



Appeal Decision

Site visit made on 29 May 2024

by C Cresswell BSc (Hons) MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2024

Appeal Ref: APP/U1105/W/23/3331313

Seagull House, 1 Morton Crescent, Exmouth, Devon, EX8 1BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by John Sheil (Seagull House Management) against the decision of East Devon District Council.
 - The application Ref is 23/1451/FUL.
 - The development proposed is extension to front entrance and render existing boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development in the heading above from the Council's Delegated Report as it provides a more succinct description than that provided on the Application Form.

Main Issues

3. The main issues in this case are:
 - whether the proposed development would preserve or enhance the character or appearance of the Exmouth Conservation Area.
 - the effect of the proposed development on the setting of the Grade II listed Exmouth Sea Wall.

Reasons

Conservation Area

4. The appeal concerns a large, end-terrace property which occupies a prominent seafront position on the corner of Morton Crescent. It is one of many older style terrace properties which characterise this part of Exmouth. The property forms part of the Exmouth Conservation Area, the significance of which is mainly derived from the architectural quality of the historic streets and buildings and their close connection with the coast.
5. One feature of the appeal property is the low boundary wall which separates the parking area and garden from the road. This is predominantly red brick. Due to the positioning of the property near a junction, the wall is clearly seen in open views from Morton Crescent and Morton Road as well as from within Alexandra Terrace. Hence, even though it is a relatively small component of the Conservation Area, it is visually exposed.

6. Most of the boundary walls in the vicinity appear to be rendered. This includes the wall which runs along much of Morton Crescent. However, there are some examples of other red-brick boundary walls nearby, most notably across the road at No 28 Alexandra Terrace. This is a similar height and style as the wall of the appeal property. Together, they form the road frontage at the junction with Morton Road, providing this part of the street with some degree of visual consistency. The proposed rendering of the wall would detract from this visual consistency and hence erode a distinctive feature of the Conservation Area in this particular location.
7. That said, I appreciate the wall is in a poor state of repair and needs work to improve it. However, relatively little evidence has been provided to show what the options are for repairing the wall. For instance, I have not been provided with any written assessments from suitably qualified builders or stonemasons. In the absence of such information, I am unable to conclude that rendering would be the only viable way of maintaining the wall.
8. The proposed widening of the entrance would further erode the appearance of the Conservation Area as it would reduce the length of the wall, which is a distinctive feature of the street scene in this location. I appreciate that it would improve vehicular access for the residents of Seagull House, including an elderly, disabled driver. However, planning permission is permanent and would outlast any personal circumstances.
9. Nonetheless, I recognise that widening the entrance may have some highway safety benefits as it would require less manoeuvring of vehicles near the entrance. However, relatively little evidence has been provided about this aspect of the proposal or the scale of these benefits. Therefore, while the harm to the Conservation Area would be less than substantial, I am not persuaded that the public benefits would outweigh the harm I have identified.
10. In reaching this decision, I am aware that other properties have been subject to alteration in the past and there are other examples of rendered walls and wide vehicular entrances in the vicinity. However, this does not justify further erosion of the character of the Conservation Area. I am also mindful of paragraph 199 of the Framework¹ which says 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. In recognition of this, the evidence put forward in support of the proposal requires an appropriate level of scrutiny.
11. I therefore conclude on this issue that the proposal would harm the character and appearance of the Conservation Area. The proposal would conflict with Policies E9 and E10 of the Local Plan² which seek to protect designated heritage assets. There would also be conflict with Policies EN1 and EB2 of the Neighbourhood Plan³ which seek to reinforce local distinctiveness.

Listed building

12. The Grade II listed Exmouth Sea Wall is in close proximity to the appeal property. However, it seems to me that the appeal property is more visually associated with the built-up area on the other side of Morton Crescent and The

¹ National Policy Planning Framework, July 2021

² East Devon Local Plan 2013 to 2031

³ Exmouth Neighbourhood Plan

Esplanade rather than the seafront. The proposed development would therefore have very little impact on the setting of the listed wall.

13. I therefore conclude on this issue that that the proposal would have an acceptable effect on the setting of Exmouth Sea Wall. There would be no conflict with Policies E9 and E10 of the Local Plan or Policies EN1 and EB2 of the Neighbourhood Plan.

Conclusion

14. While the proposal would have an acceptable impact on the setting of Exmouth Sea Wall, I have found that it would harm the character and appearance of the Conservation Area. The appeal is therefore dismissed.

C Cresswell

INSPECTOR