 6.2.13 The NPPF defined Previously Developed Land (PDL) as follows:
- “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”*
- 6.2.14 It is noted, and of relevance to this application, that the definition of PDL excludes ‘land in built-up areas such as residential gardens’.
- 6.2.15 The inclusion of the wording ‘in built up areas’ is an important one. In plain English, this means that **residential gardens which are NOT in built up areas can be considered PDL**.
- 6.2.16 The case of *Dartford Borough Council vs Secretary of State for Communities and Local Government [2017]* is an important one regarding PDL and the consideration of this application.
- 6.2.17 The Dartford case considered the NPPF definition of PDL and clarified that a garden outside a built-up area can be considered PDL, as long as it complies with other elements of the definition of PDL. There does not appear to be anything that supersedes this judgement.

“In accordance with the NPPF and Local Plan, gardens within a settlement policy boundary will be regarded as being in a ‘built-up’ area. Whether gardens outside of a settlement policy boundary are regarded as being in a ‘built-up’ area will be a matter of planning judgement taking into account factors such as the number of dwellings, density and cohesion of the properties. It is unlikely that a small group of houses or a farmstead would be considered ‘built up’.”

- 6.2.18 Set out plainly in the Dartford judgement the NPPF definition of PDL which excludes “Land in built-up areas” **cannot mean land not in built-up areas.**
- 6.2.19 Therefore, a private residential garden which is not in a built-up area could constitute previously developed land (i.e. Brownfield land) within the NPPF. Thus, development of such land within the Green Belt will be excluded from the general Green Belt Policy **provided such development would not have a greater impact on the openness of Green Belt than the existing development.**
- 6.2.20 It is acknowledged that the Site is located outside of a defined settlement boundary and there is no cohesion with other properties that surround the Site. A small group of houses, as is the case here, cannot reasonably be considered to be ‘built up’.
- 6.2.21 The Site is therefore considered to comprise a residential garden NOT in a built-up area and constitutes PDL. We will go on to make the case that the development will not have a greater impact on the openness of Green Belt than the existing development.
- 6.2.22 Therefore, proposals such as this one are supported by national planning policy set out in paragraph 149 of the NPPF and the principle of development should be accepted in this location.
- 6.2.23 Furthermore, the proposed development will provide a home of high-quality design and of a more suitable size to help assist, in a small way, the council in meeting an identified housing need.
- 6.2.24 In light of the guidance given by paragraph 149 of the NPPF in regard to the reuse of previously developed sites not being inappropriate development, combined with the fact that the policies of restraint in this area are out of date, we conclude that the principle of redevelopment for residential use in this location should be considered acceptable.

6.3 Green Belt

- 6.3.1 The Green Belt serves five purposes as set out in paragraph 138 of the NPPF:
1. to check the unrestricted sprawl of large built-up areas;
 2. to prevent neighbouring towns merging into one another;
 3. to assist in safeguarding the countryside from encroachment;
 4. to preserve the setting and special character of historic towns; and
 5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.3.2 Policy CS6 of the Core Strategy identifies the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open, the most important characteristic of the Green Belt being its openness.
- 6.3.3 Policy DM12 of the Sites and Policies Plan Part 1 states that in determining planning applications, consideration will be given to the impact on the openness of the Green Belt and regard will be taken of the design, siting and overall scale of development.

- 6.3.4 As we will go on to set out, the proposals will not conflict with the purposes of the Green Belt as set out in national and local planning policy.

Assessment against purposes of Green Belt

- 6.3.5 Policy DM12 of the Local Plan relates to redevelopment and infilling on previously developed sites in the Green Belt, outside of settlement boundaries. Policy DM12 states:

“On previously developed sites (as defined in the NPPF) outside the settlement boundary limited infilling or partial or complete redevelopment is not inappropriate provided it would not have a greater impact on the openness of the Green Belt and the purposes of including land within it.”

- 6.3.6 Redevelopment should:

not extend beyond the perimeter of the buildings which make up the bulk of the built-up area of the site; and

not extend beyond the footprint of the existing buildings unless the proposal by virtue of its height or location on the site would have an equal or lesser impact on the Green Belt than the existing buildings; and

result in environmental improvements on rundown or derelict sites; and

be sustainable in terms of being well related to existing settlements and having safe and convenient pedestrian and cycle access to services, amenities and a bus or rail service.

- 6.3.7 The proposals would provide a new building beyond the existing footprints of the garage and other structures currently located on the Site. Notwithstanding this, and consistent with the requirements of Policy DM12, the proposed single building would have a lesser impact on the Green Belt than the existing situation.

- 6.3.8 The removal of a ‘sprawl’ of existing buildings and structures in favour of a single cohesive development that leaves the remainder of the site open is considered to meet the requirements of Policy DM12.

- 6.3.9 The orientation of the Site and positioning relative to other buildings in the immediate area (north and east) supports the provision of a modest dwelling ‘slotted’ in between the existing buildings.

- 6.3.10 A new single structure would be a betterment of the existing situation, in terms of openness. The submitted Block Plan is helpful in demonstrating this, as shown in the below extract Image 2 (green denoting the footprint of the new building, and orange denoting the existing structures and buildings to be demolished).



Image 2: Existing Site development

- 6.3.11 The Site is well contained by foliage and is largely screened from view from the adjacent public right of way, and the surrounding land and properties.
- 6.3.12 There are no particular viewpoints where the Site would be visible from.
- 6.3.13 Furthermore, the Site currently accommodates a range of buildings and structures spread out across the Site including a garage and outbuildings associated with the existing property. The degree of the Site's 'openness' is extremely limited and the impact of what is essentially a replacement building would not cause any significant impact or undermine the purposes of the Green Belt that this area contributes towards.
- 6.3.14 The proposals seek to consolidate existing built form. Importantly, with regards to change in volume of the existing structures on the Site versus the proposed situation, the proposals will result in an **overall reduction in volume**. As set out in the tables below, when you take the volume of the existing structures to be removed and the volume of the proposed dwelling, there will be a reduction overall.

<p>EXISTING total volume to be removed:</p> <p>Garage = 138.07878m³ Outbuilding = 20.996m³ Shed = 11m³</p> <p>138.07878 + 20.996 + 11 = 170.07478m³</p> <p>170 x 1.5 = 255m³</p>
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<p>PROPOSED total volume of new dwelling:</p> <p>Area of gable end wall = 23.1m²</p> <p>23.1 x 8.85 = 204.435m³</p> <p>Area of front gable wall = 23.1m²</p> <p>23.1 x 1.955 = 45.1605m³</p> <p>Connecting section of roof: A = 4.65m B = 1.958m C = 2.325</p> <p>A x 1/2 B x 1/3 C = 4.65 x 0.979 x 0.6975 = 3.175m³</p> <p>Total - 204.435 + 45.1605 + 3.175 = 252.77m³</p>

- 6.3.15 As identified in the Planning History Section of this Statement, a comparative exercise between the existing and proposed situation is wholly appropriate in providing an assessment

of the impact of the proposals on openness and has been used in a number of recent decisions.

- 6.3.16 The proposals will improve the immediate setting of the Site through consolidation of arbitrary built form and have a lesser impact than what is already on the Site.
- 6.3.17 In relation to purposes 1 and 3, we do not consider that the land contributes to the Green Belt designation in this instance as the replacement of the existing buildings with a similar scale and structure would not contribute towards the sprawl of urban areas and would not encroach into the countryside as the Site is already developed.
- 6.3.18 In relation to the other purposes of the Green Belt, the location of this Green Belt land does not help prevent neighbouring towns merging into one another – the site is well contained, and there are no nearby settlements that the development would lead towards merging.
- 6.3.19 The Site does not have a designated conservation area nor are there any listed buildings in proximity to the site, therefore development would not impinge on the setting of a historic town or settlement.
- 6.3.20 Therefore, when looking at the development of this land it is clear that it currently does not contribute to the five purposes of the Green Belt set out in paragraph 138 of the NPPF. Furthermore, the proposals themselves are essentially a replacement building of a similar footprint, mass and form, which will have no adverse impact on the landscape, and the Site itself is well screened.
- 6.3.21 The NPPF encourages the use of recycling derelict land and brownfield sites before utilising Greenfield land. Consequently, the development proposals would have a limited impact on the Green Belt and enhance the immediate setting of the site.
- 6.3.22 The proposals do not harm the rural and open character of the Green Belt in this location. The proposals seek to improve the overall setting of the Site through consolidation of existing developed land to provide high quality built form and help to serve a desperate need for housing, in particular, housing of this size.

6.4 Design

- 6.4.1 The proposals would see the removal of an existing mix match of buildings and structure types and styles and the erection of a single modest residential dwelling.
- 6.4.2 The walls and roof will be finished in a high quality standing seam cladding with aluminium framed windows. Feature glazing is proposed in places to improve the quality of the living accommodation and provide natural light to the property.
- 6.4.3 Policy DM32 of the Site and Policies Plan Part 1 aims to ensure the high quality design of buildings throughout the district.
- 6.4.4 Policy DM32 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.
- 6.4.5 Overall, the proposed development will enhance the immediate setting of the area by removing the existing buildings and structures on the Site and replacing this with a high quality dwelling.
- 6.4.6 The proposals will not compromise the quality of private amenity space that will be provided at the existing property of Stileways. A good sized garden will remain to be utilised by the occupiers of the Stileways property.

6.5 Ecology

- 6.5.1 A Preliminary Ecological Appraisal Report has been prepared and is submitted as part of this planning application. The Appraisal includes the results of a survey carried out at the Site in March 2023 and provides an assessment of the findings and recommendations considered necessary to ensure the proposals comply with planning policy at all levels.
- 6.5.2 Of note relating to the inspection of the existing garage building, six bat droppings were identified which were attributed to the lesser horseshoe bat. The droppings were identified to have been made quite some time ago and there was no evidence of more recent bat droppings. Even so,
- 6.5.3 based on the construction of the garage building and the droppings, it was considered likely that the building was used by a single lesser horseshoe bat as an occasional night roost, although further detailed surveys would be required to ascertain this.
- 6.5.4 The garage building was considered to offer low potential for single crevice dwelling bats under the tiles, and to offer low to negligible hibernation potential for bats.
- 6.5.5 It was recommended that a minimum of two dusk emergence and / or pre-dawn re-entry surveys of the garage are conducted. In addition, a static detector survey was also recommended within the building for a period of five consecutive nights to record overnight bat activity within the structure and determine the status of the confirmed roost.
- 6.5.6 Following this recommendation Bat Emergence and Re-entry Surveys (BERS) were undertaken by Arbtech the results of which are also enclosed as part of this application submission.
- 6.5.7 The surveys comprised the following:
- a) BERS of built structures to determine the presence or likely absence of bat roosts.
 - b) A static detector survey to provide further evidence on the presence or likely absence of bat roosts.
 - c) An outline of potential impact of the proposals on any confirmed or unidentified roosts.
 - d) Recommendations for mitigation, including advice on the requirements for a European Protected Species License (EPSL) application.
 - e) Opportunities for enhancements of the Site for roosting, foraging and community bats.
- 6.5.8 No further bat roosts were identified during the BERS and no additional bat droppings were present at the time of the static detector deployment / collection and the internal inspection undertaken during the BERS.
- 6.5.9 It is noted that a European Protected Species License (EPSL) application to Natural England will be required to legally permit the proposed works. Further, a Material Changes Check will be required within three months of the EPSL submission. The EPDL will detail any mitigation and compensation measures that will be required for the proposed development to comply with the standing advice and will be designed to reduce any impacts to an acceptably low level so as to maintain (or enhance) the Favourable Conservation Status (FCS) of the local bat population.
- 6.5.10 The applicant is fully aware of the requirements of this parallel process.

6.6 Highways and Transport

- 6.6.1 This application is accompanied by a Transport Technical Note that has been prepared by Miles White Transport. The note has been prepared to assess the transportation, traffic, parking, and highway implications associated with the proposals.
- 6.6.2 Access to the new dwelling will be provided from the private access road that serves the existing Stileways property and the newly created trackway that leads to the outbuildings located to the southwest of the Stileways property.
- 6.6.3 The trackway has been permitted and provided in accordance with planning permission 22/P/2026/FUL. It is considered that the trackway would be acceptable to serve the new dwelling.
- 6.6.4 A swept path analysis (SPA) has been undertaken and forms part of the Technical Note. The SPA supports that a large car can safely and easily access the proposed new dwelling via the access route leading past the Stileways property and the trackways beyond.
- 6.6.5 With regards to refuse and recycling collection, it is proposed that the new property would utilise the same arrangements as the immediate residential properties which is collected from the junction of the unclassified road and Clevedon Road. This is an acceptable position for the existing residential properties within the immediate context.
- 6.6.6 Car parking and cycling parking will be provided in accordance with North Somerset Parking Standards SPD (November 2021). Cycle parking will be provided within a secure cycle store at the rear of the property.
- 6.6.7 An electric vehicle charging point is proposed at ground floor level adjacent to the proposed car parking area.
- 6.6.8 It is estimated that the new dwelling will provide up to 1 additional two-way vehicle movement in the peak hours, and 5 across the whole day respectively. The additional trips generated by the proposals are considered to be insignificant and will not have an impact upon the safety record or operational performance of the surrounding road network.
- 6.6.9 In terms of accessibility, a cycling distance of 5km to key facilities is considered to be acceptable for day-to-day journeys which would cover Nailsea, Backwell, Wraxall, Failand, Portbury and Portishead. The Clevedon Road is frequented by cyclists regularly being a chosen route for many cycle clubs in the area. Cycling is therefore considered to be a viable travel choice for future occupiers.
- 6.6.10 There is a regular bus route in close proximity of the Site which would enable future occupiers to be able to travel by bus throughout the week to destinations including Bristol, Clevedon and Lond Ashton.
- 6.6.11 The Site is located within 3km of Nailsea and Backwell railways station which offers regular services to Bristol, Cardiff, Taunton, Penzance and Weston-Super-Mare.
- 6.6.12 It should be noted that as part of the assessment of the Hillside Nursery site to the northeast of the application Site, the Inspector came to the view that an appropriate level of sustainable transport options would be available for the future occupants of the proposed dwellings. The same view is found here.
- 6.6.13 It is proposed to introduce a Travel Plan for the new dwelling that will seek to promote the use of non-car modes when travelling to and from the dwelling. This will be achieved primarily by providing detailed information on the availability of non-car travel options, together with the provision of facilities that will encourage their use.

- 6.6.14 A Travel Information Pack for occupiers will include travel information such as walking and cycling maps, public transport information and leaflets explaining the health and financial benefits of the use of non-car modes.
- 6.6.15 The Technical Note concludes that there are no transport or highways reasons why the proposals on the site should not be permitted.

6.7 Energy and Sustainability

- 6.7.1 A Sustainability and Energy Strategy Statement has been prepared and forms part of this application submission. The Statement seeks to outline how the proposals will comply with the requirements and objectives of local planning policies relating to climate change, sustainable design and construction, and renewable and low carbon energy.
- 6.7.2 It is proposed that the new dwelling will be constructed to the highest standards with energy saving materials, the methods of construction and the proposed heating / ventilating equipment.
- 6.7.3 The dwelling will provide a number of key energy efficient measure with high levels of insulation in the building fabric and high specification energy efficient measures including an air source heat pump, natural ventilation, low energy lighting and natural ventilation, amongst others.
- 6.7.4 It is proposed that insulation in the thermal elements will exceed Building Regulation requirements.

6.8 Other matters

Trees

- 6.8.1 An Arboricultural Report, including a survey and tree constraints plan, has been prepared and is submitted as part of this planning application.
- 6.8.2 Nine trees and one group of trees were surveyed on the Site. Of the trees surveyed, four trees and one group of trees were categorised U meaning they are in such a condition that they cannot realistically be retained as living trees for longer than 10 years. This is as a result of evidence being found that all surveyed Ash trees are infected by Ash dieback disease.
- 6.8.3 The remaining trees were categorised C as being of low quality with an estimated remaining life expectancy of at least 10 years.
- 6.8.4 The Tree Constraints Plan shows the Root Protection Areas (RPA's) for the individual trees surveyed, as representing the minimum area in square metres which ideally should be left undisturbed around each tree were it to be retained.
- 6.8.5 Tree T07 is a category C tree with a large RPA on the western boundary of the Site. It is noted that a large proportion of the existing RPA is occupied by the existing garage, which is proposed to be removed by the proposals. The removal of the garage is considered to have a positive impact on the RPA for T07.
- 6.8.6 It is proposed that part of the new access and proposed car parking area would be located within the RPA of T07. Acknowledging the location of the RPA, it is proposed that this area would be constructed using a GeoTrax Geocell Cellular Confinement system which would be fully permeable and ensure the existing tree roots would be unaffected by the proposals. This is considered to be a betterment above the existing situation particularly as a result of the removal of the existing garage, and associated foundations, from the existing RPA for T07.
- 6.8.7 The proposals would be carried out without harming any trees.

6.8.8 The applicant is willing to accept a suitably worded condition to ensure that the trees will be safeguarded during the development works.

Amenity

6.8.9 The Supplementary Planning Document (SPD) Residential Design Guide (Section 1: Protecting living conditions of neighbours) is of relevance to the application proposals.

6.8.10 The SPD stipulates that a new residential building should not result in a significant adverse impact upon the living conditions of any neighbouring residents.

6.8.11 The Site is well enclosed and is not located immediately adjacent to any existing residential properties. As such, the proposals would not have any impact on the amount of daylight or sunlight or result in a significant overbearing impact to any neighbouring property.

6.8.12 No significant loss of privacy to neighbouring properties would result given the siting of the new proposed dwelling. Notwithstanding this, obscured glazing is proposed to bathroom windows.

7 Summary and Conclusions

- 7.1.1 The proposals have been fully assessed and considered against the development plan and other material considerations. It is considered that the proposals satisfy the requirements of planning policy at all levels.
- 7.1.2 The proposals will provide a small but valuable contribution to the identified housing need of the Council and will provide a dwelling type more suitable and affordable to current market conditions.
- 7.1.3 We have demonstrated that the land does nothing to contribute towards the five purposes of the Green Belt, and in light of this and with consideration of paragraph 149 of the NPPF, the development should be allowed unless identified benefits of the scheme are clearly outweighed by significant and demonstrable adverse effects.
- 7.1.4 Consequently, we have examined all relevant material considerations and policies for the application proposals and as such have identified that no adverse impacts would outweigh the benefits, in relation to all material considerations such as trees, highways, ecology, design, and impact on Green Belt, can be substantiated.
- 7.1.5 It is concluded that the proposals accord with all relevant policies at a national and local level and should be granted without delay.