

**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 12 October 2020  
**Report of:** Director  
**Title:** Appeals Report

**Is this a Key Decision?** No

**Is this an Executive or Council Function?** No

**1. What is the report about?**

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

**2. Recommendation:**

- 2.1 Members are asked to note the report.

**3. Appeal Decisions**

- 3.1 **ENF/19/00115 – Rosedale, 4 Newcombe Street Gardens.** An Inspector has dismissed an appeal against an enforcement notice issued for the construction of a dormer window on the rear elevation.

Rosedale is a two storey semi-detached house at the southern end of Newcombe Street, a street of predominantly small Victorian terraced houses within the Heavitree Conservation Area.

The appeal is solely underground (a), that in respect of any breach of planning control stated within the notice, planning permission ought to be granted. The main issues relate to the Council's for issuing the notice, namely whether the rear dormer would harm the character and appearance of the dwelling and street scene and whether it would preserve or enhance the character of the Heavitree Conservation Area.

The inspector acknowledges that the property has a neutral impact on the conservation area, but considers that the dormer harms the positive contribution the Victoria terrace, within Newcombe Street, makes to the conservation area as a result of its clumsy design and prominence within the surrounding area.

Furthermore the Inspector states that the dormer unbalances no.4 itself, giving it a disproportionate and top heavy appearance compared to no.3. The Inspector states that this box dormer only serves to illustrate the unsuitability of such dormers to the character and appearance of the area, especially within the conservation area.

The dormer is considered contrary to Policy DG1 (g) and (h) and Policy C1 of the Exeter Local Plan First Review, the council's guidance for dormers set out in chapter 4 of the Householders Guide to Extension Design SPD and Sections 12 and 16 of the National Planning Policy Framework.

For these reasons the Inspector concluded that the appeal should not succeed and the enforcement notice is upheld. The inspector refused to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 act as amended.

**4. New Appeals**

- 4.1 [20/0582/FUL](#) - 4 Oxford Road

Installation of Electric Vehicle Charging Station.

- 4.2 [20/0873/FUL](#) – Quay Gardens, Monmouth Avenue, Topsham

Construction of a detached 3 bedroom house with an integral garage.

**Bindu Arjoon**

Director

**Local Government (Access to Information) Act 1985 (as amended)**

**Background papers used in compiling the report:**

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries: Democratic Services (Committees) - Room 2.3. Tel: 01392 265275