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# Appeal Decision

Site visit made on 13 December 2016

**by Mike Fox BA (Hons) DipTP MRTPI**

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

**Decision date: 29 December 2016**

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**Appeal Ref: APP/D0840/D/16/3163600**

**48 Trevean Way, Newquay, Cornwall, TR7 1TW**

- 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 Andy Keast against the decision of Cornwall Council.
  - The application Ref PA16/06396, dated 6 July 2016, was refused by notice dated 8 September 2016.
  - The development proposed is removal of existing room in the roof structure, proposed first floor extension with zinc roof over; extensions to the front and rear of the property, refurbishment and internal alterations.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the streetscene.

## Reasons

3. The appeal property is a three-storey detached dwelling on a site which slopes down to the Gannel Estuary to the south-west; its frontage elevation onto Trevean Way has the appearance of a bungalow. The property is situated on the brow of Trevean Way, and its roof exceeds the height of the neighbouring residential properties on the same side of the road. However, the recessional roof form contributes to a gentle cadence in building heights, reflecting the topography, and this also reinforces the settled and harmonious character of the streetscene.
4. The existing traditional external materials of the appeal property, especially the extensive tiled roof and brickwork, are in keeping with the neighbouring houses on both sides of the road. Despite its relatively high ground level and large size, the appeal property does not dominate its neighbours, draw undue attention to itself or disturb the existing harmony in the streetscene.
5. The proposed development is not intrinsically unattractive, and I also note that the height of the existing building would not be exceeded by the proposal. However, its mass would be increased by building out through the angle of the existing sloping roofs, plus extensions to the north-east and south-west. These features would incorporate significantly more first floor accommodation than currently exists.

6. In terms of its visual impact it would have a starkly different roof profile from any of the neighbouring properties; the roof would comprise two mono-pitches, separated by a lower flat 'roof valley' in the central section. The zinc roof would clash with the established external materials in the area. The first storey windows facing Trevean Way would breach the established pattern of single storey elevations facing the south side of the road, where the upper storeys are 'hidden' in the large roof spaces above the eaves. These aspects would be conspicuous and out of keeping with the streetscene and the traditional palettes and designs of the neighbouring properties. The proposal would therefore harm the character and appearance of the area, contrary to policy 12 of the adopted Cornwall Local Plan, which states that development should demonstrate a design process that has clearly considered the existing context.
7. The Appellant states that there is no dominant architectural style in the road, including a wide range of roof designs. I accept that there are variations in architectural styles in Trevean Way. Nevertheless, I consider that there is a settled pattern in the street regarding scale, use of external materials and design, especially in relation to the extensive but recessive tiled roofs, to the extent that no single property in the road appears conspicuously out of place. Indeed, this quality is valued by several residents who have written in opposition to the proposal.
8. The Appellant asserts that national policy, as expressed in *the Framework*, supports the proposal inasmuch as it would be an example of sustainable development and that paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes, or stifle innovation. Whilst sustainability is not an issue between the main parties, paragraph 56 of *the Framework* states that the Government attaches great importance to the design of the built environment, and paragraph 58 [4] states that planning policies and decisions should aim to ensure that developments should respond to local character. For the reasons already stated, I consider that the proposal would not achieve the objectives of these paragraphs.
9. Regarding concerns over loss of privacy from balconies, I note the Council's comments that there is an established degree of mutual overlooking and given this and the potential to secure further screening through conditions, the impact on privacy resulting from the proposal would be acceptable. I agree with these comments, and I therefore see no reason to include loss of privacy as an additional reason to dismiss the appeal.
10. Concerns are expressed over whether the appeal property would be used as a holiday let. The Appellant's planning application does not propose this as the future use of the property and it is therefore outside my remit in determining this appeal.

### **Conclusion**

11. I have found that the proposal would harm the character and appearance of the streetscene, contrary to the relevant policies in the Local Plan and *the Framework*. For the reasons given and having regard to all other matters proposed, I conclude that the appeal should fail.

*Mike Fox*

INSPECTOR