



Appeal Decision

Site visit made on 15 October 2019

by Roy Curnow MA BSC(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th November 2019

Appeal Ref: APP/Y1110/D/19/3234569

21 Riverside Road, Topsham EX3 0LR

- 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 Mr Nick Jefferies against the decision of Exeter City Council.
 - The application Ref 19/0689/FUL, dated 21 May 2019, was refused by notice dated 5 July 2019.
 - The development proposed is a new garage and conversion of existing garage into living accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for a new garage and conversion of existing garage into living accommodation at 21 Riverside Road, Topsham EX3 0LR in accordance with the terms of the application, Ref 19/0689/FUL, dated 21 May 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Unnumbered 'Sreetwise' Location Plan at a scale of 1:1250; 360_L04.02 Revision P2; 360_L02.03 Revision P2; and 360_L02.04 Revision P2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of the occupants of the host dwelling, having regard to outlook.

Reasons

Character and Appearance

3. 21 Riverside Road lies on the outside of the right-angled bend where this road meets Hamilton Road, both of which are residential streets. Hamilton Road

consists of two-storey semi-detached and terraced dwellings of a local authority design. These continue along the north-eastern side of Riverside Road. The southwestern side of Riverside Road is largely characterised by fairly large detached dwellings running parallel to the road and set back from it.

4. No 21 and its neighbour, 20 Riverside Road, differ from the other dwellings in the road. Whilst both are detached, No 20 is set further away from the road and is set at an angle to it. No 21 is set at a slight angle to a turning head in the road and is of a more contemporary design than others in the local street scene. Save for an integral garage, it is set above the highway and is reached by a flight of steps. With its integral garage, part of the dwelling has three floors. It has a front elevation that has marked articulation with a feature three-storey gable element and a central 'cat-slide' roof projecting forwards to create an entrance porch.
5. It is proposed to convert the integral garage into living accommodation and to erect a single storey, flat-roofed garage attached to the front corner of the house, abutting the boundary with No 20.
6. Guidance on extending dwellinghouses is given in the Council's Supplementary Planning Document 'Householders Guide to Extension Design', September 2008, (SPD 1). With regards to extensions to the front of dwellings, its Figure 3.1 and supporting text advise that these should be set at least 900mm back from the main wall. It does not, however, preclude other forms of extension; its main aims are to ensure that the extension is subservient to the original dwelling and that the original character of the street is preserved.
7. Here, the scale and mass of the dwelling is such that, despite standing forward of the front of the house, the proposed garage, which would be fairly small and not excessively high, would be seen as a subservient addition. It would also relate well to the dwelling.
8. I saw a number of dwellings along Riverside Road with single storey garages projecting from their front elevations, sometimes markedly so, including numbers 17, 18 and 19. Although having a different relationship with the road, No 20 also has a large garage that projects from its front elevation.
9. The front elevation of No 21 is clearly seen as one looks south-eastwards along Riverside Road. However, the extension, which is proposed to be finished in matching brickwork, would be seen against the bulk of the main house. Given its position, No 21 is not seen from Hamilton Road until one is very close-by. Given this and the presence of other similar features in the area, the proposed extension would not be a prominent feature and would preserve the original character of the street.
10. I was not supplied with the text of the 'Residential Design' Supplementary Planning Document adopted 2010 (SPD 2). However, I am told that it suggests that the best design solution for garages can be to integrate them into the built form. This approach cannot be taken as being exclusive, however, and whilst No 21 benefits from an integral garage presently, this alternative has to be assessed on its merits.
11. The proposed garage would result in the loss of some vegetation along the boundary with No 20. However, this is not protected and could be removed at

any time. Its loss and the limited opportunity for replacement planting would not cause such harm to the street scene that might justify refusing permission.

12. In the light of the foregoing, I find that the proposed development would not have an adverse effect on the character and appearance of the area. It would accord with the objectives and principles of design set out in Policy DG1 of the Exeter Local Plan, First Review, adopted March 2005, (LP). It would also reinforce local distinctiveness at an appropriate density of development, in accordance with Objective 9 and Policy CP4, respectively, of the Exeter City Council Core Strategy, February 2012. I also find that the development would accord with the terms of SPD1 and SPD2 and the National Planning Policy Framework.

Living Conditions

13. The garage would be sited in front of a window on the No 21's front elevation. However, I saw that the room that this window serves has extensive glazing, including glazed doors, facing onto the property's garden. As such, the effect on the outlook from this room would be minimal and would not justify refusing permission.
14. The removal of the vegetation along the boundary between Nos 20 and 21 would allow a greater degree of inter-visibility between the two. However, this was not set out as a reason for refusal by the Council, and I agree that this would not result in a significantly harmful degree of overlooking and consequent loss of privacy for the occupants of No 21.
15. On this main issue I find that the proposed development would not have a harmful effect on the outlook of the occupants of No 21. It would ensure a quality of amenity that would allow residents to feel at ease within their homes and gardens and would, therefore, accord with the terms of LP Policy DG4(b).

Other Matters

16. I have taken note of an earlier application for planning permission for the same development at No 21. In that case the garage to the front of the dwelling was removed from consideration by the applicant during the processing of the application. However, this does not outweigh the reasoning I have given above.

Conditions

17. In addition to the statutory time limit condition, the Council has suggested that, if planning permission is granted, conditions are attached relating to the use of materials to match those used on the existing dwelling and that the development should be undertaken in accordance with the approved plans. I agree that these are necessary in the interests of certainty and to protect the character and appearance of the area, respectively.

Conclusion

18. For the above reasons, and having taken all other matters into account, the appeal is allowed.

Roy Curnow

INSPECTOR