



Appeal Decision

Site visit made on 10 May 2022

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th May 2022

Appeal Ref: APP/Y1110/D/22/3292196

Green Knoll, Old Rydon Lane, Topsham, Exeter EX2 7JZ

- 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 Martin Ellis against the decision of Exeter City Council.
 - The application Ref 21/1722/FUL, dated 8 November 2021, was refused by notice dated 28 January 2022.
 - The development proposed is single storey rear and side elevation extensions.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear and side elevation extensions at Green Knoll, Old Rydon Lane, Topsham, Exeter EX2 7JZ in accordance with the terms of the application, Ref 21/1722/FUL, dated 8 November 2021, 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: 1811/1 - Existing Plans; 1811/2 - Existing Elevations 1; 1811/3 - Existing Elevations 2; 1811/4 Rev 3 - Proposed Ground Floor Plan; 1811/5 Rev 2 - Proposed Roof Plan; 1811/6 Rev 3 - Proposed Elevations 1; 1811/7 Rev 3 - Proposed Elevations 2; 1811/8 - Existing Block Plan; 1811/9 Rev 2 - Proposed Block Plan; 1811/10 - Proposed Block Plan.
 - 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 development on the character and appearance of the dwelling and the surrounding area.

Reasons

3. Green Knoll is a substantial two-storey detached house that fronts Old Rydon Lane. It is of traditional design with brick walls and a tile covered gabled roof. It has a single-story flat-roofed projection to the front, which wraps around the side of the building and covers a garage and entrance porch. It is one of a row of large established dwellings on this side of the road, which back onto a golf course. While the design and materials of the houses vary, they are all set back behind stone walls and hedges, with well-planted front gardens and large

enclosed rear gardens. The appeal property sits comfortably in this line of disparate dwellings, which is characterised more by the general scale and layout of the buildings, and the high level of landscaping, rather than by their individual architectural merit.

4. The proposal involves a single-storey extension that would wrap around the entire rear and west side of the dwelling. Consequently, most of the ground floor of the house would be encircled by proposed or existing single-storey projections. Nevertheless, because of its substantially greater height and scale, the core house would remain the dominant feature. Indeed, in public views from Old Rydon Lane, the dominance of the front elevation of the main house would barely change, as there is an existing brick wall that projects from the side of the house in the same position as the end wall of the proposed side extension. The proposed development would, therefore, be subservient to the original house, so would accord, in this regard, with the general principles set out in the Council's Householder's Guide to Extension Design Supplementary Planning Document 2008 (the SPD).
5. The SPD advises that rear extensions should not normally exceed two thirds the width of the original house, to ensure they are subservient and in keeping with the character of the house. The proposed rear extension would cover the whole width of the original house, and would also extend beyond the side walls to cover the width of the side extensions. However, the rear elevation is only readily visible from the golf course, and, as the garden is surrounded by high evergreen hedges, even from here the single storey extension would be largely screened from view. The inclusion of the word "normally" in the guidance indicates that there may be circumstances where it should not apply. In view of the secluded nature of the ground floor rear elevation, this is a case where strict adherence with the guidance in the SPD would serve little purpose in terms of protecting the character and appearance of the area.
6. The SPD also advises that, for single storey rear extensions, there should be a gap of at least 150mm between the highest part of the roof of the extension and the cills of first floor windows above. In this case, the house has bay windows at first floor level, which results in a slightly complicated arrangement where the sloping roof of the extension intersects with the projecting windows. However, there would be a vertical gap between the window cills and the sloping roof of the extension below, so the proposal would broadly accord with the SPD advice in this regard.
7. The proposed extensions would be constructed in materials to match the existing house, and would have roof forms that reflect the current flat and pitched roofs. The design and proportions of the windows would be similar to the fenestration of the existing building, and the alignment of ground and first floor openings would be ordered. Whilst there would be some loss of balance to the rear elevation, due to the window in the rear wall of the side extension, this would only be readily evident when observed from the private rear garden of the dwelling itself. Overall, therefore, the extensions would be compatible with the host building and, in any event, would not be easily seen from any public viewpoints.
8. It is contended in the Officer's report that, although many of the houses in this row have rear extensions and conservatories, none appear as extensive as the appeal proposal. However, a distinguishing feature of this area is the privacy of

the rear gardens, which are hidden behind the substantial houses and extensive landscaping. As a consequence, I was unable to see, from public vantage points, whether there were other similarly proportioned rear extensions. The proposed extension would, in the same way, be well concealed, so would not be seen in the context of any other extensions, and would have little impact on the appearance of the existing house or the established character of the area.

9. In conclusion, although there would be some conflict with the advice in the SPD regarding the width of the rear extension, there would be no consequent harm to the appearance of the house as it is perceived from public vantage points. It follows that there would also be no harm to the character of the surrounding area. The proposal would, therefore, accord with Objective 9 and Policy CP17 of the Exeter City Council Core Strategy (2012) and Policy DG1 of the Exeter Local Plan First Review 1995-2011 (2005). Taken together, these policies seek to promote good design and to reinforce local distinctiveness.

Conditions

10. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. As the proposed materials are not specified on the drawings, I have imposed a condition requiring that they match those used on the existing dwelling, to protect the character and appearance of the area.
11. The Council has suggested a condition limiting the periods within which construction processes and deliveries can take place. However, no evidence has been provided to demonstrate why such a condition would be necessary or reasonable, or why any nuisance could not be remedied through other legislative controls. Consequently, I am not satisfied that the condition would meet the tests set out at paragraph 56 of the National Planning Policy Framework.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies

INSPECTOR