



Appeal Decision

Site visit made on 22 November 2022

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2023.

Appeal Ref: APP/Y1110/W/22/3302387

6 Matford Lane, Exeter EX2 4PS

- 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 & Mrs C Laing against the decision of Exeter City Council.
 - The application Ref 21/1028/FUL, dated 18 June 2021, was refused by notice dated 6 May 2022.
 - The development proposed is demolition of existing bungalow and garage and construction of two storey dwelling with associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the two storey dwelling on the character and appearance of the surrounding area with particular regard to preserving or enhancing the character or appearance of the St. Leonards Conservation Area.

Reasons

3. The site is located within the St. Leonards Conservation Area (CA). The area within the vicinity of the site comprises large houses and brick terraces with enclosed front gardens set in a green townscape forming a leafy historic suburb. There are also a number of notable contemporary developments that form a feature of the CA. The significance of the designated heritage asset is derived from its historic suburban character and green townscape.
4. The appeal site is the middle of three bungalows, and part of a group of six dwellings that are set back from the road. The appeal dwelling is of limited single-storey form with the ridge pitching away from the road. As a result, it is not prominent in the street scene.
5. I acknowledge that the contemporary design of the appeal proposal takes its design cues from the existing bungalow and is of a similar footprint, eaves, and ridge height. However, by reason of the first-floor flat roof design and its associated mass, the use of contrasting materials and a larger front projection, the design would be overly prominent and visually intrusive in the street scene.
6. The St. Leonard's CA Appraisal and Management Plan March 2008 (MP) identify that the group of six buildings that the appeal proposal forms part of do not make a positive contribution to the character of the area. However, by reason of its scale, design and resultant prominence, the proposal would diminish

further the contribution that the appeal dwelling, and wider group, make to the CA.

7. There are a number of the other contemporary dwellings in the area. These other dwellings are however generally within larger plots, and of a scale and mass, that better respect and compliment their settings and the wider character and appearance of the CA.
8. Taking account of all of the above, I find that the harmful impact from the proposal on the character and appearance of the area, would fail to preserve or enhance the character or appearance of the St. Leonards Conservation Area. As a result, it would harm the significance of the CA as a heritage asset. As such the proposal would fail to preserve or enhance the character and appearance of the Conservation Area. The proposed development is therefore contrary to Policies CP17 of the Exeter City Council Core Strategy February 2012, and Policies C1 and DG1 of the Exeter Local Plan First Review 31 March 2005, and guidance in the MP and the National Planning Policy Framework (the Framework) which, amongst other things ensure that proposals are of a high standard of design that relate well to the character and appearance of the area and preserve or enhance the character or appearance of the Conservation Area.
9. The Framework advises at Paragraph 199 that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Accordingly, while less than the 'substantial harm' referred to in Paragraph 201 of the Framework, the harm to the conservation area is nevertheless a matter of considerable importance in this case.
10. Paragraph 202 of the Framework establishes that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The only public benefit in this instance is the addition of an energy efficient, near zero carbon, dwelling. However, that benefit is minimal and cannot outweigh the identified harm to the conservation area.

Conclusion

11. For the reasons given above, I conclude that the proposed development would not accord with the development plan. Thus, having had regard to all other matters raised the appeal should be dismissed.

C Rose

INSPECTOR