

**3 Storey Side Extension; Rear Extension to Garden Level  
Rooms; Alteration to Kitchen Entrance**

**At**

**3 The Avenue , Clevedon , BS21 7EB**

**Planning Statement**

**Obo**

**Mr Andrew Bassett**

Planning Portal Reference –

PP

Earlsfield Town Planning Reference –

ETP/1173

Date -

30<sup>th</sup> October 2019

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## 1. Introduction

- 1.1. This Planning Statement is prepared on behalf of Mr Andrew Bassett to support an application for planning permission for the erection of a 3 storey side extension, rear extension to garden level rooms and alteration to kitchen entrance within the residential curtilage of 3 The Avenue, Clevedon , BS21 7EB.
- 1.2. The application is submitted on the Planning portal under reference PP????? and is supported by;
  - Application Form
  - 1:1250 OS Location Plan
  - 1:500 Existing Site Plan
  - 1:500 Proposed Site Plan
  - Drawing V1 Existing Elevations
  - Drawing V1 Existing Plans
  - Drawing Proposed Elevations 91019
  - Drawing Proposed Site 2019
  - Daylight and Sunlight Assessment prepared by E & S Bristol Limited Energy & Sustainability Services
- 1.3. This Statement describes the application site and the proposed development, examines local Development Plan Policies, other Local Guidance and National Planning Policy and Guidance, examines the reasons for refusal of application for planning permission 18/P/5107/FUH, explaining how the proposed development has been amended to address the reasons for refusal, explains the sustainability of the proposed development and considers the benefits of the development before completing a balancing exercise which establishes that the benefits of the development outweigh any harm caused.

## 2. The Site

- 2.1. The site is located on The Avenue within the northern part of Clevedon, which is one of the four towns within North Somerset. The site is within the defined settlement boundaries of the town.
- 2.2. The Avenue is a tree lined road accommodating a mix of Victorian and more recent detached and semidetached homes. The majority of dwellings on The Avenue, including No.3 are set back approximately 14 metres from The Avenue and are in large part screened from open view by the roadside trees and on site landscaping. Most of the properties are set within large curtilages, with very long rear gardens. The Avenue is not within a Conservation Area and accommodates a mix of Victorian and modern houses.
- 2.3. The site slopes downward to the north west. It is bounded to the north east by 5 The Avenue, a similarly designed detached Victorian dwellinghouse, with a garage separating the dwellings, to the south by detached dwellings on Argyle Road, which also benefit from very large rear gardens, with the closest dwellinghouse being approximately 100 metres distant, to the west by detached dwellinghouses on Cambridge Road, with the closest dwelling being over 32 metres distant, and by 1a The Avenue, a two storey converted outbuilding within the former rear garden of 1 the Avenue, which is set at a lower level than the surrounding homes, and to the south east by The Avenue with similar large detached and semi detached homes set in large plots opposite.
- 2.4. 3 The Avenue comprises the two storey detached home with rooms in the roof and a lower rear floor, a gravel drive, a detached double garage in front of the home and a large rear garden. The long boundaries on the north eastern and south western sides of the home accommodate a number of high hedgerows and hedgerow trees. The house is screened by street trees and by a double garage with pitched roof on the left hand side of the front garden. The rear garden of 3 The Avenue extends approximately 50 metres from the rearmost part of the house.
- 2.5. 3 The Avenue is a typical detached Victorian home, which was most likely constructed from a pattern by a small house builder, as was common practice at that time: With a boom in house building, which was mostly completed by small house builders, it was not possible for all house builders to employ an architect. This led to the introduction of Pattern Books, from which a small builder could buy a ready made pattern for one two or multiple plots. Whilst this was prominent in terraced housing, it was also commonplace in the development of detached properties. Each builder would then add their own design touches to the pattern or licence they had bought. Hence similar but not quite identical housing next to each other.

- 2.6. The developer of 3 The Avenue chose a double bay fronted pattern, as did their neighbour, whereas those opposite and elsewhere on The Avenue chose to develop 3 bay properties on almost identically sized plots.
  
- 2.7. These Victorian homes moved away from the rigid design ethos of the Georgian Period, with its rules of symmetry, geometry and proportion, to one of free thinking, mixing architectural styles; imitating Italian Villas, adding in bay windows following the repeal of the window tax, borrowing Jacobethan design elements, something from the French Baroque, adding ornate towers and other embellishments including elaborate wooden barge boards and ornate ridge tiles and finials.
  
- 2.8. The overall result is what one can see walking around The Avenue and the surrounding roads, with a mix of designs and embellishments on detached homes and no single design ethos.

### 3. Proposed Development

- 3.1. The applicant has inherited his family home, which he proposes to adapt for modern living. The proposed extensions bring the property to a standard suitable for his family and will help ensure that the property remains a single home and is not converted into flats as has been the general practice for detached Victorian homes.
- 3.2. The proposed development is illustrated on the submitted plans and comprises the addition of a third bay to 3 The Avenue, mimicking the homes on the opposite side of the road, and replacing the rear rather poor basement projection with a new contemporary rear projection at basement level incorporating a balcony.
- 3.3. The design of the side extension closely reflects the existing built form, using matching materials, proportions and embellishments on the fenestration. It is designed to ensure that from the public realm it will look as if the home has always been a three bay property.
- 3.4. The existing home is a 2 bay property with the left hand section set slightly back from the elaborate bay windowed right hand section, which competes for attention with the slightly offset and also elaborate porch. This step back is repeated with the proposed extension which provides a third bay reflecting the homes directly opposite and elsewhere on The Avenue, to provide uniformity and respect for the original design.
- 3.5. The existing south west elevation has three stairwell windows, and habitable room windows in the bay at basement and ground floor levels, a small second window in the basement and a larger sash habitable room window in the first floor.
- 3.6. The proposed extension adds a games room and gym at basement level, each with small windows in the south western elevation, family room and office on the ground floor, with a single window in the south western elevation and bathrooms on the first floor, with oblique glazed windows in the south western elevation. There will no longer be first floor habitable room windows in the south western elevation overlooking neighbouring gardens.
- 3.7. The existing rear elevation incorporates small double windows at the second floor loft space level, four windows in habitable rooms at first floor level, three bay windows and two separate windows in habitable rooms at ground floor level and large windows in the basement projection: There are 16 existing windows looking north west.
- 3.8. The design of the basement level projection is intentionally contemporary, creating an attractive juxtaposition of Victorian design flair with that of today. This, in my opinion, will add to the overall presentation of the building, telling the on-looker when it was constructed, and is far more attractive than the existing poor quality rear projection.

- 3.9. The development also incorporates the replacement of two existing rear elevation windows at ground floor level with contemporary sliding doors, matching those of the rear projection, which will provide access to the proposed balcony.
- 3.10. The balcony sits atop the basement level projection, taking advantage of the lovely views into open countryside.
- 3.11. New windows in the rear elevation include a single bathroom window at attic level, an oblique glazed bathroom window and one habitable room (changing room) window at first floor level, two additional windows in the family room and the sliding glazed doors of the rear projection at basement level.
- 3.12. One of the overarching aims of the proposed development is to ensure that the home is sustainable and suitable for occupation by current and future generations. The form of construction, whilst outwardly reflecting Victorian design from the public realm, will follow modern sustainable construction techniques to reduce energy consumption, including high mass construction and the development of ground source heating.

## 4. Planning History

- 4.1. The planning history of the site is limited only to planning permission being granted for the replacement garage at the front of the property in March 1974 and the refusal of planning permission 18/P/5107/FUH on 12<sup>th</sup> February 2019.
- 4.2. Application 18/P/5107/FUH also proposed the addition of a third bay to 3 The Avenue and replacing the rear basement projection with a new contemporary rear projection at basement level incorporating a balcony. It differed from the development proposed by this application in the ways described in Section 7 of this Statement.



## 5. Nearby Development

- 5.1. When designing the proposed development by the architect considered the presence of balconies in the surrounding properties in order to assess their impact and the levels of privacy currently enjoyed by neighbouring residents.
- 5.2. Large rear balconies/decking exist at both No's 7 and 11 The Avenue. The applicants are not aware of any concerns being raised about the use of these balconies, views towards the dwellings on Argyle Road or noise being created. It seems that use of balconies of a similar scale to that hereby proposed do not harm residential amenity.
- 5.3. A first floor balcony also exists at Fernridge, 56 Cambridge Road, which it is believed was constructed with extensions erected following the grant of planning permission 81788 in 1969. Although at first floor level, this balcony does not overlook the garden of 3 The Avenue due to the large trees and hedgerow on the boundary. It does, however, overlook the gardens of No's 58, 54 and 52, significantly reducing their level of privacy. The use of the balcony does not harm residential amenity by virtue of noise.
- 5.4. There are also large balconies at the rear of the homes on Argyle Road that back onto the site. The use of these balconies also cause no harm to residential amenity.
- 5.5. The use of balconies for purposes incidental to residential occupation is identical to the use of gardens for the same purpose and does not in itself change behaviour. The balconies and decking in nearby properties do not seem to harm the residential amenity of neighbouring occupiers. There is therefore no reason to believe that the use of the proposed balcony would harm residential amenity in any way.
- 5.6. Planning permission 01/P/2076/F approved the conversion of outbuildings in the garden of No. 1 The Avenue into a dwellinghouse directly abutting No.3, which is known as No.1a. 1a has no windows, other than roof lights, looking in the northern or western elevations of the conversion, ensuring that the home would not cause a loss of amenity to neighbouring properties, including to 3 The Avenue. The roof lights in the rear part of the roof serve bathrooms and not habitable rooms.
- 5.7. The garden of 1a is sunken and is screened from No.3 by the existing two storey dwelling. As a result, no views can be gained from No.3 into the garden of 1a.

- 5.8. The architect also considered the spacing between existing buildings within the direct area to assess whether the proposed development could be accommodated without causing harm.
- 5.9. No.1 The Avenue was initially approx. 3 metres from its rear boundary, but the space has been filled with built development. Similarly, the approx. 3 metre space on the side boundaries of 52, 54 and 56 Cambridge Road has been filled with built development. Neither the 3 metre space to boundaries nor the built development has been harmful to residential amenity.
- 5.10. The mix of side and rear boundaries facing each other on corner plots adds to the character of the area rather than detracts from it.
- 5.11. Turning to the three bay Victorian homes on The Avenue, some of which have been converted into semi-detached homes, each has a space of approx. 3 to 4 metres to the side boundary. The spaces are not oppressive or overbearing but are fitting for homes of this scale.
- 5.12. If one walks around the area you will note similar spacing between properties, some of which has been filled by the development of garages or side extensions, some of which has side elevations to rear elevations etc. This spacing creates an attractive residential environment and character and is in no way oppressive or overbearing.
- 5.13. I am of the opinion that a 4 metre space to a side boundary at No.3, with habitable rooms in the rear elevations of neighbouring properties over 30 metres away, would be neither oppressive nor overbearing in any way at all.

## 6. Development Plan Policies

- 6.1. I consider below the policies CS12 of the North Somerset Core Strategy and policies DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1) referred to in the reasons for the refusal of application 18/P/5107/FUH .
- 6.2. **Policy CS12 (Policy CS12 (Achieving high quality design and place-making))** requires that proposals (summarised);
- Seek high quality architecture and urban design, demonstrate a robust design process and generate solutions that have clearly considered the existing context and contribute to social, economic and environmental sustainability;
  - Demonstrate sensitivity to the existing local character already established in an area and take the opportunity to enhance the sense of place and local identity through a well thought out design;
  - Maintain and enhance the historic built environment, for example the Victorian residential areas located throughout the district but focussed in the main towns.
  - Assessment of the quality of architecture is subjective, although reference to the Victorian residential areas could be important.
- 6.3. The design of the proposed extension follows a robust design process, assessing the design of the original Victorian home, the design of neighbouring homes including the 3 bay homes opposite and preparing a 3 storey extension in the form of a third Bay, set back to emulate the form of the first two bays. The plot is of equal size to those opposite and elsewhere in the local area that accommodate 3 bay homes.
- 6.4. The design is sensitive to the existing local character and was well thought out to ensure that it maintained the character of the built environment.
- 6.5. The rear of No.3 has been altered in the past, with an existing basement level projection having been built. The rear of the property, which is not visible from the public realm, offers an opportunity to introduce a 21<sup>st</sup> century contemporary design element, with an attractive juxtaposition between the new and the old: The chosen design is deliberately contemporary, telling the onlooker that it is a modern addition that has helped bring the home into the 21<sup>st</sup> century.
- 6.6. Following this design process fully accords with Policy CS12. The attractiveness of mixing contemporary design with an existing design is of course subjective, as it is in each place it is now so widely accepted. In my opinion, it works very well indeed.
- 6.7. **Policy DM32 (High quality design and place-making)** expands upon CS12, seeking good quality design. It requires (summarised) that;

- Proposals should;
    - demonstrate sensitivity to the local character;
    - enhance the area taking into consideration the existing context;
    - seek to enhance local distinctiveness;
  - Proposals that cause unacceptable harm to the character or appearance of the area will not be permitted;
  - In determining whether the design is acceptable account will be taken of whether the siting, levels, form, scale, height, massing, detailing, colour and materials;
    - Respect the characteristics of the site and surroundings;
    - Are appropriate within the townscape.
- 6.8. The proposed design takes full account of the siting, levels, form, scale, height, massing, detailing, colour and materials of the existing homes and those around it, giving full respect to the characteristics of the site and its surroundings: The addition of a third bay to No.3 mimics the design of the existing home in all regards and preserves the character of the Victorian townscape as viewed from the public realm.
- 6.9. The proposed development takes into account the local context and will not cause unacceptable harm to the character or appearance of the area. Accordingly, I am of the opinion that the proposed development demonstrates good quality design in accordance with Policy DM32.
- 6.10. **Policy DM38 (Extensions to dwellings)** states (summarised) that proposals will be permitted where they:
- Respect the massing, scale, proportions, materials and overall design and character of the existing property;
  - Do not harm the street scene or local area; and
  - Would not prejudice the living conditions of occupiers of adjoining properties.
- 6.11. I demonstrate below that the proposed development will not prejudice the living conditions of occupiers of adjoining homes, will not harm the street scene or local area and fully respects the massing, scale, proportions, materials and overall design and character of the existing property. It therefore fully accords with Policy DM38.

## 7. Other Local Guidance

- 7.1. North Somerset Council has published a series of design guides to assist in the preparation of applications of planning permission. These, primarily, offer guidance on distances between homes and how to design development to avoid harm. I confirm that the architect referred to these guides when designing the proposed development.
- 7.2. **Part 2 (Overbearing and loss of light)** of the Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours) states (summarised and my emphasis) that proposals should not;
- Cause significant harm to the living conditions of neighbouring residents by;
    - Significantly reducing the amount of daylight or sunlight to a habitable room;
    - Resulting in a significant overbearing impact on a neighbouring house.
- 7.3. It then proposes that this impact be tested by assessing the impact on;
- Impact on windows;
    - 45 Degree Test – depth and width;
    - 45 Degree Test – height;
  - Tunnelling Test;
  - The 12 Metre Test – side wall to main elevation;
  - Loss of Private views Test;
  - Right to Light Test.
- 7.4. The submitted Daylight and Sunlight Assessment assesses whether the proposed development would cause a significant loss of daylight and sunlight in windows in habitable rooms in neighbouring properties, considering the impact upon 52, 54 and 56 Cambridge Avenue and 1, 1a, 4 and 6 The Avenue.
- 7.5. When considering loss of light to windows it takes a worst case approach, assessing impact on windows 0m above ground level, and advises that buildings which are over 30.6m away need not be considered.
- 7.6. With habitable rooms in the neighbouring dwellings being between 34m and 40m away, with the exception of 1a The Avenue, the assessment concludes that loss of daylight or sunlight will be insignificant and need not be analysed.
- 7.7. The Report also advises that whilst 1a the Avenue is within the 30.6m boundary, it does not have any windows in habitable rooms which face the site plus, as 1a lies South-West of the proposed extension, its daylight and sunlight will not be affected.

- 7.8. Whilst the Residential Design Guide SPD does not state that permission will be refused if it causes a significant loss of daylight or sunlight to gardens, it does suggest that the impact be assessed against the tests set by the SPD. The submitted Daylight and Sunlight Assessment therefore assesses this and illustrates that there will be no significant loss of light in gardens.
- 7.9. Looking at the impact on Garden Amenity Space, the only properties that could be impacted are 52, 54 and 56 Cambridge Avenue. The Report concludes that there will be no impact on No's 52 and 56 and only 0.52% impact on No.54, which is negligible.
- 7.10. The Report concludes that the proposal will have a low impact on the light receivable by its neighbouring properties and the loss of light is insignificant.
- 7.11. I conclude that the proposed development accords in full with Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours) and, as it would not prejudice the living conditions of occupiers of adjoining properties, accords with Policy DM38.
- 7.12. The proposed extension is too far from any 'house' to have a significant overbearing impact. The proposed 4.15 metre space between the proposed extension and the side boundary matches similar distances at all the surrounding properties. A 3 metre distance to a side boundary does not create an overbearing impact at all, let alone a significant one.
- 7.13. The current view from neighbouring properties is of the side elevation of the home with one window in a habitable room at first floor level and a bay window at ground floor level: The proposed view will be of a similar side elevation with no windows in habitable rooms on first floor level, a window at ground floor level that is oblique glazed and sealed closed and a screen that blacks any views from the bay window. Any overlooking that currently exists will therefore be removed as a result of the development.
- 7.14. 1a The Avenue is a 2 storey outbuilding conversion that has a sunken garden. 3 The Avenue can be seen over 1a and will continue to be so seen after the development is completed. There are no windows in habitable rooms looking towards the No.3 and the proposed development will not be visible from 1a or from its garden. I thus conclude that the development will not be overbearing.
- 7.15. **Part 3 (Privacy and overlooking)** states that proposals should not result in a significant loss of privacy to neighbouring residents and again proposes tests to assess this impact;
- The 21 and 7 metre privacy tests;
    - 21 metre from proposed upper floor windows in existing habitable rooms;

- 7 metres from proposed upper floor windows in habitable rooms to rear boundary;
  - Overlooking from balconies and raised platforms.
- 7.16. The side elevation of the proposed development incorporates two upper floor habitable room windows. These windows will be obscure glazed. It is proposed that a condition be attached to control this.
- 7.17. All elevations with habitable rooms are further than 21 metres from neighbouring upper floors with habitable room windows. The closest habitable rooms being in the rear of 52 Cambridge Road, approximately 32 metres distant.
- 7.18. The side elevation of the extension will be 4.15 metres from the rear boundary of 52 Cambridge Road and has one window in a habitable room on the first floor. As stated above, this window will be oblique glazed
- 7.19. There will be no windows in habitable rooms that will cause any loss of privacy and thus this test is passed.
- 7.20. The proposed balcony is also over 30 metres from the closest elevations with habitable rooms at 52 and 54 Cambridge Road and over 40 metres from the rear elevation and existing balcony at 56 Cambridge Roads.
- 7.21. The proposed balcony will incorporate 2 metre high obscure glazed screens on both side elevations, which will remove the possibility of overlooking. It is proposed that a condition be attached securing the permanent retention of the screen.
- 7.22. As indicated above, 1a The Avenue was constructed in circa 2002 through the conversion of and addition to an outbuilding, to form a two storey dwelling sitting at a low level. It is very different in scale and proportion to all other dwellings in the area.
- 7.23. 1a was designed to turn its back on 52 Cambridge Road and 3 The Avenue, with no windows or roof lights in habitable rooms on the rear elevations and the garden set totally in front of the two storey dwelling. The garden is also effectively screened by the garage in the curtilage of No. 3.
- 7.24. The protection of the amenity of occupiers of neighbouring properties is not dependent upon the retention of existing trees and hedgerows. It is, however, a material consideration that the existing trees and hedgerows within the application site, which on the south western boundary stand between 3.5 and 9.0 metres in height as illustrated on the submitted 'Proposed Site Plan – Distances and Heights', create a significant visual screen between No.3 and the adjacent dwellings. I can confirm that the applicant wishes to retain the trees and hedgerows to protect their own residential amenity.

- 7.25. There are therefore no views from No.3 into the garden or towards any habitable rooms of 1a. Also, due to the design of the dwelling and the presence of the garage the development will not result in any loss of light within the garden.
- 7.26. Section **3.1.2** (Side extensions) of the Residential Design Guide SPD (Section 2: Appearance and Character of house extensions and alterations) advises that;
- One way to ensure that an extension does not harm the balance and proportions of the original building is to design it so that it appears as if it was originally designed to be part of the building, as one coherent whole;
  - Another way to ensure that an extension does not harm the balance and proportions of the original building is to make the extension subservient to the original house.
- 7.27. The proposed extension follows the step back from right to left of the existing house, giving an appearance of being subservient, whilst also reflecting the 3 bay houses opposite.
- 7.28. The proposed extension has been designed to respect the balance and proportions of the original building and ensure that it appears as if it was originally designed to be part of the building, as one coherent whole, when viewed from the public viewpoint on The Avenue. It fully reflects the form of development of the Victorian era, which was far from uniform, but at the same time reflects the rhythm of the stepped back facade.
- 7.29. The rear balcony, which is not visible from the public realm, is deliberately contemporary, creating an attractive juxtaposition between the new and the old, which is today often seen in the best designs of additions to buildings in large glass extensions, large glass dormers, etc. It tells the onlooker that it is an extension of the 21<sup>st</sup> century, helping to make the building fit for 21<sup>st</sup> century living and beyond.
- 7.30. **Part 3.3.3 (Gaps)** advises that;
- The gaps between houses can be an important characteristic with functional use for maintenance and rear access;
  - Their infilling with side extensions can detract from the appearance of the neighbourhood if it would result in a cramped, 'terracing effect';
  - Therefore, two storey side extensions near the boundary with adjoining properties should be set back and leave a gap of at least 1 metre between the extension and the site boundary.
- 7.31. I agree wholeheartedly with this advice: The 4.15 metre gap maintained to the side boundary is more than adequate to facilitate maintenance and rear access and is very similar to the gaps between other properties on the Avenue, including the three bay homes opposite the site and the gap to the boundary on the other side of the No.3. A gap 4.15 metres to the boundary fence, with homes over 32 metres plus away, will not be cramped or create a tunnelling effect.



## 8. National Policy and Guidance

- 8.1. The proposed development has been designed to ensure that it functions well and adds to the quality of the area for the lifetime of the development, amending a Victorian home to make it suitable and sustainable for the 21<sup>st</sup> century and beyond. It demonstrates visually attractive design that is sympathetic to local character and history, whilst not preventing or discouraging innovation and change in full accordance with paragraph 127 of the National Planning Policy Framework (the Framework).
- 8.2. Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, 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.
- 8.3. In this instance the development accords with local policy and was designed taking full account of local design guidance. It thus fully accords with the Framework.
- 8.4. The Framework is supported by Planning Practice Guidance (PPG), which advises that achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. (Paragraph: 001 Reference ID: 26-001-20140306)
- 8.5. Adapting the existing home for the current generation is the whole purpose of the proposed development and will ensure that it is fit for use as a single dwellinghouse by future generations.
- 8.6. LPAs are advised to give great weight to innovative designs which help to raise the standard of design more generally in the area, which could include the use of innovative construction materials and techniques. Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits). (Paragraph: 004 Reference ID: 26-004-20140306)
- 8.7. The proposed development proposed high quality sustainable design that does not cause harm to a designated heritage asset.
- 8.8. PPG advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not pre-

- venting or discouraging appropriate innovation and that the successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre. (Paragraph: 007 Reference ID: 26-007-20140306)
- 8.9. The proposed development seeks to achieve this by proposing a design which maintains the character of the townscape as viewed from the public realm, whilst proposing appropriate innovation and successfully integrating the modern contemporary form of new development.
- 8.10. PPG further advises that local building forms and details contribute to the distinctive qualities of a place, which can be successfully interpreted in new development without necessarily restricting the scope of the designer, and that the use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design, however, innovative design should not be discouraged. (Paragraph: 007 Reference ID: 26-007-20140306)
- 8.11. The proposed development has sought to mix contemporary design with the use of local materials, building methods and details to provide a 21<sup>st</sup> century home that sits comfortably with the character of the local area.
- 8.12. PPG advises that buildings should be fit for purpose, designed and delivered in a way that delivers the intended function and achieves value for money in terms of lifetime costs. They should be intuitive, comfortable, safe and equally easy for all to use. (Paragraph: 016 Reference ID: 26-016-20140306)
- 8.13. The intended function in this case is to provide a modern 21<sup>st</sup> century home suitable for a large family, whilst respecting the character of the public realm. The use of sustainable forms of construction and power generation will also ensure that the development will achieve value for money in terms of lifetime costs.
- 8.14. PPG also offers advice on scale, advising that decisions on building size and mass will influence the character, functioning and efficiency of an area, and that in general terms too much building mass compared with open space may feel overly cramped and oppressive. It advises that the size of individual buildings and their elements should be carefully considered, as their design will affect the: overshadowing and overlooking of others; local character; skylines; and vistas and views. The scale of building elements should be both attractive and functional when viewed and used from neighbouring streets, gardens and parks. (Paragraph: 026 Reference ID: 26-026-20140306)
- 8.15. The scale of the proposed development was carefully considered and has taken into account the relationship with neighbouring properties and the development of other 3 bay homes in the direct vicinity. With spaces between buildings reflecting those of existing homes in the area, the development will not feel overly cramped or oppressive, will not overshadow or overlook others and respects local character.

- 8.16. PPG goes on to advise that the quality of new development can be spoilt by poor attention to detail and that careful consideration should be given to items such as doors, windows, porches, lighting, flues and ventilation, gutters, pipes and other rainwater details, ironmongery and decorative features. (Paragraph: 027 Reference ID: 26-027-20140306)
- 8.17. The design of the proposed development, including the Victorian designed 3 storey element and the contemporary rear projection, has paid great attention to detail, including consideration of all of the above elements to ensure a cohesive and attractive development.
- 8.18. PPG gives advice on materials, advising that they should be practical, durable, affordable and attractive, that choosing the right materials can greatly help new development to fit harmoniously with its surroundings and that they may not have to match, but colour, texture, grain and reflectivity can all support harmony. (Paragraph: 028 Reference ID: 26-028-20140306)
- 8.19. The use of materials has also been considered in detail, with natural stone and wooden features proposed to match then existing Victorian elements of the home, but also modern glazing to create a contemporary element and reflect the surrounding trees and landscaping.
- 8.20. It further advises that there are a wide range of building materials available, more products developed all the time and that innovative construction materials and techniques can help to achieve well designed homes. (Paragraph: 028 Reference ID: 26-028-20140306)
- 8.21. The use of modern materials in the contemporary element of the building and in the structure of the 3 storey element, will help ensure the development of a sustainable modern home.
- 8.22. PPG offers specific guidance on the development of homes, advising that well-designed housing should be functional, attractive, sustainable and be adaptable to the changing needs of its occupants. (Paragraph: 040 Reference ID: 26-040-20140306)
- 8.23. Again, the purpose of the proposed development is to ensure that the home will be functional, attractive, sustainable and adapted to the current and future needs of its occupants.
- 8.24. I conclude that the development accords in full with the Framework and with current Planning Practice Guidance.

## 9. Addressing Application 18/P/5107/FUH

- 9.1. Application for planning permission 18/P/5107/FUH was refused for the following reasons:

*'The proposed development, by reason of its massing, scale, proportions and its proximity to the site boundary will be out of keeping with the existing property and will result in a visually intrusive feature in the street scene as well as having an adverse impact on the living conditions of the neighbours through a loss of privacy and overbearing impact, contrary to policy CS12 of the North Somerset Core Strategy, policies DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1), the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours) and the North Somerset Residential Design Guide SPD (Section 2: Appearance and Character of house extensions and alterations).'*

- 9.2. It is of course important that these reasons for refusal be considered and addressed when determining the proposed development. I therefore examine the reasons for refusal, separating the paragraph of reasons into its various parts and considering each in turn.

- 9.3. The development now proposed has been amended to address the above reasons for refusal by;

- I. Reducing the width of the third bay extension by approximately 1 metre, ensuring that it is now 4.15 metres from the side boundary of the property;
- II. Setting the main extension back by approximately 1 metre to produce step in the frontage to reflect the current step between the existing two bays and ensure that the extension is subservient to the original building;
- III. Moving the loft space window to the front of the house to reflect the existing window in the first bay;
- IV. Increasing the height of the screen on the rear extension to remove any prospect of overlooking towards neighbouring gardens.

- 9.4. My view is that the reasons for refusal can be broken down into 6 parts, which I address in turn below.

### 1. Scale Massing & Proportions

- 9.5. The scale of the side extension has been reduced to move it away from the side boundary and set it back from the front elevation. I am of the opinion that the finished house will not be too large for what is a very large plot. The gaps between the original 1880's homes has been reduced by the development of 1a in circa 2002, but that dwelling is at a lower level and turns its back completely on No.3.

- 9.6. The scale & massing also reflects similar 3 bay properties opposite and elsewhere on The Avenue and in the surrounding area that are constructed on plots of al-

most identical width. Three bay properties on plots of this width are not alien to the character of the area. Had the plot been developed as a 3 bay home originally, no-one would have questioned it. I am of the opinion that the plot is of adequate scale to accommodate the proposed development.

- 9.7. The contemporary rear extension replaces an existing less successful modern extension. It does enlarge the footprint of the home, however, with a rear garden almost 50 metres long the plot can easily accommodate the extension without harm. The applicant could erect an outbuilding of similar scale with the benefit of permitted development rights but would prefer to replace the existing poor quality rear projection.
- 9.8. I am of the opinion that the reduced scale, massing and proportions are in keeping with the area and appropriate for the plot.

## 2. Out of Keeping with Existing Property

- 9.9. The design has been chosen to be in character with the existing property when viewed from the public realm, respecting the existing home in use of materials, scale and built form.
- 9.10. The alterations to the development have resulted in a smaller extension that is set back from the existing frontage to create a subservient appearance that reflects the current step in the front elevation. The relocation of the attic level window also helps create a development which will look as if it was originally constructed as a three bay property like those directly opposite.
- 9.11. The rear elevation intentionally has contemporary elements at basement and ground floor level, creating an attractive juxtaposition between the original and the modern. These elements cannot be seen from any public standpoint and are not harmful to any onlooker from the surrounding private dwellings.
- 9.12. I am of the opinion that the addition of a third bay on a plot large enough to accommodate it does not in any way change the character of this part of The Avenue. The bay is well designed and is set behind the 1970's garage.

## 3. Proximity to Neighbouring Properties

- 9.13. The reduced width home, once the development is complete, will be approx. 100 metres from the closest homes on Argyle Road and over 32 metres from the closest homes on Cambridge Road.
- 9.14. The closest home is 1a The Avenue, an outbuilding conversion. This building backs onto the development with only roof lights in non-habitable rooms facing the development. The extension will be visible over the roof of 1a from the road, but this will not harm the amenity of the occupiers.

9.15. I conclude that the proximity to neighbouring properties will be acceptable and will not result in harm to amenity.

4. Visually Intrusive Feature in the Street Scene

9.16. The proposed development will be visible as a 3 bay Victorian home on a plot of similar size to the 3 bay Victorian homes opposite and elsewhere in the area.

9.17. Like the existing home, it will in part be screened by existing trees and the large garage at the frontage of the property. It will be seen in a similar manner to the 3 bay homes opposite, which are not intrusive.

9.18. Setting the extension back by approximately 1 metre will reduce the already limited impact on the street scene.

9.19. I conclude that the development as proposed will not be intrusive in the street scene.

5. Impact on the living conditions of the neighbours – Loss of Privacy

9.20. Any loss of privacy must be assessed by the current privacy afforded to existing dwellings.

9.21. I have examined the impact upon the privacy of neighbouring residents using the tests set by the Residential Design Guides and conclude that the proposed development will not, subject to the imposition of conditions to ensure that the single window in the side elevation and the proposed 2 metre high balcony screens are obscure glazed, lead to any loss of privacy.

9.22. Looking at the nearby homes in turn:

9.23. 1a The Avenue – The garden will not be visible from the development and the house has no habitable rooms with windows facing No.3. As proven by the submitted Daylight and Sunlight Assessment, neither the garden nor habitable rooms will suffer a of light.

9.24. The occupiers of 1a The Avenue will not, due to the design of the property, its location in relation to No.3 and the presence of the existing garage, be overlooked from the proposed development.

9.25. 5 The Avenue – The garden of No 5. is currently overlooked from ground, first and roof level windows in No.3 and in No.7 and thus does not have a high level of privacy. The habitable rooms do, however, have a very high level of privacy within habitable rooms due to the distance from neighbouring properties.

- 9.26. As proven by the submitted Daylight and Sunlight Assessment, neither the garden nor habitable rooms will suffer a of light.
- 9.27. Due to the proposed obscure glazing, current ground floor window overlooking will be removed. The side windows in the Family Room on the upper floor will be obscure glazed to ensure that their will be no overlooking. This should be controlled by condition.
- 9.28. I conclude that the proposed development will not harm the amenity of occupiers due to loss of privacy.
- 9.29. Distant habitable room windows in properties on Cambridge Road are currently marginally overlooked by windows in the side elevation. The gardens are also slightly overlooked by their direct neighbours including from the first floor rear balcony at 56 Cambridge Road. They still, however, have a high level of privacy as a result of the distance between the properties and the extensive hedgerow and tree landscaping.
- 9.30. 52 Cambridge Road – There will be no habitable room window to window overlooking and, with 2 metre side screens, any view into the garden will be lost. There will thus be no loss of privacy.
- 9.31. 54 Cambridge Road – There will be no habitable room window to window overlooking and again, with 2 metre side screens the distant views into the garden, which is already overlooked from first floor windows at No's 52 and the windows and balcony at No. 56 will be lost. There will be no loss of privacy.
- 9.32. 1 The Avenue – There will be no habitable room window to window overlooking and the reduced garden of the home is 20 metres away and blocked from view by 1a The Avenue. There will be no loss of privacy.
- 9.33. 4 and 6 The Avenue – There will be rooms in habitable rooms looking towards these homes, as there already are. The homes are, however, 40 metres away and the existing street Trees obscure any views towards the homes. There will be no loss of privacy.
- 9.34. Properties on Argyle Road – Dwellings on Argyle Road are approx. 100 metres from the proposed development and are currently viewed from the existing home and all if its neighbours, three of which, 7 and 11 The Avenue and 56 Cambridge Road, have existing balconies. Their gardens are also overlooked by their direct neighbours.
- 9.35. Due to the distance from The Avenue, I believe that residents on Argyle Road have a good level of existing privacy that will not be altered by the proposed development.

6. Impact on the living conditions of the neighbours – Overbearing

- 9.36. I have considered whether the proposed development will be overbearing, using the Residential Design Guides.
- 9.37. The Daylight and Sunlight Assessment referred to above deals with the issues of impact on habitable rooms and gardens, concluding that there will be no impact other than a 0.52% (negligible) impact upon one garden. I do not consider this issue again here.
- 9.38. 1a The Avenue – The extension will be close to 1a but will not be visible from inside the home, will not impact upon any windows or dormers in habitable rooms and will not be visible from the garden. 1a, being the conversion of an outhouse sitting below the road, is already dominated by the surrounding larger neighbouring homes opposite, by No.1 The Avenue, by No. 52 Cambridge Road and by the Garage and existing home at No.3.
- 9.39. The proposed extension will not change the current position at all. It will be visible over 1a but will not be harmful to it.
- 9.40. 52 Cambridge Road – The side elevation of the proposed extension will be over 32 metres from the No. 52. It will be 4.15 metres from the garden, but the Design Guide states that a 1 metre distance is acceptable, and the existing hedgerow and trees significantly limit the impact. The residents of No.52 will look at a very similar elevation, albeit closer. This will have a negligible impact that is not significant.
- 9.41. 54 Cambridge Road – This home is 36 metres from the proposed side extension and is again screened by trees and hedgerow. If the trees and hedgerow did not exist there may be some negligible impact, but that impact would not be significant, which is the test set by Policy and Guidance.
- 9.42. 1 The Avenue – This home is 34 metres from the proposed side extension and is screened by trees and hedgerow plus No.1a The Avenue. The development will not be overbearing.



- 9.43. 4 and 6 The Avenue – There are 3 bay Victorian properties throughout the area facing each other at approx. 40 metres distant. Adding a third bay to No.3 will not be overbearing.

## 10. Sustainable Development

- 10.1. I have assessed the proposed development against the 3 roles of sustainability set out in the Framework and have reached the following conclusions;
- **Economic Role** – The development of the extension will provide employment through its construction of the home. The impact is positive.
  - **Social Role** – The enlarged dwelling will offer a family a modern home and occupiers of the home will be part of the local community, contributing to that community in a positive manner. It will also retain the home as a single dwelling, which is of social benefit. The impact is positive.
  - **Environmental Role** – Whilst the erection of any building may cause some harm, the proposed extension has been designed to have minimal its impact on the environment. It will incorporate modern forms of construction to reduce the use of energy, including high density construction to retain heat and ground source heating. It will help to transform a draughty Victorian home into a modern sustainable one. The impact is neutral to positive.
- 10.2. I conclude that the proposed development meets the three tests of sustainability.
- 10.3. The site is an eminently sustainable location for the proposed development and, in accordance with NPPF10 and NPPF11, in assessing and determining development proposals, decision makers should apply the presumption in favour of sustainable development.

## 11. Benefits of The Development

- 11.1. The proposed development will help to create a modern living environment for the applicant and his family, and in doing so will help to maintain the Victorian house as a single home suited to 21<sup>st</sup> century living.
- 11.2. Maintaining such properties as single dwellings is important to maintain the mix of available properties in Clevedon and attract residents to live in and then invest in the town. North Somerset's urban areas as a whole struggle to compete with Bristol to attract senior management and business people, in part due to a lack of suitable properties for them to live in and the practice of converting them to flats.

## 12. Balanced Assessment

- 12.1. There is a presumption in favour of development due to it being within the development boundaries of the urban area and it being a sustainable development when assessed against the 3 tests set by NPPF.
- 12.2. I carry out below a balanced assessment of the benefits of the development against any harm it would cause.
- 12.3. The development has the following factors in its favour;
- It is supported by Clevedon Town Council;
  - It accords with the policies of the Development Plan
  - It accords with the Framework as a whole;
  - It accords with the advice of Planning Practice Guidance;
  - It accords with the guidance of the Residential Design Guides;
  - Constructing the extension will create employment;
  - The development will help ensure that the dwelling is a home fit for 21<sup>st</sup> century living and will be retained as a single home;
  - It will benefit the amenity of the applicant and his family;
  - Removing a window in a habitable room that overlooks neighbours will improve their level of privacy.
- 12.4. All development will cause limited harm, if only in disturbance during the construction period.
- 12.5. The appearance of the home from the public realm will change from a two bay Victorian home to that of a three bay Victorian home, very much like those homes on almost identically sized plots opposite. I am strongly of the opinion that the design of the extension will ensure that this change is not harmful to the character of the area.
- 12.6. The appearance of the home from the rear will also change, in this instance to include a contemporary basement level fully glazed extension replacing a rather poorly designed existing modern extension. This is an intentional design treatment to create an attractive juxtaposition between the new and the old. The glazed windows bring benefits to the occupiers of the home, benefiting from views and increased light, but also cause no harm by virtue of overlooking, loss of privacy or overbearing impact when assessed against the tests set by the Residential Design Guides.
- 12.7. If the proposed boundary screen did not exist, the proposed balcony could cause very limited harm by virtue of overlooking towards habitable room windows over 30 metres away. For this reason, a condition should be attached to ensure the erection and retention of the 2 metre high obscure glaze screens.
- 12.8. On balance, the proposed sustainable development accords with the Framework, does not cause demonstrable harm and any minimal harm caused by the construction process is outweighed by the benefits of the development.



## 13. Conclusion

- 13.1. I request that the application for planning permission be approved subject to appropriate conditions for the following reasons;
1. The proposed development accords in full with the development plan. Therefore, the presumption in favour of development is engaged and planning permission should be granted without delay.
  2. The proposed development, when viewed from the public realm, has been designed to respect the design, materials, mass and scale of the existing home and replicating a 3 bay Victorian similar to those opposite and elsewhere in the area. Its scale, massing and proportions, including spacing between properties, are perfectly in keeping with the existing home and nearby properties.
  3. The design of the 3 storey extension matches and is not out of keeping with the existing home. It will not be visually intrusive in the street scene.
  4. The rear projection is unashamedly contemporary in design, reflecting the best in current architecture and the conversion of the Victoria property into a 21<sup>st</sup> century home. It can be seen from private viewpoints but not from the public realm. It is set within a very large plot where its scale, mass and proportions are perfectly acceptable and do not harm residential amenity. Similarly, the design, whilst contemporary, is not out of keeping but is instead a very attractive way to illustrate that it is a 21<sup>st</sup> century design. The projection also replaces a rather poor existing rear extension and as a result improves the amenity of the area.
  5. The home is set within a very large plot and is a significant distance from its neighbours. The proximity to neighbouring properties does not cause harm and is not contrary to the policies of the development plan or local design guidance.
  6. The development will cause no harm to amenity by virtue of loss of light or loss of privacy as a result of overlooking.
  7. The proposed development, being 4.15 metres from the nearest boundary, will not be overbearing.
- 13.2. For the above reasons, as explained in detail in this statement, I request that conditional planning permission be granted.