



Appeal Decision

Site visit made on 21 November 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/Y1110/D/23/3324412

16 Eton Walk, Exeter, Devon EX4 1FD

- 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 Miss Emma Martin against the decision of Exeter City Council.
- The application Ref 22/1663/FUL, dated 20 February 2023, was refused by notice dated 25 April 2023.
- The development proposed is described in the application form as “single garage which will join up to next door neighbours (number 15) single garage (planning application going through at the same time). Currently a car parking space which is the same as number 15. Currently both car parking spaces have an attached pergola above. Both garages will have an electric door with a slate roof. Similar to the garages opposite which are owned by number 32. Storage shed attached to garage which will be in the narrow part of the back of the garden. Shed to have flat roof. Garage to have a 22.5 degree pitch roof”.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the banner heading above is taken from the application form. However, the proposal would be more accurately described as the erection of a single garage and attached storage shed to adjoin a proposed garage at 15 Eton Walk (No 15). The proposed garage at No 15 is the subject of a separate appeal decision¹. I have considered the proposed development the subject of this appeal alongside that proposed at No 15.

Main Issue

3. The main issues are (i) the effect of the proposed development on the character and appearance of the area; and (ii) the effect of the proposed development on the living conditions of the occupiers of neighbouring properties, with regards to outlook and natural light.

Reasons

Character and appearance

4. The appeal site is one in a row of terraced dwellings located in a relatively modern residential suburb of Exeter. The appeal relates to the rear of the property where there is currently a car port that is shared with the neighbouring property, No 15. The other terraced dwellings also have car ports that are shared between two properties.

¹ APP/Y1110/D/23/3324413

5. The car ports are constructed from timber posts, beams and rafters, with gaps between the rafters and no roofing material. Although they are substantial structures, they have a relatively open appearance that results in them appearing as light weight and not dominant within the street scene. I consider their design and grouping to contribute positively to the character and appearance of the area.
6. The proposed development is for the construction of two attached garages, one of which would be for the appeal site and the other for No 15. The proposal would also be a substantial structure, either on its own or in combination with the proposed garage at No 15. However, it would be significantly more bulky and visually dominating than the existing car port due to its solid walls and roof. Furthermore, it would interrupt the rhythm of the consistent layout of car ports at the rear of the terraced dwelling that form a key part of the street scene, and the prevailing openness of this section of Eton Walk would be substantially eroded. As such, the proposed development would be detrimental to the character and appearance of the area.
7. There are two double garages on the opposite side of the road to the appeal site. They sit behind a dwelling on either side of a parking area. This is part of a planned layout that forms a symmetrical and pleasant appearance to that side of the road. As such, their presence does not interrupt the flow of built form along the road. The garages on the opposite side of the road to the appeal site do not justify the harm identified above.
8. For these reasons, the proposed development would conflict with Policy CP17 of the Exeter Local Development Framework Core Strategy (2012) and Policy DG1 of the Exeter Local Plan First Review (2005) (LP), which collectively seek, in part, for development to complement or enhance Exeter's character and local identity, promote local distinctiveness and contribute positively to the visual richness and amenity of townscapes. Additionally, the proposal would conflict with the National Planning Policy Framework (the Framework), which seeks to ensure that development is visually attractive as a result of good architecture and layout, and sympathetic to local character, including the surrounding built environment.

Living conditions

9. The gardens of the terraced dwellings are not overly spacious as the off-street parking areas under the car ports occupy a large part of the plot at the rear of the properties. The appeal proposal would be constructed close to the boundary of the appeal site with 17 Eton Walk (No 17) and it would form a visually dominant mass in close proximity to the garden of No 17. Due to its solid built form, as opposed to the existing open car port, the proposal would be considerably more overbearing when viewed from the garden of No 17 and dominate that garden space. As such, it would reduce outlook from No 17 to such an extent that it would cause unacceptable harm to the living conditions of occupiers of that property.
10. For these reasons, the proposed development would conflict with Policy DG4 of the LP, which seeks, in part, to protect the quality of amenity. Additionally, it would conflict with the Framework, which seeks to ensure that there is a high standard of amenity for existing and future users of development.

Conclusion

11. For the above reasons, the proposal would conflict with the development plan, when taken as a whole, and there are no material considerations that outweigh this finding. Accordingly, I conclude that the appeal should be dismissed.

K Reeves

INSPECTOR