
Appeal Decision

Site visit made on 29 October 2025

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

Appeal Ref: APP/P1133/W/25/3368276

Rose Cottage Annexe, Tedburn St. Mary, Devon EX6 6AY

- 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 Ruth Salmon against the decision of Teignbridge District Council.
 - The application Ref is 24/01935/FUL.
 - The development proposed is change of use from former veterinary practice to residential unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time the Council made its decision it took the view that the building was listed, owing to its association with the attached grade II listed building¹. However, the planning history suggests that the appeal building was in a separate and independent use prior to the date that the attached building was listed. Thus, the Council has advised at appeal that the building is not listed. Accordingly, the Council's first refusal reason is no longer a contested matter, and this does not need to form a main issue of the appeal.
3. The drawings before me display several inaccuracies and inconsistencies. The red line area drawn on the 1:1250 location plan includes the building and not the garden area at the rear. The 1:200 plans show a compressed layout for the building that does not occupy the whole plot width at the front. This is because the red line area should have been drawn to take in an additional area at the end of Rose Cottage, to reflect the way the building extends in this direction in the rear room and area of the rear lobby. The Council suggests that the original application should have been invalid on this basis.
4. However, the plans are sufficient for me to understand the proposal on the basis that the building would not be extended. In terms of whether procedural unfairness will occur if I proceed to determine the appeal, the physical relationship with the neighbouring building would be unchanged by the proposal as the building would not be extended or significantly altered externally, and the occupants of the dwellings to either side of the appeal building would be aware of the extent of the appeal building and how it connects to the property they occupy. If the plans were correctly drawn it would not be necessary to carry out consultation with a neighbour or other interested party who has not already been consulted.

¹ List Entry Number: 1216105

5. Thus, whilst it is frustrating to not have a set of accurate plans, I am satisfied that no procedural unfairness will occur if I determine the appeal based on the plans before me. I shall proceed on this basis.

Main Issue

6. Whether the proposal would secure adequate living conditions for future occupants of the building.

Reasons

7. The Council has referred to the Nationally Described Space Standard (NDDS)². Given the plan inaccuracies it is unclear whether the proposal would accord with the NDDS. However, with reference to the Planning Practice Guidance a Local Planning Authority can only require an internal space standard by reference in their local plan. There is nothing before me to suggest that the Council's current plan or its emerging plan includes this reference. Therefore, whether the proposal accords with the NDDS is not a primary matter. It is however still necessary for me to consider whether the proposed conversion would provide an acceptable living environment for its future occupants.
8. The proposal would see the building converted into a small dwelling. The front room would be used as the living room. It is a small room that would need to provide space for cooking, dining and sitting. The plans suggest that its ability to provide these different functions would result in a cramped space, and at my visit I observed that this would be the case.
9. This room would utilise the existing large south facing window that fronts the road and has the appearance of a shop front. The appellant confirms that it would remain non-openable. Thus, there would be no way of ventilating the room other than to open the door, which would not be a convenient way to provide fresh air to the room. Additionally, the big single sheet of glass would give very limited privacy to users of the living room, especially as it fronts the road directly.
10. The dwelling would have use of a small space at the rear to serve as a garden. It is north facing and has recently been enclosed by high fence panels. It would provide only a very basic level of private outdoor space, that would be shaded by the building and would not provide a meaningful outlook.
11. Additionally, the plans do not provide for any storage. Based on the tight layout it would be difficult to envisage where storage could be provided.
12. In summary, the proposal would fail to secure adequate living conditions for future occupants. It would thus be contrary to Policies S1 and S2 of the Teignbridge Local Plan 2013-2033 and Policy H12 of the emerging Local Plan, which together seek to ensure that development proposals provide high quality accommodation for future occupiers.

Planning Balance and Other Matters

13. The building is otherwise well located to serve as a dwelling, given that it is within a settlement boundary area where the principle of additional residential development is accepted by the Council. It would constitute a windfall site, make

² Technical Housing Standards – Nationally Described Space Standard 2015

use of a redundant building and contribute to the supply of housing locally. It would provide a small dwelling, which would be likely to improve the mix of accommodation locally.

14. In the context of the Government's objective to significantly boost the supply of homes and paragraph 73 d) of the National Planning Policy Framework (Framework) I should give great weight to these benefits. However, the Framework also states that good design is a key aspect of sustainable development, and decisions should ensure that developments will function well and have a high standard of amenity for future users. I have found that the proposal would not provide high quality accommodation for future occupants, which significantly undermines its ability to contribute positively to the supply of housing locally. The benefit of providing a dwelling is not therefore sufficient to outweigh my findings on the main issue of the appeal.
15. The Council's second refusal reason referred to the lack of enclosure to the rear garden, and impact this could have on the living conditions of neighbouring occupiers. This has been addressed through the erection of fence panels to enclose the area. I note that the Council suggests that these should have received planning permission owing to the listed status of the attached building. However, as I am dismissing the appeal for other reasons this is not a matter I need to consider further.

Conclusion

16. The proposal would be contrary to the development plan and there are no material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

A Tucker

INSPECTOR