



Appeal Decision

Site visit made on 12 August 2025

by **SE Hughes BA (Hons) PGDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025

Appeal Ref: APP/U1105/D/25/3366050

4 Hillside, Axmouth, Seaton, Devon EX12 4BA

- 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 Ms Michelle Oldfield against the decision of East Devon District Council.
 - The application Ref is 25/0742/FUL.
 - The development proposed is a single storey rear extension and associated external works.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and associated external works at 4 Hillside, Seaton, EX12 4BA in accordance with the terms of the application, Ref 25/0742/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 05.Hillside.SLP 'Site Location Plan', 05.Hillside.S01 'Existing Plans, Elevations and Section' and 05.Hillside.P01 Rev A 'Proposed Plans'.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing no. 05.Hillside.P01 Rev A 'Proposed Plans' and maintained as such in perpetuity.

Preliminary Matters

2. I have used the description of development provided on the application form in the heading above as the evidence before me does not provide details of the appellant's agreement to change the description of development.

Main Issue

3. The main issue in this appeal is the effect of the proposed materials on the host property and the character and appearance of the area, in particular the National Landscape.

Reasons

Character and Appearance

4. No 4 Hillside is an attractive, semi-detached cottage with a dominant stone finish nestled into a steep south facing valley slope on the outskirts of Axmouth. The property lies within the East Devon National Landscape (EDNL), (formerly referred

to as the East Devon Area of Outstanding Natural Beauty), an area designated for its landscape and scenic beauty.

5. The property is elevated from the road with the lower part of its rear garden visually concealed to all but its neighbours by the semi-detached cottages themselves, rising topography and existing vegetation.
6. I noted during my site visit that the immediate locality is composed of historic vernacular buildings and more modern properties. The properties display a mixed palette of materials comprising natural stone, brick and render under slate and tiled roofs. I also saw several houses and outbuildings in the locality featured stained timber cladding, black rustic timber cladding as well as more natural weathered grey timber cladding.
7. The main parties agree that the form, height and scale of the extension would respect and be subservient to the host building however disagree as to whether or not the use of black timber cladding is appropriate.
8. Given the local use of timber in the area, I consider that the proposed black timber cladding would be an appropriate material for the proposed extension which would not look out of keeping with the host building and its adjoining neighbour and would be consistent with the area. Furthermore, as the extension is an addition to the building, rather than detracting from the character and appearance of the original cottage, I find that the use of the contrasting, yet natural material would have a beneficial effect on the host building, being more readily discernible as an addition.
9. In view of the above and as existing buildings, vegetation and topography would prevent public views of the development, the development would not harm the surrounding landscape including the EDNL.
10. Accordingly, for the reasons I have outlined, I find that the proposed extension and its materials would not unacceptably harm the character and appearance of the host property or the character and appearance of the area, including the setting of the EDNL. The proposal therefore accords with Policy D1, Strategy 46 and Strategy 48 of the East Devon Local Plan 2013-2031, which require high quality development that respects local character and conserves and enhances the quality and local distinctiveness of Areas of Outstanding Natural Beauty.

Other Matters

11. The adjoining neighbour to the west has expressed concern that the design of the extension including the type, height and juxtaposition of the roof will have a harmful effect on their living conditions including restricting daylight and sunlight into their property. However, this did not form part of the Council's reason for refusal, the Council highlighting that a similar size extension could be permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which it deemed would have a similar impact on the neighbour's living conditions as the appeal scheme. As the appellant has not produced any evidence in respect of such an alternative, I have given this material consideration limited weight. However, based on the evidence before me, and my observations at my site visit of the enclosure of the two cottages by rising topography to the rear, I am satisfied that the proposal would not materially harm the living conditions of neighbouring occupiers.

12. The neighbour has also expressed a number of other concerns as follows: that the terracing, without substantial retaining walls may not be sufficiently stable; the combustibility of the timber cladding; and problems with maintenance due to the narrow gap between the development and their boundary.
13. Dealing with these matters in turn, I note that there is already a retaining wall at the site, which would be pushed back to accommodate the extension and provide a small patio area. Given the proposed development's similarity with the existing arrangement, I have no reason to doubt it would be effective. Matters of combustibility are covered by other building control and fire safety legislation therefore are not considerations for the planning system and whilst having the buildings up close to the neighbours boundary might well be a hinderance, it would not preclude maintenance.

Conditions

14. To meet legislative requirements, a condition shall be imposed to address the period for commencement. I shall also impose conditions requiring compliance with plans, to provide certainty, and requiring the use of materials shown on the plans, which includes the use of matching materials where they are replicated in the extension, in order to maintain the character and appearance of the host property and the area.

Conclusion

15. For the reasons given above the appeal should be allowed.

SE Hughes

INSPECTOR