

Appeal Decision

Site visit made on 4 April 2017

by CD Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 18 April 2017

Appeal Ref: APP/D0840/W/16/3165513

19-21 Fore Street, St Ives, Cornwall TR26 1AB

- 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 D White against the decision of Cornwall Council.
 - The application Ref PA16/07885, dated 22 August 2016, was refused by notice dated 11 October 2016.
 - The development proposed is alteration to roof to form terrace.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Cornwall Local Plan (the Local Plan) has been adopted and the St Ives Area Neighbourhood Development Plan (the Neighbourhood Plan) has been made since the application was originally determined by the Council. Both documents now form part of the development plan. This appeal is determined on the basis of the development plan at the time of writing.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the St Ives Conservation Area.

Reasons

4. The appeal property is a relatively substantial building with a frontage along Fore Street and a rear elevation facing east, towards the harbour. When seen from the rear, the property appears traditionally proportioned, featuring a simple hipped roof and uncomplicated fenestration. Together with the surrounding buildings (including the nearby Grade II listed Lifeboat Inn) the appeal property forms part of the St Ives Conservation Area. The significance of the Conservation Area lies mostly in the architectural qualities of the buildings and their arrangement around the harbour.
 5. As it is mostly screened by other buildings, the appeal property is a relatively inconspicuous feature within Wharf Road. While the roof can be glimpsed from certain perspectives if looking sharply upwards, the most significant elements of the Wharf Road street scene are the buildings along the street frontage and the longer views across the harbour. Although the roof can also be seen from the end of Western Pier, the property remains generally well screened by other
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buildings when seen from here. Consequently, the proposed development would have very little effect on the Conservation Area or the setting of the Lifeboat Inn when seen from these particular vantage points.

6. However, the appeal property can also be seen at distance when standing on Smeaton's Pier on the opposite side of the harbour. From this perspective, the upper floor of the building and its hipped roof can be better appreciated in the context of the wider surroundings. Here the simple proportions of the appeal property are seen next to other traditionally designed buildings, including the Lifeboat Inn and others along the frontage of Wharf Road. The Cornwall and Isles of Scilly Urban Survey 2005 notes that architectural styles in the town vary and that many properties have been subject to alteration (including through the addition of balconies). A similar point is made by the Inspector in an Appeal Decision¹ at Trenwith Lane which I have been referred to. Nonetheless, the majority of the roofs in the immediate vicinity of the appeal property maintain a simple, traditional form.
7. Even though the appeal property is a relatively small component of the overall townscape as seen from Smeaton's Pier, it is nonetheless one of the elements that contribute to the significant qualities of the Conservation Area in this location. By altering the hipped roof of the property in the manner being proposed, the simple form of the roof would become corrupted. Whilst the majority of the roof would be retained, the alterations to its shape would be clearly discernible. Although the potential for domestic paraphernalia would be limited by the size of the terrace, the proposed glazed doors and balustrade would also complicate the form of the roof. As such, the proposal would harm the appearance of the Conservation Area in this location.
8. I recognise that there are a number of existing balconies and terraces within the Conservation Area. However, I note that not all of these developments have involved altering the shape of the roof to the extent of the appeal proposal. Furthermore, I do not have the details of the circumstances under which these developments gained planning permission or when they were approved. I have assessed the appeal against the provisions of current policy and am very mindful that Paragraph 132 of the National Planning Policy Framework (The Framework) states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
9. While the proposal is for a relatively small development, it would nonetheless represent incremental harm which, if replicated elsewhere in the future, could have a highly noticeable impact on the appearance of the Conservation Area. Allowing this appeal would make it more difficult for the Council to resist similar developments and I consider that the cumulative impact would potentially exacerbate the harm which I have described above.
10. Although I have found that the proposal would cause harm to the character and appearance of the Conservation Area, I consider that the harm I have identified would be less than substantial (as defined in the Framework) and thus paragraph 134 advises that this harm should be weighed against any public benefits associated with the development. In this case, the benefits are mainly private in nature and any wider economic benefits arising from the construction

¹ Appeal Decision: APP/D0840/W/16/3165513

process would be minor. As such, these considerations are not sufficient to outweigh the harm I have identified above.

11. I therefore conclude that the proposal would not preserve or enhance the character or appearance of the St Ives Conservation Area. There would be conflict with Policies 12 and 24 of the Cornwall Local Plan which aim to promote local distinctiveness and conserve heritage assets.
12. Policy BE1 of the Neighbourhood Plan states in paragraph 3 that the use of balconies, except on the seaward facing elevations of seafront properties, or building elements inconsistent with the character of the area will not be supported. There is some disagreement between the parties as to whether the appeal property can be described as on the seafront for the purposes of BE1. However, the overall purpose of paragraph 3 is to ensure that development respects different character areas. For the reasons given above, I consider that the appeal proposal would represent a building element which would be inconsistent with the character of the area. Hence, the proposal would not be supported by Policy BE1. There would also be conflict with Policy BE2 of the Neighbourhood Plan which, amongst other things, indicates that developments should respect the character of roof-lines.

Other matters

13. The proposal would benefit living conditions within the appeal property, which currently has no private outdoor amenity space. I have been referred to an Appeal Decision² where this was one matter considered by the Inspector in approving a roof terrace elsewhere in the town. However, there is no indication that the proposal considered in that particular appeal would harm a heritage asset. Although I do sympathise with the appellant's wish to improve the apartment, I must have regard to the 'great weight' which the Framework states should be given to the conservation of heritage assets. In this case, the improvement in living conditions does not outweigh the harm that would arise to the appearance of the Conservation Area.

Conclusion

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

CD Cresswell

INSPECTOR

² Appeal Decision: APP/D0840/D/15/3132245