



Appeal Decision

Site visit made on 9 November 2024

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal Ref: APP/U1105/D/24/3345795

31 Oaklea, Honiton, EX14 1XH

- 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 Sascha Kranen against the decision of East Devon District Council.
 - The application Reference is 24/0088/FUL.
 - The development proposed is the construction of a two-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a two-storey rear extension at 31 Oaklea, Honiton, EX14 1XH in accordance with the terms of the application, Ref 24/0088/FUL, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. 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.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: PL_10.01; 10.02; & 11.01.

Main Issues

2. The main issues are the effect of the proposal on a) living conditions for neighbours and b) the character and appearance of the host property and the locality.

Reasons

3. The appeal property is a two-storey detached house built in the 1980s as part of a low density pleasing but unremarkable estate. It sits on a broadly rectangular plot which is the largest in the vicinity. The locality is of established residential character and houses, roads and gardens come together to create a relatively uniform pleasant appearance. The proposal is as described above and would project about 5 metres from the existing rear elevation.

Living conditions

4. By any measure this would be a sizeable extension and the Council expresses the concern that given its scale and position it would be unduly overbearing to those in the adjoining home (No 33) to the north west.
5. I observed that this residential area has very varied rear building lines and this adds a degree of interest and informality. The neighbouring property has a rear elevation which faces south west and a substantial length of rear garden to enjoy and look over beyond this. Whilst there would be some degree of blinkering from the planned extension, I would assess that given the distances involved, the relatively benign orientation in terms of shadowing, and the scope to continue to enjoy most of the present outlook, that the new development would not unduly impinge upon amenity.
6. In my opinion the scheme would not lead to an uncomfortable feeling of dominance; neighbours at 33 Oaklea would not suffer from being overly hemmed-in and they would continue to enjoy good quality living conditions. In passing, I would note that privacy would be increased for the rear 'patio' area of No 33 as the rear facing windows in No 31 would be positioned further down the garden than is presently the case.
7. Policy D1 of the East Devon Local Plan 2013-2031 (LP) is relevant. Amongst other matters, it seeks to ensure new development would safeguard the amenity of those adjoining. For the reasons given above I conclude that the appeal scheme would not conflict with this policy.

Character and appearance

8. I note above that this would be a sizeable extension and I appreciate the Council's stance about a lack of subservience. Even without subservience specificity in policy, which does not feature in this LP, this is often the sign of a suitable extension. However, on occasion, a remodelling or a blurring of the lines between old and new can be appropriate. To my mind this is one such instance. With matching materials this would end up looking like a larger home than the norm but on a more extensive plot. I would suggest that a larger dwelling here in the first place might not have been overly controversial when the estate was first planned. And, now some decades on, with a front elevation unchanged, and the rear not widely on view, my sense is the final scheme would not appear alien. It would not interrupt the local distinctiveness of the estate and, with the space around, it would not appear as over-development.
9. LP Policy D1 is also relevant for this issue, along with LP Strategy 48. Taken together, and amongst other matters, they seek to ensure new development is of good design reflecting local distinctiveness and relating well to context and urban form in terms of street scenes, local character and development spacing. For the reasons given above I conclude that the appeal scheme would not conflict with this policy and strategy.

Conditions

10. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I would agree with the latter in the interests of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on living conditions for neighbours nor on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR