



PLANNING STATEMENT

Land Adjacent to 32 Falcon Crescent
Weston-super-Mare
BS22 8RX

Prepared on behalf of
Beckstone Developments Ltd

January 2024

Contents

1	Introduction	3
2	Site Description	4
3	Planning History	5
4	The Proposal	7
5	Planning Policy Consideration	8
6	Key Planning Issues	13
7	The Principle of Development	13
8	Flood Risk	14
9	Living Conditions and Residential Amenity	17
10	Character and Appearance	18
11	Parking and Highway Safety	19
12	Ecology	19
13	Conclusions	20

1. Introduction

1.1. This planning statement is submitted in support of an application for the development of a single detached bungalow, associated amenity space, parking, and soft landscaping at land adjacent to 32 Falcon Crescent, Weston-super-Mare, BS22 8RX.

1.2. The full description of the development is as follows:

'Erection of 1 no. detached bungalow' (Re-Submission).

1.3. This statement provides details of the proposed development, an appraisal of the site and surrounding area, site planning history and an assessment of key planning issues within the context of the relevant planning policy.

1.4. To fully assess the application, this statement should be read in conjunction with:

- Application form and ownership certificate Planning Portal Reference: **PP-12592120**.
- Arboricultural Report and Landscape Report, prepared by Ross Consulting
- Community Infrastructure Levy (CIL) – Planning Application Additional Information Requirement Form
- Design and Access Statement, prepared by PDCM
- Energy Statement, prepared by EPS Group
- Flood Risk Assessment, prepared by Flume Consulting Engineers
- Flood Evacuation Procedure, prepared by Flume Consulting Engineers
- Flood Evacuation Procedure – Flood Evacuation Rote, prepared by Flume Consulting Engineers
- Sequential Test (incorporated within the FRA), prepared by Flume Consulting Engineers
- Planning Statement, prepared by Planning Developments Limited
- Full set of planning drawings:
 - PDCM 676-01 Location / Block Plan as Existing
 - PDCM 676-02 Floor Plan as Proposed
 - PDCM 676-03 Elevations as Proposed
 - PDCM 676-04 Location / Block Plan as Proposed

○ PDCM 676-05 Site Plan as Proposed

- 1.5. This application is a resubmission within 12 months of the decision (refusal 22/P/2666/FUL), the applicants and the description of development are the same as that for the previous application and therefore a planning application fee is not required.

2. Site Description

Site Location & Context

- 2.1. The site is located approximate 2.7 miles east of Weston-super-Mare centre on the north side of Falcon Crescent in the Mead Vale area of Weston-super-Mare and south of New Bristol Road.
- 2.2. The area is characterised by low density, suburban housing dating from the mid to late twentieth century. Development to the east / north east of the site form bungalow or dormer bungalow accommodation. Development to the west and south are two storey dwellings. The bungalow accommodation has pitched, tiled roofs and brick or render wall finishes.
- 2.3. The urban grain provides for a spacious, low density residential setting, with generous garden plots.
- 2.4. 32 Falcon Crescent forms a detached bungalow with generous garden space to the north and west side of the property. The proposal seeks the development of 1no. detached bungalow to the west of 32 Falcon Crescent.
- 2.5. Outside of the sites western boundary is a pedestrian footpath (benefiting from street lighting) which connects Falcon Crescent to Mead Vale. The development will not encroach onto the pedestrian footpath.
- 2.6. The site is level, and the existing bungalow is set back from the back edge of the carriageway (allowing sufficient space for two cars to be parked to the front of the dwelling) a characteristic of the development in this area with other dwellings having the area to the front of the built form laid to grass / landscaped.
- 2.7. There are bus stops on Mead Vale (circa 0.1 miles north west of the site) providing services to the centre of Weston-super-Mare, and Worle Terminus.
- 2.8. There is also a convenience store a short walk (circa 7 minutes) from the site located at Nightingale Court.

Authorised Use

2.9. The authorised use of the site is residential curtilage associated with 32 Falcon Crescent.

3. Planning History

3.1. A review of North Somerset Council's website has identified the following planning history related to the site.

Application No. 17/P/5490/FUL

Address 32 Falcon Crescent, Weston-super-Mare, North Somerset, BS22 8RX

Description Erection of a single storey dwelling

Decision Refused for the following reasons:

1. *The application site is in an area at risk from flooding and the application does not satisfactorily demonstrate that the proposal passes the Sequential Test and the first part of the Exception Test set out in paragraph 102 of the National Planning Policy Framework. The Local Planning Authority is not, therefore, satisfied that there are no alternative sites in the area that are reasonably available for development and have a lower probability of flooding, or that the proposal would provide wider sustainability benefits to the community that outweigh the flood risk. The proposed development is, therefore, considered to be at an unacceptable and avoidable risk of flooding, contrary to policy CS3 of the North Somerset Core Strategy, policy DM1 of the North Somerset Sites and Policies Plan (Part 1) and section 10 of the National Planning Policy Framework (and the associated Planning Practice Guidance).*
2. *The proposed development, by reason of its siting and the loss of an open green space, will result in a visually intrusive feature in the street scene and will be harmful to the local area as well as the public footpath, Mallard Way. This is contrary to policy CS12 of the North Somerset Core Strategy, policies DM25, DM32 and DM38 of North Somerset Sites and Policies Plan (Part 1), policy SA6 of the Sites and Policies Plan (Part 2) and the North Somerset Residential Design Guide SPD (Section 2: Appearance and Character of house extensions and alterations).*
3. *The proposed development, by virtue of its proximity to existing two-storey dwellings, would have an adverse impact upon the living conditions of future occupiers of the proposed*

dwelling by reason of a lack of privacy in the rear garden area. The proposal is therefore contrary to policies DM32 and DM38 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).

Date 13 April 2018

- 3.2. A full planning application (22/P/2666/FUL) for the 'Erection of 1no. detached bungalow' was registered by North Somerset Council on 24 November 2022.
- 3.3. Consultee comments were welcomed until 13 January 2023. The consultee comments published on North Somerset Council's website are summarised below:

Environment Agency – Comments dated 16 December 2022 advised "Provided the Local Planning Authority (LPA) is satisfied the requirements of the Sequential Test under the National Planning Policy Framework (NPPF) are met, the Environment Agency would have no objection, in principle, to the proposed development, subject to the inclusion of the following condition within the Decision Notice:

CONDITON:

Finished floor levels shall be set no lower than 6.2 metres above Ordnance Datum (AOD).

REASON:

To reduce the risk of flooding to the proposed development and future occupants."

Weston Town Council – "support application."

- 3.4. A Flood Risk Assessment including a Sequential and Exception Test dated August 2022, accompanied the planning application.
- 3.5. A standalone Sequential and Exception Test dated March 2023 was subsequently submitted to North Somerset Council and uploaded to the Council's planning portal on the 8 June 2023.
- 3.6. The application was subsequently, refused on the 7 July 2023 for the following reasons:
1. *The application site is in an area at risk from flooding and the application does not demonstrate that the proposal passes the Sequential Test and the first part of the Exception Test set out in section 14 of the National Planning Policy Framework. The Local Planning Authority is not, therefore, satisfied that there are no alternative sites in the area that are reasonably available for development and have a lower probability of flooding, or that the proposal would provide wider sustainability benefits to the community that outweigh the flood risk. The proposed development is, therefore, considered to be at an acceptable and avoidable risk of flooding, contrary to policy CS3 of the North Somerset Core Strategy, policy DM1 of*

the North Somerset Sites and Policies Plan (Part 1) and paragraphs 155-161 of the National Planning Policy Framework (and the associated Planning Practice Guidance).

2. *The proposed development is below the DCLG's Technical Housing Standards-Nationally Described minimum space standards which would have an adverse impact upon the living conditions of future occupiers, by reason of providing a substandard living accommodation. In this respect, the proposals conflicts with policies CS3 and CS12 of the North Somerset Core Strategy and policies DM32, DM37 and DM42 of the Site and Policies Plan (Part 1), DCLG's Technical Housing Standards and Section 11 of the National Planning Policy Framework.*

4. The Proposal

- 4.1. The proposal seeks the development of 1no. detached bungalow, amenity space and parking on land to the west of 32 Falcon Crescent.
- 4.2. The proposed dwelling will be designed to reflect the host building and the surrounding built form.
- 4.3. The dwelling will form a single storey 2-bedroom bungalow, with a safe refuge space in the loft should there be a flood occurrence.
- 4.4. Following the refusal of planning application 22/P/2666/FUL the scheme has been reviewed, assessed against officer comments contained within the officer report and revised as follows:
 - The floor area has increased to meet the nationally described space standards for a single storey 2-bedroom dwelling.
 - The Sequential and Exception Test (dated March 2023) accompanying this resubmission provides the information / level of detail officers requested within their Delegated Report.
- 4.5. The dwelling will accommodate the following:
 - Lounge
 - Kitchen
 - Bedroom 1
 - Bedroom 2
 - Family bathroom
 - Storage

- Flood refuge

4.6. As noted above the proposed dwelling will include a safe refuge space of 2.5m wide and 2.1m height (at the ridge) within the loft area should a flood event occur.

4.7. The materials to be employed will reflect that of the surrounding dwellings and are proposed as follows:

Walls: Face brick to match adjoining properties

Roof: Double roman tiles to match adjoining properties

Windows and Doors: White UPVC

Joinery: White UPVC

Rainwater Goods: White UPVC

4.8. Vehicular access to the dwelling will be achieved from Falcon Crescent and will accommodate two parking spaces to the front of the dwelling.

4.9. A comprehensive landscape scheme has been prepared and accompanies this formal submission.

4.10. It is contended that the design, mass, scale, bulk of the proposal respects and sits comfortably alongside the existing built form and within the street scene.

5. Planning Policy Consideration

5.1. This section discusses the relevant legislative and planning policy context associated with the site.

5.2. Applications for planning permission should be determined in accordance with the adopted development plan unless material considerations indicate otherwise in accordance with the legislative requirements set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.

5.3. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that the local planning authority shall have regard to the provision of the development plan, so far as material to the application, and to any other material considerations.

The Development Plan

5.4. The relevant Development Plan for the area comprises:

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

- The Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016)
- Site and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

North Somerset Core Strategy

- 5.5. The site is located within the settlement boundary of Weston-super-Mare where residential development is acceptable in principle (Policy CS28 of the Core Strategy and Policy SA2 of the Sites and Policies Plan Part 2 (Site Allocations Plan)).
- 5.6. Policy CS28: Weston-super-Mare, advises “Weston-super-Mare will be the primary focus for development within North Somerset. A minimum of 12,800 dwellings will be delivered over the plan period at Weston-super-Mare..... New development proposals at Weston-super-Mare within or adjoining the settlement boundary should take into account the following objectives:
- provide high quality design.”
- 5.7. Policy SA2: Settlement boundaries, states “Settlement boundaries for the towns, service and infill villages are shown on the Policies Map. Residential development within the settlement boundaries will be acceptable in principle subject to the detailed policies of the Core Strategy, Sites and Policies Plan Part 1: Development Management Policies, and any relevant neighbourhood plans.”
- 5.8. The site is also within the North Somerset and Mendip Bats Special Area of Conservation (SAC) (Policy CS4 of the Core Strategy) and flood zone 3 (Policy CS3 of the Core Strategy, and Policy DM1 of the Sites and Policies Plan Part 1).
- 5.9. Policy CS3: Environmental impacts and flood risk assessment, states “Development in zones 2 and 3 of the Environment Agency Flood Map will only be permitted where it is demonstrated that it complies with the sequential test set out in the National Planning Policy Framework and associated technical guidance and, where applicable, the Exception Test, unless it is:
- Development of a category for which National Planning Policy Framework and associated technical guidance makes specific alternative provision; or
 - Development of the same or a similar character and scale as that for which the site is allocated, subject to demonstrating that it will be safe from flooding, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

For the purposes of the Sequential Test:

1. The area of search for alternative sites will be North Somerset-wide unless:

- It can be demonstrated with evidence that there is specific need within a specific area; or
- The site is located within the settlement boundaries of Weston (including the new development areas), Clevedon, Nailsea and Portishead, where the area of search will be limited to the town within which the site is located.”

5.10. Policy CS4: Nature Conservation, states “The biodiversity of North Somerset will be maintained and enhanced by:

2) seeking to ensure that new development is designed to maximise benefits to biodiversity, incorporating, safeguarding and enhancing natural habitats and features and adding to them where possible, particularly networks of habitats. A net loss of biodiversity interest should be avoided, and a net gain achieved where possible.”

5.11. Policy DM1: Flooding and drainage, states “All development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impact of climate change, up to 100 years ahead on residential or mixed use sites..... All development that would increase the rate of discharge of surface water from the site must consider its implications for the wider area, including revised or amended proposals.....”

5.12. The following policies are also of relevance to the proposed development.

5.13. Policy CS11: Parking, states “Adequate parking must be provided and managed to meet the needs of anticipated users (residents, workers and visitors) in usable spaces. Overall parking provision must ensure a balance between good urban design, highway safety, residential amenity and promoting town centre attractiveness and viability.

New developments must seek to maximise off street provision, assess where on-street provision may be appropriate, demonstrate that buses, service and emergency vehicles are not restricted, and ensure that the road network is safe for all users.

Detailed parking policy guidance for all forms of development will be provided as part of the Sites and Policies Development Plan Document.”

5.14. Policy CS12: Achieving high quality design and place making, advises “High quality architecture and urban design will be sought from development demonstrating a robust design process to generate solutions that have clearly considered the existing context.....

Proposals of all scales will be required to demonstrate sensitivity to the existing local character already established in an area and should take the opportunity to enhance the sense of place and local identity through a well thought out design.”

5.15. Policy CS34: Infrastructure delivery and development contributions, states “Development proposals will be expected to provide a contribution towards the cost of infrastructure.”

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

5.16. Policy DM2: Renewable and low carbon energy, advises “New development will also be required to demonstrate the application of renewable and low carbon energy generation as part of the energy statement for that site.”

5.17. Policy DM8: Nature Conservation, states “Development proposals must take account of their impact on local biodiversity and identify appropriate mitigation measures to safeguard or enhance attributes of ecological importance.”

5.18. Policy DM9: Trees and Woodland, the policy aim is to incorporate existing trees and wooded areas into design proposals where practical. Ensure the planting of new trees is properly designed and adequately maintained in the longer term and recognise the place-making quality of trees.

5.19. Policy DM10: Landscape, advises “All development proposals should:

- Include appropriate landscaping and boundary treatments in the scheme.”

5.20. Policy DM24: Safety, traffic and provision of infrastructure etc associated with development, states “Development will be permitted provided it would not prejudice highway safety or inhibit necessary access for emergency, public transport, service or waste collection vehicles.”

5.21. Policy DM25: Public rights of way, pedestrian and cycle access, states “Development that would reduce, sever or adversely affect the use, amenity or safety of public rights of way and other forms of public access, or prejudice the planned development of the network will only be permitted if acceptable provision is made to mitigate those effects, or divert or replace the right of way or other form of access, before the development commences.”

-
- 5.22. Policy DM28: Parking Standards, advises “Development proposals should meet the council’s standards for the parking of motor vehicles and bicycles.”
- 5.23. Policy DM32: High quality design and place making, advises “The design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places when opportunities for physical activity and recreation are maximised. 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. Design solutions should seek to enhance local distinctiveness and contribute to the creation of a sense of place and identity.”
- 5.24. Policy DM37: Residential development in existing residential areas, states “Any proposal for new dwellings on infill, backland plots, garden land or other sites within predominantly residential areas will only be permitted if it does not adversely affect the character of the area.”
- 5.25. Policy DM42: Accessible and adaptable housing and housing space standards, advises “Where practical and viable, the Council expects all new build market and affordable housing (across the tenures) to comply with the DCLG’s ‘Technical housing standards – nationally described space standard’.”
- 5.26. Policy DM71: Development contributions, Community Infrastructure Levy and viability, states “A CIL Charging Schedule will be prepared separately, and this will detail the breakdown of charges applied across North Somerset. These charges will be separate to Section 106 Agreements and will be pursued in relation to the relevant regulations.”

Other Material Policy Guidance

National Planning Policy Framework (NPPF) (December 2023)

- 5.27. The following is of relevance to the proposed development:

Chapter 2: Achieving sustainable development

Chapter 5: Delivering a sufficient supply of homes

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

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 2021)
- Biodiversity and Trees SPD (adopted December 2005)
- North Somerset and Mendip Bat Special Areas of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)

6. Key Planning Issues

6.1. The proposed development is well mannered and makes efficient use of the Site whilst respecting the character and setting of the locality. The design approach draws on the character of the neighbouring and surrounding residential development, resulting in an attractive residential dwelling.

6.2. The Planning Statement includes an assessment of the following range of issues:

- The Principle of Development
- Flood Risk
- Living Conditions and Residential Amenity
- Character and Appearance
- Parking and Highway Safety
- Ecology

6.3. Each issue is discussed below.

7. The Principle of Development

7.1. The site is located within the settlement boundary of Weston-super-Mare where residential development is acceptable in principle in accordance with policy CS28 of the Core Strategy and Policy SA2 of the Sites and Policies Plan Part 2 (Site Allocations Plan).

- 7.2. Policy CS12 of the Core Strategy and Policy DM32 of the North Somerset Sites and Policies Plan (Part 1) require a high standard of design in all new developments Policy DM37 of the Sites and Policies Plan (Part 1) provides other criteria, such as design requirements, the need to protect living conditions of neighbours, and the need to provide adequate amenity space (these matters are discussed in subsequent sections below).
- 7.3. Paragraph 70 of the NPPF advises “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. To promote the development of a good mix of sites local planning authorities should:
- d) 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.”
- 7.4. Officers have stated within their Delegated Report published on the Council’s website on 7 July 2023 and associated with the refused application (Application No. 22/P/2666/FUL) that “At present the Council cannot demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (NPPF), with the current supply position standing at 3.5 years. This means that for applications involving the provision of housing, the policies which are most important for determining the application are deemed to be out of date and the application should be considered favourably unless the proposal conflicts with specified NPPF policies or the adverse impacts would significantly and demonstrably outweigh the benefits (NPPF paragraph 11).”
- 7.5. It is contended that the principle of development in this location is acceptable subject to compliance with other policies of the Local Plan and NPPF.

8. Flood Risk

- 8.1. The site is located within flood zone 3. The Council’s assessment of the proposal concluded “the proposed development is, therefore, considered to be at an unacceptable and avoidable risk of flooding and may increase flood risk elsewhere, contrary to policy CS3 of the North Somerset Core Strategy, policy DM1 of the North Somerset Sites and Policies Plan (Part 1) and paragraphs 159-167 of the National Planning Policy Framework (and the associated Planning Practice Guidance).”
- 8.2. The application was subsequently refused on the following ground:

“The application site is in an area at risk from flooding and the application does not demonstrate that the proposal passes the Sequential Test and the first part of the Exception Test set out in section 14 of the National Planning Policy Framework. The Local Planning Authority is not, therefore, satisfied that there are no alternative sites in the area that are reasonably available for development and have a lower probability of flooding, or that the proposal would provide wider sustainability benefits to the community that outweigh the flood risk. The proposed development is, therefore, considered to be at an unacceptable and avoidable risk of flooding, contrary to policy CS3 of the North Somerset Core Strategy, policy DM1 of the North Somerset Sites and Policies Plan (Part 1) and paragraphs 155-161 of the National Planning Policy Framework (and the associated Planning Practice Guidance).”

- 8.3. The site is defended against predicted events up to and including the 0.1% Annual Exceedance Probability (AEP) flood level. It is also protected from the 1 in 200-year flood level including a future allowance for climate change, thus ensuring the development site remains flood-free.
- 8.4. The applicant and their flood risk consultant have reviewed the Officers Report and would provide the following comments and clarification for further consideration by the Council.
- 8.5. During the consultation process the Environment Agency and North Somerset Council both confirmed the submitted Flood Risk Assessment was acceptable. This supports the applicant and their consultant’s position that the proposed development adequately addresses flood risk concerns.
- 8.6. A separate Sequential Test dated March 2023 was submitted to the Council and subsequently published on the Council’s website on 8 June 2023. The Sequential Test accompanies this resubmission application.
- 8.7. The Officer highlighted concerns within their Report regarding the application’s compliance with the Sequential and Exception Tests outlined in Section 14 of the NPPF, particularly regarding the narrow search being limited to Weston-super-Mare.
- 8.8. The Council’s attention is drawn to the arguments set forth in the “Definition of the Study Area” chapter within the Sequential and Exceptions Test report for a strong reason for this choice of study area.
- 8.9. Furthermore, the study area aligns with the Council’s own Policy CS3, which states:

“For the purposes of the Sequential Test:

1. The area of search for alternative sites will be North Somerset-wide unless:
 - It can be demonstrated with evidence that there is specific need within a specific area; or
 - The site is located within the settlement boundaries of Weston (including the new development areas), Clevedon, Nailsea and Portishead, where the areas of search will be limited to the town within which the site is located.”
- 8.10. The Council’s stance that the applicant should review sites within North Somerset (a very large catchment area) and therefore widen their study area is unreasonable for a single infill dwelling and not in line with their own adopted policy.
- 8.11. Furthermore, the NPPG supports this view stating, *“For individual planning applications subject to the Sequential Test, the area to apply the test will be defined by local circumstances relating to the catchment area for the type of development proposed.”*
- 8.12. The planning officer goes on to state *“The search could have been expanded to local estate agents and the council planning website including the consideration of sites with planning permission for residential development.”* This statement is contended given that Figure 4 of the Sequential Test lists the sites used from the SHLAA and online Estate Agents. Furthermore, none of the alternative sites were viable due to failing Condition 2 (Site size is similar to the proposed site size; suitable sites between 0ha and 0.0075ha).
- 8.13. The planning officer continues *“As the proposal is for a single dwelling it is understood that strategic sites may not be suitable, although the Planning Practice Guidance (PPG) suggests that alternative sites could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development (paragraph 28).”*
- 8.14. The applicant’s flood risk consultant evaluated allocations/planning approvals within the last 5 years, utilised platforms such as Rightmove, etc, to identify either single-dwelling sites or sites of a comparable size. This is set out within the Sequential Test.
- 8.15. The development will provide additional residential capacity in the local area. North Somerset Council are proposing to build more than 20,000 new homes by 2038. Weston-super-Mare aims to facilitate 3,000 new homes. However, it is estimated that North Somerset falls nearly 6,000 dwellings short of their own target.
- 8.16. However, the draft Local Plan 2038 confirms that the Council can meet *‘90% of the government’s housing requirement and there remains a shortfall of 2,039 homes to find.’* The Officers delegated

report admits there is a clear shortfall in homes to find and therefore a strong argument for development in the area.

8.17. In addition, unlike the other single storey properties in the vicinity of the proposed development site, the proposed new dwelling has been designed to incorporate a safe refuge for future occupants should a flood event occur.

8.18. The dwelling will also be constructed with resilience measures in mind, such as non-return valves on the surface water and foul drainage outlets to ensure that during a flood event there is no risk of flood water backing up the drainage systems. All service entries will be designed to provide any flood water ingress. Any electrical circuitry and apparatus should be installed as high as reasonably practicable. Alternatively ground based electrical installations should be designed to withstand flooding.

8.19. Flood resilient building materials will be included and would include such measures as:

- Sealed service ducts
- High level electrical sockets.

8.20. A suitably worded condition can be attached to any forthcoming planning permission requiring the submission of details of flood resilient design measures and a flood emergency plan prior to the commencement of development.

8.21. The applicant and their Project Team contend that the Sequential Test issued to the planners previously and which accompanies this resubmission application, accords with Local Plan Policies, and constitutes the reason for adopting a reasonable and “pragmatic approach” (NPPG Para.27), added to the flood resilient measures proposed, and the safe refuge should a flood event occur, there is weight for officers to support such a proposal in this location.

9. Living Conditions and Residential Amenity

9.1. The scheme was previously refused on the basis that “the proposed development is below the DCLG’s Technical Housing Standards-Nationally Described minimum space standards which would have an adverse impact upon the living conditions of future occupiers, by reason of providing a substandard living accommodation. In this respect, the proposal conflicts with policies CS3 and CS12 of the North Somerset Core Strategy and policies DM32, DM37 and DM42 of the Sites and Policies

Plan (Part 1), DCLG's Technical Housing Standards and Section 11 of the National Planning Policy Framework."

- 9.2. The total floor area for the refused scheme measured approximately 57sqm. Officers of North Somerset Council advised that the proposal failed to comply with the Nationally Described Space Standard (DCLG, March 2015) which requires a minimum of 61sqm.
- 9.3. It was therefore considered that the future occupants of the proposed dwelling would have a cramped standard of accommodation.
- 9.4. The floor area has been increased from 57sqm to 61sqm to comply with the Nationally Described Space Standard.
- 9.5. We therefore contend that this matter has been resolved and the development accords with policies DM32, DM37 and DM42 of the Sites and Policies Plan (Part 1).

10. Character and Appearance

- 10.1. The area within which the site is located is characterised by low density, suburban housing. The housing is predominantly detached bungalows and semi-detached two storey dwellings, with housing types set in groups. Dwellings are set back from the road.
- 10.2. The proposed development reflects the size of the neighbouring bungalows. The western boundary is currently formed by mature overgrown trees and hedges. As part of the development, it is proposed to remove the trees/hedges and replace with a 1.8m high fence (lower than the existing boundary vegetation).
- 10.3. Officers stated within their report *"concerns have been raised about the erection of fencing, as it would create a tunnelling effect with the existing pathway at the side of the site. However, as there is existing hedging on the boundary that is higher than the proposed fencing and bungalow, it is considered the proposal would not have any greater impact on the adjoining pathway compared with the existing."*



Photograph 1: Streetview image taken from Falcon Crescent

- 10.4. The applicant concurs with officer's conclusion extracted from the officer report at Paragraph 10.3 above.
- 10.5. Indeed, there will be a net enhancement in terms of the experience of users of the footpath to the west of the site (Mallard Walk) on the replacement of the trees / hedges for a 1.8m high fence as this will also allow the existing street lamps that align Mallard Walk to provide additional light to the footpath, creating openness rather than a tunnelling effect.
- 10.6. Furthermore, officers also confirmed that the loss of light or privacy to adjoining residential dwellings will be minimal and therefore the proposed development complies with the relevant tests contained within the Residential Design Guide (Section 1: Protecting living conditions of neighbours) and would not result in a significant adverse impact upon the living conditions of neighbouring residents.
- 10.7. A soft landscaping scheme for the amenity area of the dwelling accompanies this submission. We therefore contend that the proposal would not unacceptably harm the characteristics of the existing site or the character of its surroundings.
- 10.8. In this respect, the proposal complies with policy CS12 of the Core Strategy, policies DM32 and DM37 of the Sites and Policies Plan (Part 1).

11. Parking and Highway Safety

- 11.1. The parking proposed as part of the development reflects that of the adjoining residential development.

- 11.2. Officers confirmed that the on-site parking provision for the proposed development is adequate and complies with the standards set out in the North Somerset Parking Standards SPD.
- 11.3. The applicant is aware that any new works within the highway boundary must be to the Council's specification and prior to any works commenting they must arrange with the Council's Network Management Team for authorisation of the works within the highway.
- 11.4. It is contended that the proposal is in accordance with policies DM24, DM28 and DM37 of the Sites and Policies Plan (Part 1).

12. Ecology

- 12.1. Officers stated within their report for the refused application *"the site comprises various hedging and long grass and has not been managed for a number of years. As such, there is potential for the site to be used by protected species e.g. slow worms, nesting birds. If the application was to be approved, a condition could be attached requesting a survey is carried out prior to the commencement of development."* The applicant would be happy to accept such a condition.
- 12.2. The applicant acknowledges officers' comments with respect to on site features potentially being used by bats and that an advice note may be recommended warning the applicant of the requirements should bats be encountered during the development works.

13. Summary and Conclusions

- 13.1. North Somerset Council (as confirmed within the officer report for refused application no. 22/P/2666/FUL) cannot demonstrate a five-year supply of deliverable housing sites, with the current supply position standing at 3.5 years. Therefore, this means that for applications involving the provision of housing, the policies which are most important for determining the application are deemed to be out of date and the application should be considered favourably unless the proposal conflicts with the specified NPPF policies or the adverse impacts would significantly and demonstrably outweigh the benefits (NPPF December 2023 paragraph 11).
- 13.2. The applicant and their Project Team have reviewed comments received from officers during the refused application process, and within this resubmission provided additional information and clarification for officer's consideration.

- 13.3. They contend that the Sequential Test issued to the planners previously and which accompanies this resubmission application, accords with Local Plan Policies, and constitutes the reason for adopting a reasonable and “pragmatic approach” (NPPG Para.27).
- 13.4. The development proposals ensure that local housing needs are met, meeting the objectives of the Exceptions Test by providing wider sustainability benefits to the community that outweigh the flood risk.
- 13.5. The proposed floor area now accords with the Nationally Described Space Standard, without comprising the design of the dwelling in the context of the surrounding development.
- 13.6. It is agreed that matters of concern raised by residents regarding the erection of fencing along the western boundary will not have any greater impact on the adjoining pathway compared with the existing.
- 13.7. Furthermore, the matter of loss of light or privacy to adjoining residential dwellings was previously assessed as minimal by officers, given the proposed development mirrors that previously refused it is contended that this remains the case.
- 13.8. A soft landscaping scheme for the amenity area of the dwelling accompanies this resubmission.
- 13.9. Officers confirmed that the on-site parking provision for the proposed development is adequate and complies with the standards set out in the North Somerset Parking Standards SPD.
- 13.10. It is contended that the reasons for refusal attached to planning application 22/P/2666/FUL have been addressed and that the proposed development accords with Core Strategy policies CS3 and CS12 and Policies SA2, DM1, DM24, DM28, DM32, DM37, DM42 of the Sites and Policies Plan (Part 1) and is worthy of approval.