



## Appeal Decision

Site Visit made on 2 February 2021

**by T Gethin BA (Hons), MSc, MRTPI**

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

**Decision date: 18 February 2021**

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**Appeal Ref: APP/Y1110/D/20/3262224**

**22 Bagshot Avenue, St Leonards, Exeter, Devon EX2 4RN**

- 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 and Mr Wendy and Ben Reynolds against the decision of Exeter City Council.
  - The application Ref 20/0057/FUL, dated 8 January 2020, was refused by notice dated 21 August 2020.
  - The development proposed is described as proposed side extension and internal alterations.
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### Decision

1. The appeal is allowed and planning permission is granted for proposed rear and side extension, with construction of basement and internal alterations at 22 Bagshot Avenue, St Leonards, Exeter, Devon EX2 4RN in accordance with the terms of the application, Ref 20/0057/FUL, dated 8 January 2020, and subject to the conditions set out in the schedule to this decision.

### Preliminary Matters

2. The description of development in the banner heading above has been taken from the planning application form. However, given the amended proposed plans submitted during the Council's determination of the planning application changed the nature of the proposed development, I have used the description of the development from the Council's decision notice because it better captures the scope of the appeal proposal.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the existing building and the surrounding area.

### Reasons

4. Forming a corner plot between Bagshot Avenue and Rivermead Road, the appeal site is visible in public views from the front, side and rear. The building on the site reflects surrounding built form – some of which has been extended and altered – such as in relation to the variety of roof forms in the locality, its set-back from Rivermead Road and the use of external materials, which include brick, tiles and areas of render. With a residential character, the surrounding area therefore has a built-up but relatively open and varied appearance.
5. The proposed side extension would extend built form towards Rivermead Road and beyond the common building line created by the four two-storey properties on the junction with Bagshot and Egham Avenues. However, with a single-

storey and a limited depth and width, it would read as a relatively modest addition. Its set-back from the boundary, combined with existing boundary treatment and soft landscaping, would further reduce its presence in the public realm. The proposed side extension would also be in a similar position as the existing shed on the site. It would therefore not significantly affect the openness of Rivermead Avenue and the common building line provided by the main two-storey side walls of the four corner properties would remain. Given the varied appearance of the four properties on the junction and locality, its appearance – including brick walls and flat roof – would also reflect surrounding built form. On this basis, and given the host building's feature two-storey bay windows would be retained, the side extension would not appear as a harmful addition. Its slightly angled side wall does not lead me to a different conclusion.

6. Given topography and its position broadly in-line with the existing raised terrace and above the proposed basement, the proposed ground-floor rear extension would be relatively prominent. However, its modest scale and mass, existing boundary treatment and its set-back from the side wall of the host building and Rivermead Road would limit its presence and avoid it appearing as an unacceptably dominant addition. In coming to this view, I have taken account of its width compared to the host building. Although its perpendicular mono-pitch roof would be unusual, the variety of roof forms in the locality means that it would also not be experienced as an incongruous or harmful feature.
7. The rear extension would have a relatively modern and bold appearance due to, for example, its extensive fenestration and possible zinc roof finish. However, its rendered walls would not be atypical and the surrounding area includes a mixture of traditional and some more contemporary features, such as various ground-floor and dormer roof extensions, some with large glazing, rooflights and the flat-roof building just down from the site on Rivermead Road. Accordingly, neither the rear extension nor the other features proposed – such as the raised terrace and glass balustrade – would appear unacceptably out of character in relation to their surroundings. Full details of external materials can also be covered by condition, thereby ensuring clarity as to what materials would be used and their acceptability in relation to the surrounding townscape.
8. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the existing building and the surrounding area. I therefore find that it accords with Objective 9 and Policy CP17 of the Exeter City Council Core Strategy and Policy DG1 of the Exeter Local Plan First Review. Amongst other aspects, these require development to promote the urban character of Exeter, reinforce local distinctiveness and complement local identity, contribute positively to the townscape, and relate well to the palette of materials in the locality and the character and appearance of surrounding buildings. Although the proposal would not strictly comply with all parts of the Exeter City Council Supplementary Planning Document, Householder's Guide to Extension Design (2008), it is guidance rather than policy and I am satisfied that the appeal scheme would be broadly consistent with the guide's principles, including in relation to principle 2 regarding street scene.

### **Other matters**

9. The proposed rear extension would extend beyond the single-storey section of the adjoining semi-detached property, No 21. However, the extent of the extension's projection would not be significant, the closest part of it to the

shared boundary and the neighbours' patio would have a reduced depth and the mono-pitched roof would be angled away from No 21. Although the proposed extension would reduce views from the adjoining property over the site's existing raised terrace towards Rivermead Road, No 21's patio and dining/sitting room would continue to receive sufficient levels of outlook, daylight and sunlight via the main outlook across the rear garden towards the south-west.

10. A number of other matters have been raised by interested parties and I have taken them all into account. This includes: overlooking/loss of privacy; construction works particularly from the proposed basement room compromising the foundations of neighbouring properties and affecting drainage and services; loss of trees; the proposed use of the development; boundary treatment; the lack of pre-application discussions; access for construction and maintenance purposes; and previous work on the site. However, whilst I take these representations seriously, I have not been presented with compelling evidence to demonstrate that the appeal proposal would result in unacceptable effects in relation to any of these matters. Some of the matters put to me, such as structural considerations, are also commonly covered by other legislation. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed. Concern has also been raised about the proposed flue serving a wood burner in the rear extension. However, the latest set of plans – which the Council based its decision on – no longer include this.

### **Conclusion and Conditions.**

11. For the above reasons, the appeal is allowed.
12. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. A condition covering working hours is necessary in the interests of the living conditions of adjoining occupiers.
13. A condition covering external materials is also necessary in the interests of the visual amenity of the surrounding area. However, as some of the materials proposed are not present on the host building, the Council's suggested condition for matching materials would not be reasonable. In addition, I note that some of the details on the approved plans covering external materials are in some cases either inconsistent between the different plans (such as text referring to both render and brick finish for the side extension) or not confirmed (such as roofs covered with either single ply membrane or zinc sheeting and windows with either uPVC or aluminium frames). On this basis, it is necessary and reasonable to impose a condition requiring the submission of full details of proposed external materials.

*T Gethin*

INSPECTOR

## **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan (T1); Existing site plan (A1); Existing lower floor plan (A2); Existing ground floor plan (A3); Existing first floor plan (A4); Existing top floor plan (A5); Existing roof plan (A6); Existing front and rear elevations (A7); Existing side elevation (A8); Existing section A-A (A9); Proposed site plan (A1, received by the Council on 3 July 2020); Proposed lower floor plan (A2, received by the Council on 3 July 2020); Proposed ground floor plan (A3, received by the Council on 3 July 2020); Proposed first floor plan (A4, received by the Council on 3 July 2020); Proposed top floor plan (A5, received by the Council on 3 July 2020); Proposed roof plan (A6, received by the Council on 3 July 2020); Proposed front and rear elevations (A7, received by the Council on 3 July 2020); Proposed side elevation (A8, received by the Council on 3 July 2020); and Proposed section A-A (A9, received by the Council on 3 July 2020).
- 3) Before development above foundation level is commenced, full details of external facing materials and finishes to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 4) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.

## **END OF SCHEDULE**