



Appeal Decision

Site visit made on 13 August 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28TH August 2024

Appeal Ref: APP/Y1110/D/24/3345794

1 Nicholas Road, Exeter, EX1 3AT

- 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 Mr Nathanael Twelves against the decision of Exeter City Council
 - The application Ref is 23/01691/FUL.
 - The development proposed is for the construction of rear dormer and hip to gable roof extension (Retrospective Application).
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Decision

1. The appeal is allowed and planning permission is granted for the construction of rear dormer and hip to gable roof extension at 1 Nicholas Road, Exeter, EX1 3AT in accordance with the terms of the application, Ref 23/01691/FUL and the plans submitted with it.

Preliminary matter

2. The description for the development states that the application is a "retrospective application." As planning permission cannot be granted retrospectively, this phrase is not included in the description set out in the decision above.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the street scene.

Reasons

4. The appeal property is located within an area which is characterised by pairs of symmetrically designed semi-detached two storey family dwellings from a limited range of designs and palette of materials. Typically, on their front elevations the dwellings have two storey projecting bay windows under gable roofs whilst the main roofs are hipped. To the rear many of the dwellings have single and/or two storey extensions of varied sizes and designs.
5. Within Nicholas Road, Lymeborne Avenue and Chard Road a noticeable proportion of the dwellings have had hip to gable extensions and loft conversions which include roof-lights on the front roof-slopes and large box dormers on the rear roof slopes. A significant proportion of modern gable ends and the more recent dormers appear to be clad in composite cladding of various shades of grey. This composite cladding has also been introduced on

some front elevations within the front projecting gables, between the ground and first floor bay windows and on a single storey side extension. Thus, whilst the older dormer extensions typically have slate/tiled walls, the use of composite cladding is now an integral part of the immediate street scene.

6. The appeal dwelling is located in a prominent position within the street scene, adjacent to the junction of Nicholas Road and Chard Road. Uncharacteristically, the appeal dwelling does not have a projecting bay on the front elevation. Instead, it has a flat frontage with a corner door and wide fascia above the windows and door, which reflect its former commercial use. To the rear it has a two storey extension with a hipped roof that projects across approximately half the width of the rear elevation.
7. The adjoining dwelling at 3 Nicholas Road follows the design of other dwellings in the road. It has mid grey composite cladding between its bay windows, within the front gable and around part of its flat roofed side extension. The same cladding is also used within the side gable and to clad a large rear box dormer extension.
8. Together and amongst other things Objectives 8 & 9 and policy CP17 of the Exeter Local Development Framework Core Strategy and policy DG1 (f) (g) (h) & (i) of the Exeter Local Plan First Review 1995 – 2011 (LP), seek to ensure that proposals are to a high standard of sustainable design. Development should be of a height and massing which is appropriate to the surrounding townscape and relates well to adjoining buildings and spaces. It should promote local distinctiveness and the materials used should relate well to the palette of materials used in the locality. Development should raise the quality of urban living through excellence in design and the historic character and townscape should be protected.
9. Together paragraphs 47 and 135 of the Framework state that planning law requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise. Also, that new development should be of a high standard and design and should be sympathetic to local character and history.
10. Section 4 of the Exeter City Council Householder's Guide to Extension Design (SPD), addresses roof extensions. It advises that dormer windows will not normally be permitted in areas mainly without dormers. Also, if a dormer is required to provide headroom rather than natural light it will likely be unacceptable. Generally, dormer windows should be located centrally within the roof-slope. Their size should be kept to a minimum and they should be set 0.5 metres below the ridge line and one metre from the eaves line.
11. The proposed hip to gable and dormer extension has already been constructed. The hip to gable element respects the appearance of others in the area and the use of grey composite cladding within the gable end is consistent with other gables in the local area and blends in with the use of such cladding in the immediate area. Accordingly, this element of the scheme respects and blends in readily with its surroundings.
12. The proposed dormer covers most of the rear roof slope and is similarly clad in a grey composite cladding. Due to its combined size, form, height and the colour of its cladding the proposed dormer element dominates the rear roof-

- slope. Together with the large dormer at No.3 they dominate the roof-slope of the pair of dwellings and appear top heavy.
13. However, as confirmed by the council the property benefits from full permitted development rights and as stated by the appellant the council has granted Certificates of Lawfulness for three hip-to-gable and large rear dormer extensions in Nicholas Road. This is a material consideration to which I give considerable weight. It weighs firmly in favour of the principle of a hip to gable and large dormer extension, notwithstanding its top heavy appearance. I also give considerable weight to the fact that hip to gable extensions and large flat roofed dormer extensions are currently an integral part of the local environment.
 14. Regarding the use and colour of the composite cladding, as stated above it is an integral part of the immediate street scene and rear garden environment. The colour of the cladding matches that used within the gable end, the adjacent dormer and the cladding used on the front and side elevations of No.3. Accordingly, it helps provides consistency in the design and appearance of the two dwellings, including the rear roof-scape. Whilst the use of slate to match the host dwelling would help to reduce the prominence of the dormer extension, it would also contrast with the dormer cladding at No.3, resulting in a more fragmented appearance.
 15. For these reasons, whilst the proposal does not fully comply with CS Objectives 8 & 9 and policy CP17, LP policy DG1 (g) & (h), the SPD and parts of the Framework, other factors clearly outweigh this conflict. Having regard to the availability of permitted development tolerances the proposed hip to gable and dormer extension is acceptable in principle and the proposal is consistent with other extensions in the locality.
 16. It is noted that an appeal was dismissed for the a Composite clad dormer extension and bay window detail elsewhere in Exeter. However, in that instance, as stated by the Inspector, there had been very little in the way of physical alterations to the dwellings, which displayed a consistency in materials that did not include composite cladding. The terrace in which that appeal property is located was consistent design and materials and had a uniform rear roof-scape. As such it is not comparable to the appeal proposal.
 17. Finally, the council has suggested the imposition of a condition which requires the proposal to be carried out in accordance with the submitted drawings. As the development has already been constructed, I consider that there is no need to impose this or any other any conditions.
 18. I conclude that the resultant dwelling would be consistent with the attached and other dwellings, which are an integral part of the character and appearance of the immediate area. It complies with DG1 (f) & (i) and the varying degrees of conflict with CS objectives 8 & 9 and Policy CP17, the SPD and the Framework are outweighed by other considerations.

Elizabeth Lawrence

INSPECTOR

