

Appeal Decision

Site visit made on 10 April 2024

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2024

Appeal Ref: APP/Y1110/W/23/3333754

Carmel, Beech Avenue, Exeter, Devon, EX4 6HE

- 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 Medlock against the decision of Exeter City Council.
 - The application Ref 23/0185/FUL, dated 9 February 2023, was refused by notice dated 19 October 2023.
 - The development proposed is the demolition of bungalow and construction of new dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the locality and b) living conditions for neighbours.

Reasons

Character and appearance

3. The appeal property is an unremarkable 1970's detached bungalow in a rectangular plot with an adjunct to the northwest including additional garden and garaging. The dwelling is partly set into a hill; the site slopes from north to south and also from west to east. The nearest dwelling is Seven Gables which is alongside and is a more dominant structure of interesting townscape form. The wider area is of a spacious nature of established residential character with a range of dwellings that along with gardens, open space areas and topography create a locality of very pleasing appearance. The appeal proposal is as above. It is for a substantial two-storey dwelling, in classical style, with a front gable and hipped roof. External materials would include rendered walls, with block plinth and brick/stone detailing and a slate roof along with tall windows with glazing bars.
 4. The site lies within the Pennsylvania Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy C1 of the Exeter Local Plan First Review (LP) reflects the importance placed on Conservation Areas.
-

5. The change from the low-key bungalow to the proposal would be very marked; regrettably too much so given the constraints of the site and the immediate and wider context. This overly bold planned dwelling would be of excessive bulk, too close to boundaries, incorporate a number of out-of-place design features including front and rear fenestration and overall roof form and use of materials as well as, importantly, not respecting or adapting to the topography of the site. It would appear as over-development and incongruous alongside Seven Gables and would draw few design cues from surrounding development or landscape. The planned property would neither be modern nor robustly traditional. In this context I find that the over-sized proposal would be jarring on the eye, appear awkward, dominant in the landscape and incompatible with the locality; it would diminish the character and visual qualities area.
6. Having regard to the foregoing I conclude that there would be conflict with S72(1) of the Act and LP Policy C1; there would not be preservation of the character and appearance of the Conservation Area. Additionally, I conclude that the scheme would run contrary to LP Policy DG1 and Policy CP17 of the Exeter Local Development Framework Core Strategy. Taken together these policies seek to deliver well designed development which respects and complements context and local distinctiveness through, amongst other matters, suitable scale, elevational treatment, materials, landscape integration and siting.
7. The Council's Supplementary Planning Document 'Residential Design' has similar aims and while this cannot be expected to cover every eventuality in this case the appeal scheme would also run contrary to the objectives of that document.

Living conditions

8. The planned large bulky property in such close proximity to Seven Gables to the west would have an undue overbearing effect. The residents within that dwelling would understandably expect to have a continued sense of space in a good quality residential environment such as this locality. There would also be scope for additional, and unfortunate, over-looking which would add to the uncomfortable arrangement for neighbours. Residents of a number of more distant properties would notice some reduction in outlook, and possibly perceived over-looking, and whilst that would not in my opinion reach the scale of an undue loss of residential amenity it does demonstrate that the scheme is not well-designed given the nature of the site and its context.
9. The overall impact of the development is one of uncomfortable impingement upon nearest neighbours. LP Saved Policy DG4 is relevant. Amongst other matters this calls for development which would protect residential amenity. I conclude that the appeal proposal would conflict with this policy.

Other matters

10. I am cognisant of the, now lapsed, planning permission (ref 17/0797/FUL) to extend the existing property but for reasons of form, scale and siting do not find it comparable to the case in hand. I appreciate that the existing building is in poor physical condition, would agree with the Council that demolition should be acceptable in principle, and do understand the Appellants' wish to embody energy saving type features in a new home. However, I have carefully

considered all points raised by the Appellants and I conclude that the matters do not outweigh the concerns which I have in relation to the main issues identified above.

11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; the development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellants, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality and on living conditions for neighbours. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR