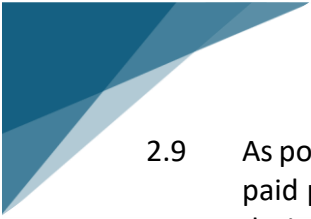




Response to the LPAs Statement of Case

- 2.1 The Appellant has gone into greater detail and provided a wider site plan showing the nearby approved developments of similar scale and siting.
- 2.2 The Appellant considers that refusal reason 1 or 2 should not stand for the reasons given in the statement of case.
- 2.3 The site is not within a conservation area nor listed. The wider context has many properties developed in similar siting as referenced in the statement of the case. There would be ample space retained of which would preserve this 'openness'. The LPA should really be balancing the need for housing on brownfield sites. These sites as clearly seen in the locality have been developed. Eventually, we will be forced to unlocking green belt if we are to meet housing needs
- 2.4 This 'loss of garden land' is seen across the area. Would narrowing the resultant building be an option – no as the LPA would refuse this on a design/appearance perspective. There would be approx. 1-2m separation distance from the common Windsor Avenue highway which is more than enough to retain openness. If the principle of this approach is not acceptable, then the LPA need to say this directly. A balance must be struck as housing is very important and this proposal has been sensitively design and laid out taking into account all material planning considerations.
- 2.5 The changes made during the application stage would not require public re-consultation. The changes are an improvement and for clarification purposes. If the LPA were minded to approve, then there would be no requirement to re-consult neighbours as the scheme would be an improvement (less height than being originally proposed and thus an improvement). This would not prejudice those neighbouring occupiers consulted.
- 2.6 The changes are not a 'fundamental change' to the application. They relate to an internal change which is so minor (as set out in the statement of case). Furthermore, the reduced height of the building is an overall improvement. There is no increased in massing or fundamental design changes.
- 2.7 The scale, bulk and mass of the development would in fact reduce by way of lowering the roof. This is not a fundamental change and if the Inspector is minded to approve this application, the appellant would appreciate if the revised plans can be taken into account.
- 2.8 As above, the changes are clearly not fundamental to the proposal. Would they change the description of development – no. Would the massing and appearance change – no. Would there be an overall improvement – yes.

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- 2.9 As pointed out by the LPA, the applicant has pro-actively engaged with the LPA through paid pre-application. There have now been 2 refusals on site with no communication during the application stage. The appellant feels strongly that a scheme of this type would deliver significant benefits. The LPA keep refusing applications on this site and in general across the borough so the appellant has had no choice but to appeal.
- 2.10 The changes are clearly not substantial. The LPA have not commented on directly (not said if the changes would help/improve the proposal or not). They seek to lower the ridge height to match the neighbouring roof heights and internally alter the walls to allow 'sufficient' GIA to be provided. How these changes would be substantially different is quite baffling.
- 2.11 How are no.26 and 28 focal points. Do they provide a gateway to residential area? Many properties on the corner have been developed in similar form. Why do these two plots need to be protected? Is it due the heritage setting that doesn't exist. Is it due to the uniformity in the area that doesn't exist? In any case, the proposal would add symmetry across the site of which is noted in rows/clusters.
- 2.12 The appellants statement of case goes into detail of which identical schemes have been approved along Victoria Avenue.
- 2.13 The appellant has referenced relevant nearby examples.
- 2.14 The appeal decision at no.104 Windsor Avenue is not relevant. This is a clear example of squeezing development of which would have formed a terrace row. The host site and proposal would retain 1-2m from the common highway boundary of Windsor Avenue which is sufficient to ensure adequate openness is retained.
- 2.15 Examples of good or poor developments are a subjective matter of which the LPA have approved several developments of similar form. How is this scheme poor? It incorporates materiality from the area and the finishing of the houses (can be controlled via condition) will ensure high internal and external finishing.
- 2.16 The appellant disagrees with this point and asks the Inspector respectfully to consider the statement of case.
- 2.17 The LPA have not disputed the internal change. The LPA have said the plans are unacceptable as they were not originally submitted. Would this address the reason for refusal and would this minor change be sufficient to seek amendments or condition? In any case, revised plans which show the very minor change should be accepted.

The appellant would have to face severe costs of demolition of the building to construct the semi-detached two-storey properties. Financially, there would be minimal profit but the appellant has seen an opportunity to add further housing (much needed) of which will be for the wider growing family.