
Appeal Decision

Site visit made on 24 September 2019

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 04 October 2019

Appeal Ref: APP/D0840/W/19/3231968

Rear of 62 Clinton Road, Redruth TR15 2QG

- 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 S Morrison against the decision of Cornwall Council.
 - The application Ref PA19/01809, dated 28 February 2019, was refused by notice dated 9 May 2019.
 - The development proposed is demolition of existing hair dressers salon and construction of two apartments & associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - a) The effect on the character and appearance of the area, including the Camborne and Redruth Mining District of the Cornwall and West Devon Mining Landscape World Heritage Site,
 - b) Whether the proposal would secure adequate living conditions for future occupiers of the proposed dwellings, with regard to privacy, and
 - c) The effect on the living conditions of existing occupiers of No 152 Falmouth Road, with regard to outlook, daylight and privacy.

Reasons

Character and appearance

3. The appeal site is in an area that is characterised by good quality late 19th and early 20th century housing associated with the mining development of the town. The site is within the Camborne and Redruth Mining District of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). World Heritage Sites are internationally recognised to be of Outstanding Universal Value¹, and Redruth is acknowledged as the capital of the Cornish mining industry with its fine Victorian urban architecture.
4. Although away from the large and formal dwellings that front Clinton Road and outside the Redruth Conservation Area (CA), the appeal site is directly related to the more modest stone cottages and villas immediately to the south, which

¹ The National Planning Policy Framework, paragraph 184.

form a strong building line to either side of the road, and contribute to the character and appearance of the area. Existing development immediately north of the appeal site is more modern, with examples of broad rendered gables facing the road, and does not accord with the prevailing historic character of the area. However, beyond that there are further traditional rows of stone cottages and villas. The presence of these rows of traditional dwellings in the context of the appeal site, with the consistent use of natural rubble stone walls and slate, give the area and this part of the WHS a strong and easily identifiable character.

5. A modest single storey structure currently exists at the site. It has a very low form and is set into the slope of the site. Although it could not be considered to contribute to the character of the area it has the appearance of a small outbuilding associated with the host dwelling, which stands on much higher ground to the east, and faces away from the appeal site.
6. In contrast the proposed replacement building would be large. It would have a form that could be seen to broadly respect the traditional forms of buildings in the area with its front roof slope parallel to the road. However, its deep eaves and fascia would not relate well to the more modest equivalent details on traditional buildings nearby, especially as the eaves would stand well above the height of the first-floor windows to accommodate the mezzanine level.
7. In terms of the proposed materials and fenestration, the use of cladding and render would be at odds with the prevailing use of natural stone in the area. The horizontal arrangement of the cladding combined with the horizontal emphasis of the two front facing windows and the wide and over-scaled area of glazing on the north elevation would appear quite out of place. These elements would not accord with the strong vertical emphasis and more modest scale of openings found on traditional buildings to the south, and those on the rear of the host building.
8. The front elevation would include two prominent pairs of doors. The upper pair of doors would be enclosed behind a Juliet balcony. Rather than opening out onto a garden area, the ground floor doors would open onto a small area for parking and bin storage. As such these elements would not demonstrate an appropriate response to the context or constraints of the site. Furthermore, such details would look poor in the context of the front elevations of existing development in the area, which addresses the road in a more traditional manner.
9. Such design matters would be exacerbated by the prominent forward position of the proposed building. It would be easily viewed for a considerable length along Falmouth Road in both directions. I accept that for a short length the building line along Falmouth Road beyond the site to the north is not well defined. However, to the south of the site it is very well defined, and when approached from this direction the proposed building would be seen to step forward beyond this line considerably, to the extent that the whole of the south facing gable would be easily viewed. As a result, taking into account the inappropriate material palette and detailing, the building would appear quite incongruous in the context of the strong building line formed by the traditional rows of stone cottages.
10. In summary, the proposal would have a harmful effect on the character and appearance of the area, taking into account the prevailing character of

traditional buildings found in the WHS, which would be contrary to Policies 1, 2, 12, 21 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 adopted 2016 (CLP), Policy C2 of the Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2013-2018 and the National Planning Practice Framework (the Framework), which together seek to ensure that development proposals are of a high quality of design which maintain and enhance historic character and sustain the significance of the historic urban environment including the values of the WHS. The proposal would also be contrary to advice contained within the Cornwall Design Guide 2013 (CDG), which seeks to ensure that development proposals have regard to the context, building line, materials and form of existing development.

Living conditions for future occupiers

11. The rear bedroom of the ground floor flat would have a single window opening. This would be adjacent to the external staircase that would serve the first floor flat. The staircase and path alongside the building would be narrow. As a result, any person accessing the first floor flat would pass immediately alongside the ground floor bedroom window. This would create a significant lack of privacy for occupiers of the ground floor flat, particularly as persons on the stairs would also be able to look down into the room. It would not be satisfactory to overcome this by using obscured glazing as the window would serve a bedroom and therefore warrants a proper outlook.
12. In summary, the proposal would not secure adequate living conditions for future occupiers of the ground floor flat, contrary to Policies 1, 2 and 12 of the CLP and the Framework, which together seek to ensure that development proposals are designed to a high quality to prevent overlooking. The proposal would also be contrary to advice contained within the CDG, which seeks to ensure that development proposals take full account of privacy.

Living conditions of existing occupiers

13. The proposed building would stand alongside No 152 Falmouth Road, which is a sizeable building comprising a ground floor commercial garage and a first floor residential flat. The neighbouring first-floor flat benefits from a number of window openings facing south and west. Those facing south are very close to the site, and would be very close to the north elevation of the proposed building. Owing to the position, proximity and gable form of the proposed building, this would have a significant impact on outlook from these rooms, and on the level of daylight and sunlight entering these rooms through the middle part of the day.
14. Furthermore, the expansive area of glazing proposed in the north elevation would be very close to and face towards the neighbouring flat. I note that there would only be a partial mezzanine floor at this level, however the floor would in part extend up to this large window, which would allow future occupiers of the first-floor flat to look down into the adjacent windows of the existing neighbouring flat. In such close proximity this would create a poor arrangement that would have an unacceptable impact on the privacy of occupiers of the neighbouring flat.
15. In summary, the proposal would have a significant adverse effect on the living conditions of existing occupiers of No 152 Falmouth Road, contrary to Policies 1, 2 and 12 of the CLP and the Framework, which together seek to ensure that

proposals are designed to a high quality to prevent overlooking, overshadowing and overbearing impacts. The proposal would also be contrary to advice contained within the CDG which seeks to ensure that development proposals take full account of privacy and outlook.

Other Matters

16. In support of the proposal the appellant suggests that the proposal would make use of previously developed land and that it would be well located to access a range of services and facilities within the town. Whilst I do not dispute either of these matters, they are not sufficient to outweigh my findings on the main issues.
17. The appeal site is close to the edge of the CA. The Council has raised no objection to the proposal in respect of whether it would harm the setting of the CA. Based on the evidence before me and my own observations on site, I am satisfied that the proposal would not harm the setting of this designated heritage asset, as in this area the edge of Clinton Road would appear to mark the boundary of the CA, which is at a higher level and separated from the site by No 62 Falmouth Road and other buildings fronting the road.

Conclusion

18. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR