

Appeal Decision

Site visit made on 6 December 2021 by B Phillips BSc MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref: APP/D0121/D/20/3264268

3 The Avenue, Clevedon BS21 7EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Bassett against the decision of North Somerset Council.
 - The application Ref 20/P/1440/FUH, dated 26 June 2020, was refused by notice dated 10 September 2020.
 - The development proposed is a three storey side extension and garden level rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the existing property and surrounding area.

Reasons for the Recommendation

5. No 3 The Avenue sits along a residential street mostly characterised by large, detached dwellings set back from the street in sizable plots. Whilst further along the road dwellings are primarily 20th century and of varying styles, this part of the road is largely Victorian. The Victorian dwellings are of several different designs, but are consistently characterised by stonework with quoins and fine, decorative architectural detailing. Separation distances between properties along the street vary, however there remains a spacious feel due to the set back of the properties from the road.

6. No 3 is one of three double-gabled Victorian properties of similar design and scale, and whilst not subject to any formal designation, they are constructed with high quality materials and detailing. No 3 is set back from the road within a generous plot, providing this part of the road in particular with a spacious sense of openness.
7. When standing on the pavement the upper parts of the existing dwelling are visible above the existing boundary treatments, and the detached front garage is visible in the gaps between the pollarded street trees, as well as through the access. Given the scale of the proposed side extension, parts of its roof and upper floor would also be visible from these public viewpoints.
8. While other properties locally have timber and render detailing, most are more modern and of a very different style than the appeal property. Where these materials are found on Victorian dwellings it is as small areas of decoration, not to the extent proposed here. Although a deliberate contrast, the 'Tudor' style materials proposed for the side extension would be distinctly at odds with the characteristic fine architectural detailing and stonework of this Victorian property. Consequently, the use of these materials in the way proposed would not respect the form of the existing dwelling.
9. The mono-pitched roof form would reduce the overall massing of the proposed side extension, but would be very different to the steep gables that are important features of this dwelling and others locally of the same era. This roof form, in combination with the use of materials, would result in an incongruous appearance that would contrast sharply and harmfully with the traditional Victorian form of the existing property. The separation created by the proposed gap to the main roof would not lessen this visual incongruity.
10. The proposed side extension would be wider than the adjoining gable but the same width as the other gable. It would result in a bulky addition that would significantly alter the form of the property. There are three-bay Victorian properties opposite with a similarly wide frontage, however the appeal site together with its neighbours was designed differently, and does not have the largely symmetrical form or proportions of those opposite. The proposal would harm the consistent design ethos of the three dwellings and, therefore, would not be sensitive to local character or integrate with the surrounding environment.
11. The proposal would bring built development closer to the side boundary with No 1a than at present. However, as this neighbouring property is a bungalow and the nearest 2 storey property is some distance away, there would remain a substantial gap above ground floor level. Therefore, the reduction of the gap by a few metres would not harmfully diminish the sense of openness in this part of the road close to the junction.
12. Nevertheless, given the visibility of the side extension from the road and unsympathetic contrasting form and materials, it would be an incongruous and harmful addition which would harm the character and appearance of the existing property. While the extent of the original dwelling would still be apparent, the proposed side extension would visually compete with the existing dwelling and would not respect the characteristics of the site or surrounding area. The proposal would also detract from the traditional character of this part of the Avenue and would not add to the overall quality of the area.

13. I recognise the appellant's intention to create a clear visual distinction between the existing dwelling and proposed extension. I also appreciate that the appellant sought advice from the Council on various options for the site, as encouraged by the Framework. However, while the Framework supports innovative design, this is subject to the caveat that such designs fit in with the overall form and layout of their surroundings. For the reasons above the proposal would not achieve this.
14. There is an existing modern lower ground floor level rear extension, and the proposed rear extension would not be visible from the public realm. Therefore, the contemporary design proposed on that element would not harm the character or appearance of the surrounding area. However, in combination with the side extension, the scale of the extended rear ground floor level would overwhelm the form and character of the original property, harming its appearance.
15. Whilst the proposed development would replace existing unsympathetic extensions, these are significantly smaller than the extensions proposed and have substantially less visual impact. Therefore, their removal would not justify the harm identified.
16. Accordingly, the proposed development would harm the character and appearance of the existing property and surrounding area. Therefore, it would conflict with Policy CS12 of the North Somerset Council Core Strategy and Policies DM32 and DM38 of the North Somerset Council Development Management Policies Sites and Policies Plan Part 1 which collectively require development to be of a high standard of design and respect the characteristics of the site. It would also conflict with the advice set out in the Supplementary Planning Document Residential Design Guide Section 2 (2014) which sets out that overly large extensions that harm the visual quality of an area will not be granted planning permission.

Other Matters

17. It is proposed that the construction will follow modern sustainable construction techniques to reduce energy consumption, however it has not been demonstrated that improvements to the existing dwelling are not possible without the proposed extensions. I also recognise that the proposal would allow for modernising and improving the standard of accommodation to meet the appellant's requirements. However, while the existing layout may not be convenient there is no substantive evidence before me that the building cannot function as a single, family dwelling for modern living.
18. There may be some benefits to retaining the property as a single family home in an area where many are split up or converted to other uses, however it has not been demonstrated that the existing property would not be retained as such without the proposed development. The economic benefits of the construction would also be modest, given the quantum of development in this case. Therefore, I give these benefits limited weight.
19. The appellant points to the scale of the plot and the possibility of erecting an outbuilding of similar scale to the rear extension element under permitted development rights. It is not clear how a separate structure would provide similarly improved accommodation and as such, I do not consider this a realistic fallback position. Therefore, this carries very limited weight.

Conclusion and Recommendation

20. The proposal would be harmful to the character and appearance of the existing property and area in conflict with the development plan, to which I afford very substantial weight. There are no material considerations, including the provisions of the Framework and benefits of the scheme, which outweigh this harm. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

L McKay

INSPECTOR