

**EXETER CITY COUNCIL**

**PLANNING COMMITTEE  
13 JANUARY 2014**

**APPEALS REPORT**

**SUMMARY OF DECISIONS RECEIVED**

One decision has been received since the last report. It is summarised below:

**1 Maryfield Avenue, Pennsylvania, Exeter  
Application Ref: 112/1712/03 Dismissed – 18 December 2013  
Proposed development: Construction of a new dwelling**

The Council refused planning permission for three reasons one of which was the impact that the development could have on designated European sites. This reason was later overcome through the usual mitigation payment. The main issues were:

The effect of the proposed development on the character and appearance of the area, and its effect on the living conditions of the occupants of neighbouring dwellings and the proposed dwelling by reason of loss of outlook and overlooking leading to loss of privacy and loss of light.

1 Maryfield Avenue is the first in a line of similar semi-detached dwellings on the north side of Union Road, running south westwards from its junction with Maryfield Avenue. They have fairly generous rear gardens that run uphill. Despite its address, the appeal property appears as part of the development along Union Road, rather than that in Maryfield Avenue. Whilst the dwelling would take up the lesser part of the plot, it would be within a metre from the rear lane and close to the three other boundaries; accordingly it would appear cramped at the top of the garden. This would be magnified by the manner in which parking for No1 is arranged and would be at odds with that of most other dwellings in the vicinity; this would damage the street scene. The resulting rear gardens would be small and the site would appear overdeveloped.

The front elevation would be set slightly forward, be very conspicuous and would have an adverse effect on the appearance of the street scene. The appellant brought the Inspector's attention to other development in the area. The Design and Access statement states that the dwelling would be small scale and subservient to neighbouring properties. This would reduce its impact to some degree but the Inspector still considered that the house would appear out of keeping with other developments and would not complement or enhance the character of the area; and therefore was contrary to Local Plan policies.

The Inspector entered 2A Maryfield Avenue and 36 Union Road. The proposed property would be overbearing and over-dominant when viewed from their rear windows and rear gardens. Due to proximity the new dwelling's private amenity space would be over-looked by 36 Union Road.

In the light of all matters raised, the Inspector concluded that the appeal should be dismissed.

**NEW APPEALS**

There are no new live appeals to report.

**RICHARD SHORT  
ASSISTANT DIRECTOR CITY DEVELOPMENT**

**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 (01392) 265223