

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 28 June 2021
Report of: City Development Strategic Lead
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 **[20/0101/LBC](#) - Colleton Lodge, 10 Colleton Crescent – This was an application for a single storey side extension off kitchen.**

Colleton Lodge is a Grade II listed building located in the Southernhay and the Friars Conservation Area. A two storey roughcast rendered house, circa 1830, its significance as a heritage asset is derived from its architectural and historic interest.

Notwithstanding previous extensions, the south and west elevations face the street and retain strong building lines. As a result the original four room square plan of the building can be easily discerned.

Listed building consent was sought for the construction of a modest single storey extension with a glazed link to the house on the south elevation of the property. The extension would not entail any loss of important historic fabric. However, the projection from the south elevation would erode the strong building line and detract from an appreciation of the original plan form of the building that is recognised as being of special interest, diminishing the heritage interest of Colleton Lodge and its contribution to the wider Conservation Area.

The Inspector noted that the works amounted to less than substantial harm, but significant weight should be given to conserving heritage assets and the claimed public benefit would be insufficient to outweigh this harm.

The Inspector concluded that the proposal would harm the special architectural interest of Colleton Lodge, fail to preserve and enhance the character and appearance of the conservation area and be at odds with the objectives of the development plan. The appeal as such was dismissed.

- 3.2 **[20/1379/PDA](#) - 85 Newcourt Road, Topsham, Exeter – This was an application for the construction of an additional storey to the existing detached dwelling, with the maximum height of the proposed additional storey 2.35 metres.**

The General Permitted Development Order was recently amended to allow the construction of one additional storey immediately above the topmost storey of the dwelling house, Class AA. Developers are required to apply to the Local Planning Authority for a range of matters

which includes the external appearance of the dwelling house, including its design, and architectural features on the principal elevation and any side elevation of the dwelling house. The effect of the development on the external appearance was the reason for refusal and therefore the main issue of this appeal.

85 Newcourt Road is a detached bungalow with a hipped roof, towards the centre of a row of similar detached bungalows. The Inspector noted that the additional storey would result in the dwelling being significantly higher than the neighbouring bungalows, markedly out of character of a row of single storey dwellings and result in an incongruous addition in an otherwise coherent street scene. The uncharacteristic two storey appearance of the dwelling would be further exacerbated by the introduction of windows at the first floor level, the marked difference in eaves and ridge height and the cladding proposed at the first floor. The Inspector considered that the cladding was not typical of the locality, however, a more appropriate material would not disguise the inappropriate height and massing of the building.

The appellant drew attention to a recent planning consent at 95 Newcourt Road for a first floor extension. However as no. 95 was beyond the uniform row of bungalows that contained the appeal site, the Inspector considered the context to be different and therefore didn't alter their view.

The appellant also drew attention to paragraph 118 of the NPPF which encourages effective use of land and supports the use of airspace above existing residential buildings for new homes. This proposal does not provide new homes. Furthermore, paragraph 118 goes on to identify upwards extensions should be allowed 'where the development would be consistent with the prevailing height and form of neighbouring properties and overall street scene'. This proposal does not comply with this.

The Inspector concluded by virtue of the height and design, the resultant dwelling would have an external appearance incongruous in a row of visually coherent bungalows. The proposal would not be sympathetic to local character, and would not improve the quality of the area, in conflict with the advice in Section 12 of the NPPF which seeks to achieve well-designed places.

4. New Appeals

4.1 None.

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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

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