



Appeal Decision

Site visit made on 24 March 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 April 2025

Appeal Ref: APP/P1133/D/25/3359176

Teign Lawn Cottage, First Drive, Exeter Road, Teignmouth, Devon, TQ14 9JR

- 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 William Shannan against the decision of Teignbridge District Council.
 - The application Ref is 24/01768/HOU.
 - The development proposed is the replacement of single-glazed windows with double glazed UPVC units.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the host dwelling and the wider Teignmouth St James Conservation Area.

Reasons

3. The appeal property is a two-storey dwelling built as a cottage extension to the much larger Teign Lawn House, which is now understood to be divided as flats. The property sits within the Landscore part of the wider Teignmouth St James Conservation Area (CA), an enclave of Edwardian villas described within the Council's *CA Character Appraisal (CACA)* as comprising moderately large detached and semi-detached houses set in spacious private gardens and served by roads without pavements and no wider than typical country lanes. First Drive is an example of such, being a short, narrow private lane which leads from, and loops back to, Exeter Road. Teign Lawn Cottage, along with Teign Lawn House, is identified within the CACA as a building that makes a positive contribution to the overall character of the CA.
4. The appeal property is a pleasant example of its type with fenestration for the most part reflective of its origins, being single-glazed, multi-paned, timber sliding sash windows. The proposal would involve replacement of all existing windows, and a more contemporary set of patio doors, with uPVC frames.
5. Section 5.0 of the Council's published *Conservation Area Management Plan (CAMP)* for the CA, adopted in 2008, identifies actual and potential threats to the visual, architectural, and historic qualities of the area. It recognises that these have already begun to threaten the value and integrity of the 'conservation resource' and if repeated will cause additional harm. It thereby advocates a more conservative

approach to change in order to ensure that new development is carried out in a manner that promotes good design within the CA. Amongst other things, the CAMP specifically identifies original vertical-sliding, painted-timber sash windows as being a building's principal source of historic and architectural character with their loss being especially damaging. It goes on to identify modern replacement types as potentially doubling the damage through, for example, incongruous methods of opening, lack of mouldings and use of large single panes.

6. The details submitted with the planning application show all the timber sash windows removed and replaced with casement windows, each with either top or bottom opening lights. Although the glazing bars appear shown as fixed to the face of each window pane and broadly reflective of the grid pattern of the existing, the frames to each of the opening casements are shown to appear excessively thick and heavy. This would not only stand out in stark contrast with the slim proportions of the originals, but their profiles would accentuate and draw sharp focus to the alternative chosen means of opening.
7. Both of these changes would fundamentally detract from the historic and architectural integrity of the building. In addition, the square frames proposed would fail to follow the arched heads of the slender window openings on the dwelling's rear elevation to Exeter Road. This, along with the bulky frames that would narrow these openings further, further demonstrates the proposal's incongruous form. I have noted the appellant's offer to exclude these specific windows from the proposed works, however I must determine the appeal based on how the proposal was submitted to and considered by the local planning authority. In any case, omission of these changes would not alter how the remainder of the proposal would impact the appearance of the dwelling as a whole.
8. The appellant has drawn my attention to the plethora of uPVC replacement windows in the area, including to every building along First Drive, all of which I saw for myself. I do not know the planning background or the dates when any of these replacements were installed. However, I did observe that some changes were more successfully integrated and respectful of the original building's character and appearance than others. I am also mindful that many of the dwellings are identified as either neutral or negative contributors to the CA, and that repeat harm can be caused within the wider CA by further inappropriate development, as identified within the CAMP.
9. Regardless of when the appeal property was included as part of the designated CA, my impression overall is that the proposal would represent a form of development the CAMP specifically seeks to avoid. My concern rests not specifically with the materials choice, which is obviously prevalent within the locality, but with the specific detailing of the replacements, notably their incongruous methods of opening and the overlarge profiles of the frames. For these reasons I find that the replacement windows would fail to complement the dwelling. In these circumstances the proposed changes to Teign Lawn Cottage would harm its character and appearance. This in turn would harm the character and appearance of the CA.
10. Having regard to paragraph 212 of the National Planning Policy Framework – December 2024 (the Framework), the harm arising from the proposal to the significance of the CA would be less than substantial. However, this does not equate to a less than substantial objection and any harm to a designated heritage

asset requires clear and convincing justification in line with paragraph 213 of the Framework. Furthermore, in line with the Framework's paragraph 215, such harm should be weighed against the public benefits of the proposal.

11. Given the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, I attach significant weight to the harm that I have identified to the historic environment.
12. I appreciate that the existing window frames may need replacement and that alternatives would be likely to improve upon security and energy efficiency, reduce traffic noise from within the dwelling, and would be likely to secure the long term optimum viable use of the building. But these factors do not offer clear justification for a specific proposal which lacks any reasonable consideration for conserving and enhancing the historic environment. Neither do they alter my conclusions as they relate to the appearance of the proposed replacements based on the information provided. There is no weight attributed to any public benefits that would outweigh the harm that I have identified.

Conclusion

13. For the reasons given I find that the proposal would harm the character and appearance of Teign Lawn Cottage and the wider Teignmouth St James Conservation Area. As such, there would be conflict with Policy EN5 of the Teignbridge Local Plan 2013-2033, adopted May 2014, which requires development to respond positively to the character and distinctiveness of the area. Accordingly, the appeal is dismissed.

John D Allan

INSPECTOR