



Appeal Decision

Site visit made on 31 July 2025 by R Dickson BSc (Hons) MSc MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/X1165/D/25/3366153

11 Warefield Road, Paignton TQ3 2BH

- 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 A. R. Al-Othman against the decision of Torbay Council.
 - The application Ref is P/2024/0708.
 - The development proposed is ground floor extension to form dining room extension, family room and kitchen extension and first floor bedroom extension, en-suite and store room.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons for the Recommendation

4. Warefield Road is a cul-de-sac with residential properties, a bed and breakfast and a hotel. The road is visually bisected by Steartfield Road and an access lane which runs beside the appeal site. Despite its unique scale and massing, the appeal site is of a similar age and detailing to the terrace of buildings that sit opposite and adjacent to it. The other end of Warefield Road is dominated by the hotel. More modern dwellings are at the end of the road, with what appear to be older dwellings next to the appeal site beyond the access lane. The lane between the appeal site and No 13 leads to the rear outbuildings and garages of the dwellings on Warefield Road to one side, and a footpath to the other side.
5. Buildings surrounding Warefield Road, and Steartfield Road are sizable, with tall forms and busy facades contributing to the feeling of being within a built-up area. The buildings on corners, despite their walls and fences, provide a sense of the proportion of the plot sizes within the area where their depths are discernible. These offer areas of openness in the otherwise densely built-up area. The character of the area is therefore defined by the density of buildings, and the areas of comparative openness at corner plots.

6. The appeal site appears to be a detached dwelling, although it is linked to the neighbouring dwelling by a glazed porch. Given its position on the corner of Warefield Road and the access lane, the front and side are highly visible within the street scene of Warefield Road, and in views down Steartfield Road. The appeal site is bound by a wall with a small amount of wooden fence on top which is low enough to glimpse into the rear garden, providing a sense of spaciousness and openness. To the rear of the dwelling, a detached outbuilding forms the rear boundary.
7. The proposed development would comprise a conservatory adjacent to the dwelling and a single-storey extension linking the conservatory to the existing outbuilding. While each of the proposed ground floor elements may appear modest in isolation, the combined effect of the conservatory and extension connecting the main building to the outbuilding would significantly alter the character of the plot. The conservatory and extension together would result in a continuous built form across much of the site, enclosing the rear garden on three sides and leaving only a small courtyard garden at the centre. Whilst an area of garden would remain, it would not be visible from the street and would not contribute to the sense of spaciousness and openness that currently exists.
8. Although there are examples nearby of plots with substantial built coverage, corner plots tend to retain a more spacious and open appearance. The proposal would erode the open character typically associated with corner plots in the area and give the impression that the site is almost entirely developed. From the access road and footpath, the built form would dominate the plot, appearing as an overdevelopment, particularly when considered in the context of the properties to the south of the appeal site.
9. Although the site is bound by a wall and fence, and part of the proposal would be positioned away from the boundary, the introduction of buildings near to the boundary would nonetheless have a negative impact on the character and appearance of the area. The conservatory, which would be built near to the boundary, would be a relatively lightweight addition to the dwelling which would largely mirror the extension at No 13, which is of a similar design. Despite this, the ground floor extensions when taken together would be an incongruous addition to an already densely built area.
10. An extension to the kitchen is proposed which would add to a previous flat-roof extension. As such, the modest extension to the kitchen on its own would not substantially increase the amount of built development on the plot and would therefore have limited impact upon the character and appearance of the area. The proposal also includes alterations to the first floor, which the Council has not raised an issue with, and I have no reason to form a different view.
11. As such, the proposed development when taken as a whole would be an incongruous addition that would result in an over development of the site which would cause harm to the character and appearance of the host dwelling and the surrounding area. The proposal is therefore contrary to policy DE1 of the Torbay Local Plan 2021-2030 and policy PNP1 (c) of the Paignton Neighbourhood Plan 2012-2030. These policies require, amongst other things, that developments are well designed and strengthen local identity by retaining existing natural and manmade features that make the location distinctive and attractive.

Other Matters

12. I note the appellant's frustration with the Council's handling of the application and the timescale involved. These are not however land use planning matters and would not be a reason to allow the appeal.
13. I also acknowledge that the development would provide a larger property for the occupants. These are however personal circumstances which seldom outweigh land use planning matters.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR