
Appeal Decision

Site visit made on 25 June 2024

by J.J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/D0121/D/24/3344678

22 Edward Road South, Clevedon, North Somerset BS21 7HZ

- 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 N Lownds against the decision of North Somerset Council.
 - The application Ref 24/P/0206/FUH, dated 30 January 2024, was refused by notice dated 17 May 2024.
 - The development proposed is first floor extension, including raising ridge height by approx 1m. Rear extension (3.5m) + new terrace.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It was apparent from my visit that the works to extend the property had commenced. Notwithstanding this, I have determined the appeal on the basis of the submitted drawings rather than what has occurred on site.

Main Issues

3. The main issues in this case are, firstly the effect of the proposed extensions on the character and appearance of the host building and upon the surrounding area; and secondly, the effect upon the living conditions of nearby residents, having particular regard to privacy.

Reasons

Character and Appearance

4. The appeal property is a detached bungalow positioned within a residential area comprising mostly detached dwellings. To the northern side of the road there are mostly houses, whilst to the other side there are a variety of styles of bungalows. There are a few replacement dwellings in the area, and other properties have been extended. The land drops steeply downhill towards the south, and several of the bungalows have accommodated the topography by having two storey rears. Notwithstanding the alterations that have occurred over time, the dwellings in the area have essentially conventional forms and palettes of materials.
5. 22 Edward Road South (No 22) is part of a long row of detached bungalows to the southern side of the road. These bungalows have a variety of styles as well as a number of repeated similarities in that they are constructed of brick,

render and tile, with pitched roofs, low eaves and similar ridge heights. The similarities that exist between the bungalows gives a cohesive, harmonious appearance to the street scene, in which no one building dominates. No 22 contributes to this cohesion as it shares many of these attributes, and this and its position within the row, are such that it positively contributes to the area's distinct character and appearance.

6. The proposed dwelling would harmfully disrupt this cohesion. The height and depth of the extensions would overwhelm the modest dimensions of the host building. Instead of being a modestly sized single storey bungalow, the extensions would result in a tall and deep two storey house, and these changes would be such that the contribution the existing dwelling makes to the area would be lost. The introduction of a two storey, vertically emphasised building would be an alien addition in a row of dwellings that from the street scene are one or one-and-a-half storey homes.
7. Furthermore, the shallow pitched asymmetric roof would be conspicuously at odds within a context whereby the conventional forms of the houses and bungalows creates a legible identity to the area. The form of the roof, its long depth and elevated height, along with the provision of cladding upon the front elevation, would result in a house that would be unacceptably intrusive in an area comprising conventionally designed bungalows, with pitched roofs and constructed from a palette of brick, render and tiles.
8. The alien appearance of the house would be further exaggerated by the height of the building. The original bungalow had a gable front, albeit the eaves maintained the low-level pattern that is found in the nearby buildings. Even though the ridge would be slightly higher than that of 24A Edward Road South (No 24A), the increased height of the dwelling would be readily apparent above nearby roofs, and particularly so as it would extend for a substantial depth into its plot. The design, size, height, and materials of the extended dwelling would be conspicuously intrusive in a row of similar sized, conventionally styled homes. Moreover, the dominating impact of the dwelling would be seen from long distances away, thereby exaggerating its harmful prominence.
9. The appellant has drawn my attention to a number of other cases. One of these schemes is in a different town (i.e., 3 Down Road, Portishead, application reference 18/P/4082/FUH), and although having an asymmetric roof it does not have the strong vertical emphasis of the appeal proposal. As regards 24 and 4 Edward Road South (application references 14/P/1015/F and 22/P/3004/FUL respectfully) both dwellings appear to broadly respond to the context of their positioning with regard to eaves and ridge heights. Given this, these cases do not form binding precedents for permitting the appeal.
10. Reference has been made by the appellant to permitted development rights for the ground floor. However, the works proposed are substantially more than works to the ground floor, and as works are currently ongoing, including those that are at first floor level, the comparison that the ground floor works may be permitted development is limited.
11. The town council are in support of the scheme, with the appellant referring to the absence of local objection. Nevertheless, for the reasons given above the extensions would unacceptably harm the character and appearance of the host building and also that of the surrounding area, and the suggested conditions would not overcome these harms. The scheme would fail to accord with Policy

CS12 of the North Somerset Core Strategy (2017), Policies DM32 and DM38 of the North Somerset Sites and Policies Plan (2016) (SPP), and the supporting Residential Design Guide Supplementary Planning Document (2013 and 2014) (SPD). These seek amongst other things, high quality development that demonstrates sensitivity to local character and setting, enhancing local distinctiveness and contributing to sense of place, as well as requiring extensions to respect the massing, scale, proportions, materials and overall design and character of the host, thereby reflecting objectives of the National Planning Policy Framework (the Framework).

Living Conditions

12. There is a public footpath separating No 24A from the appeal property, with both dwellings being positioned close to their side boundaries. No 24A has kitchen and dining room windows facing the footpath, with a tall boundary fence providing privacy for the occupiers of this property.
13. The provision of a bedroom window within the northern elevation of the appeal property would result in future occupiers being able to look directly into rooms of No 24A, as well as having oblique views into the rear garden of this property. This direct and close overlooking would result in an unacceptable loss of privacy to the occupiers of No 24A. The appellant has suggested obscure glazing of the window, but as it would serve a bedroom, such glazing would provide a restricted and oppressive outlook for the occupiers of this room. Even if such glazing was provided, the occupiers of No 24A would still feel overlooked due to the elevated proximity of the window, and irrespective of any obscure glazing there would still be views into the neighbouring property when the window was opened.
14. For these reasons, the scheme would have a significant and unacceptably harmful impact upon the living conditions of nearby residents, and the suggested conditions would not overcome this harm. Such an impact would be contrary to the requirements of SPP Policy DM38 and the supporting guidance in the SPD, as these seek, amongst other things, that extensions should not prejudice the living conditions of occupiers of adjoining properties, thereby reflecting similar objectives of the Framework.

Other Matters

15. Local residents and the appellant have raised concerns as to the Council's handling of the original application, including publicity and notification, and lack of a site inspection and communication. Such concerns fall to be pursued by other means separate from the appeal process and are not for me to consider.

Conclusion

16. The proposal would harm the character and appearance of the host building and the surrounding area and would result in unacceptable living conditions for nearby residents. The scheme would conflict with the development plan taken as a whole, and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J.J Evans INSPECTOR