



Appeal Decision

Site visit made on 25 November 2019

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

Appeal Ref: APP/Y1110/D/19/3240571
8 Barnardo Road, Exeter EX2 4NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Ms Lydia Stuart-Banks against the decision of Exeter City Council.
 - The application Ref 19/0823/FUL, dated 14 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is described on the application form as a 'two storey side extension with small side infill'.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. Each proposal must be determined on its merits in accordance with the development plan unless material considerations indicate otherwise. The development plan in this instance includes policies of the Council's Core Strategy ('CS') and saved policies of the Exeter Plan First Review ('LP').¹ I have also had regard to various material considerations including the National Planning Policy Framework ('NPPF'), the Council's Residential Design Guide (adopted September 2010, the 'SPD'), along with relevant elements of the National Design Guide ('NDG').
3. In summary, and amongst other things, CS objective 9, LP policies DG1 and DG4, and NPPF paragraph 127 seek to ensure that all development integrates appropriately with its surrounding context and ensures an appropriate standard of amenity for all. Practical guidance as to how development may achieve those aims is given both in the SPD and NDG. Section 3 of the former guides that proposals should 'preserve the character of the original house and the established street scene and protect the amenity of the neighbours'. Those are principles of good design.

Main issues

4. Against the context above the main issues are (i) the effects of the development proposed on the character and appearance of No 8 and the surrounding area, (ii) whether or not the proposal would result in appropriate living conditions for the occupants of neighbouring No 6.

¹ Adopted February 2012 and, originally, in 2005 respectively.

Reasons

Character and appearance

5. As with other properties along the eastern side of Barnardo Road, No 8 dates from the late 1960s. The appellant explains that the majority of housebuilding during that era 'was not renowned for its quality design or quality of build'. No 8, I accept, is of understated design. It has a stepped form with a two storey gabled elevation facing the pavement, essentially a mirror image of No 10 (as viewed by the common boundary between the two). As with other houses built to that typology here, the attached side garage to No 8 was formerly connected with that of No 6 to the south-west. The two are now, however, physically separate by virtue of alterations to No 6.²
6. Mount Radford Lawn, an open green space, is located behind properties along the eastern side of Barnardo Road. Both Barnardo Road and the Lawn fall within the St Leonard's Conservation Area ('CA'). Statute requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of such areas. However for the above reasons, whilst No 8 is within the CA, its design is not consistent with it. There is a marked contrast with properties along the western side of Barnardo Road, which are early twentieth century terraced properties. Although some of those latter properties have been altered overtime, nevertheless in their form and architectural detailing they retain much historic integrity. They are more typical of the CA, albeit there is also variety in the age and design of historic properties.
7. In addition to No 6, No 4 has also previously been altered by way of an extension incorporating its former garage. No 12 has secured permission for a similar scheme.³ Two semi-detached properties of contemporary design have also recently been constructed on land adjacent to No 16.⁴ Such alterations and additions have, or will, result a degree of variety to the street scene (notably in respect of external materials). In summary the proposal is for a two storey extension of slightly lesser width than the existing garage, set back from the foremost elevation of the property by just over two metres. Broadly the design, detailing and materials proposed would tie in well with the aesthetic of the existing property, or be seen as an appropriate modern counterpart to it.
8. However the proposal would result in the addition of significant additional bulk to No 8 which, in combination with the existing form of the property, would span almost the entire width of the plot. The two storey extension would not reflect the typology of 1960s dwellings here, nor their original symmetry. I saw that, despite alterations previously to No 6, there nevertheless remains comparable separation at first floor level between Nos 6 and 8 as exists between other properties along the eastern side of Barnardo Road. Alterations to Nos 4, 6 and 12 are, or would, essentially relate to ground floor level alone. Such alterations have not fundamentally changed the character of the area.
9. Symmetry and order, irrespective of the design merits of 1960s houses, is inherently visually pleasing. In that context, whilst the new properties by No 16 are asymmetrical, they are very much an exception to the prevailing trend (and

² Following planning permission Ref 09/0918/03.

³ Planning permission Ref 18/1603/FUL.

⁴ Appeal Ref APP/Y1110/W/15/3141144, noting that decision was taken in the context of a former permission.

therefore perceived, in my view, largely in their own right). I also agree with the observation of the Inspector who determined an appeal at No 6 in 2004 for a two storey side extension, that the prevailing link-detached rhythm of properties allows for a pleasing open aspect across the Lawn to the rear.⁵ That aspect would be eroded by virtue of the development proposed, although I note the 2004 scheme differed from the proposal here.

10. I therefore find that the proposal would adversely affect the character and appearance of the area in conflict with the relevant provisions of CS objective 9, LP policies DG1, DG4 and NPPF paragraph 127. By consequence of the location of No 8 within the CA, that would in turn fail to preserve those characteristics of the CA. However in that latter respect, the harm arising may fairly be described as less than substantial (and relatively limited within that categorisation). That is as No 8 is neither of an era nor design consistent with the prevailing nature of the CA, and as the proposal would result in a localised effect.

Living conditions

11. I am told that the proposal would maintain a separation distance with the nearest facing elevation of No 6 of around 4.5 metres. That latter elevation contains two windows at first floor level, both related to bathrooms. There is a comparatively open aspect from habitable rooms at No 6 across the Lawn, in particular relative to terraced properties opposite. Although the proposal would entail the creation of rearwards-facing Juliette balconies, any resultant potential for overlooking in that regard would not be incomparable with the prevailing nature of the area. Similarly the gabled elevation projecting towards No 6 would contain no windows, nor would the scheme result in increased overlooking south-westwards.
12. However, and following on from my reasoning in respect of the first main issue, the proposal would result in an atypically close relationship between properties this side of Barnardo Road. Even relatively minor changes to the built environment may have a significant perceptive effect. In that context, and notwithstanding that the bathroom windows at No 6 are obscured glazed, the proposal would result in an increased sense of enclosure. An aspect squarely towards a wall some 4.5 metres away is, in my view, an unacceptably close inter-relationship here. No 8 falls to the north-east of No 6. However the bulk of the proposal would likely reduce the level of natural light entering first the first floor windows at No 6 described above given the sun's path through the sky (particularly during the early hours of the morning in summer).
13. There are various factors that would moderate the extent of the impact of the scheme. Nevertheless in my view the proposal has the clear potential to result in an adverse sense of enclosure and reduce natural light compared to present circumstances in respect of No 6. That would be to an extent out-of-keeping with the prevailing nature of the area. I note in particular that NPPF paragraph 127(f) seeks to ensure a 'high standard' of amenity; a judgement which is inevitably context specific. I therefore conclude that in this respect the proposal conflicts with the relevant provisions of CS objective 9, LP policy DG1, DG4 and NPPF paragraph 127.

⁵ Ref APP/Y110/A/04/1148922.

Other matters

14. The proposal would undoubtedly be beneficial to the applicant in enabling the creation of additional internal accommodation to a modern standard. I have also set out above how, in terms of its relationship with the existing property, if considered in isolation, the design of the proposal has some merit. I acknowledge that the size of the garage, and its original intended function, are less practical now than they once were. I accept that circumstances have changed here since 2004, albeit not to such a fundamental extent as the appellant contends. I have also noted above how various factors would qualify or moderate the effects of the development proposed.
15. Nevertheless the personal benefits of the scheme would be off-set by the detriment that would result to the occupants of No 6. There is no substantive justification before me that the proposal before me is the only means of improving or extending No 8 in a manner commensurate with the needs of the appellant.⁶ Moreover the flexibility set out in the development plan, NPPF, SPD and NDG for individuals to alter their properties is not at the expense of ensuring that all development would integrate appropriately with its surroundings, including in respect of character and appearance. Therefore, whilst I understand the appellant's motivations for the proposal, no other matters are sufficient to outweigh the harm that I have identified would result.

Conclusion

16. For the above reasons, based on the evidence before me and having considered the development plan as a whole, the approach in the NPPF, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Thomas Bristow
INSPECTOR

⁶ Mentioned only in so far as robust evidence in that respect may have weighed in favour of the scheme.