



Appeal Decision

Site visit made on 21 August 2025

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 September 2025

Appeal Ref: APP/Q1153/D/25/3369500

2 Cross Roads, Lewdown, EX20 4DP

- 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 Officer against the decision of West Devon Borough Council.
 - The application Ref is 0763/25/HHO.
 - The development proposed is described as extension and conversion of existing garage/store.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. On the submitted existing and proposed plans and elevations drawing the ground floor window in the existing projecting wing is incorrectly shown. It is in fact a two pane casement window with top vents that aligns with the eastern side of the adjacent first floor window. Also, on the existing plans and elevations the existing garage is shown as having the same ground level as the main house when it is in fact slightly elevation. These errors could be satisfactorily addressed by the imposition of a condition requiring corrected elevation drawings to be submitted. Accordingly, the errors have not affected my ability to determine this appeal.

Main Issues

3. The first main issue is the effect of the proposal on the character and appearance of the host dwelling. The second main issue is the effect of the proposal on the living conditions of the neighbouring property, with particular regard to visual impact and privacy.

Reasons

Character and appearance

4. The appeal property is located within a row of several traditionally designed older dwellings with white painted rendered walls under shallow pitched and hipped slate roofs. The dwellings have staggered front building lines and have small front gardens. To the rear they have large back gardens which face towards the open countryside.
5. To the rear some of the dwellings have larger windows than on the front elevations. Those that were visible during the appeal site visit respected the proportions, design and appearance of the host dwellings.

6. The appeal property comprises one half of a large traditional two storey dwelling which has been converted into a pair of attached cottages. The two dwellings have staggered front building lines and recessed single storey structures to the side. The detached dwelling on the other side of the appeal site similarly has an attached single storey garage to the side.
7. Whilst not statutorily listed the Council has stated that the appeal dwelling is considered to be worthy of being considered as a non-designated heritage asset. It is sited next to the route of a Roman Road, is shown on the 1880 Tithe Map First Edition OS 25 inch, and is of local significance and importance to its setting.
8. Collectively and amongst other things policies SPT2, DEV20, DEV23 and TTV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (LP), seek good standards of design and require proposals to have proper regard to the pattern of local development and the wider development context in terms of style, local distinctiveness, visual impact, historic value and character. They should conserve and enhance the landscape and townscape character and scenic and visual quality. Extensions should be appropriate in scale and design in the context of the host dwelling.
9. Paragraph 135 of the National Planning Policy Framework 2024 (the Framework) similarly requires proposals to be visually attractive and sympathetic to local character and history. Paragraph 216 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement should be made having regard to the scale of any harm or loss and the significance of the heritage asset.
10. The proposed extension would be sited towards the rear of the host dwelling and includes the area occupied by the garage, which is linked to the side and rear of the main house. It comprises a two storey extension over the garage, which would be linked to the side and rear of the host dwelling. The main two storey element would respect the horizontal lines of the main building; would adhere to the eaves line of the host dwelling and would be constructed from matching external materials.
11. Due to its recessed position the mass of the two storey element of the proposed extension would appear subservient to the main building when viewed from the street scene. The sense of space between the host dwelling and the western boundary of the site when viewed from the street scene would remain spacious. To the rear the resultant dwelling would continue to benefit from a large rear garden. In these respects, the proposed extension would respect the host dwelling.
12. However, the pitch of the main roof of the proposed extension would be shallower than that of the main dwelling and the roof of the proposed entrance porch would be uncharacteristically steep. The eaves line of the proposed porch would be higher than that of the front porch and the proposed first floor front windows have an uncharacteristic squat horizontal appearance and a large expanse of unrelieved wall below them.
13. To the rear, the flat roofed two storey element of the extension, together with its large full height first floor windows and lack of detailing at ground floor level would appear stark and utilitarian. Also, the alignment, size, form and design of the

fenestration on the rear elevation of the western part of the proposed extension would fail to respect or complement the host dwelling.

14. For these reasons the proposed extension would appear incongruous and would materially and unacceptably harm the character and appearance of the host dwelling, which is of local heritage importance. This harm would clearly outweigh the benefits for the appellant and their extended family that would result from the additional accommodation. This is not something that that could be satisfactorily addressed through the imposition of conditions.
15. I conclude on the first main issue that the proposal would unacceptably harm the character and appearance of the host dwelling. Accordingly, it would conflict with LP Policies SPT2, DEV20, DEV23 and TTV29 and paragraph 136 and 216 of the Framework.

Living conditions

16. The proposed extension would be sited to the side and rear of the adjacent detached dwelling. The two storey element of the proposed extension would be situated alongside the adjacent dwelling's attached garage and several metres from the side elevation of the two storey part of that dwelling.
17. Whilst there is a first floor window in the side elevation of the adjacent dwelling, it would be located several metres away and to the front of the proposed extension. Also, the adjacent dwelling sits at a higher level to the appeal dwelling. The proposed first floor windows would be set at a high level within the room the bedroom would serve and would be at an oblique angle to the existing first floor window of the adjacent dwelling.
18. To the rear the relationship between the two dwellings would be typical of linear housing developments. Whilst the proposed large rear windows would provide open views into the rear garden environment, they are sited away from the side boundaries of the host dwelling and their outlook is over the appeal properties large garden and towards the open countryside.
19. For these reasons the proposal would not be visually overbearing or result in a material loss of privacy for the occupiers of the adjacent detached dwelling.
20. I conclude on the second main issue that the proposal would not have a material impact on the living conditions of the occupiers of the adjacent dwelling with regard to visual impact and privacy. It would therefore comply with LP Policy DEV1 which seeks to ensure that new development results in satisfactory daylight, sunlight, outlook, privacy and protection from noise and disturbance for existing residents.

Other matters

21. Whilst I note the concerns raised in relation to drainage, the appellant submitted a Water Run-off Report with the planning application which the Council found acceptable.

Conclusion

22. Whilst I have found in favour of the appellant in relation to the second main issue and drainage, the conclusion on the first main issue amounts to a compelling reason for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR