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## Appeal Decision

Site visit made on 16 July 2019

**by S Hanson BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 August 2019**

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**Appeal Ref: APP/U1105/D/19/3226903**

**6 Endsleigh Crescent, Blackhorse, Exeter, Devon EX5 2AW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Louise Worlin against the decision of East Devon District Council.
  - The application Ref 18/2296/FUL, dated 5 October 2018, was refused by notice dated 24 January 2019.
  - The development proposed is a two storey extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a two storey extension at 6 Endsleigh Crescent, Blackhorse, Exeter, Devon EX5 2AW in accordance with the terms of the application ref: 18/2296/FUL dated 5 October 2018 and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those on the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 3065.01 Elevations; 3065.02 Elevations; 3065.03 Ground Floor Plans; 3065.04 First Floor Plans; 3065.05 Proposed Site Plan; 3065.06 Roof Plans; and the site location plan 1:1250.

### Procedural Matter

2. The Council has confirmed that it meant to refer to 7 Endsleigh Crescent in its reason for refusal instead of 5 Endsleigh Crescent. I have considered the proposal on this basis.

### Main Issue

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of 7 Endsleigh Crescent (No 7), having particular regard to outlook and light.

### Reasons

4. 6 Endsleigh Crescent (No 6) is a detached house in a generous plot. To the east, the appeal site shares a boundary with No 7. Because the properties in the close are arranged in a semi-circular layout, they sit at an angle to one

another with the gap between their side elevations expanding from front to rear. The main outlook from the properties is over the gardens to the rear where there is a great sense of spaciousness and extended views.

5. The boundary with No 7 is defined by a high wooden fence and a series of outbuildings, including a garage, which sit in between the two properties and form a substantial barrier from the front to beyond the rear elevation of No 6. The development would require the removal of these outbuildings and the appellants side of the garage. The other half of the garage belonging to No 7 would remain in situ.
6. The proposed two-storey side extension would be marginally set back from the front elevation of the dwelling. It would continue to the rear following the angle of the boundary with the extension being wider to the rear of the property. The extension would not proceed beyond the current rear elevation of the property and would project to a similar extent as the two-storey rear section of No 7. The proposal would have a roof which would be set below the ridge height of the host property. Additionally, the two-storey element of the proposed extension to the rear would be hipped away and set back from the boundary further allowing for a greater separation distance.
7. There are windows at both ground and first floor level on the side elevation of No 7 which serve the kitchen, bedroom and stairwell. At first floor, the bedroom has a second window on the rear elevation and the remaining windows provide light to non-habitable rooms. As such, the proposal would not have an unduly adverse effect on the outlook or daylight to the habitable rooms in the first-floor side elevation. At ground floor level, the two side windows provide additional daylight to the kitchen. These openings are currently overshadowed somewhat by the garage which sits in proximity with this side elevation.
8. Although the proposed extension would reduce the amount of daylight to the ground floor side of the property, the separation distance between No 6 and No 7 is such that the proposal would not be overbearing or have an adverse effect on outlook or daylight to the property and garden. Consequently, the proposal would comply with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031 (the Local Plan), which requires new development to, among other matters, not adversely affect the amenity of occupiers of adjoining residential properties.

### **Other Matters**

9. The extension would be half the width of the host dwelling, set back from the front elevation of the house and with a reduced roof height. As a result, it would be a subservient addition with a limited impact upon the street scene and have a neutral impact on existing landscaping. Therefore it would not, overall, be harmful to the character and appearance of the existing house or the surrounding area.
10. The hard-surfaced area to the front of the property would allow for off-road parking to comply with Policy TC9 of the Local Plan, which states that dwellings with 2 or more bedrooms should provide parking space for 2 vehicles. I have not been presented with anything of substance to demonstrate the appeal scheme would exacerbate an existing problem with surface water flooding or create one. The proposal would not result in a harmful impact or a conflict with

the development plan and therefore allowing this appeal would not set an undesirable precedent potentially relevant as a material consideration to a like application made somewhere else in the future.

**Conclusion**

11. The appeal scheme would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should succeed.

*S. Hanson*

INSPECTOR