



Appeal Decision

Site visit made on 27 September 2024

by N Perrins BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2024

Appeal Ref: APP/Y1110/D/24/3345324

57 Whiteway Drive, Exeter, Devon EX1 3AL

- 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 Andrew Clarke against the decision of Exeter City Council.
 - The application Ref: 23/1159/FUL.
 - The development is a loft conversion with extended roof and rear dormer.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form confirms that the development has been completed. I was also able to see this on my site visit.
3. I understand from the information before me that if the dormer had been constructed in materials that matched the host property, it could be permitted development under the Town and Country Planning (General Permitted Development) Order 2015 (GPDO). However, I am not required to determine whether the development would comply with the GPDO as part of this Section 78 appeal. The consideration of what could be constructed as permitted development at the site would be a matter for the appellant to consider separately outside of this appeal process.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is a dwelling that is a part of a small terrace of properties with a driveway to the front and garden to the rear. The rear garden is enclosed by dense mature trees, which are part of a group Tree Preservation Order¹. The character of the area is residential comprising dwellings that are set back from the road behind low brick walls.

¹ TPO No. 581

6. I observed that several properties in the vicinity have been extended with rear dormers in the roof mainly using materials that match their host properties. In this context, there is a high level of consistency in the use of materials in the area with brown roof tiles and white window frames present on many properties and dormer roof extensions.
7. The dormer in this case has been constructed across the width of most of the property's rear roof slope. The dormer has been finished with light blue cladding. The light blue cladding has also been installed at roof level on the side of the property that faces towards Whipton Lane. Dark grey window frames and eaves have been installed as part of the development on both the dormer and side of the property at roof level.
8. The Council's Householder's Guide to Extension Design Supplementary Planning Document 2008 (SPD) recognises that extensions can have a major impact on the townscape in the city. The SPD amplifies Saved Policy DG1 of the Exeter Local Plan First Review 1995-2011 (ELPFR) and forms the basis for the City Council's determination of planning applications. Key principles within the SPD relevant to this appeal are that high standards of design are encouraged, and the size of dormers should be kept to a minimum, repeat architectural details and use matching materials.
9. The SPD also advises that dormers should be set 1m in from the roof edges, which is not met in this case with the dormer extending across most of the rear roof slope. However, I observed on my site inspection that the scale and width of the dormer is very similar to those on other nearby properties in the area. As such, the dormer does not appear as unduly out of character with the pattern of development in the vicinity around the appeal site in terms of its size. The position of the windows, whilst not fully in line with those below at ground and first floor, have a similar relationship with its host dwelling as others nearby, such as those at Nos 61 and 63 Whipton Lane. Accordingly, I find that the size and scale of the dormer and position of its windows do not result in material harm to the overall character and appearance of the area.
10. However, in terms of materials, the SPD states that the design of the dormer should be based on the character of the original house and street scene and, on the cheeks, generally be clad in materials that match or complement the main roof. The use of light blue cladding in this case is contrary to the SPD's guidance as the rest of the property's roof comprises brown roof tiles.
11. Furthermore, the appeal property is the first dwelling that is visible on its side of Whiteway Drive when entering the street from Whipton Lane. In view of the appeal property's prominent position in the street, the light blue cladding and its horizontal arrangement makes the development appear as unduly conspicuous and incongruous when considered against the prevailing brown tile roofscape of the area, including on the rest of the appeal property's roof.
12. The light blue cladding, therefore, unacceptably detracts from the character of the area as it appears as a discordant and jarring material in the context of the existing dwelling and wider street scene. The harm to the character of the area is accentuated when viewed in the context of the dwelling directly opposite to the appeal site No 36 Whiteway Drive, which has a similar sized dormer but finished with brown roof tiles that match both its host dwelling and the prevailing roofscape character of the area.

13. The development with its light blue cladding is also visible from public vantage points to the rear. Whilst the impact to the rear is not as acute due to the presence of mature trees and relatively large separation distances, the light blue cladding is still unduly prominent and appears as an incongruous and out of keeping material that detracts from the character of the area.
14. I have had regard to the examples provided by the appellant of other dormer extensions that have been granted planning permission by the Council elsewhere in the city. However, the information before me does not confirm the basis upon which the Council granted planning permission or whether they are comparable locations to the appeal site in terms of the use of materials in their localities. Furthermore, in the case of 92 Sweetbrier Lane, the materials proposed appear to match those used on the host dwelling. I also note that the dormer at 54 Meadow Lane proposed less cladding than in this appeal. The examples provided, therefore, have limited weight and do not provide any justification for the harm identified by the development subject of this appeal.
15. The dark grey window frames and eaves in the development do not match the white window frames and detailing that are used on the rest of the appeal property. I note, however, that the Council has not referred to this specifically in their reasons for refusal. The Officer's report acknowledges that these were a less harmful component of the development due to being smaller and having less coverage. I agree with this analysis. However, this does not outweigh or denude the harm caused by the cladding, which results in an unduly prominent and incongruous development.
16. To conclude, the development and its use of light blue cladding harms the character and appearance of the host property and the surrounding area. This is contrary to Objective 9 and Policy CP17 of the Exeter Local Development Framework Core Strategy (2012) and saved Policy DG1 (h) and DG1 (i) of the ELPFR. The development is also not consistent with the guidance in the SPD and Paragraph 135 of the National Planning Policy Framework. Amongst other things these require development to reinforce local distinctiveness and raise the quality of urban living through excellence in design, exhibit a high standard of sustainable design that complements or enhances Exeter's character and local identity, and ensure that all designs promote local distinctiveness and use materials which relate well to the palette of materials in the locality.

Other Matters

17. I am aware that the appellant requires the development to accommodate a growing family. Whilst I acknowledge this need, it does not outweigh the harm identified as the materials used do not appear to have any direct relationship with the requirement to provide additional living space.

Conclusion

18. For the reasons given above, the development is not consistent with the policies of the development plan as a whole and there are no material considerations that would lead me to a different conclusion. I therefore conclude that the appeal should be dismissed.

N Perrins

INSPECTOR