

EXETER CITY COUNCIL

PLANNING COMMITTEE

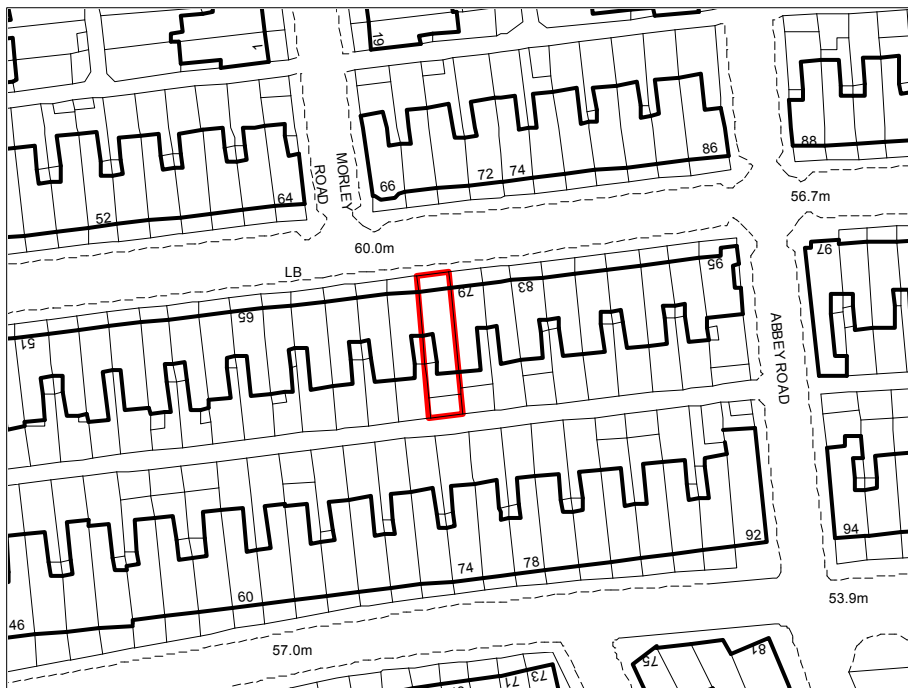
08 December 2008

APPEALS

DECISIONS RECEIVED

SUMMARY: 15 appeal decisions have been received since the last report; 10 were dismissed, 1 was allowed and 4 were allowed with conditions.

Location: 77 Monks Road, Exeter, Devon EX4 7BE



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Reference Nos: 08/0326/03

Proposal: Loft conversion with rear pitched roofed dormer.

Application Decisions: Delegated Refusal

Type of Appeals: Written Representations

Appeal Decisions: DISMISSED

Grounds:

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

The Inspector observed that a large number of the terraced properties in the area, including the appeal property, are in multiple occupation and that a number have had loft conversions.

He noted that the Council's *Householders Guide to Extension Design*, (SPD) had been adopted in February 2008 and was consequently of material weight in this case.

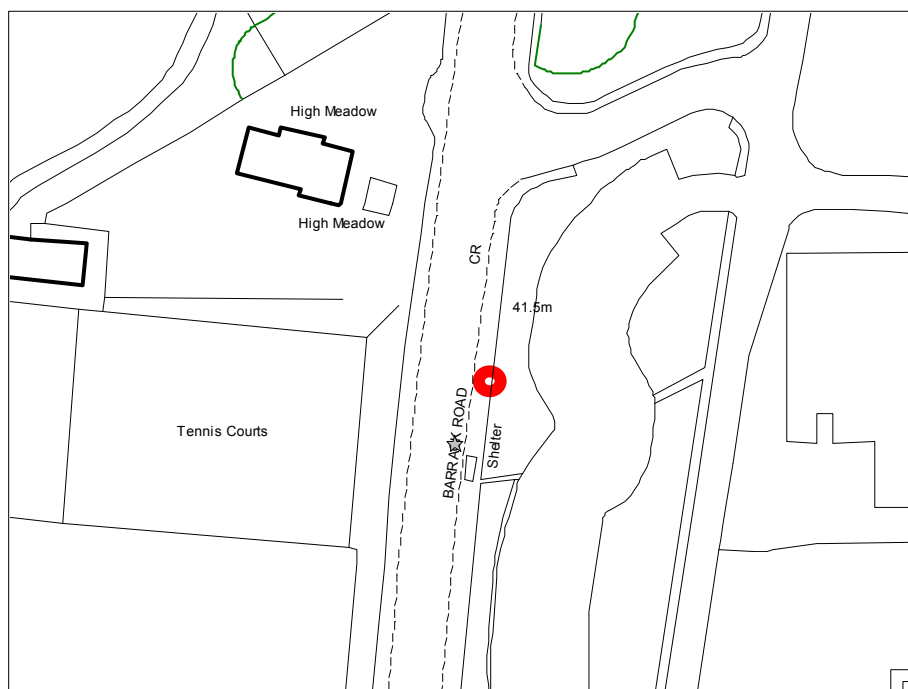
He considered that the proposed dormer would be of a scale which would not be overly dominant. Although the dormer would not be central, he thought that its position would reflect the influence of the two storey rear extensions and would be acceptable. However, the ridge of the dormer would be close to the overall ridge height of the property. This would make it prominent, and consequently of a design that did not reflect the adjoining buildings. He agreed with the Council that this would result in harm to the character and appearance of the area. It would therefore be in conflict with ELP Policy DG1 and the SPD in this regard.

The Inspector noted the Council's concern that the proposal would also contribute to an over-concentration of student accommodation in the area. ELP Policy H5 of the Local Plan states that the conversion of residential property to multiple occupancy will be permitted subject to it not resulting in over concentration which would change the character of the area. This is supported by Supplementary Planning Guidance – *Student Accommodation Development in Residential Areas*, which specifically identifies this area as one where such development should be restricted.

However, the Inspector noted that the proposal would not involve the conversion of a residential property as the house is already in multiple occupancy. It may result in an increase in such use, although in light of the other conversions evident in the street, which do not involve dormers, he considered it likely that the additional accommodation could be achieved without this proposal. Consequently, he did not consider that there would be a significant change to the character of the area as a result of this scheme, and it therefore complied with Policy H5 of the Local Plan in this regard.

Notwithstanding the Inspector's finding on this, it did not outweigh the harm to the character and appearance of the area arising from the design of the dormer. The appeal was therefore dismissed.

Location: Highways Land, Barrack Road, Exeter, EX2 5AX



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Reference Nos: 08/0704/21

Proposal: Installation of a 12m streetworks monopole, 2G/3G
shrouded radio antennas, 1 no. 3G 3107 equipment cabinet, 1 no. 2G
2106/slimline equipment cabinet and ancillary development

Application Decisions: Delegated Refusal

Type of Appeals: Written Representations

Appeal Decisions: ALLOWED

Grounds:

The main issues were considered to be:

- (a) the effect of the proposed development on the character and appearance of the surrounding area;
- (b) the effect of the proposed development on highway safety; and
- (c) whether any harm was outweighed by the need to site the installation in the location proposed.

Character and appearance

The proposed monopole/antenna, with equipment cabinets to each side, would be positioned at the back edge of the footway along Barrack Road, behind which a grass verge rises to a hedge and other planting in the grounds of the RD&E Hospital.

The Inspector noted that there are already many items of street furniture in the vicinity, including street lighting columns, bus shelters and traffic lights, plus floodlight columns in the grounds of Exeter School. Prior approval had already been given, in the context of these, for an O2 monopole about 25m south of the appeal site, beyond a bus shelter. All these items are, or will be, clearly open to public view along an otherwise generally open stretch of road, with predominantly open land rather than buildings to either side.

He considered that, in themselves, the monopole/antenna and cabinets would not be particularly intrusive but they would add to the collection of street furniture and to some extent increase the degree of clutter, thus failing to satisfy development plan policy aims to maintain and improve the quality of the environment. On the other hand, he commented that the O2 development was considered by the local planning authority to be acceptable and in his opinion the appeal proposal would not be seen as being grouped with another (Orange) monopole for which approval is being sought, as this is some 200m to the north, adjacent to the Peninsula Medical School building.

The Inspector concluded on this issue that the proposed development would result in some harm to the character and appearance of the surrounding area and would not accord with the aims of DSP Policy CO6 and ELP Policy DG1.

Highway Safety

The Inspector noted that the proposed large cabinet to the south would reduce the width of the footway to approximately 1.8m, over a length of about 1.3m. The advice of the *Manual for Streets* is that the minimum width of footway in lightly used streets should be 2m, and it cross refers to *Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure*. This indicates that, where there is a physical constraint, the minimum acceptable width is 1.5m, over a maximum length of 6m.

Although the appeal proposal would therefore reduce the footway to a less than desirable width, it would exceed the minimum acceptable and be obstructed over only a short distance. He therefore considered it would not harm highway safety.

Whether any Harm Outweighed by Need

The proposed installation would replace existing services which will be lost from the rooftop of the adjacent RD&E Hospital, where notice to quit has been given. The appellant has demonstrated the need for the height and location of the monopole/antenna to serve the resulting gaps in 2G and 3G network coverage, as well as hospital paging services. The appellant had also explained what alternative sites were considered and the reasons why they were not suitable. The Council acknowledges the need to leave the RD&E site has caused coverage problems for various telecommunications operators; it does not dispute the need for the proposed installation or the thoroughness of the site selection process. In these circumstances, the Inspector concluded the need outweighed the modest degree of harm to the area's character and appearance which would arise from the development.

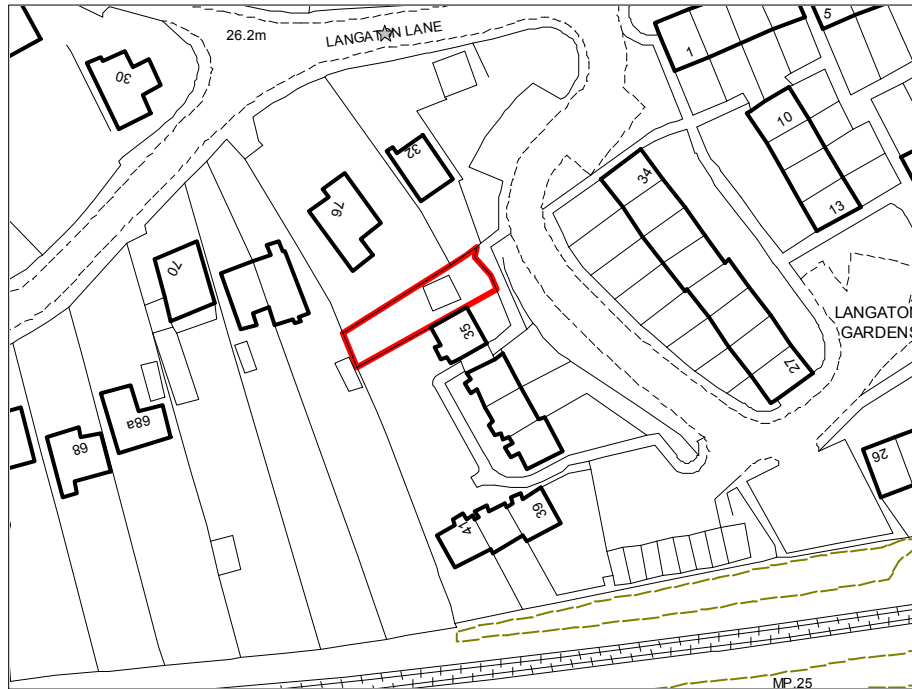
Other Matters

Some local residents and Exeter School had raised objections on health grounds. The Inspector accepted that they would see the installation and their concerns were

relevant to his decision. Bearing in mind that there was little objective evidence to support local fears and that the emissions from the mast would be within the ICNIRP guidelines, he considered that the expressed health concerns were not sufficient to justify refusing planning permission.

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35, Langaton Gardens, Pinhoe, Exeter, Devon, EX1 3RZ.



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Reference Nos: 08/0340/03

Proposal: Erection of a two storey attached dwelling and associated works (approved under Ref. 03/01397/03) with the addition of a single storey conservatory to rear.

Application Decisions: Delegated Refusal

Type of Appeals: Written Representations

Appeal Decisions: ALLOWED subject to conditions

Grounds:

In 2003 planning permission was granted for a similar development on the site. That dwelling has now been built and is occupied. It differs from the appeal scheme which

includes the provision of a small lean-to conservatory. The Council's concerns are limited to the impact of the proposed conservatory.

The Inspector considered that the conservatory would be a very modest enlargement to the permitted dwelling which would not result in any harmful overshadowing or loss of light to the neighbouring dwelling.

The conservatory would alter the outlook from the neighbouring lounge window. However, the views from this window along the length of the garden would be uninterrupted. The limited height and width of the conservatory would not be visually intrusive or overbearing for the occupiers of No.35. The Inspector therefore considered the development would not unacceptably harm the outlook for the occupiers of this neighbouring dwelling.

The development would also be seen from some neighbouring properties to the north. However, in the Inspector's opinion, it would be set well back from facing windows in these neighbouring dwellings and the height and width of the proposed conservatory would not result in any significant loss of light or outlook for the occupiers of these houses.

The Inspector concluded that the development would not result in unacceptable harm to the living conditions of neighbouring residents and would accord with development plan policies.

The appeal was allowed subject to conditions relating to commencement within 3 years, the removal of PD rights relating to extensions to the property, materials and landscaping.

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Location: 45 Dunsford Gardens, Exeter, Devon EX4 1LN



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Reference Nos: 07/2118/03 & 08/0455/03

Proposals: Appeal A: 07/2118/03 - Ground and first floor extensions and internal alterations.

Appeal B: 08/0455/03 - The development proposed is ground and first floor extensions and internal alterations.

Application Decisions: Delegated Refusal

Type of Appeals: Written Representations

Appeal Decisions: Appeal A: ALLOWED subject to conditions

Appeal B: DISMISSED

Grounds:

The main issue was the effect of the proposed developments on the character and appearance of the surrounding area.

The Appeal A scheme proposed a two storey extension to the southwest elevation of the property with a single storey lean-to extension along the northwest elevation. The

Appeal B scheme differs in that it proposed the two-storey element to be on the northwest elevation with the single storey lean-to on the southwest elevation.

As regards the Appeal A scheme, the Inspector noted that the two storey extension to the side would replace the existing poor flat roof structure, and would be a substantial addition. He did not, however, consider that it would be a dominant one on this plot and it would introduce a design that responded to the scale and form of the nearest properties on Dunsford Gardens. The hipped gable to Barley Road would also reflect the form of the majority of the bungalows on this road, and he did not consider that it would be visually intrusive in this setting.

The Inspector did not consider that the single storey extension to the rear would be prominent in public views or significantly affect the character and appearance of the area. He noted the Council's concerns that aspects of the scheme did not conform to its Design Guide or draft SPD. He stated that as a draft he could afford the latter little weight, but noted that both guidance documents seek to ensure that extensions respect the property, the surrounding area and neighbouring occupiers. Consequently they draw on the need to harmonise with the existing property and to conform to surrounding properties of similar character and appearance.

While this proposal would introduce a large two-storey addition, the Inspector did not consider that the final form would be harmful to the character and appearance of the area. He therefore considered it to be in compliance with DSP Policy CO6 and ELP Policy DG1.

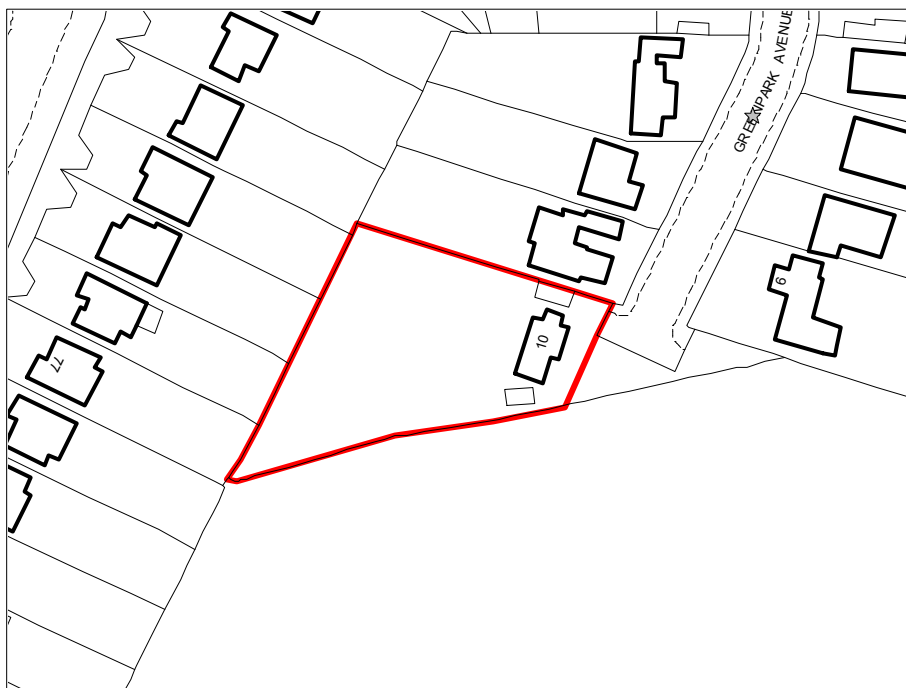
As regards the Appeal B scheme, the two-storey extension would be to the rear and would match the height and width of the existing property. The single storey extension would again follow the footprint of the current flat roof addition, however, this would result in a lean-to roof, which would attach high up on this side extension.

The Inspector considered that the resulting structure would present an unbalanced form that would be visually prominent, with the single storey extension offset and the first floor window squeezed into the limited space between roof and eaves. This would fail to enhance the character and appearance of the area, responding to neither the bungalows of Barley Lane nor the houses on Dunsford Gardens. He therefore concluded that it would be in conflict with Development Plan policies.

Appeal A was allowed subject to conditions relating to commencement within 3 years, the submission of samples of the materials and details of drainage works and the implementation of the approved drainage works.

Appeal B was dismissed.

Location: 10 Greenpark Avenue, Exeter, Devon EX1 3PJ



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Reference No: 07/2695/03

Proposal: New dwelling on land to the rear of No 10 Greenpark Avenue.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issue was the effect of the proposed development on the living conditions of the occupiers of neighbouring properties, with particular reference to noise, disturbance, privacy and visual impact.

The appeal site is located in the rear garden of No 10 Greenpark Avenue, a quiet, residential cul-de-sac generally made up of large detached houses or bungalows. No 10 is the last property in the road and has a larger garden area than the neighbouring properties.

The Inspector noted that access to the site was proposed to be between No 10 and No 8 Greenpark Avenue; No 8 is a detached bungalow positioned close to the shared boundary. The proposed access, with a maximum width of 3.4 metres, is

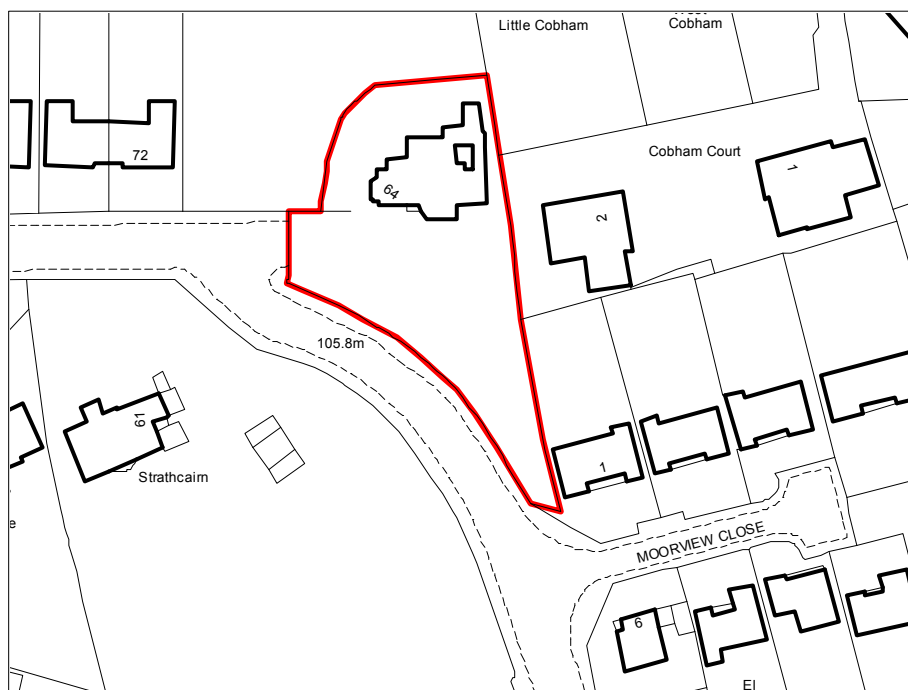
narrow with restricted opportunities for landscaping, and would be shared for the first part with the host property. It would be located very close to the side elevation and a window into a kitchen area of No 10, and within 2 metres of the side elevation of the bungalow, No 8, next door. The layout of the bungalow is such that a large part of the accommodation is along this boundary, with a bedroom and a further habitable room served by windows on this elevation. These would therefore be directly adjacent to the access, as would the rear patio area and part of the garden.

