



Appeal Decision

Site visit made on 20 July 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2021

Appeal Ref: APP/Y1110/D/21/3273844

70 Barley Lane, Exeter EX24 1NP

- 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 Mike Waldron against the decision of Exeter City Council.
 - The application Ref 21/0180/FUL, dated 1 February 2021, was refused by notice dated 9 April 2021.
 - The development proposed is the construction of a side extension to 3 bed residential property.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of a side extension to 3 bed residential property at 70 Barley Lane, Exeter EX24 1NP in accordance with the terms of the application Ref 21/0180/FUL, dated 1 February 2021, 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: Site location plan, Proposed first floor plan Rev B, Proposed ground floor plan Rev A, Proposed north elevation Rev A, Proposed south elevation Rev A, Proposed west elevation Rev A, Proposed roof plan Rev A, Proposed section A-A Rev A.
 - 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 Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. No 70 is a two-storey property at the end of a stepped terrace, occupying a prominent plot at the corner of Barley Lane and Barley Farm Road. The area around the site is largely characterised by its varietal pattern of semidetached and short terraces of housing set within open plan boundaries, amongst quite densely vegetated and tree and hedgerow lined gardens. There is also fencing and garages. Thus, whilst openness is an attribute of the area to a degree, it is not a suburban environment that feels particularly spacious.

4. The extension would be quite a large addition to 70 Barley Lane and would not maintain subservience towards it. However, given that the property forms part of a terrace, the overall linear form of the building would be retained. Adequate space and soft landscaping would also remain along the south boundary of the site which, together with No 70's front lawn, would ensure that the open and verdant characteristics of the street scene would be maintained.
5. The size and height of the extension would lead it to conflict with the guidance within the Council's Householder's Guide to Extension Design Supplementary Planning Document (the Guide). However, the Guide also identifies the importance of site-specific assessment. Given the absence of harm to the character and appearance of the area in this case, the scheme's conflict with the Guide is a matter of limited weight in my assessment.
6. The Council has referred to the potential for the scheme to act as a precedent for other development in the area. However, as each case must be determined in its own merits, the proposal would not necessarily do so. Whilst the Council is also concerned that the proposal could be converted into a dwelling at a later date, this would necessitate the submission of a planning application.
7. I have been referred to an appeal decision elsewhere in Exeter at Gordon Road¹, where open street corners were identified as important features of that area. However, matters surrounding character and appearance are site specific and fact sensitive, relying upon the exercise of planning judgement. As such, that decision also attracts limited weight.
8. I therefore conclude that the proposal would have an acceptable effect on the character and appearance of the area. It would accord with the design aims of Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review 1995-2011 and the National Planning Policy Framework.

Conditions

9. In addition to the standard time condition, a condition is needed to define the approved plans in the interest of certainty. To ensure that the extension would tie in with the host building, it is necessary to ensure that finish materials match the existing property. The Council's environmental health team has also suggested a condition restricting working hours at the site during construction in order to protect the living conditions of neighbouring residents and workers. However, given the modest scale of the proposal, I do not consider it essential to do so in this case.

Conclusion

10. For the reasons outlined above, and taking all other matters raised into account, I shall allow the appeal, subject to conditions.

Matthew Jones

INSPECTOR

¹ Appeal Ref: APP/Y1110/W/20/3262738)