



Appeal Decision

Site visit made on 4 June 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/Y1110/W/25/3362317

79 Wear Barton Road, Exeter, EX2 7EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Shane O'Sullivan against the decision of Exeter City Council.
 - The application Ref 24/1392/FUL was approved on 31 January 2025 and planning permission was granted subject to conditions.
 - The development permitted is increased width of front dormer window.
 - The condition in dispute is No 2 which states that:
The development hereby permitted shall not be carried out otherwise than in full accordance with the following drawings and details as received by the local planning authority as dated:

<i>Location Plan</i>	<i>20/11/2024</i>
<i>Existing Plans & Elevations</i>	<i>31/01/2025</i>
<i>Proposed Plans & Elevations</i>	<i>31/01/2025</i>
<i>Existing & Proposed Isometric Views</i>	<i>31/01/2025</i>
 - The reason given for the condition is:
For the avoidance of doubt in order to ensure compliance with the approved details in accordance with development management best-practice.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the condition is necessary and reasonable in the interests of protecting the character and appearance of the host property and surrounding area.

Reasons

3. The appeal site comprises a one and a half storey semi-detached bungalow located at the end of a cul-de-sac. The host property forms one of six properties, three pairs of semis, that have symmetrical dormers at roof level. The dormers, as on the host, are not full width and are set in from the gable end and linked in the centre with the other half of the semi. As pairs and a group their cohesive design makes a positive contribution to the streetscene.
4. The development permitted is to increase the width of the former towards the gable end of the host. As existing, the dormer is over 1.0 metre from the gable end and the approved plans show this gap reducing to 300mm from the gable end.
5. Whilst it's not clear from the appeal form, as with the Council I have assumed that the Appellant is seeking to vary condition 2 by substituting the approved plans for a

revised plan that further increases the width of the dormer to leave a gap of only 150mm from the gable end.

6. The Delegated Report (DR) states that the original design for the extended dormer was not considered acceptable as it would harm the symmetry of the pair of semis that included the host, as well as the group of three pairs of semis. The Council considered that the design would be detrimental to the quality of the built environment and streetscene along Wear Barton Road (WBR). The application was, therefore, amended to show a gap of 300mm from the gable end.
7. The DR continues by stating that whilst the amended design still did not maintain the existing symmetry, it did provide some improved definition of the original roof form. Whilst it would also detract from the original design of the semis and group, it was, on balance, accepted by the Council as a compromise that met the Appellants aspirations for a reasonable room size within the extension, had regard to decisions made elsewhere and to the variety of development along WBR.
8. The DR confirms that these findings were based on Core Policy 17 of the Exeter Core Strategy (ECS) and policy DG1 of the Exeter Local Plan First Review (ELP), which both sought to secure a high standard of design, ensure that development related well to the character and appearance of adjoining buildings and surrounding townscape, and where the design promoted local distinctiveness. The DR also drew on the advice of the Householder's Guide: Design of Extensions & Alterations Supplementary Planning Document (SPD). In particular, paragraph 6.4 of the SPD which indicated that new dormers should be located centrally or symmetrically and set, for gabled roofs, a minimum of 1 metre from the edge of the roof.
9. Within the above context, even the permitted increase in width of the dormer on the host property, with a gap of 300mm, the approved development is not consistent with the SPD guidance where it requires a minimum of 1 metre. As the DR acknowledges, in agreeing to a smaller gap, the Council reached a compromise that was not consistent with the SPD but acceptable, on balance, having regard to other considerations. The result is a dormer that does not maintain the symmetry with its neighbour or the group.
10. Whilst I understand the Council's reasoning for accepting this compromise, I also agree with their view that any further reduction in the gap to 150mm would not be acceptable. It would remove most of the remaining definition of the original design and any symmetry and result in greater harm to the pair of semis and group as well as the streetscene. It would also further undermine and conflict with the guidance within the SPD.
11. The Appellant has referred to examples of other dormers that have been approved with a gap of 150mm to the gable end. However, none of these examples are in WBR. Indeed, as I observed on my site visit, there are other pairs of semis in WBR with similar designed dormers that have not been altered and remain symmetrical. In relation to the example on Prince Charles Road, the Council indicate that the as built dormer is much larger than that approved and could be subject to enforcement action.
12. In relation to the examples in Mincinglake Road, the Council indicate that these were approved before the current policies came into effect, and also contend that where the dormers have been increased in width, they have changed the character of the road. Even so, I have not been provided with the full planning background to

these examples and I am unable, therefore, to reach a finding on whether they are directly comparable or relevant to the appeal proposal. More importantly, none of these examples are within the vicinity of WBR and they do not, therefore, form part of the appeal sites immediate context or streetscene.

13. Contrary to what the Appellant asserts, the latter is important as the policies of the ECP and ELP seek to secure a high quality of design that relates well to the character and appearance of adjoining buildings and its surrounding townscape. That approach is consistent with paragraph 135 of the National Planning Policy Framework (NPPF) which, amongst other matters, requires new development to function well and to add to the overall quality of the area, and be sympathetic to local character and history including the surrounding built environment.
14. The approach the Council have taken in this case is consistent, in my view, with its policies and specifically the guidance within the SPD, which I note was adopted as recently April 2024. It is not uncommon for new policies and guidance to evolve in this way or to come forward in response to concerns over the negative impact of development permitted in the past. Moreover, there will be instances, as appears to be the case in Mincinglake Road, where, due to development permitted under a different policy regime or through permitted development, the Council will not be able to justify or insist that future development is compliant with its new policies and guidance seeking to secure a higher quality of design.
15. None of the examples referred to affect, therefore, my findings or negate the need, as is required, to determine the application on its individual merits having regard to its local context and the circumstances of the case.
16. For the above reasons, I find that the Appellants revised design for the front dormer would result in harm to the character and appearance of the host property and the surrounding area contrary to Core Policy 17 of the ECS, policy DG1 of the ELP, the guidance in the SPD and the corresponding policies of the NPPF. As such, I also find that condition 2 is necessary and reasonable having regard to paragraph 57 of the NPPF and should not be varied.

Conclusion

17. For the reasons given above and having taken into account all other matters raised, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR