



Appeal Decision

Site Visit made on 31 August 2021

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2021

Appeal Ref: APP/Y1110/W/21/3275080

69 Mount Pleasant Road, Exeter EX4 7AH

- 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 Janet Burns against the decision of Exeter City Council.
 - The application Ref 20/0417/FUL, dated 26 March 2020, was refused by notice dated 30 November 2020.
 - The development proposed is described as 'Raising of roof/formation of annex'
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are as follows:
 - The effect of the appeal proposal on the character and appearance of the host dwelling and the surrounding area;
 - The effect of the appeal proposal on the living conditions of neighbouring occupiers with respect to outlook; and
 - The effect of the appeal proposal on the living conditions of its future occupiers and the occupiers of the host dwelling.

Reasons

Character and Appearance

3. The appeal property is an end of terrace dwelling, fronting onto Mount Pleasant Road. Vehicular access is provided to the rear of the terrace via a cul-de-sac which runs along the side boundary of the appeal property. The cul-de-sac, known as Tresillian Gardens also provides vehicular access to a small number of detached dwellings set within their own good size plots and the rear of the adjacent terrace of dwellings also fronting onto Mount Pleasant Road. It provides access to the various outbuildings located at the end of the rear gardens of the two terraces.
4. The existing outbuildings all vary in terms of their design, size and materials but they all have a subservient, ancillary and functional relationship with the dwellings they serve. In the main the outbuildings are single storey with a flat or very shallow pitched roof.
5. The appeal property has a flat roof garage constructed of brick on the boundary of the property, occupying the rearmost portion of its plot. The appeal proposal

includes increasing the height of the walls of the garage and providing a pitched roof over to enable use as annexe accommodation. The building would therefore be taller than at present and notably higher than any surrounding outbuilding in the immediate area. Having said that, it would still be subservient to the host dwelling, being located within its residential curtilage and of a significantly lower height and simplistic design so as not to compete with the main dwelling. In this respect, I do not find that the proposal would have an unacceptable or harmful effect on the character and appearance of the host dwelling.

6. However, in terms of the surrounding area, the proposed works would result in a building which is markedly different in height, scale and appearance to the other outbuildings in the immediate locality. Being located on a corner, the existing garage is already highly visible on the approach to the cul-de-sac and in my view the increased height and provision of a pitched roof would result in a building which would dominate that approach and clearly be at odds with the prevailing character of the area.
7. My attention has been drawn to the Council's 'Residential Design' (adopted September 2010) and 'Householders Guide to Extension Design' (adopted September 2008) Supplementary Planning Documents. The aim of both of these documents is to ensure that a high standard of design is achieved in developments of any scale resulting in quality homes and attractive environments for all.
8. The former document refers to general design principles whilst the latter of these documents provides specific advice on detached garages and outbuildings with the overarching aim being that they should be clearly subservient to the main house. Whilst I have some sympathy with the appellant in terms of what they are seeking to achieve, nothing I have seen in these documents would lead me to take a differing view in terms of the impact that the appeal proposal would have on the character and appearance of the area.
9. Accordingly, I find that the appeal scheme would harm the character and appearance of the area and therefore conflict with Policies CP17 of the Exeter Local Development Framework Core Strategy 2012 (CS) and Policies AP1 and DG1 of the Exeter Local Plan First Review 1995-2011 (LP) which seek to ensure a high standard of design and developments which relate well to the existing character and appearance of the area. Similarly, paragraph 130 of the National Planning Policy Framework (the Framework) seeks to ensure that developments are sympathetic to local character and the surrounding built environment.

Living Conditions of Neighbouring Occupiers

10. The immediately adjoining dwelling, 68 Mount Pleasant Road is a terraced house with its rear garden enclosed on three sides. The very nature of terraced housing is that densities are higher than one would find with other types of residential development and therefore outside space and outlook are more qualified. As such, the overall height of the proposal and its positioning in relation to number 68 would result in a development which is dominant and overbearing and would have an unacceptable impact on the living conditions of the occupiers of that property. As reasoned above, the extent of the change proposed would be markedly out of keeping with the prevailing nature of the

built environment here. In addition, these same factors would result in a poor outlook from number 68 resulting in significant harm to the living conditions of the occupiers.

11. With regards to the impact of the appeal proposal on other neighbouring properties, I noted during my site visit that the properties on Tresillian Gardens are located sufficiently distant and orientated in such a manner that the development would be unlikely to have any meaningful impact on the living conditions of the occupiers of those properties.
12. Number 70 Mount Pleasant Road is separated from the appeal site by the access into Tresillian Gardens and is located to the south of the appeal property. As such I consider that the impact of the appeal proposal on the occupiers of that property would not be unacceptable.
13. Nonetheless I conclude that the proposal is contrary to Policy DG4 of the LP which seeks to ensure a level of amenity which allows residents to feel 'at ease' within their homes and gardens, in respect of the outlook for the occupiers of 68 Mount Pleasant Road.

Living Conditions of Future Occupiers and the Occupiers of the Host Dwelling

14. The submitted plans indicate that the proposal would contain all the facilities required for day-to-day living including a living and dining area, kitchenette, bedroom and shower room and as a result the Council are concerned that it would be occupied independently from the host dwelling. However, it does not necessarily follow that it would be occupied as a separate dwelling just because it has all the facilities to enable that to occur.
15. Despite being a substantial building with a pitched roof, I have found above that the resulting building would remain subservient to the host dwelling in terms of its height and bulk. In addition, it would provide a modest level of accommodation and share the same access, parking and garden area as the host dwelling. Its location at the end of the plot, facing towards the host dwelling and lack of a separate outside space would afford the occupiers little privacy from the host dwelling. As such it would not readily lend itself to independent occupation.
16. I have been provided with no information on how the appeal proposal would be occupied other than it is intended that the appellant's son would move into it and be afforded a degree of autonomy and independence. However, my observations above together with the appellant's acceptance of a condition controlling occupancy, indicates that the proposal would be capable of being occupied as only ancillary to the host dwelling (subject to an associated condition in that regard).
17. Consequently, occupied in that manner, the proposal would result in acceptable living conditions for future occupants and those of the host dwelling in line with Policy DG4 of the LP which seeks to provide an appropriate level of amenity to residents in their homes.

Other Matters

18. I note the additional matters raised by interested parties which include increased light pollution and noise, difficulties with access during construction and the provision for the disposal of rainwater. However, given that I have

reasoned above that harm would result from the proposal such that the appeal should be dismissed, it is not necessary for me to reach a conclusion on these matters.

Conclusion

19. Although I have found that the proposed development would be acceptable in respect of the impact on the host dwelling and its occupiers and also on the future occupiers of the appeal proposal, I have identified clear harm to the character and appearance of the area and the neighbouring occupiers of 68 Mount Pleasant Road. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alison Fish

INSPECTOR