The Inspector agreed with the Council that this close relationship, and the increase activity introduced by the proposal, would result in unacceptable noise and disturbance leading to harm to the living conditions of the current, and any future occupiers, of the host property and No 8 Greenfield Avenue. The introduction of higher walls would not remove this harm and may introduce an unacceptable level of enclosure, particularly for No 8. Consequently, the proposal is in conflict with ELP Policy DG4 in this regard.

The Inspector did not consider that the proposal would result in any significant loss of privacy or appear intrusive or incongruous. Consequently, he did not consider the proposal would result in harm to the living conditions of neighbouring occupants with regard to visual impact or loss of privacy, nor would it be an overbearing development.

The Inspector was conscious of the focus that national and local policies place on the efficient use of previously developed land within the urban boundary. However, he did not consider that this, or his findings regarding the effect on the privacy of neighbouring occupiers, outweighs the harm that he had identified due to unacceptable levels of noise and disturbance.

Location: 64 Sylvan Road, Exeter, EX4 6HA



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Reference No: 08/0160/03

Proposal: First-floor extension on north elevation.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issue was whether the proposal would preserve or enhance the character or appearance of the Pennsylvania Conservation Area.

The appeal property is a large, detached building, standing in an elevated and prominent position on a corner plot within a Conservation Area. This former residential property is now in use as a language school.

The property is included within the enlarged Pennsylvania Conservation Area in 2007. Although not a listed building, it is a building that makes a positive contribution to the character of the Conservation Area.

The Inspector considered that the proposed north facing first-floor extension, 12m long with a flat roof, would stand out in contrast to the existing building, with its

pronounced roof pitches and the north facing gabled roof, where it would be particularly incongruous. He also considered there to be an awkward relationship between the proposal and the host building in the west elevation in terms of the contrasting roof styles, which in turn highlights the significant difference in height between the host building and the proposed extension. The proposed square shaped windows would also, in the Inspector's judgment, fail to harmonise with the vertical emphasis of most of the existing windows, and this is particularly pronounced in relation to the north elevation. The extension would be visible from the street. He considered that the proposed extension fails to respect distinctive qualities of the existing building and because of the host building's prominence, would therefore detract from the character and appearance of the Conservation Area as a whole. He concluded that the proposal would be contrary to national and development plan policy.

Although there were similarities between the planning permission which was granted for an extension to the appeal property on the north elevation in 2003 and the appeal proposal, in the Inspector's judgment the earlier approved design was more subservient to the host building than the appeal proposal.

The Inspector did not consider that there would be any material harm to the living conditions of neighbouring occupiers through overlooking and loss of privacy, or loss of outlook.

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Location: 22 Blenheim Road, Alphington, Exeter, Devon, EX2 8SE



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Reference No: 08/0478/03

Proposal: Partial two-storey side extension and loft conversion.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: **ALLOWED subject to conditions**

Grounds:

The main issue was the effect of the proposed development on the character and appearance of the street scene.

The appeal property is a semi-detached dwelling in a residential area. It is linked to the neighbouring pair of semi-detached dwellings by two garages, with steep pitched roofs, giving the appearance of a terrace of four properties. The appellant's garage has been converted into a habitable room.

The Inspector considered that the process of creating terraces by filling in the gaps between the original semi-detached properties in the area was now widespread, to the extent that, in his judgment, it is now the prevailing character of the streetscape.

Whilst he accepted that the amount of set back from the original building line was less than the 1m recommended in the Council's Draft Supplementary Planning Document 'Householder's Guide to Extension Design' (2008) (Draft SPD) and the height of the proposed roof almost reaches the original height, he weighed Draft SPD against a number of material considerations. Firstly, in his judgment, the proposed development would still be recessed in relation to the original building line and slightly lower than the height of the host building. Secondly, the terracing effect, both in the street as a whole, and in relation to the appeal property in particular, had already been created; in relation to the four dwellings that make up the terrace, the proposal would not appear overly dominant or out of place. Thirdly, the proposed development would result in the removal of the unsightly car port, resulting, in his judgment, in a net visual improvement to the street scene. Fourthly, the proposed development would be constructed in matching materials to the host building.

The Inspector therefore concluded that, on balance, the proposal would not be out of keeping with the street scene and would therefore not be contrary to development plan policies or the Council's Draft SPD.

The appeal was allowed subject to conditions relating to commencement, and requiring the submission and approval of details of materials.

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Location: Ludwell House, Ludwell Lane, Exeter, EX2 5AQ



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Reference No: 07/2636/03

Proposal: Demolition of existing buildings and rebuild with new dwelling and separate triple garage with annexe above.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issues were whether the proposal would maximise the conservation of energy and its effect on the character and appearance of the area.

The appeal site is located in a semi-rural setting within the Ludwell Valley Park, where policies of development restraint apply. It includes a detached two storey house and two adjacent outbuildings.

Energy conservation

ELP Policy DG2 relates to maximising energy conservation and requires, amongst other matters, that proposals retain and refurbish existing buildings on site except

where retention is unviable or the buildings are detrimental to the character of the site or would prejudice the best use of land.

The Inspector saw evidence of water ingress inside the house caused by the roof leaking at the point where the rear pitched roofslope meets a flat roofed extension. The roof, therefore, would require repairing if not replacing.

He noted that several replacement upvc double glazed windows have been installed and considered that the remaining windows would be likely to need renewing. The kitchen, bathrooms and toilet are outdated and there is no central heating. Nevertheless, there was no evidence that the house was structurally unsound or in such poor condition that the only viable option was to demolish it and build a replacement dwelling. Whilst the house was in need of updating, he did not consider it was inappropriate or otherwise detrimental to the character and appearance of the site. Moreover, the hedged and treed frontage boundary and relatively large garden with its mature trees restrict views of the house and buildings from the road.

The Inspector noted that the appeal site was situated within a locally designated valley park, one of a number managed as 'countryside in the city' or 'green lungs.' Under ELP policy L1 the only forms of development considered to be appropriate within these areas concern outdoor recreation, agriculture and forestry. As the proposal was not for such a use, retaining and refurbishing the appeal dwelling could not be held to prejudice the best use of the appeal site.

He concluded that the proposal would not maximise the conservation of energy, contrary to Policy DG2.

Character and appearance

The proposed house would be substantially larger than the existing one and the proposed triple garage with annex accommodation over would be sited forward of it and some distance away in an undeveloped part of the garden. In combination with the extensive paved driveway, parking and turning areas proposed, the Inspector considered that the proposal would result in an unsympathetic form of development out of keeping with its semi-rural setting.

Although the proposed house may be similar in design to the modern ones adjoining the appeal site, he considered these to be suburban in character, inappropriate and unsympathetic to their semi-rural setting and, therefore, not a good reason for allowing the appeal proposal.

The Inspector concluded that the proposal would harm the character and appearance of Ludwell Valley Park, contrary to development plan policies.

Location: 2 Friars Walk, Exeter, EX2 4AY



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Reference No: 07/2442/03

Proposal: Provision of hardstanding in north-east garden, entrance gates and access to highway.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issue was whether the proposal would preserve or enhance the character or appearance of the Southernhay Conservation Area.

2 Friars Walk is a Grade II listed building at the northern end of a line of semi-detached 'villa' style properties, each with a small front garden, which is an unusual feature within the Southernhay

Conservation Area. The appeal property is part of an unbroken line of eight front gardens, stretching to the south east, which the Inspector considered to be a distinctive element in the character and appearance of the street. He considered that the existing area of concrete at the front of the appeal property detracts from the setting of the house, although the existing garden area still forms an important feature.

In the Inspector's judgment, the low boundary wall and relatively small front gates form part of a distinctive pattern that contributes to the character of the street scene. He considered that the loss of both the front garden for a parking space and part of the low wall to make way for a widened access to accommodate motor vehicles, together with the introduction of a higher, wider gate would be unacceptable. The development would result in the partial loss of the existing sense of enclosure which the wall provides, the substantial loss of an important green area and the detraction of the appearance and setting of the appeal property by the presence of a parked car against the building. The combination of these impacts would not complement the character of the house and would detract from the both the appearance of the building itself and its listed group, as well as the character and appearance of the street scene and the Conservation Area as a whole.

The Inspector concluded that the proposal would be contrary to PPS1, PPG15, DSP Policy CO7, and ELP Policies C1 and C2.

Although the Inspector noted that some other front gardens in Friars Walk have been replaced by hardstanding, in his opinion, these only served to underline the harmful impacts that these surfaces, and cars parked on them, make to the setting of the buildings, and the harm this form of development does to the character and appearance of the Conservation Area.

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Location: 84 Polsoe Road, Exeter, EX1 2NF



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Reference No: 07/1966/03

Proposal: Conversion of 1 flat into 2 self contained units.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: **ALLOWED subject to conditions**

Grounds:

The Inspector noted that planning permission for the single storey extension that formed part of the appeal application had been granted on 15 May 2008, and was not therefore considered by him as part of the appeal application.

The main issue was highway safety.

The appeal property is a three-storey former semi-detached house which is now converted into flats on Polsoe Road, a busy distributor road. There is currently space for three cars to park at the front of the site.

Although the property is subdivided into three flats for rating purposes, there are four external doors, and four households already live at the appeal property, reflecting a planning permission granted in 1963, for the subdivision of the ground floor into two flats (Council Ref. 496/61). The plans show that the two downstairs households have their own separate kitchens and WCs. It would appear that the changing of the Valuation Lists in 1998 led to the two flats being classified as one flat, even though separate households had lived in the two parts of the downstairs area from time to time and that at no time had the two separate living areas been combined into a single flat.

The highway authority was concerned that the creation of a fourth flat would give rise to additional on-street parking, which would interfere with the free flow of traffic on Polsoe Road. The City Council was concerned that increased pressure for on street parking would be detrimental to the amenities of neighbouring occupiers.

The Inspector acknowledged that the volume of traffic, and the pressure for on-street parking on Polsoe Road had risen considerably since planning permission was granted to increase the total to four flats at the appeal site in 1963. However, national transport policy had also moved on significantly since then, and the emphasis in PPG13 was to reduce the amount of parking spaces, along with encouraging more sustainable forms of transport and generally reducing the need to travel. In his judgment, the location was sustainable in transport terms.

The existence of a residents' parking scheme involving a limited number of spaces in the vicinity of the appeal site indicated to the Inspector that car parking in the surrounding streets was not regarded as unacceptable, even if it was not ideal. Moreover, he considered it to be within the remit of the Council and/or the highway authority to address the problem of inappropriate on-street parking by introducing additional parking controls or by restricting or stopping the issuing of additional residents' parking permits.

The Inspector noted that in addition to on-site car parking spaces at the front of the property, there was adequate space and access for the provision of covered

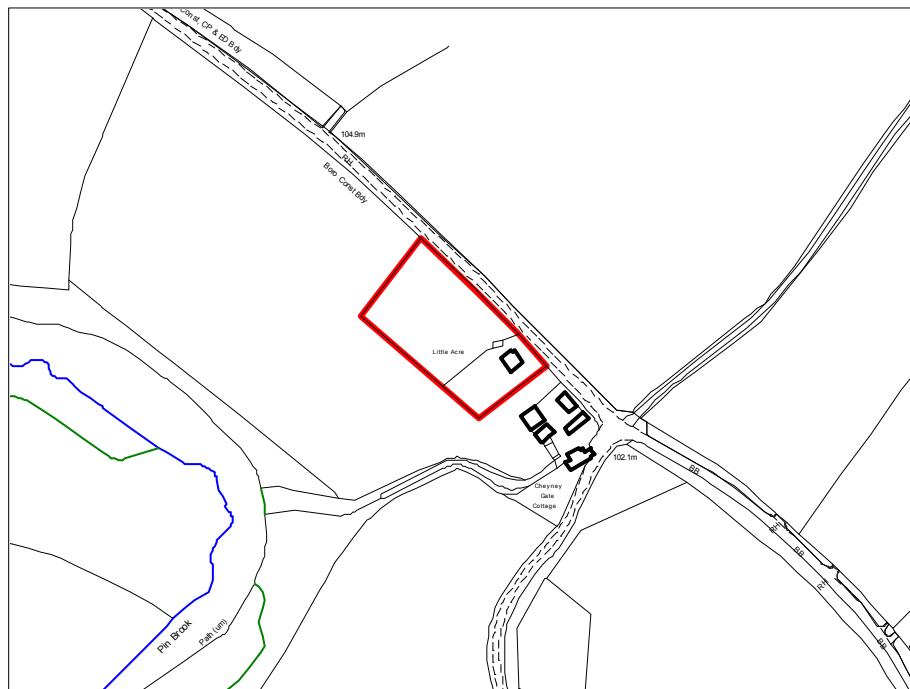
cycle/motor cycle/scooter spaces at the back, and provision for this could be secured by an appropriate condition. He considered that the introduction of measures to introduce a car-free scheme would be disproportionate to the small-scale proposal before him, and impracticable to manage and monitor. Whilst he was aware that such schemes can make a positive contribution towards sustainable transport in urban areas, in his judgment they are more successful as part of larger, new-build schemes, where the issue of car-free development is included within a Section 106 Agreement at the outset of development, including provision of a car pool, rather than being introduced in a small conversion scheme, such as the proposal before him.

He concluded that the proposal would not be contrary to PPG13, or development plan policies.

The appeal was allowed subject to conditions relating to commencement, the submission and approval of details of materials, drainage works, on-site refuse storage and storage facilities for bicycles and motor cycles.

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Location: Little Acre, Church Hill, Pinhoe, Exeter, EX4 9JA



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Reference No: 07/2528/03

Proposal: Alterations and extension.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: **DISMISSED**

Grounds:

The main issue was considered to be the effect of the proposal on the character and appearance of the existing dwelling and its surroundings.

The appeal dwelling is a relatively small bungalow occupying a large plot within an area of locally designated open countryside where policies of development restraint apply.

The proposal includes demolishing the garage and extending the bungalow at the side, rear and upwards. There is an unimplemented consent for an amended scheme and this is a material consideration.

The Inspector considered the existing bungalow to be of a relatively simple and uncomplicated design which has a modest impact on its rural setting. The effect of the proposal would be to turn it into large modern house with an L-shaped footprint nearly twice the size of the original, with large areas of glazing, a full second storey and a large rear balcony.

The Inspector agreed with the Council that the resultant dwelling would be an inappropriate form of development which would overwhelm the original bungalow, have a greater visual impact on its rural surroundings and not maintain local distinctiveness. In his view, the fact that it may only generally be noticeable at relatively close quarters from the road, where it would sit behind a proposed Devon bank, would not make the proposal any more acceptable.

The Inspector considered there were significant differences between the permitted scheme and the appeal proposal, with the former being more in keeping with the existing modest bungalow. He considered the fact that other large extensions may have been allowed in the area were not a good reason for allowing the appeal proposal.

The Inspector concluded that the proposal would harm both the character and appearance of the existing dwelling and its open, rural setting, contrary to development plan policies.

Location: 1 Feltrim Avenue, Exeter, EX2 4RP



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Reference No: 07/2669/03

Proposal: Erection of a conservatory.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issue was considered to be the effect of the proposal on the character and appearance of the existing dwelling.

The appeal dwelling is an extended semi-detached house. There is a matching two storey, pitched roof side extension and a full width, single storey, flat roofed rear extension with an L-shaped footprint. The proposed conservatory would generally be sited within the 'crook' of the rear extension but its rear elevation would project about one metre beyond the rearmost part of the existing extension.

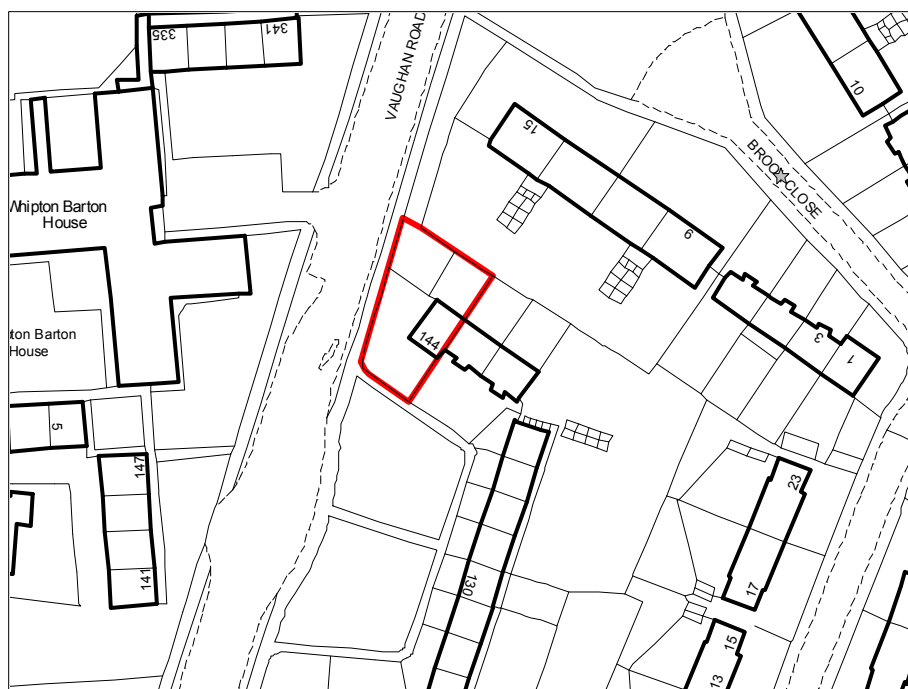
The Inspector considered the proposal would increase the amount of built form at the rear of the existing house to the extent where it could no longer be held to be subservient to the main dwelling. He agreed that subservience was a principle of good design and, as well as being the focus of the Council's draft supplementary planning document on house extensions, noted that good design is one of the government's main objectives.

In addition to the matter of subservience, the Inspector also considered that the proposal's double pitched roof and decorated ridge would have an incongruous relationship with the existing flat roofed extension.

He concluded that the proposal would harm the character and appearance of the existing house, contrary to development plan policies.

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Location: 144 Vaughan Road, Exeter, EX1 3JN



Scale 1:1250

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Reference No: 08/0614/03

Proposal: Erection of a 6ft (1.8m) feather board wooden fence around boundary of land purchased from the City Council.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: DISMISSED

Grounds:

The main issue was considered to be the effect of the proposal on the character and appearance of Vaughan Road.

The appeal site comprises an area of land at the rear and side of 144 Vaughan Road, situated between its rear garden and the back edge of the footway, and is to be incorporated within the existing garden. The proposed fence is intended to provide security and privacy along the site's unfenced western and part-fenced northern boundaries.

Mature shrubs presently line the site's western boundary with the adjoining footway. The Inspector agreed with the Council that these, and the adjoining line of trees and shrubs outside the fenced side boundary at 15 Brook Close, provide an attractive soft edge to this stretch of Vaughan Road which enhances the spacious quality and open layout of the area.

The proposed tall wooden fence between concrete posts would replace part of this 'soft edge.' The Inspector concluded that the proposal would form a harsh and prominent feature of the street scene and harm the character and appearance of Vaughan Road, contrary to DSP Policy CO6 and ELP Policy DG1.

The Inspector understood the appellant's frustration, given that a condition of his purchase of the site from the Council was that it had to be fenced against the road. However, he noted that any fence required the Council's approval and that it had suggested less harmful alternatives.

The Inspector saw no similar fences to the one proposed in the vicinity of the appeal site and found that most of the examples drawn to his attention demonstrated the degree of harm this type of fence can cause.

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Location: 6 Eagles Nest, Exonia Park, Exeter



Scale 1:1250

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Reference No: 08/0129/04

Proposal: The pruning of 6 sycamore trees

Application Decision: Delegated refusal

Type of Appeal: Written Representations

Appeal Decision: **DISMISSED**

Description:

The trees are six sycamores standing at the southern end of a tree belt which runs past the mobile homes on the upper plateau of Exonia Park. The trees are covered by Tree Preservation Order 443.

Reasons:

The appeal sycamores are healthy trees providing significant public amenity to Exonia Park and properties to their east. Five of the appeal trees have been crown lifted high on their western sides previously, and further removal of limbs and branches would increase the risk of stem decay. Topping of the sixth tree would be poor arboricultural practice. Proposed pruning would not reduce honeydew deposition on the home. Proposed pruning would reduce screening between 6 Eagles Nest and Clifton Cottage, but would not significantly increase light to the home.

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APPEALS LODGED

Application	Proposal	Start date	Received date
St. Andrews Hotel, 28 Alphington Road, Exeter, EX2 8HN	Two storey extension on west elevation and ground floor extension on east elevation	14/10/2008	20/10/2008
St. Andrews Hotel, 28 Alphington Road, Exeter, EX2 8HN (Conservation Area Consent)	Demolition of two storey and ground floor extensions on north west and south east elevations	14/10/2008	20/10/2008
29 Herbert, Exeter, EX1 2UH	Two storey extension on east elevation and ground floor extension on south elevation	22/10/2008	24/10/2008
29 Addington Court, Horseguards, Exeter, EX4 4UY	Conversion of garage to provide additional living accommodation, provision of additional on-site parking space and entrance gates on east elevation (notwithstanding conditions on planning permission reference 98/0955/03)	23/10/2008	28/10/2008

46 High Street,
Topsham, Exeter,
EX3 0DY

Raising of roof and dormer
window on rear wing

11/11/2008

17/11/2008

**RICHARD SHORT
HEAD OF PLANNING SERVICES
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