



Appeal Decision

Site visit made on 10 October 2023

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2023

Appeal Ref: APP/Y1110/D/23/3326666

95 St. Katherines Road, Exeter, Devon EX4 7JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Fredriksson against the decision of Exeter City Council.
 - The application Ref 23/0438/FUL, dated 29 March 2023, was refused by notice dated 6 July 2023.
 - The development proposed was described as “retrospective application for retention of cladding to dormer extension and bay window”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Reference to “retrospective” and “retention” in the description of the application are not a form of development. However, the application form confirms that the development has been completed and I was able to see this during my site visit. I have determined the appeal on that basis.
3. It has been suggested that, had the dormer been constructed in other materials, it would have comprised “permitted development” granted planning permission under the Town and Country Planning (General Permitted Development) Order 2015 (GPDO). However, it is not for me, under a Section 78 appeal, to determine whether or not alterations or extensions would comply with the GPDO or be lawful. It is open to the appellant to apply to the Council for a separate determination under Sections 191/192 of the Act regardless of the outcome of the appeal.
4. I note the Council varied the description of development to include construction of the dormer in its decision notice. I have taken that into account in coming to my decision.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host dwelling and the surrounding area.

Reasons

6. The appeal site lies at the corner of St Katherines Road and Latimer Road. Both roads comprise a series of short terraces of red bricked two-storey houses, dating from the mid-20th century. There has been very little in the way of physical alterations to the properties, and the repeated pattern of feature bay

- windows within the brick facades results in a consistent and attractive form of development.
7. The properties in this context also display consistency in materials comprising brick under tiled roofs, with painted render detailing also present to the front bay projections. I have been provided with photographs of the appeal property prior to the appeal development. Whilst not identified as a heritage asset in its own right or as part of a wider area, the property made a positive contribution to the character of its surroundings, maintaining the consistent appearance of the street scene.
 8. The development comprises two individual elements. The large box dormer extension encompasses the main rear roof slope of the dwelling, dominating and substantially altering the form of the roofline. This additional mass at roof level results in a bulky and top-heavy appearance to the dwelling when viewed from the road, which does not reflect the proportions of the existing dwelling or others in the area. Moreover, the dark grey horizontal cladding of the dormer does not relate well to either the adjacent brick wall or roof tiles, and serves to accentuate the incongruous form of the dormer, increasing its prominence in the street scene, and detracting from the character of the area.
 9. In relation to the front bay, I note that several properties in the vicinity have cladding material on their bays. However, they are predominantly white, or a very pale pastel shade. The tonal contrast between the red-brick properties and the light-coloured feature bays is an important part of the street scene. This characteristic pattern has been maintained throughout the local area, even where nearby dwellings have replaced the original render with alternative materials. Whilst the bay cladding at the appeal site is a small feature of the street scene, it is highly visible and conflicts with the prevailing character of the area.
 10. Adjacent to the appeal site on Latimer Road, a recently constructed dwelling has a brown shade of cladding to its upper storey and bay feature. It is conspicuous in the street scene as a departure from the local character. The harm in this regard is moderated to a degree by the different scale and design approach of the new dwelling, meaning that it does not make the same visual contribution to the terrace. For these reasons, the use of cladding on the neighbouring property does not justify a departure from the prevailing character at the appeal site.
 11. Whilst I accept that the cladding may be low maintenance, I have not been provided with information to show that it is any more suitable than the traditional building materials of brick and tile used elsewhere on the property. Whilst there may have been maintenance issues with the previous rendered finish to the bay which provides some justification for its replacement, the dark grey cladding does not relate well to its context and results in harm to the character of the area. This consideration therefore carries limited weight in favour of the appeal.
 12. Both parties have referred to the Council's Householder's Guide to Extension Design Supplementary Planning Document (the SPD). The SPD recognises the impact residential extensions have on the character of an area, and seeks to amplify the development plan policies, encouraging high standards of design. For the reasons outlined above, I find that the development would not accord with a number of the SPD's general principles, including maintaining

subservience, respecting the roof pitch, repeated architectural details, and the use of matching materials.

13. For these reasons, I therefore conclude that the development would result in harm to the character and appearance of the host property and the surrounding area. This would be contrary to Objectives 8 & 9 and Policy CP17 of the Exeter Core Strategy, and Saved Policy DG1 of the Exeter Local Plan. Taken together these policies require, amongst other things, that the design, massing, and materiality of new development relates well to, complements, or enhances the local built context and character of the area.
14. The development would also conflict with guidance in the SPD, and with the aims of the National Planning Policy Framework, which at paragraph 130 seeks development that is sympathetic to local character including the surrounding built environment, and which establishes or maintains a strong sense of place.
15. I note that it may be possible to construct a dormer under permitted development rights. Nevertheless, I have limited information as to how such a dormer would be constructed, how it might appear or how it would compare to that constructed. As a result, such an alternative can only carry limited weight.

Conclusion

16. For the reasons given above I find that the development would conflict with the development plan when read as a whole. There are no material considerations, including alternative forms of development, that have been shown to carry sufficient weight to indicate a decision otherwise than in accordance with it. I therefore conclude that the appeal should be dismissed.

K Jones

INSPECTOR