
Appeal Decision

Site visit made on 14 September 2016

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 07 November 2016

Appeal Ref: APP/D0840/W/16/3144077

The Old Police Station, Wills Lane, St Ives, Cornwall TR26 1AF

- 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 C Russell against the decision of Cornwall Council.
 - The application Ref PA15/09390, dated 7 October 2015, was refused by notice dated 3 December 2015.
 - The development proposed is raising of roof and conversion of garage to holiday accommodation/annex.
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Decision

1. The appeal is allowed and planning permission is granted for raising of roof and conversion of garage to holiday accommodation/annex at The Old Police Station, Wills Lane, St Ives, Cornwall TR26 1AF in accordance with the terms of the application, Ref PA15/09390, dated 7 October 2015, subject to the following conditions:
 - i) The development hereby permitted shall begin not later than three years from the date of this decision.
 - ii) The development hereby permitted shall be carried out in accordance with the following approved plans: 1177/01, 1177/02A and 1177/03.
 - iii) No development shall commence until details of the materials to be used in the construction of the external surfaces (doors/windows/lintels/sills/walls/roof and hanging slates and method of fixing) of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Details for the rooflights shall provide for conservation style rooflights. The development shall be carried out in accordance with the approved details.
 - iv) 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 approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
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- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - hours of work.
- v) The development hereby permitted shall only be used for purposes ancillary to the residential use of The Old Police Station or as holiday accommodation and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the St Ives Conservation Area (the CA).

Reasons

3. The appeal site lies within the CA and therefore special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA.
4. The CA is characterised by its generally dense form of development with a variety of buildings set close to often narrow streets. The appeal site is somewhat of an exception to this in that the Old Police Station building, now housing two dwellings comprising the host property, No 1, and No 2, is set away from the short cul-de-sac access road of Wills Lane, behind a forecourt parking area. That building therefore has an increased presence, which together with its formal and polite architecture, and despite a modern side extension, reflects its historic former use. The Council identifies it as a non-designated heritage asset.
5. The existing garage concerned is located to one side of the forecourt, in front of part of the front elevation of No 1 and alongside, but projecting slightly in front of, a three storey property immediately to the north-east of the site at a slightly lower level, due to the slope of Wills Lane. Other single and two storey buildings are also positioned in a tight knit fashion either side of that lane and also adjacent to the south-eastern edge of the forecourt.
6. The existing garage is a fairly prominent feature at the front of the site which, when seen from the eastern end of Wills Lane, obscures part of No 1's attractive main stone fronted elevation. However, part of No 2 is also obscured from that vantage point by intervening buildings along the lane, and the situation is generally reflective of the dense and confined nature of development in the vicinity. The site is not clearly visible from wider vantage points and even from that one, is set well away from the through pedestrian route passing that end of the lane.

7. The proposed development would involve raising the overall height of the existing garage which would obscure more of the upper part of the original front elevation of No 1 when seen from the north-east. However, the space between the two buildings would be retained and a significant part of the Old Police Station frontage as a whole would still be visible from that vantage point to an extent that would continue to reflect its historic significance.
8. The additional height would still be significantly lower than both the Old Police Station and the adjacent three storey building to the north-east, with the proposed first floor partly contained within the roof space. Although of a modern design which would be different to other buildings in the vicinity, including the Old Police Station, it would have a simple gable fronted form, albeit with a significant glazed element. It would also continue to use white render and slate materials, which are currently used on the existing garage and also seen on other buildings in the vicinity. That relative simplicity would prevent it from visually competing with those other varied buildings to the extent that it would be a dominating feature. This would be particularly the case given the context of the existing close juxtaposition of those varied designs of buildings in the vicinity, including a small number of more modern buildings.
9. It would be more visible from Trewyn Gardens to the north of the site than the existing garage which is currently below the height of the intervening retaining wall. However, those gardens are at a higher level than the site, such that only the top part of the proposal's roof would be visible from that vantage point, above the intervening wall. Furthermore, it would be seen in the context of the more prominent side and rear elevations respectively of No 1 and the three storey building immediately to the north-east of the site. In any case, as is currently the situation, it would be significantly softened by intervening vegetation within the gardens. The proposed hip end to the rear roof slope would further lessen its prominence from that vantage point. Although that hip end would reduce the simplicity of the overall roof form to some degree, it would not be a highly visible part of the building and would not be easily seen in views of the front gable due to the surrounding buildings and structures.
10. For the above reasons, the proposal would preserve the character and appearance of the CA. As such it would accord with policies TV-1, TM-3, GD-1, GD-2 and GD-7 of the Penwith Local Plan which together require development to be in keeping with the character and appearance of the area. It would also accord with the National Planning Policy Framework which, in paragraph 17, amongst other things states that planning should always seek to secure high quality design, take account of the different roles and character of different areas, and conserve heritage assets in a manner appropriate to their significance; and in sections 7 and 12 respectively relates to requiring good design and to conserving and enhancing the historic environment.
11. The Council has suggested five conditions that it considers would be appropriate were I minded to allow the appeal. I have considered these in the light of advice in the Government's Planning Practice Guidance and amended some of the wording. The standard time condition is required in this case and for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans would also be required. In the interests of the character and appearance

of the CA, a condition to secure details of all external surface materials would also be necessary.

12. Given the tight knit nature of the buildings in the vicinity of the site and narrow streets, a condition to secure a Construction Method Statement in order to protect the amenities of nearby residents, businesses and road users would be necessary.
13. A condition to secure the use for which it is proposed would also be appropriate. This would prevent any potential for permanent residential accommodation, other than as an annex to the Old Police Station, for which no justification has been provided and given the potentially different and unacceptable planning implications. As highlighted by the appellant, the Council's suggested condition only refers to the use as holiday accommodation where the application also includes use as an annex. I have received no substantive evidence to indicate that it would be inappropriate for such use in connection with The Old Police Station to which the building concerned relates. I have therefore amended the suggested wording to reflect that with some amendments to that condition proposed by the appellant.

Conclusion

14. For the above reasons, I conclude that the appeal should be allowed.

Andrew Dawe

INSPECTOR