



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/P1133/D/25/3369325

64 High Street, Ide, Exeter, EX2 9RW

- 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 Miss L Price against the decision of Teignbridge District Council.
 - The application Ref is 25/00623/HOU.
 - The development proposed is for a rear decked terrace over existing single storey extension, replace existing window on first floor with door for access.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Regarding the Council's second reason for refusal the council has commented that the fenestration of the host and adjoining properties and the roof of the extension to the adjoining property are incorrectly shown. The appellant has confirmed that the proposal does not include any changes to the existing ground floor of the property and that they would be happy to submit corrected drawings. Based on this and having viewed the host and neighbouring property during my site visit I am satisfied that the submission of corrected drawings could be dealt with by condition. This would effectively deal with the second reason for refusal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of the adjacent properties with particular regard to privacy and noise disturbance.

Reasons

4. The appeal property comprises a two storey terraced dwelling which backs onto a communal area that provides access and an informal area for the appeal and other properties. The area is enclosed to the north by 60 and 60a/b High Street (No.60 & No.60a/b), which project to the rear of the terrace. To the west and south it is enclosed by a single storey wing to No.60a/b, railings and fencing. The tight and enclosed relationship between these properties and the communal area results in direct over-looking of the ground floor windows from the communal area and between the dwellings. There is a greater sense of privacy at first floor level because of their elevation above the communal area.

5. Together and amongst other things Policy WE8 of the Teignbridge Local Plan 2013-2033 (LP) and policy H12 of the Emerging Teignbridge Local Plan 2020-2040 (ELP), seek to ensure that proposals do not have an unacceptable impact on the living conditions of the occupiers of neighbouring properties due to visual impact, loss of privacy and light.
6. The proposed roof terrace would be enclosed by low railings and at a low level by the adjacent roof over a single storey rear projection at 62 High Street (No.62). There would be tall privacy screens on either side of the roof terrace, which would project out from the two storey part of the house by 0.6 metres.
7. However, the terrace would be 2.08 metres deep and persons using the roof terrace would be able to see directly into the rear first floor window at No.62, which would be sited close to the proposed roof terrace. Due to their close proximity persons using the proposed roof terrace would be visible and heard from the rear first floor window at No.62. Together with the level of inter-looking this would have the potential to result a material loss of privacy, as well as noise and disturbance.
8. Similarly, there would be direct views towards the first floor rear window at No.60, which sits at right-angles to the appeal property. Although No.60a/b sits at a slightly higher level to the appeal dwelling, its first floor rear windows have low cill heights. From the proposed roof terrace there would be relatively close views towards the ground and first floor windows at No.60a/b. Finally, the use of the proposed roof terrace has the potential to be slightly overbearing for persons using the communal garden area.
9. I appreciate that due to the enclosed nature of the dwellings and communal garden area there is already considerable over-looking and limited privacy. However, this is primarily at ground floor level and there is a greater sense of privacy at first floor level. When in use the proposed roof terrace would materially erode the privacy that does exist and would unacceptably detract from the living conditions of the occupiers of the adjoining and adjacent dwellings.
10. This harm would clearly outweigh the benefits for the appellant resulting from the proposed roof terrace. It is not a matter that could be satisfactorily addressed through the imposition of conditions.
11. I conclude on the main issue that the proposal would unacceptably harm the living conditions of the occupiers of the adjoining and adjacent dwellings due to loss of privacy, noise, and disturbance. Accordingly, it would conflict with LP Policy WE8 and ELP Policy H12.

Other matters

12. The appeal site is situated within Ide Conservation Area (ICA). It is a linear conservation area which includes the buildings fronting High Street and those around the church and Manor House. There are numerous listed buildings within the ICA and this includes 58 High Street which is located a short distance to the north of the appeal site.
13. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LB&CA Act) requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or

enhancing its character or appearance. Section 66 of the LB&CA Act similarly requires that when assessing the impact of a proposal on a listed building or its setting, special attention shall be paid to the desirability of preserving or enhancing its character or appearance.

14. The proposed balcony would not be visible from the street scene and would not intrude into any views to or from nearby listed buildings. Within the rear garden environment views of the balcony would be restricted and where it could be seen it would appear modest in size and form and would visually soften the flat roof of the existing rear extension. Due to their modest depth the proposed privacy screens would not intrude into the rear garden environment or have an overbearing impact on the living conditions of the occupiers of No.62. For these reasons the proposed rear balcony would have a neutral impact on the character, appearance and significance of the ICA and nearby listed buildings.

Conclusion

15. Whilst I have found in favour of the proposal on some matters the conclusion on the main issue amounts to a compelling reason for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR