



Appeal Decision

Site visit made on 31 December 2019 by Alex O'Doherty LLB(Hons) MSc

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2020

Appeal Ref: APP/Y1110/D/19/3240160

28 Argyll Road, Exeter EX4 4RY

- 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 Croft against the decision of Exeter City Council.
 - The application Ref 19/0809/FUL, dated 11 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is new dormer to front and rear of property. New extension over existing playroom.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. It is clear from the Council's decision that it has no objection to the extension to the outside terrace area. I have no evidence before me to reach a contrary view to the Council in this regard and therefore my decision focuses on the design of the proposed elevations.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the existing building and the surrounding area.

Reasons for the Recommendation

5. The proposal is for a householder extension to the existing property, a brick bungalow, which has some architectural merit through its legible design with appropriately placed and sized windows. A single storey playroom protrudes to the side of the property. Key to this proposal is its contemporary design approach, which attempts to modernise the existing property without extending beyond the existing footprint of the bungalow.
6. The change to the front elevation of the bungalow would add architectural interest through an array of large windows separated by a thick black line and an off-set brise soleil. However, this addition, whilst being subservient to the existing bungalow, would relate poorly to its roof form, which would still be

- seen and which would not appear fully integrated with the new elements. The roof of the new extension over the playroom would meet the apex of the new frontage, and both the main front elevation and the new extension over the playroom would use plank cladding which would assist in the assimilation of the new extension over the playroom with the overall property, but even so, the horizontal narrow plank cladding section for the new extension over the playroom would appear disjointed in relation to the main front elevation.
7. The roof form of the playroom currently compliments that of the bungalow. The proposal would add a new storey, which would appear as a rectangular block when viewed from the side. The remaining roof form of the bungalow would still be seen from the side; this would appear as an incongruous element, jutting out above the new storey. Due to the minimal changes to the bungalow on the rear elevation, the new contemporarily-designed element above the playroom would appear noticeably at odds with the bungalow. Its lack of subservience would contribute to its jarring effect, in comparison.
 8. The proposed materials would enliven the building, and add interest to its character, but this factor does not sufficiently mitigate the harm caused by the overall effect of the proposal on the appearance of the existing building.
 9. I have taken careful note of the examples of other relevant planning applications¹, provided by the appellant. I observed the new dwelling located at the entrance to Argyll Road (No 2 Argyll Road)². No 2 exhibits a high standard of contemporary design. The appeal proposal does share some design cues with No 2, but the proposal does not match this high standard of design, due to the proposal's poor relationship and lack of appropriate integration with the existing property. As such, No 2 is not comparable. Whilst the appellant has referred to applications relating to both 47 and 51 Argyll Road³, the nature of the appeal proposal, in terms of its integration of the original roof form with the new proposed elements, is different to those examples, and accordingly they are not directly comparable. Therefore, I have assessed the proposal on its individual merits.
 10. The appellant referred to a, now-lapsed, planning permission for a new dwelling at 28 Argyll Road⁴. From the details provided, it appears that this permission was different to the appeal proposal in several respects, including its position on site, with the appeal site being significantly elevated above the position of that approval, with corresponding differences in how the properties would be viewed in the local area. Therefore, that approval is also not directly comparable with this appeal proposal.
 11. The appellant submitted a Design Statement, as required by the Householder's Guide to Extension Design supplementary planning document ('SPD') (adopted 16 September 2008). I agree with the appellant that due to the contemporary nature of the proposal, not all of the broad design principles as set out in the SPD are applicable. However, the SPD provides that for contemporary design the quality of the design is paramount to the success of such extensions. For the reasons given above, the proposal would not represent a design of acceptable quality.

¹ Including: 16/1264/RES, 14/4713/FUL, and 13/3588/FUL.

² Planning application reference 16/1264/RES.

³ 13/3588/FUL, and, 14/4713/FUL, respectively.

⁴ 16/0952/FUL

12. The property is partially visible from the surrounding area, as the screening around it is not complete. I concur with the appellant that Argyll Road has a distinctly mixed character, which includes variation in styles, materials, storeys, and projecting elements of properties. There is also a lack of a consistent building line along the road. However, for the reasons given above, the inadequate design credentials of the proposal has the consequence that the proposal would not raise the quality of urban living in the area, which is contrary to Objective 9 of the Exeter City Council Core Strategy (adopted 21 February 2012) ('Core Strategy'), and is also contrary to Policy CP17 of the Core Strategy which requires a high standard of sustainable design.
13. For the same reasons, it is not considered that the proposal constitutes the 'new distinctiveness' contemplated by the supporting text to Policy DG1 of the Exeter Local Plan First Review (adopted 31 March 2005) ('Local Plan'), nor the requirement to create high quality distinctive places given in Policy DD25 of the Exeter City Council Development Delivery DPD (Publication Version) 2015. However, Policy DD25 has not been adopted and does not form part of the development plan, and so can only be given limited weight.
14. I have had regard to the National Planning Policy Framework's ('the Framework') requirement that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. However, as explained above, in this case the proposal falls short of these objectives.
15. Accordingly, the proposal would have an unacceptable and harmful effect on the character and appearance of the existing building and the surrounding area. I conclude that the proposal conflicts with saved Policy DG1 of the Local Plan which requires that designs contribute positively to the visual richness and amenity of the townscape.

Other Matters/Planning Balance

16. I have had regard to the merits of the proposal in terms of environmental sustainability, noting the appellant's desire to not rebuild the property. This encompasses the benefits of reduced environmental impacts, a reduction in carbon emissions, potential increases in energy efficiency, and the use of brownfield land. I accept that when compared with a new build, it is likely that these benefits would manifest through the proposal as a reduced impact on climate change. This would contribute to Objective 1 of the Core Strategy, which aims for the fullest contribution possible to the mitigation of, and adaptation to, climate change and the transition to a low carbon economy. The parties have not provided definitive evidence that the proposal would meet the definition of previously developed land as given in the Framework, and so it is unclear if the proposal would contribute to Objective 3 of the Core Strategy, which refers to making full and efficient use of previously developed land. Nevertheless, by not proposing a new build, the proposal would be contributing to the efficient use of land. However, little evidence has been provided as to the scale of these potential benefits, and as such only minimal weight can be given to them.
17. The proposal would improve the living accommodation available to the appellant. However, as this would mainly be a private benefit, this has been given very limited weight.

18. The appellant has argued that the majority of the proposal could be carried out under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, as only limited details have been provided it is not possible to ascertain whether such development would be more harmful than the appeal scheme, and therefore limited weight is given to this matter.
19. A number of other factors have also been cited in support of the proposal, including: that the proposal would result in a marginal increase in floor space; the lack of objections from interested parties in relation to the design of the proposal; that there would be no change to parking arrangements; and the lack of privacy impacts on neighbouring properties. These factors are not in dispute and carry neutral weight in my consideration of the proposal.
20. In conclusion, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion and Recommendation

21. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR