



Appeal Decision

Site visit made on 20 June 2022

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 July 2022

Appeal Ref: APP/U1105/W/22/3295682

10 Fairfield Close, Exmouth EX8 2BN

- 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 Ruth Jones against the decision of East Devon District Council.
 - The application Ref: 21/1753/FUL, dated 22 June 2021, was refused by notice dated 31 January 2022.
 - The development proposed is a detached annexe to main dwelling.
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Decision

1. The appeal is dismissed.

Background

2. The appeal site was the subject of a proposal for a new dwelling of passive house principles on land adjacent to 10 Fairfield Close which was refused by the Council and dismissed on appeal (ref: APP/U1105/W/20/3251738) in August 2020. The reasons for refusal were that the proposal would harm the character and appearance of the area and because of the effect on the living conditions of future occupiers of the proposed dwelling having regard to the adjoining protected oak tree.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. No.10 Fairfield Close is a two-storey detached dwelling set within a spacious garden at the end of a cul-de-sac which serves other large dwellings with gardens. I saw at my site visit that the dwelling is prominent in views towards it along Fairfield Close.
5. The application site is located in the 'Avenues' area of Exmouth where the general pattern of development is of large properties set in spacious grounds. The boundary of what is described in the planning officer's report as 'the new Exmouth conservation area' abuts the eastern boundary of the appeal site.
6. The appellant advised in the Design and Access Statement that "The site does fall within the area covered by TARA (The Avenues Residents Association) and would therefore look to be informed by the "Design Statement: The Avenues

Exmouth August 2017". It is added that Fairfield Close differs from the typical Avenues dwellings with all being accessed off the private drive, are a product of local builder (Abell) and constructed over 100 years ago. It is clear that the appeal site falls within the wider 'Avenues' area of Exmouth. Table 2 of the Neighbourhood Plan lists part of the Avenues (not in conservation area) as being a residential area of special character.

7. The attractive house designs, use of building materials, boundary hedges and spacious gardens are part of the distinctive character of Fairfield Close. The proposed annexe would be single storey and would have a symmetrical linear form aligned with the driveway to the house. It would have a lounge, two bedrooms and a bathroom. It would be built in red brick with a slate roof to match the external materials of the house, with some restricted areas of timber cladding. However, the proposed brick quoins are not an architectural feature of other buildings in the vicinity, and it would lack the noticeable upward curved roof form at the eaves which characterise the houses along Fairfield Close.
8. There would be some screening of the proposed building from the boundary hedge at the appeal site when viewed along Fairfield Close. However, the roof of the building would be discernible in view of its height, especially for neighbours living at the end of the cul-de-sac.
9. I find that a building of the size and location proposed would result in a significant reduction in the spacious character of the plot, which is a characteristic of dwellings in the area. It would appear as an incongruous building and an overdevelopment of the site, occupying space between the site entrance and the house. It would fail to complement the local distinctiveness in the layout and form of development at Fairfield Close by introducing a significant development into the garden of the property.
10. I conclude that the proposal would be detrimental to the character and appearance of the area. It would conflict with Strategy 6 of the East Devon Local Plan which, amongst other things, seeks to ensure that development will be compatible with the character of the site and its surroundings, and policy D1 of the East Devon Local Plan which indicates that proposals will only be permitted where they respect the key characteristics and special qualities of the area. There would also be conflict with Policy EB2 of the Exmouth Neighbourhood Plan which requires that new development should be mindful of surrounding building styles.

Other Matters

11. The Council considers that there would be no adverse effect on the nearby protected Oak tree. I see no reason to disagree given the separation distance between the tree and the proposed building.
12. The appellant advises that there has been some infilling of plots in the wider area, including at two properties south of Fairfield Close which have access to Fairfield Road. The appellant has also drawn my attention to the existence of outbuildings and garages in Fairfield Close. Nevertheless, the proposal subject to appeal is an annexe building rather than a garage. I consider that the existence of the garages and other infill development in the wider area is insufficient reason to justify the proposed development at the appeal site. I have determined this appeal on the individual merits of the proposal having

regard to its particular site circumstances, relevant development plan policies and other material considerations.

Conclusion

13. I have taken all other matters raised into account. For the reasons given above, I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR