

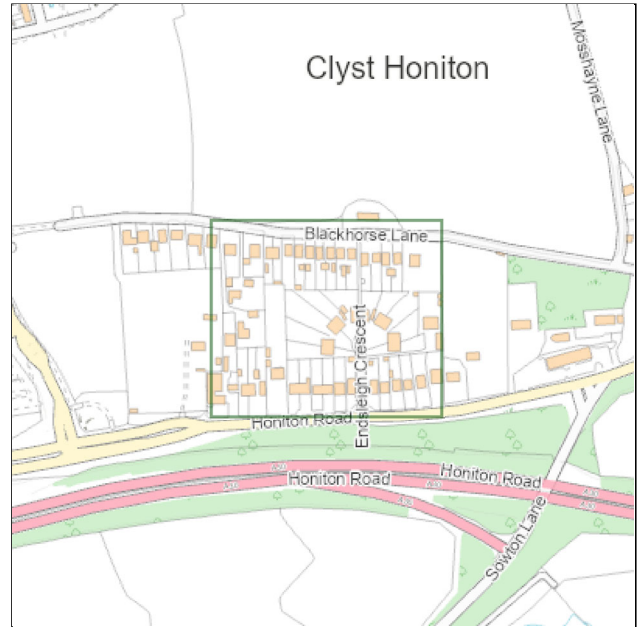
Ward Broadclyst

Reference 25/1026/FUL

Applicant Mrs Melissa Muir

Location 4 Endsleigh Crescent Blackhorse Broadclyst
EX5 2AW

Proposal Part retrospective application for the
replacement of a gazebo.



RECOMMENDATION: Approval retrospective (conditions)

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		Committee Date: 19.08.2025
Broadclyst	25/1026/FUL	Target Date: 29/08/2025
Applicant:	Mrs Melissa Muir	
Location:	4 Endsleigh Crescent Blackhorse Broadclyst EX5 2AW	
Proposal:	Part retrospective application for the replacement of a gazebo.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is presented to Members due to the applicant being an officer of East Devon District Council. It seeks part-retrospective planning permission for the replacement of a gazebo at 4 Endsleigh Crescent, Broadclyst.

The site is located within a residential area and is not subject to any restrictive designations. The proposed structure is modest in scale, positioned to the rear of the property, and constructed using materials that are sympathetic to the character of the surrounding area.

The Parish Council has expressed support for the proposal, and no objections have been received.

The development is considered to preserve neighbour amenity and maintain the character and appearance of the locality. It is therefore deemed to comply with relevant national, local, and neighbourhood planning policies and is recommended for approval.

CONSULTATIONS

Parish Council – Support subject to officer confirmation of no significant residential neighbouring amenity issues.

No other comments received.

PLANNING HISTORY

No Relevant Planning history.

POLICIES

Local Plan 2013-2031

Strategy 7:	Development in the Countryside
Strategy 48:	Local Distinctiveness in the Built Environment
Policy D1:	Design and Local Distinctiveness
Policy EN22:	Surface Run Off Implications Of New Development

Draft Local Plan 2025-2042

Policy DS01:	Design and Local Distinctiveness
Policy HN07:	Householder Annexes, Extensions, Alterations and Outbuildings
Policy SP06:	Development beyond Settlement Boundaries
Policy AR01:	Flooding

Broadclyst Neighbourhood Plan:

Policy D1:	High Quality Design
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Government Planning Documents

National Planning Policy Framework 2024 (as amended)

National Planning Practice Guidance

Site Location and Description

4 Endsleigh Crescent is a semi-detached dwellinghouse within a residential area to the East of Exeter. The property is located at the end of a cul-de-sac within the Blackhorse settlement which lies under the Broadclyst Neighbourhood Plan. The gardens of the properties along the road are very long.

The site is not subject to any restrictive designations.

