



Appeal Decision

Site visit made on 31 May 2023

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21st June 2023

Appeal Ref: APP/Y1110/D/23/3318650
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:22/1243/FUL dated 8 September 2022, was refused by notice dated 3 March 2023.
 - The development proposed is extension to existing bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing dwelling and terrace and on the character and appearance of the Southernhay and The Friars Conservation Area and the setting of Grade II listed buildings in Friars Walk.

Reasons

3. The appeal property is an end of terrace, two bedroom bungalow with a small enclosed courtyard garden. The terrace fronts Friars Walk, and at the rear and at a lower level is Holloway Street. Within this terraced development, there are a very limited number of windows along the street frontages, it would appear that most of the windows are internal and opening onto enclosed courtyards. The individual properties have shallow pitched roofs. The immediate surrounding area is predominantly residential but with a variety of commercial uses, reflecting its location very close to the City Centre.
4. The appeal property lies within the designated heritage asset of the Southernhay and The Friars Conservation Area and opposite the appeal site, within Friars Walk, are pairs of Grade II listed semi-detached villas, most of which are in the Greek Revival style and which are noted for their group value. It is noted that Nos 11 and 12 are of different scale and massing to the rest of the group but the architectural and historic interest of the group contributes to their significance.
5. The Conservation Area is extensive but its significance relates to encompassing elements from the historical development of Exeter, including a high proportion of Georgian and Victorian buildings, but reflecting its very central location now segregated by main roads leading into and out of the centre.

6. Section 66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural interest which it possesses, in considering whether to grant planning permission for development which affects a listed building or its setting. Section 72 (1) of the same Act sets out in respect of development within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The proposal seeks to add a dormer extension to the building to create accommodation at first floor level. The dormer would be flat roofed and set towards the north-western end of the property. The dormer extension would project above the ridge and parapet line of the existing property and its immediate neighbour.
8. The Council's Conservation Area Appraisal for this Conservation Area notes that the existing terrace, of which the appeal property forms part, make a negative contribution to the Conservation Area. However, the design of the buildings as existing, with their modest height particularly fronting Friars Walk and with a very small number of openings and shallow pitched roofs to Friars Walk result in the terrace not appearing as a dominant feature in the street scene. The introduction of the dormer window with its height, which would appear above the ridge and parapet line, form and siting would have an uncomfortable relationship with the rest of the lower pitch roof. It would be particularly prominent in views entering and along Friars Walk. As a result, it would introduce a visually discordant feature that would be harmfully obtrusive in relation to the existing building, the rest of the terrace and the wider street scene.
9. The Appellant contends that the dormer would be seen in the context of other dormers which are found in the surrounding area and within the Conservation Area. I agree that dormers are a feature on a number of the nearby historic and later properties but, in the main, these are small scale traditional dormers set down from the ridge line and within the roof scape, so that the main roof remains the dominant feature. They do not, in my view, compare with the much more prominent proposal before me that would be visually intrusive in relation to the existing building, terrace and in street scene views.
10. I do not therefore agree with the Appellant's view that the resultant building, with the dormer proposal, would result in a positive enhancement of, or at the very least neutral effect to the terrace, street scene and Conservation Area. The introduction of this visually intrusive feature which would be overly prominent in street scene views would detract from the setting of the listed buildings, particularly when approaching the group from the south-eastern end of Friars Walk, as well as the character and appearance of the Conservation Area.
11. I therefore conclude that the proposal would not respect the character and appearance of the existing building, or terrace. Furthermore, it would not respect the significance of and would not preserve the character and appearance of the Southernhay and The Friars Conservation Area and would not preserve the setting of the Grade II listed buildings opposite the site in Friars Walk. It would therefore conflict with Policy CP17 of the Exeter Local Development Framework Core Strategy, Policies C1, C2, DG1 (f), DG1 (g) and

DG1 (h) of the Exeter Local Plan First Review and the Council's Supplementary Planning Document 'Householder's Guide to Extension Design' as well as the National Planning Policy Framework (Framework), and in particular Sections 12 and 16, all of which amongst other matters seek a high quality of design which respects the local context and the significance of designated heritage assets.

12. Paragraph 202 of the Framework sets out that where a development proposal will 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. The proposal could lead to some small benefits to the local economy during the construction process. Whilst the harm to both the designated heritage assets of the Conservation Area and the setting of the listed properties in Friars Walk would, in my view, be less than substantial, the public benefits would not be sufficient to outweigh that harm.

Other Considerations

13. I am advised that there was an earlier appeal on the same site for a first floor across the whole of the property, which was dismissed under the Ref: APP/Y1110/D/22/3296801. This decision has not been provided to me, but my consideration is based solely on the proposal before me.
14. I have sympathy with the family related reasons for seeking the additional accommodation and I understand that the height of the dormer extension would be required to provide adequate internal headroom, but these matters on their own would not outweigh the harm I have concluded.

Conclusion

15. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR