



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/23/3324413

15 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 Mr James Renowden against the decision of Exeter City Council.
- The application Ref 22/1662/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 16) single garage (planning application going through at the same time). Currently a car parking space which is the same as number 16. 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. Roof pitch changed on garage to 22.5 degrees, previously 30 degrees”.

Decision

1. The appeal is dismissed.

Preliminary Matters

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 to adjoin a proposed garage at 16 Eton Walk (No 16). The proposed garage at No 16 is the subject of a separate appeal decision¹. I have considered the proposed development the subject of this appeal alongside that proposed at No 16.

Main Issues

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 16. The other terraced dwellings also have car ports that are shared between two properties.

¹ APP/Y1110/D/23/3324412

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 16. The proposal would also be a substantial structure, either on its own or in combination with the proposed garage at No 16. 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 in isolation, not including the proposed adjoining garage for No 16, would be constructed on the boundary between the two properties and it would form a visually dominant mass in close proximity to the garden of No 16. 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 16 and dominate that garden space. As such, it would reduce outlook from No 16 to such an extent that it would cause unacceptable harm to the living conditions of occupiers of that property.
10. I understand that the occupier of No 16 is the appellant's agent and has no objection to the proposed development. However, I am making a judgement on the effect on the living conditions of occupiers of No 16, both existing and future. The proposal would significantly reduce the quality of the private outside space serving No 16, to the detriment of the living conditions of all future occupiers, even if the current occupiers support the proposal.

Furthermore, a condition to ensure that garages at both properties are constructed at the same time would not be reasonable or enforceable, with regard to Paragraph 56 of the Framework.

11. 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

12. 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