



Appeal Decision

Site visit made on 13 August 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2024

Appeal Ref: APP/P1133/D/24/3346186

Armonija, Nadderwater, EX4 2JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr O Williams against the decision of Teinbridge District Council.
 - The application Ref is 23/01873/HOU.
 - The development proposed is described as a two storey end extension with internal alterations and new garage.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The description for the proposal as set out on the planning application form is not as precise as that set out in the council's decision notice, which states: "Two storey side extension, single storey front extension and single storey rear extension." Accordingly, in the interests of precision I have referred to the council's description in this decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the existing dwelling.

Reasons

4. The appeal site is located within an enclave of dwellings and other buildings within an area of undulating open countryside, that is designated as an Area of Great Landscape Value (AGLV). The appeal dwelling, which is a converted former agricultural building, comprises a modest sized single storey rectangular bungalow with white painted render and timber boarded walls under an uncluttered shallow tiled pitched roof with gables on either side.
5. The dwelling sits at a lower level and is set back from the highway behind a modest sized area of enclosed land. It is well screened from the highway and the open countryside beyond by the adjacent buildings which project further north and tall matures hedges on both sides of the highway. To the rear the dwelling is partially screened from the open countryside by an adjacent equestrian building, areas of woodland and fields enclosed by hedges and woodland trees. Where the appeal building can be glimpsed from the site

access and the open countryside to the rear and west it nestles into the slope of the land and has retained its modest agricultural form.

6. Policy WE8 of the Teignbridge Local Plan 2013-2033 (LP), seeks to ensure that domestic extensions complement the character of existing residential areas. They should complement the host dwelling and should not over-develop the site. Paragraph 135 of the National Planning Policy Framework 2023 (the Framework), requires new development to be well designed and sympathetic to local character and history, whilst making best use of the site. Paragraph 180 of the Framework says that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.
7. The proposed two storey extension would be materially taller than the existing dwelling and it would increase the width of the dwelling by approximately 50%. It would introduce gable ends to the front and rear and to the rear would be a first floor balcony served by four patio windows/doors. There would be further first floor glazing along the side elevation and one modest sized first floor window on the front elevation.
8. Due to its combined height, size, roof orientation, balcony and associated glazing, the proposed two storey extension would dominate the host building and have a suburbanising impact on its character and appearance. The dwelling would be more visible from the surrounding countryside where it would fail to reflect and blend in with local character and history.
9. For these reasons the proposed two storey extension would materially harm the character and appearance of the host dwelling. This harm would outweigh the benefits for the appellant and their family that would result from the proposed additional living accommodation. Further, it is not a matter that could be satisfactorily dealt with by the imposition of conditions.
10. Conversely, the proposed single storey extensions would both respect the eaves line and their ridge lines would be lower than that of the host dwelling. They would be modest in size and form and would respect the character and appearance of the host dwelling and its setting. Despite this, by adding to the bulk of the host dwelling they would exacerbate the harm that would be caused by the proposed two storey extension.
11. I conclude on the main issue that the proposed two storey extension both on its own and together with the proposed single storey extensions would unacceptably harm the character and appearance of the host dwelling. Accordingly, it would conflict with LP Policy WE8 and paragraphs 135 and 180 of the Framework. Conversely, both individually and together the proposed front and rear single storey extensions would respect the character and appearance of the host dwelling and so would comply with the above policy and paragraphs within the Framework.

Other matters

12. In view of the acceptability of the proposed single storey extensions I have considered the possibility of making a split decision. The proposed garage is shown as being physically attached to the proposed two storey extension and so a split decision would not be possible. Conversely, the proposed bedroom

extension is physically and functionally separate from the proposed two storey extension.

13. However, as pointed out by the council a Preliminary Ecological Assessment has not been submitted. Whilst the proposed bedroom extension would be largely accommodated within the rear patio area, the dwelling is located in the countryside and the proposed bedroom extension would involve making changes to the roof of the dwelling. No evidence has been submitted to demonstrate whether or not the roof-space is inhabited by bats.
14. Together Circular 06/2005 (ODPM) and the standing advice of Natural England and the Department for Environment, Food & Rural Affairs (updated September 2022) advise that the presence of a protected species is a material consideration when a development proposal is being considered which would be likely to result in harm to the species or its habitat. As such, it is essential that the presence or otherwise of protected species and the extent to which they may be affected by a proposal is established before planning permission is granted. Without such information all relevant material considerations may not have been addressed prior to determining an application for planning permission.
15. It is for this reason that a split decision in favour of the proposed bedroom extension cannot be made.
16. Having regard to the distance and juxtaposition between the proposed extensions and nearby dwellings I am satisfied that the proposal would not result in an unacceptable loss of privacy, natural light, outlook, or security for the occupiers of the nearby dwellings.

Conclusion

17. Having regard to the conclusions reached on the main issue and all other matters raised, the appeal is dismissed.

Elizabeth Lawrence

INSPECTOR