Proposal

The applicant seeks permission for a part retrospective application for the construction of a gazebo. The proposal is approximately 7 metres in depth, 3.5 metres in width and 3.4 metres in height to the roof line. The height from ground level to the eaves is approximately 2.4 metres.

Currently, the timber frame of the gazebo has been constructed and sandstone paving slabs have been laid on a pre-existing concrete base.

The proposed roof materials are tiles/ wooden shingle to the roof covering. To the rear and sides of the gazebo, horizontal cladding is proposed to leave a front opening only.

The principle of the development

The application is supported by local and neighbourhood policies. Specifically, Policy D1 (Design and Local Distinctiveness) of the Adopted East Devon local plan 2013-2031 and, Policy D1: High Quality Design of the Broadclyst Neighbourhood Plan. Both of these plans support the principal of development within development boundaries subject to meeting certain criteria.

Design and Impact upon Local Character.

The proposal is not deemed to be excessive in size and is sited so as to have a minimal visual impact to neighbours, being to the rear of the property. The gazebo is visible from a side elevation from the street scene; however, the proposal is in-keeping with the original dwellinghouse and surrounding area being timber framed. Other properties within Endsleigh Crescent also have outbuildings which are visible from the street scene of a similar nature.

The detail of the proposed horizontal cladding to the rear and sides of the gazebo has been conditioned below to ensure that it fits in with the existing dwellinghouse and surroundings as a small area of the side elevation of the gazebo will be visible from the street scene. The use of timber cladding on outbuildings is generally appropriate and indicates their subservient relationship to the main dwelling.

As the proposal is situated in the rear garden and uses sympathetic materials, it would not impact upon local character nor are there any notable concerns in terms of design. It is therefore considered that the proposal aligns with Policy D1 (Design and Local Distinctiveness) of the Local Plan 2013-2031 as well as Policy D1 (High-Quality Design) of the Broadclyst Neighbourhood Plan.

Impact on Amenity

The gazebo is adjacent to the boundary of 5 Endsleigh Crescent – however, it does not present any significant amenity constraints due to its modest height. There will be no

significant loss of light nor will it be unduly overbearing.

The boundary with 5 Endsleigh Crescent to the east consists of a fence to a height of approximately 1.8 metres and there is additional screening provided by shrubbery and trees, as well as the garage of number 5.

The proposal does not result in any concerns for overlooking or invasion of privacy.

For these reasons, no significant neighbour amenity concerns arise and therefore no conflict with Policy D1: Design and Local Distinctiveness of the East Devon Local Plan (2013-2031).

Flood Risk

The site is within Flood Zone 1 – low probability of flooding. As the proposed development will not result in a net increase in hardstanding (confirmed with the applicant as previously the base of the area for the gazebo was concrete), a surface water drainage condition will not need to be applied to any decision as the area of hardstanding is not increasing.

Conclusion

The proposed development at 4 Endsleigh Crescent is considered to be in accordance with national, local and neighborhood policies and is therefore recommended for approval.

RECOMMENDATION

Approval subject to the following conditions:

- 1.) The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.

(Reason - For the avoidance of doubt.)

- 2.) Prior to its installation, details (and, where so requested, a sample) of the cladding to be used externally shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details/sample.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

25/0602/FUL

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Biodiversity Net Gain Informative:

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The BG conditions states that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the Biodiversity Gain plan.

In this case the planning authority you should submit the Biodiversity Gain Plan to is East Devon District Council.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These exemptions can be viewed in full using the following link: Biodiversity net gain - GOV.UK (www.gov.uk)

Householder applications are exempt from submitting a Biodiversity Gain Plan so you do not need to take any further action in this regard.

Plans relating to this application:

Location Plan, received 03/06/2025.

Proposed Elevations received 21/05/2025.

Proposed Site Plan received 21/05/2025.

Proposed Combined Plans received 03/06/2025.

List of Background Papers

Application file, consultations and policy documents referred to in the report.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.