



Appeal Decision

Site visit made on 15 April 2019

by Martin S. Lee, MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2019

Appeal Ref: APP/D0840/D/19/3221594

The Dene, Churchtown, Feock, Truro, TR3 6SA

- 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 V & S Chivers against the decision of Cornwall Council.
 - The application Ref PA18/10950, dated 19 November 2018, was refused by notice dated 23 January 2019.
 - The development is proposed alterations to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the development on the character and appearance of the area and the Area of Outstanding Natural Beauty.

Reasons

3. The property is a detached bungalow with living space in the roof, in the village of Feock, set between other residential properties in the Cornwall Area of Outstanding Natural Beauty (AONB). Feock is characterised by a mix of house types and the character assessment for Feock confirms the presence of several modern dwelling houses all with their own distinct style. Modern and traditional dwellings are interspersed amongst each other creating a varied streetscape.
4. Views of the dwelling from the highway fronting the site and its immediate flanks are limited to varying degrees by a combination of levels changes and established landscaping within the site. The dwelling can be seen from distant views in the context of the nearby properties. The adjacent properties on either side of the application site are older than the existing bungalow and are traditional in design.
5. The current massing of the bungalow provides a decreasing, lateral, visual impact for the existing building as it approaches its side boundaries, even accounting for the high level decking and two storey appearance from the rear, due to the sloping form of the roof.
6. The height of the proposed first floor extension would not exceed that of the ridge of the existing roof but would substantially increase the apparent mass of the building by extending out over the entire footprint of the existing ground floor. The balcony proposed to south east, south west and north east elevations (level to ground on the north east elevation and first floor on south east and

south west elevations) would further expand the visible mass of the building. With its exterior finished in dark grey horizontal weatherboarding and the retaining wall and under-terrace finished in hanging, natural slate this would transform the dwelling into a distinctive, grey hulk lurking on the hillside above the water. Its juxtaposition with the more traditional form and lighter finishes of the closest of the neighbouring dwellings would when viewed from the rear provide an extreme contrast. This extreme contrast in colour and form would not enhance this existing view, rather it would provide a strongly jarring note in the varied rhythm of the existing built character.

7. Thus, it is not that the proposal ought not be considered high quality design in isolation, it is that its visual context when viewed from the rear is set not only by the traditional character of the dwellings to either side, but also the part the existing building plays in that view. The use of pitched roofs, varied colour finishes and detailed treatment of building form and fenestration creates a level of variety and differential interplay of light, colour and texture which the appeal proposal would remove. By pursuing an exterior theme of dark homogeneity and rigid, horizontal lines the proposal would not present a complementary architectural feature of interest which would accentuate the quality of its neighbours by highlighting differences. Rather it would present a dark, light absorbing and uncharacteristic block-shaped visual void in the rear view of the properties in this location.
8. For the reasons above, I conclude the proposal would be harmful to the character and appearance of the area. As a result, it conflicts with: Feock Neighbourhood Development Plan 2017-2030 (NDP) Policy LS1 which seeks to protect creek-side landscape, Policy LS2 seeking to safeguard significance, natural beauty and special qualities of the AONB and the design quality aims of Policy D1, and; Cornwall Local Plan (CLP) Policy 12 (part 2.a) which seeks to ensure development is of appropriate scale, density, height and mass and Policy 23 which aims to ensure development sustains local distinctiveness and character and protect/enhance environmental/landscape assets. It would therefore also be at odds with the design aims of paragraphs 127 & 130 and designated landscape protection aims of paragraph 170 of the National Planning Policy Framework.

Other Matters

9. I have considered whether alternative materials and/or landscaping might effectively mitigate the assessed impact but am not convinced that any combination might have sufficient effect given the block form of the proposal.
10. I have noted the appellants references to previous permissions granted, the Framework's provisions in relation to high quality design and the presumption in favour of sustainable development, together with their comments on the Parish Council and AONB office responses, as well as argument that the Authority has failed to justify its reference in the refusal to policies from the CLP and NP which have been cited in support of redevelopment of the existing dwelling in officer report and recommendation. I have also noted the appellants arguments in relation to quality of design and its appreciation.
11. In addition, I have considered the sustainable location of the site and the benefits associated with the proposal relating to the need to upgrade the existing dwelling, short term economic benefits in construction and the contribution to carbon footprint reduction likely to result from the development of a sustainable family dwelling.

12. I have also noted the appellants arguments in relation to quality of design and its appreciation. Design and interpretation of anticipated impact in a given setting can involve a degree of subjectivity and result in polarised views, even taking into account previous permissions granted for alternative schemes on the site. It is evidently frustrating to the appellant that despite negotiation and agreement with officers that the planning application resulted in refusal and was not followed by indication from the Authority on what (or whether) further amendments might have made the proposal sufficiently acceptable to secure permission. It is not my role to provide that indication as my task is to consider and determine the proposal currently presented as each proposal falls to be considered on its own individual merits. Whilst the site is in a sustainable location this does not outweigh my concerns over the harm I have identified above.

Conclusion

13. For the reasons give above, having regard to the development plan when read as a whole, I conclude that the appeal should be dismissed.

Martin S. Lee

INSPECTOR