

FEBRUARY 2019

PLANNING SUPPORTING STATEMENT

**LAND TO REAR OF SIDELANDS, 40 HAM GREEN
EASTON IN GORDANO / PILL**

ON BEHALF OF: **MR J EVANS AND MISS A HUGHES**

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CONTENTS

1.	Introduction	3
2.	Application site and surroundings.....	4
3.	Authorised use & planning history	4
4.	Proposed development	5
5.	Planning policy context.....	5
6.	Planning analysis/balance	9
7.	Conclusions	15

1. INTRODUCTION

- 1.1 This Planning Statement has been prepared by Stokes Morgan Planning Ltd on behalf of Mr J. Evans and Miss A Hughes.
- 1.2 It accompanies a full planning application for the residential development of a building to the rear of the property known as 'Sidelands' at 40 Ham Green Easton in Gordano.
- 1.3 The proposal is a full planning application to replace an existing outbuilding and provide a new detached dwelling with associated access improvements; parking; and hard/soft landscape works.
- 1.4 The purpose of this statement is to explain the background to the scheme and provide an assessment of the key planning issues set against the context of national and local planning policy and guidance, and any relevant material considerations.
- 1.5 This statement should be read in conjunction with the following supporting information:
- Application Form and Ownership Certificates;
 - Completed CIL Question Form;
 - Design and Access Statement
 - Drawing No 269.PL10 – PL18, 269.S01-S05, S10, S15-18
 - Sustainability/Energy Calculations
 - Waste Management Plan
- 1.6 This document is structured as follows:
- Application Site and Surroundings;
 - Proposed Development;
 - Authorised Use and Planning History;
 - Planning Policy Context;
 - Planning Policy Analysis; and
 - Conclusions.

2. APPLICATION SITE AND SURROUNDINGS

SITE AND LOCATION

- 2.1 The application site consists of a former poultry shed (now a large residential outbuilding) located to the rear (west) of the residential property known as Sidelands located at 40 Ham Green, Easton in Gordano.
- 2.2 The site brownfield land located inside the Settlement Boundary of Easton in Gordano, a designated Service Village in North Somerset.
- 2.3 The site is in an area that is designated as being in Flood Zone 1 and outside the Green Belt area which is located due west of the property.

LOCAL SERVICES AND AMENITIES

- 2.4 The site lies within 400m of the Pill Local Centre and within 100m of Ham Green Cricket Ground and Social Club
- 2.5 The nearest primary school (Crockerne C of E School Academy) is within 500m of the site and St Katherines Secondary School is within 400m of the site.
- 2.6 There are bus stops in both directions within 140m of the site for local bus services.

3. AUTHORISED USE & PLANNING HISTORY

- 3.1 The planning history of the site is as follows:

- 8479A Erection of poultry house. Sidelands Ham Green Easton-In-Gordano.
- 16/P/0891/LDE Application for a Lawful Development Certificate for an existing use; use of land as domestic garden
Decision: Approve without conditions: Decision Date: 08/06/2016
- 16/P/2785/PRE New passivhaus to replace outbuilding to rear. Conclusion: planning permission likely to be granted, subject to amendments.

4. PROPOSED DEVELOPMENT

4.1 The proposed description of development is as follows:

“Demolition of existing outbuilding and erection of two storey dwelling house with associated vehicular access improvements; car parking; garage; hard/soft landscape works and drainage.”

4.2 The existing access from Ham Green would be utilised to provide a private access drive along the southern boundary, leading through to the new dwelling at the rear of the site.

4.3 The dwelling would provide 4no. bedrooms and a home office study.

4.4 3 no. parking spaces including a garage will be provided to comply with the Council parking standards.

5. PLANNING POLICY CONTEXT

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires proposals for development to be considered in accordance with the policy context of the adopted Development Plan and any other relevant material considerations.

THE DEVELOPMENT PLAN

5.2 The Development Plan for North Somerset comprises:

- The Core Strategy for North Somerset Council, adopted 10th January 2017;
- The Sites and Policies Plan Part 1 Development Management Policies, adopted 19th July 2016; and
- The Sites and Policies Plan Part 2 Site Allocations Plan adopted 10th April 2018.

5.3 The key adopted policies relevant to this proposal and addressed at the Planning Analysis section, are:

North Somerset Adopted Core Strategy

Adopted Core Strategy

CS1: Addressing climate change and carbon reduction

**Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT**

- CS2: Delivering sustainable design and construction
- CS3: Environmental impacts and flood risk management
- CS4: Nature Conservation
- CS10: Transportation and movement
- 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
- CS32: Service Villages

Sites and Policies Plan Part 1: Development Management Policies

- DM1: Flooding and Drainage
- DM2: Renewable and Low Carbon Energy
- DM8: Nature Conservation
- DM9: Trees and Woodlands
- DM10: Landscape
- DM24: Safety, Traffic and Provision of Infrastructure
- 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

**Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT**

Emerging Local Policy

- 5.4 North Somerset Council are currently working on the New North Somerset Local Plan (2018 – 2036). A Local Plan consultation document was published for public consultation between 5 February 2018 and 30 April 2018. Given the early stage of preparation of this emerging plan, any relevant policies are considered to carry very little weight.

Supplementary Planning Guidance

- 5.5 The following supplementary planning guidance are relevant material considerations in the determination of the proposals for the site:
- North Somerset residential parking standards;
 - North Somerset design checklist.

MATERIAL CONSIDERATIONS

- 5.6 Central Government is strongly committed to the delivery of housing.
- 5.7 A number of legislative changes and other provisions have been introduced since 2012 by the former Coalition Government and the current Conservative Government, in order to facilitate housing delivery and remove the burdens that impede it, particularly for small-scale builders and developers.
- 5.8 This demonstrates a strong, national commitment to housing delivery, particularly for smaller schemes, which cumulatively, can make a strong but meaningful contribution to achieving challenging housing targets.

National Planning Policy Framework

- 5.9 The National Planning Policy Framework (NPPF), revised in July 2018, and its associated guidance (National Planning Policy Guidance), are significant material considerations in planning decisions.
- 5.10 The following chapters of the NPPF are material considerations that should be considered in the determination of this application:
- Chapter 2 (Achieving sustainable development);
 - Chapter 5 (Delivering a sufficient supply of homes);
 - Chapter 9 (Promoting sustainable transport);
 - Chapter 11 (Making effective use of land);
 - Chapter 12 (Achieving well-designed places); and

Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT

- Chapter 16 (Conserving and enhancing the historic environment).

5.11 The NPPF advises that Local Planning Authorities should “approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield land registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.” (Paragraph 38).

5.12 Chapter 9 seeks to promote sustainable transport, and Paragraph 103 advises that “...Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.”

5.13 At Chapter 5, it recognises that “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.” (Para 68). Paragraph 68 goes on to state that local planning authorities should, “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.”

5.14 The NPPF encourages an “effective use of land”, and Paragraph 117 states that “...decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”

5.15 The NPPF expects planning policies and decisions to support development that makes an efficient use of land taking into account certain criteria. At Paragraph 123, the NPPF states “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”

5.16 With regards to residential densities, Paragraph 118 states that planning decisions should “promote and support the development of under-utilised land.” Paragraph 122 states that, “Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

- b) Local market conditions and viability;
 - c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further development and the scope to promote sustainable travel modes that limit future car use;
 - d) The desirability of maintaining an area's prevailing character and setting (including residential gardens), or promoting regeneration and change; and
 - e) The importance of securing well-designed, attractive and healthy places."
- 5.17 Chapter 12 recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve (Paragraph 124). Further on in the section, it states that, "where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development." (Paragraph 130).
- 5.18 Any further guidance in the NPPF relevant to this proposal is identified and addressed in the Planning Analysis section of this Statement.

6. PLANNING ANALYSIS/BALANCE

KEY ISSUE 1: THE PRINCIPLE OF RESIDENTIAL DEVELOPMENT

- 6.1 The NPPF sets out a strong presumption in favour of sustainable development and requires that housing proposals in accordance with an up to date Local Plan are approved, without delay. It places significant weight on the need to support sustainable economic growth through the planning system together with the provision of new homes, particularly where this involves the efficient use of previously developed land, in preferred locations.
- 6.2 The site is in the defined settlement boundary of Easton-in-Gordano/Pill.
- 6.3 Core Strategy **Policy CS14** – 'Distribution of new housing', states that there will be the opportunities for small-scale development in the Service Villages within settlement boundaries, with priority given to the re-use of previously developed land.
- 6.4 **Policy CS32** relates specifically to Service Villages such as Easton in Gordano/Pill, and supports the principles of policy CS14. It states that proposals for small-scale development appropriate to the size and character of the village which respects the character of the village will be permitted.

Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT

- 6.5 The site straddles the Green Belt with the built area of the development located inside the Settlement Boundary (outside the Green Belt boundary).
- 6.6 The development would also all be situated within an area which is lawfully considered as residential curtilage.
- 6.7 Policy DM12 is of relevance, however, it is not appropriate to consider assess the site in a manner which concludes the whole site as being within the Green Belt. The impact on the Green Belt can be considered, however, the principle of whether the development is appropriate in Green Belt terms is not necessary. The part of the works required which are in the Green Belt are at solely a hardstanding area and garden which already exist in a similar form to the development proposed and therefore the impact in Green Belt terms would be negligible.
- 6.8 The proposed house would largely be situated on the footprint of an existing structure and whilst the resultant building would be higher this would be seen as within the context of the existing development within the settlement boundary which is also outside of the Green Belt.
- 6.9 The application site is previously developed land located within the settlement boundary of Easton in Gordano/Pill (as defined on the Local Plan Proposals Map) and which is not allocated in the development plan for any specific development or land use. The principle of residential development of the site therefore accords with Core Strategy policy CS14 and DM32 (subject to the additional detailed criteria of policy DM32 that are considered in the appropriate sections below).

KEY ISSUE 2: DESIGN

- 6.10 The application in accompanied by a detailed Design and Access Statement. This statement describes the site and the design approach which has led to the design of the house submitted. The house proposed is a Passivhaus ultra low energy building. The design of the building has therefore been informed by the Passivhaus principles and also taking into account the constraints of the site, for example the changes in level.
- 6.11 Policy CS12 requires development to demonstrate sensitivity to the existing local character, whilst policy DM32 requires an assessment of the siting, landscaping, form, scale, height, massing, detailing, colour and materials. Design should not prejudice the living conditions for occupiers or adjoining occupiers through loss of privacy or overshadowing, and should not prejudice the retention of private amenity space. Policy CS32 requires small-scale residential development in the Service Villages to be appropriate to the size and character of the village, and is generally acceptable in principle subject to the aforementioned criteria.

Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT

- 6.12 Policy DM37 states that any proposal for new dwellings on garden land within predominantly residential areas will be permitted provided that it does not adversely affect the character of the area. Gardens are required to be an appropriate size for both the existing and proposed dwelling, the plot sizes in keeping with nearby properties, and development should not harm the street scene or local area by virtue of loss of characteristic boundary treatments.
- 6.13 Policies DM32 and DM37, in addition to the design considerations contained in the above policies, require development to deter crime and enhance security, and to retain adequate garden space. The proposed development would have secure gates at the entrance, whilst the siting of the existing house adjacent to the access lane would increase surveillance of the access and deter crime.
- 6.14 With regards to garden space, the new dwelling would be allocated the area confirmed as lawful residential garden under the recent Lawful Development Certificate, which measures almost half a hectare. Sidelands itself would retain a reasonable sized rear garden (in addition to the front garden area measuring 110sqm), which is comparable to nearby plots. The proposals are therefore considered to comply with policies DM32 and DM37.
- 6.15 With regards to the design criteria listed in policy DM32, the proposed house would be sited to minimise any impact on the surrounding area. Due to the differences in ground height, the dwelling would be largely out of view and therefore have no impact on the public realm. By the same token, with regards to form, scale, height and massing, the siting of the dwelling out of view from the residential properties on Ham Green minimises any impact that these criteria may have. Nevertheless, the form, scale, height and massing of the dwelling are broadly similar to other properties in the vicinity, which mainly comprise larger, detached houses.
- 6.16 Following the advice received as part from the Council at the pre-application stage the design and form of the building have been amended. The building has been designed so that sits more comfortably with the grading of the site and therefore it would not appear as bulky as the previous design. The design of the house is deliberately distinct from the surrounding houses and takes advantage of its position and embracing modern architectural design. The proposed materials particularly the use of timber help to soften the appearance of the building. The recessive nature of the materials will also help to limit the visual impact. However, it is of note that views of the south elevation in particular will be very restricted.
- 6.17 The landscaping would see the retention of all trees on site, and requires no additional hardstanding. The dwelling would largely occupy the existing base of the garage, and only the narrow strips to the north and east of the proposed dwelling would require new landscaping, with planting and footpaths proposed as shown

Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT

on the indicative plans. Additional planting is proposed to the front garden of Sidelands, to soften the impact of the two new parking spaces created for the host property (which would be Permitted Development in any case).

KEY ISSUE 3: IMPACT ON RESIDENTIAL AMENITY

- 6.18 With regards to the Council's Residential Design Guide, this comprises 3 parts, the first of which, Part 1, Protecting living conditions of neighbours, is relevant to this application.
- 6.19 Part 1 of the Design Guide lists a number of tests that should be applied when assessing the impact on neighbours. With regards to overbearing, the first of these is the 45-degree test.
- 6.20 This only applies when an extension is at right angles to a neighbouring building. Due to the orientation of the relevant sites, this test is not relevant. With regards to the tunnelling effect, this requires a distance of 12 metres between a side wall and a rear wall with windows. There would be a of less than 12 metres Sidelands and the proposed dwelling, however, and due to the ground level, the roof of the proposed dwelling would be below most the lowest window cills of Sidelands. Although it would partially breach the sun room window. The overall impact of the building would not result in any harmful overshadowing ensue. Although the resultant would be larger than the existing outbuilding the resultant impact on Sideland would not be significantly greater.
- 6.21 With regards to overlooking, 21 metres is required between facing windows. Again, due to the ground height differences, there are no windows proposed that would overlook windows of Sidelands.
- 6.22 The windows to the rear of the building would front towards an open area to the rear of the side and the trees beyond, a significant design away from properties situated on Brookside.
- 6.23 The Guide also recommends 7 metres between proposed upper floor windows and the rear boundary of the site if it adjoins a neighbouring rear garden. The windows proposed in the north elevation of the building correspond to bathrooms and a dressing room and as such could be obscurely glazed if required. The house would also be situated adjacent to the rear section of the garden of no.38 rather than closer to the house. The privacy of this property would be maintained.
- 6.24 The south side elevation of the house would have two first floor windows. A timber privacy screen is proposed to prevent any overlooking back toward the adjacent house and protect the neighbour's privacy.

Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT

KEY ISSUE 4: HIGHWAYS, ACCESS AND PARKING

- 6.25 The NPPF advises, at Paragraph 103, that significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of non-car transport modes.
- 6.26 It adds that schemes should give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and consider the needs of people with disabilities by all modes of transport.
- 6.27 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.28 Policy DM28 requires proposed car parking arrangements to meet the standards of the SPD on Parking for motor vehicles and bicycles, and to avoid unacceptable harm to the character of the area, or impact on on-street parking in the surrounding area. CS11 states that adequate parking must be provided to meet the needs of anticipated users, and that parking provision must ensure a balance between good urban design, highway safety and residential amenity.
- 6.29 Policy DM24 links to policy CS10, and requires development to avoid prejudicing highway safety and inhibiting access for emergency, public transport, service or waste collection vehicles.
- 6.30 The application is for a four bedroom property and therefore the parking requirement would be 3 spaces. A single garage is proposed as well as a parking for two cars and a turning area, allowing drivers to then leave the site in a forward gear. The parking provision (three vehicles) therefore accords with the relevant SPD, and the proposed development would therefore accord with policy DM28. The development would also include an appropriate level of covered and secure cycle storage.
- 6.31 The proposed dwelling, would utilise the existing access on to Ham Green. Parking has been created at the front of Sidelands for the use of that property and therefore the use of the access lane is solely for the new dwelling. The access has a wide visibility splay and low boundary walls to ensure good visibility and safe access on to the highway.
- 6.32 With regards to residential amenity, the access to the proposed dwelling would run between Sidelands and 42 Ham Green. This driveway is already in use by a single property and would only be used by the new dwelling once constructed. As a result

**Land to rear of Sidelands, 40 Ham Green Ham Green
PLANNING SUPPORTING STATEMENT**

there would be no increased impact on the neighbouring property in terms of noise and disturbance.

- 6.33 With regards to 40 Ham Green, a 1.8-metre-high close boarded fence is proposed between the existing dwelling and the access, which would act as an acoustic barrier, whilst the width and gradient of the access would limit the speed of any vehicle using the driveway. Furthermore, a single four bedroom dwellinghouse is unlikely to generate significant numbers of trips that would result in noise and disturbance that would impact on residential amenity, over and above the those resulting from the proximity of the dwelling to a road which provides a primary route into Pill from the A369, and on which a large secondary school is located. In conclusion, there are no highway safety or amenity issues which would conflict with the aforementioned policies.

KEY ISSUE 5: SUSTAINABLE CONSTRUCTION AND WASTE MANAGEMENT

- 6.34 In relation to policies in respect of sustainability a passivhaus is an ultra-low energy building. A passivhaus is specifically designed to provide high levels of occupant comfort while using very little energy for heating and cooling. Measures in creating a passivhaus can include very high levels of insulation, high performance windows, airtight building fabric and mechanical ventilation system with highly efficient heat recovery.
- 6.35 The house has been designed with sustainable construction at its heart. The Passivhaus design specifically seeks to reduce the energy requirements of the building. The energy efficiency of the building is therefore built into the building and the philosophy is continued through the entirety of the construction. The proposals therefore fully support policy CS2. The proposals also include the use of solar panels and which will further reduce the buildings reliance of non-renewable energy forms. The application has also been submitted with a sustainability/energy calculations which demonstrates how 10% of the energy needs are provided for by renewable energy.
- 6.36 A refuse store of a suitable size has been proposed as part of the development. The store would be sufficient to accommodate waste and all recycling receptacles. This store would be less than 30 metres from the dwelling and no more than 15metres from the road for collection in line with the Council's guidance.

7. CONCLUSIONS

- 7.1 The applicant submitted a pre-application enquiry in respect of the development of this site for housing. The principle of development was accepted at that time and the scheme has further been amended to take into consideration comments made in respect of the design of the building.
- 7.2 The building itself is not situated within the Green Belt and it does not impact on the openness of the Green Belt. Any works within the Green Belt section of the site are limited and largely incorporate existing features of the site.
- 7.3 The scheme has been designed as a Passivhaus and therefore energy conservation is at its core and the design of the building whilst varying from the local vernacular provides an interesting building which sits comfortably within its surroundings.
- 7.4 The impact on neighbouring properties has been carefully considered. The building has been sited some distance from the adjacent houses and the windows located to restrict overlooking.
- 7.5 The scheme provides an interesting new house on a previously development site within a settlement and sustainable location. The development is therefore suitable and should be supported.