
Appeal Decision

Site visit made on 1 February 2017

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 February 2017

Appeal Ref: APP/U1105/D/16/3163198
25 Essington Close, Exmouth EX8 4QY

- 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 Mrs Eileen Bryce against the decision of East Devon District Council.
 - The application Ref 16/2291/FUL, dated 22 September 2016, was refused by notice dated 1 November 2016.
 - The development is a side dormer, hip to gable rear extension and roof lights.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development described above has already been undertaken.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the dwelling and street-scene within Essington Close.

Reasons

4. The appeal site is in a suburban residential area which along Essington Close includes mainly detached and semi-detached bungalows. There is some variety to the style of the bungalows and the form of the roofs nearby although they generally are constructed of similar materials.
 5. The bungalows near to the site have simple hipped roofs. Some of the detached bungalows have almost pyramidal shaped roofs when viewed from the front. These roof forms look balanced and allow for a good amount of space between neighbouring dwellings. The submitted drawings show that the detached dwelling at the appeal site previously had pyramidal roof similar to those nearby, including the neighbouring dwelling. A few of the other dwellings nearby have been altered with some dormer extensions although those that I saw were not prominent within the street-scene.
 6. The development has involved the creation of a roof dormer on the south-west facing rear roof slope with a flat roof which extends towards the front of the building. The side profile of this addition is close to the original peak of the roof and is prominent when looked at from the road. Although this has been hung with tiles it does not hide the long, high flat structure which has
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substantially changed the overall shape of the dwelling reducing space around the building. On the front, north-eastern roof slope, the dormer terminates with a partly pitched element to match the slope and tiles used on the original roof. However, this juts out at the side in an awkward contrived arrangement in contrast to the simplicity and balance of the previous roof-form.

7. The design of the development does not respect the key characteristics of dwellings in this area. In relation to the main issue, this has had a harmful impact upon the character and appearance of the dwelling and street-scene within Essington Close. This would not comply with policy D1 of the East Devon Local Plan 2013 to 2031, adopted 28 January 2016.

Other Matters

8. The appellant has provided a drawing of a similar, alternative roof extension. That would only be a little further away from the front roof slope than what has been constructed. That alternative would have a marginally decreased impact upon the character and appearance of the dwelling. An e-mail from a Council officer has been submitted indicating that those plans would be 'permitted development'. There is however no binding decision from the Council such as a Certificate of Lawful Development regarding that potential scheme. It is not for me in a S78 appeal such as this, to determine whether or not an alternative development would be lawful or not. This means that I can only give limited weight to that potential fallback proposal.
9. The appellant has set out in a personal statement why the extensions have been important. Her partner has suffered from paralysis due to a stroke and has Parkinson's along with other health complications. The revised layout with an additional bedroom and a wet room makes it much more comfortable and allows space for carers to stay over. I can give some limited weight to these personal circumstances. However the harm that I have identified would be very noticeable and permanent. In reaching a conclusion in this case I have had due regard to my duties under the Equality Act 2010 and the Public Sector Equality Duty. I do not consider, even taking these statutory duties into account, that the limited weight I can give to the personal circumstances and the possible permitted development fallback, outweighs the harm that I have identified in relation to the main issue.

Conclusion

10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR