

EXETER CITY COUNCIL

**PLANNING COMMITTEE
03 OCTOBER 2011**

APPEALS

DECISIONS RECEIVED

SUMMARY: 4 appeal decisions have been received since the last report:
all were dismissed.

3, Victory House, Magdalen Street, Exeter, Devon, EX1 1RB.



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Reference Nos: 10/1496/07 (Appeal A) (Against refusal of Listed Building Consent)
10/1495/03 (Appeal B) (Against refusal of Planning Permission)

Proposal: Loft conversion with installation of roof windows on the north elevation.

Application Decisions: Delegated Refusals

Type of Appeals: Written Representations

Appeal Decisions: BOTH DISMISSED

Grounds:

The Inspector noted that the appeal premises lie within the curtilage of the mid 18th century grade II* listed former Royal Devon and Exeter Hospital. It is also situated within the Southernhay Conservation Area. Victory House/Wing was built in the 1920s and is being converted into a mix of uses, including residential. The pleasing architectural qualities of this building include its largely uninterrupted slate roof and the rhythmic arrangement of its windows. Whilst the northern elevation is largely hidden from public view it is an integral part of a group of former institutional buildings which makes an important contribution to the historic and architectural interest of this part of the city.

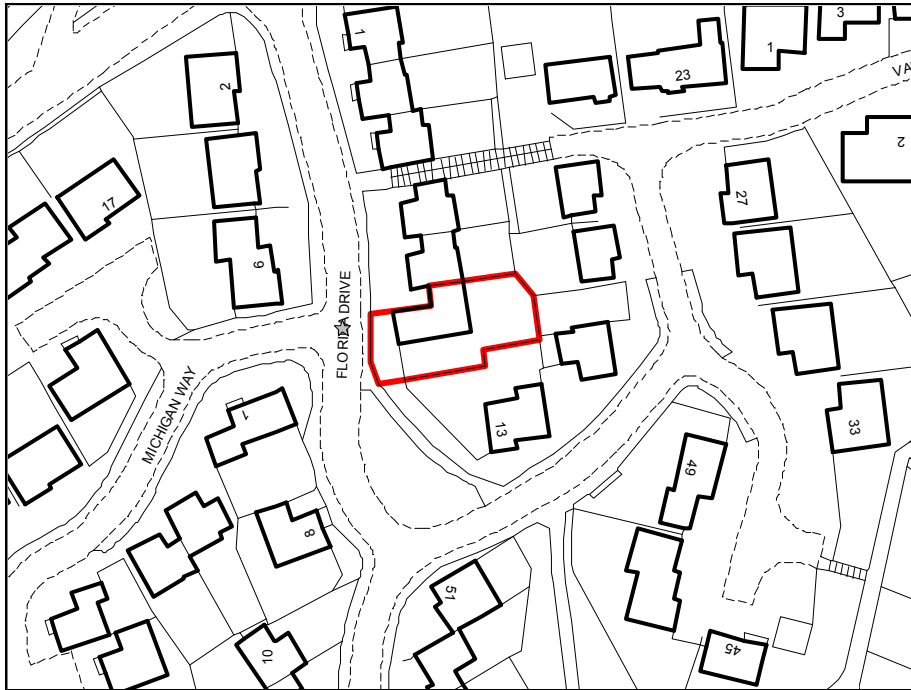
The Inspector considered that the proposed rooflights would disrupt the simple form and appearance of the roof. When seen from the curtilage of the listed building this would create a sense of clutter and compromise the appearance of Victory House/Wing and diminish its contribution to the group. He also agreed with English Heritage that the disposition of the roof lights would appear unbalanced and would not be well related to the architectural and structural conventions of the host building.

The scheme would diminish the contribution the building/group makes to the character and appearance of the Conservation Area and would conflict with development plan policies that are aimed at safeguarding heritage assets. This harm would not be outweighed by any public benefit. The proposal would also conflict PPS 5 'Planning for the Historic Environment'.

Whilst accepting that each case must be determined on its own merits the Inspector considered that approval could make it difficult in future for the Council to resist other similar proposals to the building. This would be likely to result in further cumulative harm to designated heritage assets.

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Summerhill, 11 Florida Drive, Pennsylvania, Exeter, EX4 5EX.



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Reference No: 11/0208/03

Proposal: Installation of patio doors at first floor level (rear elevation) and construction of balcony and access staircase to garden level.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The main issues were the effect of the proposal on the living conditions of neighbours in terms of privacy and outlook, and on the character and appearance of the area.

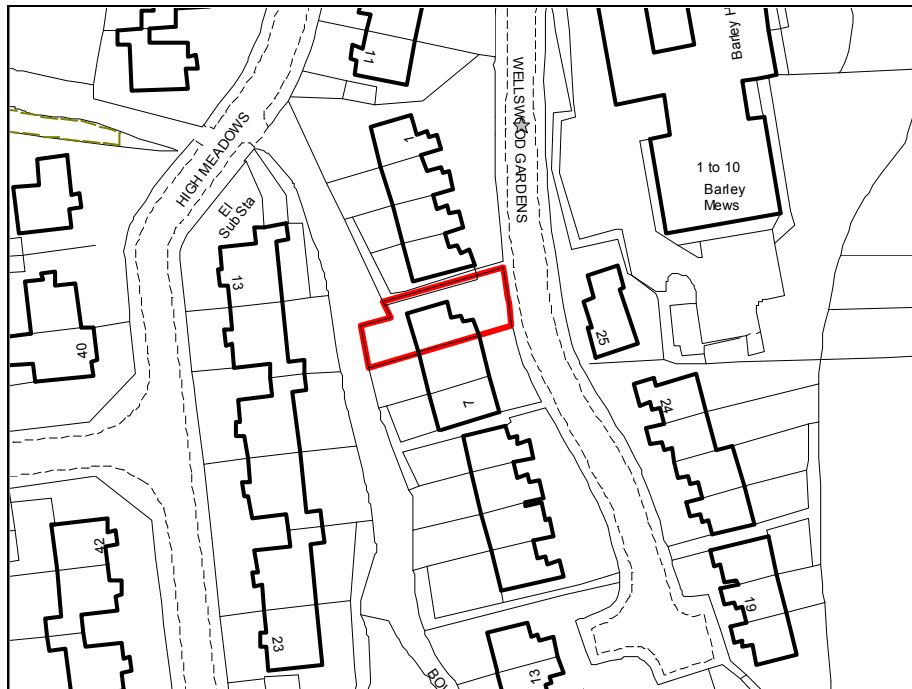
The appeal property was built on sloping land within a suburban housing estate. The neighbouring houses to the east, Nos. 15, 17 and 19, and No 13 to the south, all lie on lower ground. The proposed balcony and staircase would be attached to the rear elevation of the house and served by new French doors. The Inspector considered that mature vegetation screening and the relative orientation of the rear elevations in the case of No. 15, and distance and orientation in the case of No 19, should avoid any unreasonable loss of privacy or outlook for these properties. However, the close proximity of the proposed works to the facing rear elevation of No. 17, along with the differences in levels, would result in unacceptable levels of intervisibility between the properties which he considered would result in an unreasonable loss of privacy for the occupiers of No. 17.

Although No 13 was well screened by vegetation, if this vegetation were not present, the use of the balcony for sitting out would result in be a considerable loss of privacy for the occupiers of No 13. This added to the Inspector's concern about the proposal. However, he did not consider the structure itself would be so visually intrusive, nor so out of character with the existing and surrounding buildings, as to result in harm to the outlook of neighbours or to the street scene.

The Inspector concluded that the proposal would fail to accord with ELP Policy DG4(b) and the Council's adopted SPD *Householder's Guide to Extension Design*.

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5 Wellswood Gardens, Exeter EX4 1RH



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Reference No: 11/0784/03

Proposal: Two storey extension to front elevation of dwelling, comprising bedroom extensions/additions and lounge extension.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The main issue was the effect of the proposed development on the character and appearance of the existing dwelling and the surrounding area.

The Inspector noted that most dwellings in Wellswood Gardens have projecting integral garages, with the projection contained beneath a flat roof. Although some of the dwellings have two storey front projections, most of these are extensions constructed over the garage under a sloping catslide roof, which helped to minimise their height and bulk.

The appeal scheme included both a two storey front extension with a gabled roof and the construction of a catslide roof over the garage. This resulted in considerable additional bulk to the front elevation, largely obscuring the original facade. The Inspector agreed with the Council that the combined bulk and mass of the additions was disproportionate when considered in the context of the modest form and proportions of the existing dwelling. Furthermore, the existing small terrace at Nos 5-7 was characterised by sloping catslide or mono-pitched roofs to the front elevation. The introduction of a gabled extension into this group would create an unbalanced composition. This would only exacerbate the obtrusive effect of the proposed additions, to the detriment of the street scene.

The Inspector concluded that the proposed development would cause significant harm to the character and appearance of the existing dwelling and the surrounding area. Contrary to DSP Policy CO6 and ELP Policy DG1 and the Council's adopted SPD *Householder's Guide to Extension Design*. The proposal also conflicted with the draft National Planning Policy Framework, which is a material consideration, to the extent that this is concerned to create a good quality built environment.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
22 Cathedral Yard, Exeter, EX1 1HB (Listed Building Consent)	Non illuminated hanging sign on south elevation.	24/08/2011	24/08/2011
22 Cathedral Yard, Exeter, EX1 1HB (Advertisement Consent)	Non illuminated hanging sign on south elevation	24/08/2011	24/08/2011
21 New North Road, Exeter, EX4 4HF	Change of use from hotel to house in multiple occupation	08/09/2011	08/09/2011

RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL

ECONOMY AND DEVELOPMENT DIRECTORATE

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.

Available for inspection from: -

Planning Services, Civic Centre, Paris Street, Exeter (01392) 265223