

Appeal Decision

Site visit made on 16 June 2022

by M Scriven BA (Hons) MSc CMgr MCIHT MCMI

an Inspector appointed by the Secretary of State

Decision date: 32st July 2022

Appeal Ref: APP/Y1110/W/22/3290280

12 Tokesen Drive, Pinhoe, Exeter, Devon EX4 8FT

- 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 Mark Channing against the decision of Exeter City Council.
 - The application Ref 21/1723/FUL, dated 8 November 2021, was refused by notice dated 22 December 2021.
 - The development proposed is a hip to gable attic conversion.
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Decision

1. The appeal is dismissed.

Procedural matters

2. In addition to considering the appeal scheme as described above, the appellant has requested that I determine whether a previously refused application relating to a loft conversion, incorporating a roof dormer would be allowable, albeit I have little detail of that proposal before me beyond a broad description. The appellant has also requested that discussion occurs with him in the event that appeal is likely to be dismissed.
3. In reaching my decision I must be mindful of the Procedural Guide: Planning appeals – England¹, this amongst other things provides detail for parties on how planning appeals are determined, what information is required, from whom and by when. I must also adhere to the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations, 2009. In the interests of fairness to all parties, I must remain impartial in my decision making and the appeal process should not be used to evolve proposals. Therefore, I have considered the appeal on the basis of the plans provided and the supporting information received, relating to 21/1723/FUL.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The existing property forms one end of a terrace of three properties on a recently constructed housing development. The property is clearly seen from an area of recreational space and public footway to the south. The terrace has a uniform appearance incorporating hipped roof arrangements at either end.

¹ <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

The same approach is followed on other similar terraces nearby, this planned symmetry in design positively contributes to the character and appearance of the area.

6. Although little detail is before me, I am informed the proposal was chosen by the appellant in response to a previously refused planning application at the site. I must though consider the appeal on its own merits, that before me would fundamentally alter the appearance of the existing terrace, by introducing a half gable end to one end of the terrace, creating an appearance of an unbalanced grouping of buildings. Moreover, the proposal would not reflect that which prevails and as such would appear at harmful odds in its surrounds, not relating well to the character and appearance of adjoining or nearby buildings.
7. I acknowledge that other roof forms and homes of differing appearance exist elsewhere on the development and across the wider Exeter area, as demonstrated by the appellant's own photos and from my observations at the time of my visit. However, this does not overcome the harm that would be caused by the proposal as they are not characteristic of this part of the recently constructed development.
8. Therefore, the proposed development would not accord with policies DG1 and CP17 of the Exeter Local Plan Review, 2005 (saved 2008) and Objective 9 of the Exeter City Council Core Strategy, 2012, which amongst other things collectively seek to ensure that development proposals preserve or enhance local character, promote local distinctiveness and relate well to the character and appearance of adjoining buildings.
9. For the same reasons the proposed development would not meet the intentions of the Exeter City Council Householder's Guide to Extension Design Supplementary Planning Document, 2008.

Other matters

10. The appellant considers it unfair that permitted development rights, as confirmed by the Council, were removed as part of the planning permission for the existing property. However, I must consider the appeal before me and on the basis of the fact that permitted development rights were removed. I have found that there would be harm to the character and appearance of the area if the proposal were to be built.
11. I also appreciate that the appellant is seeking to increase their available living space. However, this does not outweigh the visual harm associated with the proposal.
12. The proposed development conflicts with the Development Plan and other considerations raised do not outweigh this conflict.

Conclusion

13. For the reasons above, and having considered all matters raised, the appeal is dismissed.

M Scriven

INSPECTOR