The Planning Inspectorate

Appeal Decision

Site visit made on 12 July 2022

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2022

Appeal Ref: APP/Y1110/D/22/3300688
2 Baring Crescent, Exeter EX1 1TL

- 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 and Mrs McMurray against the decision of Exeter City Council.
- The application Ref 21/1513/FUL, dated 27 October 2021, was refused by notice dated 11 April 2022.
- The development proposed is a two storey side extension.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

    - The effect of the proposed development on the character and appearance of the St. Leonards Conservation Area; and
    - The effect on living conditions of neighbouring occupiers with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site is within the St. Leonards Conservation Area (CA), a large historic residential suburb. Large stucco dwellings of both 2 and 3 storeys, a range of architecture as well as gardens of various sizes and other green spaces make a major contribution to the character of the CA. As well as stucco, typical materials adding to the character of the CA include red brick with roofs of natural slate or red clay tiles, although I note from my site visit other materials have been introduced in more recent development such as concrete tiles and metal roofing. From this, it appears that the significance of the conservation area as a whole stems from the extent to which the historic buildings and their spacious layout appear to be intact, as well as the varied and individual appearance of dwellings.

4. Baring Crescent is a wedge-shaped area which contains high quality mid 19th century stucco villas overlooking a private park area. The Conservation Area Appraisal[1] (CAA) explains that the historic layout of the Crescent is disrupted on plots 2 and 3 where the original villas have been demolished and replaced by three 20th century dwellings of similar appearance to one another, one of

[1] St. Leonard's Conservation Area Appraisal and Management Plan 2008

which is the appeal property. These dwellings are of a considerably smaller scale then the surrounding villas and the CAA deems them to make a neutral contribution to the CA. I have no reason to disagree.

5. The appeal property is a two-storey link detached dwelling, with rendered elevations under a concrete tile pitched roof. The proposal to the northwest elevation would feature mostly rendered elevations with metal finish to parts of the first floor and a part pitched and part flat roof. The extension would be level with the front wall facing Baring Crescent but extend beyond the rear wall facing Heavitree Road by 2.2m.

6. I acknowledge that the proposal attempts to maintain a subservient appearance, such as through the use of contrasting materials and a lower ridge particularly when viewed from Baring Crescent. However, while the dwelling has been altered, such that the address and front elevation is now Baring Crescent, the main public vantage points of the dwelling would be from Heavitree Road which is a main traffic route into and out of the city. From this vantage point, the extension would draw the eye due to a combination of the projection beyond the building line towards Heavitree Road, materials, and eaves height extending above the existing eaves. It would therefore appear as a dominant addition lacking subservience.

7. During my site visit I saw that existing contemporary architecture in the vicinity, such as the use of standing seam metal roofs (notably St Luke's House to the west), and flat roof extensions to dwellings have evolved the appearance of the area, particularly along Heavitree Road. However, these additions have largely preserved the character of the area due to sympathetic scale, and, in the case of St Luke's house, comfortable spatial relationship with existing buildings.

8. There are flat roofs at the appeal site, but the appeal proposal is not reflective of the existing flat roof extensions at this property due to its prominence and will be seen as somewhat at odds with the overall form and existing simple architecture of the host dwelling. Thus, it would complicate and diminish the simple character of this elevation to the detriment of the dwelling and character of the CA.

9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I have attached considerable importance and weight.

10. As the significance of the heritage asset is linked to its character and appearance, there would, therefore be less than substantial harm to the significance of the CA, and I note that the appellant accepts that less than substantial harm would be caused. Irrespective of the degree of harm, the National Planning Policy Framework (Framework) is clear that great weight should be given to an asset's conservation. The Framework requires that where less than substantial harm to the significance of a designated heritage asset is identified, this harm should be weighed against the public benefits of the proposal.

11. The Appellant has submitted that the proposal would result in enlarged living accommodation and better thermal and energy efficiency thus improving a family home. Whilst I have no doubt that the enhanced living accommodation

would be beneficial to the appellant, this does not amount to a public benefit of significant weight. Accordingly, I find that there is no public benefit cited which outweighs the great weight I give to preserving the character of the CA and conserving this heritage asset.

12. My attention has been drawn to both the Exeter City Council Supplementary Planning Document entitled Householder's Guide to Extension Design (SPD) and the National Design Guide. Whilst it may be that the proposal accords with certain aspects of both documents, Principle 5 of the SPD is clear that extensions should be subservient to the original house, with the size and proportion of the extension allowing the main house to remain the dominant feature. This would not be the case with the proposed extension when viewed from Heavitree Road as previously identified.

13. The Council has previously approved planning application Ref: 17/1913/FUL, (`the approved scheme'). This gave permission for a two storey side extension in a similar location to that now proposed, and a front single storey extension, with porch at rear. The single storey extensions have been constructed, however, this proposal is of a larger scale and differing design. The approved scheme two storey extension does not extend beyond the front or rear walls, would maintain a simple form and be subservient to the host dwelling in its appearance.

14. As such, the development would harm the character and appearance of the host dwelling and CA, contrary to Policy CP17 of the Core Strategy (adopted 2015), saved Policies C1 and DG1 of the Exeter Local Plan First Review 1995-2011 which combined seek, amongst other things, to ensure that the scale and shape of structures relates well to the character and appearance of the adjoining buildings and the surrounding townscape. The proposal would also conflict with the overarching aims of the Framework with regard to the protection of heritage assets.

Living Conditions

15. The neighbouring St Luke's House is located to the western side of the appeal site, the rear elevation of which faces the shared boundary. During my site visit, I noted that this dwelling sits lower than the appeal site, although due to the rear garden, there is a reasonable distance to the boundary. However, a number of windows, some of which are obscure glazed face the appeal site. Whilst the appeal proposal would extend further north than that of the approved scheme, I find that the additional projection, due to its position, size and height, would not create a significant further impact on outlook from St. Luke's house than that of the approved scheme. Furthermore, the use of metal cladding to the first floor would help break up the visual massing of this elevation and further reduce any overbearing effect on the neighbouring dwelling.

16. The proposed extension would therefore not cause any unacceptable harm to the living conditions of the occupiers at St Luke's House and as such, would comply with LP Policy DG4 which requires development to, amongst other things, ensure a quality of living condition which allows residents to feel at ease within their homes and gardens.

Other Matters

17. The appellant has submitted that the Development Plan is out of date and therefore the Policies therein carry less weight than the Framework. However, I find the Development Plan Policies most important to this appeal decision to be broadly consistent with the Framework and I have, in any case, found conflict with the Framework.

Conclusion

18. Whist I have found that there would be no harm to the living conditions of neighbouring occupiers, such a lack of harm would be neutral in the planning balance. As the proposal would fail to preserve the character and appearance of the Conservation Area and there would be conflict with CS Policy CP17 and LP Polices C1 and DG1 and the development plan, read as a whole.

19. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR