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## Appeal Decision

Site visit made on 26 July 2017

**by J J Evans BA (Hons) MA MRTPI**

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

**Decision date: 29 August 2017**

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**Appeal Ref: APP/D0840/W/17/3170983**

**8 Gwithian Towans, Hayle, Cornwall TR27 5BT**

- 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 Toby Springett and Mrs Joanna Springett against the decision of Cornwall Council.
  - The application Ref PA16/09777, dated 12 October 2016, was refused by notice dated 23 January 2017.
  - The development proposed is a replacement dwelling: to include demolition of existing house and shed: and erection of a new environment-conscious house, plus new shed.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. During the appeal process it was clarified by the Council that the western end of the appeal site was within an Area of Great Landscape Value, although the proposed replacement dwelling would not be within this designation. I have determined the appeal on this basis.

### Main Issue

3. The main issue is the effect of the replacement dwelling on the character and appearance of the area.

### Reasons

4. 8 Gwithian Towans is a detached bungalow positioned close to the coast. Constructed of timber cladding under fibre cement slates, this single storey dwelling is one of a long line of similarly sized and styled bungalows that overlook the public car park and beach. This row of dwellings and those to the rear of them form a distinctive cluster close to the coast.
5. The individuality of this settlement derives in part from the modest nature of the mostly single storey dwellings within it. Many have been extended, but in most cases the buildings have retained their simple primary form. This and the construction of many of the dwellings from timber rather than brick or stone is a distinct characteristic of the area giving it an unassuming and transient appearance, reflecting its historic development from beach huts. Moreover, the low-key nature of the settlement is such that it does not detract from the open expansive nature of the coastal fringe.

6. Although No 8 has been extended to the side and rear, it has retained its simple form and appearance, and unassuming nature. As such it contributes towards the distinct character and appearance of the settlement where no one building dominates. There is no objection from the Council as regards the principle of a replacement dwelling. However, the proposed building would have an overtly contemporary style and form, with angled walls and roof. The dwelling would occupy a similar position and footprint as the existing dwelling, but it would have a very different form to the simple shapes of the surrounding buildings, and as such would harmfully draw the eye.
7. Even where extended many of the nearby dwellings have retained a traditional form with a strong horizontal emphasis so as to front the sea and capitalise on the views. This is particularly so of the row of buildings closest to the sea, where their similarity of size and position creates a continuous line to the edge of the settlement. The ridge of the proposed roof would be of a similar height to those either side, but the sweeping form of the roof would be a discordant feature amongst the more conventional styles found nearby. Taken as a whole the asymmetrical form of the building would be strikingly different to those buildings around it, and as such it would be harmfully dominant, disrupting the unassuming harmony of the settlement and its relationship with the landscape.
8. Furthermore, the use of copper cladding for the roof and for much of the walls would have a contemporary appearance that would exaggerate the dominance of the building. The appellants have drawn my attention to copper being a natural material, and that there is a conspicuous absence of traditional local materials such as stone and slate. There are a few other instances of copper and metal sheeting elsewhere but it is not used as the primary material. A mostly copper building would be unacceptably conspicuous amongst the modest palette of materials that is such is a defining characteristic of the settlement.
9. I accept that amongst the existing dwellings there are some contemporary styled replacements, but there are only a few of these and they do not form part of the row of dwellings fronting the sea near to the appeal property. Of those other dwellings that have been replaced or modernised, they have mostly been constructed from timber. I also noted that there were a few historic buildings of a more eclectic form within the area. The railway carriage referred to by the appellants reflects the development of the area from a group of simple beach huts whilst the circular form of the Jam Pot derives from its historic purpose as a coastguard look-out.
10. I note there is support for the scheme from the Cornish Buildings Group, and I appreciate that the design of the building has been given careful consideration, including that it would offer improved insulation and energy efficiency whilst maintaining three bedrooms. Nevertheless, such benefits could be achieved with a more conventional styled dwelling.
11. The appellants consider the building could be extended under permitted development rights, with the construction of a large single storey extension to the front of the house. This is a fallback to which I must have regard. However, the Council have pointed out that the limitations to such rights preclude extensions projecting beyond a wall which forms a principal elevation of the original dwellinghouse. As there is doubt as to whether the property

could be extended to the front as proposed this limits the weight I can attribute this matter.

12. Thus the proposed replacement dwelling would unacceptably harm the character and appearance of the area. This would conflict with Policies 1, 2 and 12 of the Cornwall Local Plan Strategic Policies (2016), which require amongst other things development to demonstrate a physical and aesthetic understanding of its location that promotes local distinctiveness, reflecting objectives of the National Planning Policy Framework.
13. Reference has been made to the Gwinear-Gwithian Parish Neighbourhood Plan (2017) (NP) and the guidance in the annexe to the NP, the Gwithian Towans Design Guide. The NP is due to go to referendum in September 2017, and this therefore limits the weight I can attribute to these documents, although I note they seek to retain the distinctive character and appearance of the settlement.

### **Other Matters**

14. The proposal includes the replacement of the existing outbuilding with a large single storey timber shed with grass roof. Having regard to the mostly open nature of the nearby front gardens I share the concerns of the Council as regards the size of the shed. However, as I am dismissing the appeal for other reasons, this matter has not been decisive.
15. Local residents are concerned that the proposed dwelling would be very close to the neighbouring properties thereby reducing levels of light. Many of the dwellings occupy much of the width of their plots. The angled frontage of the proposed building would project beyond that of the bungalows either side, but this projection would not significantly impact on the levels of light received by the neighbouring residents.

### **Conclusion**

16. Thus for the reasons given above and having considered all other matters raised, the appeal is dismissed.

*J J Evans*

INSPECTOR