



Appeal Decision

Site visit made on 25 October 2022

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2022

Appeal Ref: APP/Y1110/D/22/3304322

4 Lymeborne Avenue, Exeter EX1 3AU

- 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 & Mrs York against the decision of Exeter City Council.
 - The application Ref 22/0449/FUL, dated 30 March 2022, was refused by notice dated 23 May 2022.
 - The development proposed is single storey rear extension and alteration.
-

Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension and alteration at 4 Lymeborne Avenue, Exeter EX1 3AU in accordance with the terms of the application, Ref 22/0449/FUL, dated 30 March 2022, 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: 005 Rev-03, 006 Rev-03, 007 Rev-03 and 008 Rev-03.
 - 3) The materials to be used in the construction of the external surfaces of the walls, window(s) and door(s) of development hereby permitted shall match those used in the existing building. The materials to be used in the construction of the external surface of the roof of the development hereby permitted shall be slate.

Main Issues

2. The main issues are the effect of the proposal upon (i) the character and appearance of the existing building and the area; and (ii) the living conditions of neighbouring occupiers at 3 Lymeborne Avenue, with particular regard to outlook and daylight.

Reasons

Character and appearance

3. The site is a semi-detached dwelling within a predominantly residential area. When viewing the site from the street, the adjoining semi-detached neighbour at 3 Lymeborne Avenue (No 3) is on the right-hand side.
4. I observed during my site visit that there are examples of single storey elements to the rear of the dwellings along Lymeborne Avenue, and that these

vary somewhat in appearance and size. These elements contribute strongly to the character of the area.

5. I am mindful of the guidance in the Council's Householder's Guide to Extension Design Supplementary Planning Document (SPD), and specifically that rear extensions to semi-detached dwellings should be a maximum of 3.0 metres deep and should not normally exceed two thirds of the width of the house. However, whilst the extension would exceed the size guidance within the Council's SPD, I find that the proposal would be of a design, massing and materials that would respect the host dwelling and its locality. It would not be a disproportionately dominant or prominent feature, being in a discreet location, and it would be consistent with the variety of rear single storey elements to the neighbouring properties.
6. Consequently, on this issue, the proposal would have an acceptable impact on the character and appearance of the existing building and the area. As such the proposal would comply with Policy CP17 of the Exeter City Council Core Strategy, saved Policies DG1 and DG4 of the Exeter Local Plan (LP), the SPD and Policy DD25 of the Exeter Development Delivery Document, which collectively seek to ensure a high standard of sustainable design that is appropriate to the character and appearance of its locality.

Living conditions

7. Whilst the proposed extension would lie close to the side windows of the single storey element at No 3, the main outlook from this element is over its garden through large windows in the rear elevation. In addition, the proposal would be constructed on to the northeast elevation of the host dwelling and in a position oblique to No 3.
8. Although the extension would protrude out further than the single storey element at No 3, due to the combination of the position on the northern side of the appeal property and the limited scale of the projection, the proposal would not harm the outlook or adversely impact on daylight enjoyed by the neighbour. Consequently, I conclude that the single storey extension proposed would not cause significant harm to the living conditions of neighbouring occupiers at 3 Lymeborne Avenue, with particular regard to outlook and daylight. Therefore, on this main issue, I find that the development would comply with saved Policy DG4 of the LP and the Council's SPD which, amongst other things, seek to ensure a quality of amenity, which allows residents to feel at ease within their homes and gardens.

Other matters

9. Any noise and disturbance associated with construction would be for a temporary period only and I do not find that this would cause unacceptable harm. The proposal would be single storey and, whilst this would replace a small lean-to on the rear of the dwelling, it would be constructed over an area of garden that is mainly comprised of concrete hardstanding, block pavements and lawn, where the effect of development on wildlife would be minimal.

Conditions

10. In addition to the standard time limit condition, I have specified the approved plans in the interests of certainty. In order to protect the character and appearance of the existing building, I have also imposed a condition requiring

that materials to be used in the construction of the extension shall match those of the existing building, but with the use of slate on the roof to accord with the details of the application and acknowledging the local use of this material on other rear extensions.

Conclusion

11. The development would accord with the development plan and the National Planning Policy Framework. As such, for the reasons set out above, I conclude that the appeal should be allowed.

J White

INSPECTOR