

Appeal Decision

Site visit made on 8 October 2024

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2024

Appeal Ref: APP/P1133/D/24/3345117

Seabreeze, 4 Winston Court, Teignmouth, Devon, TQ14 8QE

- 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 & Mrs Hedworth against the decision of Teignbridge District Council.
 - The application Ref is 23/01859/HOU.
 - The development proposed is Replace pitched roof over existing garage with new flat roof balcony area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the dwelling and the surrounding area.

Reasons

3. The appeal site is located in a prominent position at the top of Winston Court, as it joins Grove Court. Its immediate surroundings are characterised by a mix of bungalows, chalet bungalows and the occasional two storey property. A small number of dwellings in the vicinity have balconies on their front elevations, including the neighbouring property which has a glazed balcony above its attached garage.
4. The detached garage upon which the proposed balcony would be constructed has a hipped roof which matches the character and appearance of the existing dwelling. Removing the roof and replacing it with a flat roof deck enclosed by a glazed balustrade would create a discordant feature which would not integrate with, or enhance the character of, the existing dwelling or the street scene of either Winston Court or Grove Court. The harm caused to the street scene would be accentuated by the prominence of the site in the view from the road as approached up the hill from where the proposed development would appear incongruous.
5. Whilst there are other balconies in the road, I am not aware of their planning status. They appear as extensions to their host dwelling rather than as a detached platform as would be the case with the appeal proposal. As a result,

they do not look incongruous in the street scene. Notwithstanding this, each proposal must be considered on its own merits and the presence of other balconies in the vicinity does not justify the harm that would be caused by the proposal.

6. Whilst the Council's reason for refusal refers to conflict with the National Planning Policy Framework, it has not drawn attention to any specific parts of the Framework with which the proposal would conflict. Nevertheless, for the reasons given, the proposed development would have a harmful effect on the character and appearance of the dwelling and the surrounding area in conflict with Policies S1, S2 and WE8 of the Teignbridge Local Plan 2014.

Other Matters

7. Reference is made to the manner in which the planning application was handled by the Council. This is a matter which can be pursued through other processes. It does not have a bearing on my consideration of the appeal.
8. While I also note the comment from the Town Council, for the reasons outlined above, the proposal would cause clear harm which gives rise to conflict with the development plan.

Conclusion

9. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR