



Appeal Decision

Site visit made on 26 September 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2023

Appeal Ref: APP/Y1110/D/23/3321165

12 Unicorn Street, Exeter, Devon EX2 7RE

- 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 C Westlake against the decision of Exeter City Council.
 - The application Ref 23/0064/FUL, dated 16 January 2023, was refused by notice dated 21 March 2023.
 - The development proposed is a first floor side extension over garages & provision of solar panels to new & existing roofs.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect on the character and appearance of the host building and surrounding area; and
 - the effect on the living conditions of the occupiers of No 12 Walsingham Place, with particular regard to daylight, outlook and privacy.

Reasons

Character and appearance

3. No 12 Unicorn Street is a semi-detached dwelling situated in a relatively densely developed modern residential suburb of Exeter. The properties are constructed with a similar palette of materials and have a variety of house types and flats with differing roof heights and forms. The appeal property is two storeys and has an attached double garage. The principal elevation faces on to a courtyard and the rear elevation faces towards Walsingham Place.
4. The proposed extension would be constructed over the double garage with a balcony looking over the courtyard. I observed that the extension would be publicly visible between two blocks of flats when stood on Unicorn Street, and from Walsingham Place with the garage of No 12 Walsingham Place in the foreground. It would also be visible from the entrance of, and when standing within, the courtyard. Although I acknowledge that the courtyard view is limited to people who use it to access their properties.
5. The advice in the Exeter City Council Supplementary Planning Document (SPD) on extension design sets out that to ensure that an extension is subservient and is of visually pleasing proportions, it should be no more than half the width of the original house.

6. The extension would be set down from the ridge line and set back from the principal elevation of the house. However, extending over the full width of the double garage, the extension would be a similar width to the main house. It would add significantly to the overall scale and bulk of the building and would impact negatively on the garages' current subservience to the host building.
7. Due to its height and scale, the extension would be a notable feature from Walsingham Place adding to the overall density of development. It would also be conspicuous from Unicorn Street, rising above the roofs of the dwellings in the background of this view and eroding the space between the two flat blocks in the foreground. Consequently, the additional bulk and mass of the building would be detrimental to the street scene.
8. In addition, the proposal would disrupt the symmetry of the appeal property with its attached neighbour, a prominent and key component of the views within, and the layout of, the courtyard. Further, the extension when taken together with the adjoining flats would unacceptably dominate and enclose the courtyard to the detriment of the built environment.
9. I note that the property is shown in the SPD describing the dwelling as "a lost opportunity to create an attractive mews character". However, the proposal would not result in the creation of a mews character around the courtyard. The comment in the SPD therefore does not provide sufficient justification for allowing this appeal.
10. For these reasons, the proposed development would cause harm to the character and appearance of the host building and the surrounding area. Consequently, the proposal would conflict with Policy CP17 of the Exeter Local Development Framework Core Strategy and Policy DG1 of the Exeter Local Plan First Review, which collectively seek, in part, for development to complement or enhance Exeter's character and local identity, promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape.
11. Additionally, the proposal would conflict with the National Planning Policy Framework (the Framework), which seeks, to ensure that, development is visually attractive as a result of good architecture, layout, and sympathetic to local character, including the surrounding built environment.

Living conditions

12. The garden of No 12 Walsingham Place is partly bordered by the appeal property's garage. In terms of loss of privacy, there would be no opening in the side of the extension that faces over the neighbouring garden and the windows in the rear of the extension would be at an acute angle to No 12's windows. The nearest window would serve a bathroom that would be obscure glazed. Nevertheless, despite the use of obscure glazing, the introduction of a window in the proposed rear elevation directly next to the garden of No 12 would give the impression of the garden being overlooked. This impression would be intensified at dusk and at night when the bathroom is lit and when the bathroom window is open. As a result of the very close proximity between buildings I consider that the position of the bathroom window would harmfully detract from the living conditions of No 12.
13. Furthermore, the extension would significantly enlarge the built form of the dwelling on the boundary with No 12. Because of the additional height

proposed on the boundary above the garage the extension would appear as a substantial and conspicuous structure. It would be overbearing when viewed from the neighbouring garden, would dominate the garden space and would be harmful to the living conditions of the occupiers of No 12 when using their garden.

14. Having regard to all of the above, the proposed development would cause material harm to the living conditions of the occupants of 12 Walsingham Place. Consequently, the proposal would conflict with Policy DG4 of the Exeter Local Plan First Review, which seeks, in part, to protect the quality of amenity. Additionally, it would conflict with the Framework, which seeks to ensure that there is a high standard of amenity for existing and future users of development.

Other Matters

15. It has been suggested that the development plan policies are out of date. However, I consider that the development plan policies are consistent with the Framework with which the proposal also conflicts.
16. Improved family accommodation is largely a private benefit. Improved thermal and energy performance at the property would be a benefit but I have little evidence before me to suggest that the extension is the only means to increase the performance of the building in these respects. Therefore, this matter carries little weight.
17. Furthermore, even if the bedrooms of the dwelling are below the minimum space standards, I have limited information to demonstrate that improvements to bedroom sizes cannot be provided through a scheme that is less harmful than the proposal.

Conclusion

18. For the above reasons, the proposed development would conflict with the development plan, when taken as a whole, and there are no material considerations that would outweigh that conflict. Accordingly, I conclude that the appeal should be dismissed.

K Reeves

INSPECTOR