



Appeal Decision

Site visit made on 20 June 2022

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2022

Appeal Ref: APP/Y1110/D/22/3296801

18 Friars Walk, Exeter EX2 4AY

- 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 Matt Ireland against the decision of Exeter City Council.
 - The application Ref: 21/1770/FUL, dated 15 November 2021, was refused by notice dated 29 March 2022.
 - The development proposed is extension to existing bungalow to create first floor accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has made an application for an award of costs against Exeter City Council. That application is the subject of a separate decision letter.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the building, Southernhay and The Friars Conservation Area and setting of listed buildings.

Reasons

4. No.18 Friars Walk is an end of terrace bungalow built in the 1960s and including a small courtyard garden. It fronts on to Friars Walk with Holloway Street to the rear. It is in an elevated position relative to Holloway Street and prominent in views from what is a busy arterial route.
5. The Southernhay and The Friars Conservation Area lies to the south-east of Exeter's city walls and to the north of the river. The Council's conservation area document identifies the two sections of the conservation area as Southernhay and Magdalen Street, and the Friars and Larkbeare, with the appeal site being within the latter section. Both sections are said to have a definable area with their own styles of buildings and a wide variety of spaces. Traditional building materials in the historic core of the city are stone, stucco and brick.
6. In terms of significance the basic plan for this part of Exeter with Magdalen Street and Holloway Street radiating out from the South Gate can be traced to Saxon times. The increase in wealth from Exeter's status as a major port and

from the woollen industry led to prestigious late Georgian developments, including buildings at Friars Walk.

7. Grade II listed buildings to the rear of the appeal site include Nos.1-8 Friars Walk which date from around 1840 and comprise 4 pairs of buildings designed to look like detached houses and in a Greek revival style. In addition, Nos.9 and 10 Friars Walk are of a similar form and located directly opposite the appeal site. Nos. 11 and 12 Friars Walk are also grade II listed and Nos.1-12 together form a group of listed buildings. The modern townhouses which comprise the terrace of Nos.18 to 23 Friars Walk are described in the conservation area document as buildings which make a negative contribution to the conservation area.
8. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in determining planning applications which affect a listed building or its setting special regard must be had to the desirability of preserving the building or its setting.
9. The proposal is for a flat-roofed extension in a contemporary style, design, fenestration and using modern materials. These include black vertical timber cladding, weathered expanded mesh steel and grey standing seam metal cladding. The appeal building and terrace include brickwork and a pale colour external render which, with one exception of a pale blue finish to one building, complements the pale colouring of the stucco and render of the listed buildings to its rear along Friars Walk. The appellant has submitted a Heritage Statement which advises that the improvements to the appearance and scale of the building would enhance the setting (of the listed buildings) by providing a contemporary building in place of the existing poor-quality structure. In addition, that it would be a bold statement that would improve the approach to the city centre.
10. I agree that there is scope to improve the appearance of the appeal building and provide additional accommodation. Contemporary design can be acceptable within conservation areas and the appellant has advised that such an approach has been allowed elsewhere in the city. However, with the exception of the brickwork, the proposed extension would appear prominent and out of character when viewed from Holloway Street because of the form and colour of the proposed external materials. The appearance of the extension would be harmful to the generally cohesive appearance of the backdrop of pale coloured historic buildings on Friars Walk. In this respect the proposal would conflict with Exeter Local Plan First Review (ELPFR) policy G1 which, amongst other things, indicates that materials should relate well to the palette of materials in the locality, and which reinforce local distinctiveness.
11. In view of its proposed appearance, I find that the extension would harm the setting of the group of listed buildings at Friars Walk. The proposal would therefore conflict with ELPFR policy C2 which is consistent with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 by requiring that special regard be had to the desirability of preserving the setting of listed buildings.
12. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in determining planning applications in conservation areas

special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

13. Although the appeal building is considered to make a negative contribution to the conservation area, the appeal proposal would make it appear prominent and out of character with the rest of the terrace and other buildings in the area. It would fail to contribute positively to the historic character of the Southernhay and Friars Conservation Area, contrary to the requirement of Exeter City Council Core Strategy(Core Strategy) policy CP17. It would conflict with ELPFR policy C1 which indicates that extensions must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. It would also fail to comply with objectives 8 and 9 of the Core Strategy which seek to ensure that the city's unique historic character and townscape is protected and enhanced, and that local distinctiveness is reinforced.
14. I find that the proposal would fail to preserve or enhance the character and appearance of the Southernhay and The Friars Conservation Area and would amount to harm to the significance of the designated heritage asset. However, the harm arising would be less than substantial because of the limited amount of development proposed.
15. Paragraph 202 of the National Planning Policy Framework indicates that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The benefits from the proposal include providing additional accommodation and improved energy efficiency for the building. This would primarily constitute private benefits for the appellants, rather than public benefits and would not outweigh the harm from the proposal to the character and appearance of the conservation area.
16. To conclude, the proposed development would harm the setting of the grade II listed buildings at Friars Walk, character and appearance of the building and the conservation area. It would conflict with relevant development plan policies and would further conflict with the expectation set out in paragraph 199 of the National Planning Policy Framework that great weight should be given to the conservation of designated heritage assets, including conservation areas.

Other Matters

17. The Council has advised that it would welcome a wholesale redevelopment of the terrace. However, no such proposal is before me in this appeal.

Conclusion

18. I have taken all other matters raised into account, including the Council's supplementary planning guidance for house extensions and the letters of support for the proposal. However, for the reasons given above, I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR