

Appeal Decision

Site visit made on 14 September 2016

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 September 2016

Appeal Ref: APP/D0840/W/16/3152319

Ansells, Road from Porthcurnick Beach to Sedgers Barn, Rosevine, Portscatho TR2 5EW.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs P Clein against the decision of Cornwall Council.
 - The application Ref PA16/03467, dated 15 April 2016, was refused by notice dated 10 June 2016.
 - The development proposed is described as “the demolition of an existing dormer bungalow and the construction of a contemporary, high performing family dwelling”.
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Decision

1. The appeal is allowed and planning permission is granted for a development described as “the demolition of an existing dormer bungalow and the construction of a contemporary, high performing family dwelling” at Ansells, Road from Porthcurnick Beach to Sedgers Barn, Rosevine, Portscatho TR2 5EW in accordance with the terms of the application, Ref PA16/03467, dated 15 April 2016, subject to the Schedule of conditions set out at the end of this decision.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Area of Outstanding Natural Beauty (AONB).

Reasons

3. Ansells is a detached dwelling situated at the end of a small group of properties arranged in a linear pattern along the road. Although there are other small clusters of development in the vicinity, the surroundings are distinctly rural in character with open fields, hedgerows and trees dominating the wider landscape. It is also a coastal location, in close proximity to scenic clifftops and beaches. Indeed, the landscape is of such quality that it is designated as an AONB. Such areas have the highest status of protection according to the National Planning Policy Framework (the Framework).
 4. Due to the topography of the area, Ansells is not prominent in many distant views from within other parts of the AONB. However, it is visually exposed within its immediate setting because of its position next to a footpath at the end of a line of houses. Users of the footpath walk past the side of Ansells and see the rear elevation at close quarters as they ascend from the coast. When seen from this perspective, Ansells and its neighbours occupy the skyline with open fields in the foreground.
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5. The street scene is characterised by detached properties set within relatively large plots, although architectural styles vary considerably. Pebble Cottage and its neighbours to the immediate north have relatively simple proportions with long, low pitched roofs. They are representative of the vernacular style described within the Cornwall Design Guide 2013 (the Design Guide). However, Trelowen and Little Roseland to the south are larger dwellings with more contemporary architectural styles.
6. These more contemporary dwellings dominate the street scene immediately next to Ansells, which is an older style property. However, whilst Ansells is smaller and has a less elaborate design than its nearest neighbours, it is not particularly representative of any other properties in the vicinity or the vernacular style described within the Design Guide.
7. The proposed replacement dwelling would have a contemporary appearance and would not bear a close resemblance to either Ansells or the architectural style of other nearby properties. However, there is somewhat less architectural consistency in this particular part of the street, where more contemporary designs are already prevalent features within the street scene. Although these contemporary dwellings may have gained planning permission before the adoption of the Roseland Peninsula Neighbourhood Development Plan 2015 (the Neighbourhood Plan) they nonetheless form part of the established character of this particular part of the street.
8. Whilst the replacement dwelling would extend the original footprint of Ansells, much of the additional area would be occupied by the proposed single storey element. This would not be particularly prominent in longer views from the footpath due to its relatively low height. Although the single storey element would be clearly visible from the street frontage, it would extend the built footprint in the direction of an existing garage which would be demolished. It would be partially screened by the boundary wall and, given its low height, the single storey element would not add a great deal of mass to the dwelling or appear visually intrusive within the street scene.
9. The proposed two storey element would be more visible and would be clearly seen from the footpath to the rear. When approaching the site from this path, the rear elevation would have a distinctly squared appearance with the roofline assuming a very flat appearance. This would be different to its nearest neighbours which incorporate elements of pitched roofing within their designs. Nonetheless, Little Roseland and Trelowen have relatively complex rooflines which do not maintain a particularly vernacular appearance. In this particular respect, the proposed mono-pitched roof would be consistent with the contemporary appearance of these neighbouring dwellings. The proposed dwelling would also be much smaller than its neighbours, so despite the squared appearance of the two storey element, it would not appear particularly bulky or visually jarring within its setting.
10. Most of the two storey element would feature timber cladding, which is not seen in other nearby dwellings. However, this material is not particularly conspicuous from longer distances and in closer views would be in context with the contemporary design of the building. Given the variation in architectural styles in this part of the street, the timber cladding would not appear at odds with its surroundings.

11. I therefore conclude that the proposed development would have an acceptable effect on the character and appearance of the Cornwall AONB. There would be no conflict with Policies LA1, CV (i) or GP (iii) of the Neighbourhood Plan which aim to ensure development is compatible with the character of the village and the objectives of the Cornwall AONB Management Plan. There would also be no conflict with Policy HO8 of the Neighbourhood Plan insofar as the replacement dwelling would be compatible with the character and appearance of the area. Furthermore, the development would accord with Policies 4O and 6J (v) of the Carrick District Wide Local Plan 1998 which seek development that is in keeping with its local setting and the wider AONB. There would also be no conflict with the aims of the Framework in these regards.

Conditions

12. In the interests of clarity, standard conditions have been imposed requiring that the development is carried out in accordance with the plans and within a time limit. To help protect the character and appearance of the area, conditions are also imposed requiring details of external materials and landscaping to be provided. In order to ensure appropriate drainage, a condition is also imposed requiring details of a sustainable urban drainage system. There is also a requirement to provide a Construction Method Statement to protect the living conditions of surrounding occupiers.

Conclusion

13. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be allowed.

Colin Cresswell

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 15066.3.001, 15066.3.002, 15066.3.004, 15066.3.00, 15066.3.00, 15066.3.007, 15066.3.009, 15.66.3.015
- 3) No development shall take place until samples of all external facing materials and roofing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 4) No development shall take place until details of the implementation, adoption, maintenance and management of a sustainable drainage system shall have been submitted to and approved in writing by the local planning authority. Those details shall include:
 - i) a timetable for its implementation; and,
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

The sustainable drainage system shall be implemented and thereafter managed and maintained in accordance with the approved details.

- 5) No development shall commence until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall provide planting plans with written specifications including:

Details of all existing trees and hedgerows on the land, showing any to be retained and measures for their protection to be used in the course of development;

 - i) Full schedule of plants;
 - ii) Details of the mix, size, distribution and density of all trees, shrubs and hedges;
 - iii) Cultivation proposals for the maintenance and management of the soft landscaping.

The protection measures proposed shall be completed in accordance with the approved scheme before the development hereby permitted commences and shall thereafter be retained until it is completed. Notice shall be given to the local planning authority when the approved scheme has been completed.

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner. Notice shall be given to the local planning authority when the approved scheme has been completed. Any trees or plants which within a period of five years from the completion of

the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species as those originally planted.

- 6) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.