



Appeal Decision

Site visit made on 16 December 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2020

Appeal Ref: APP/D0840/W/19/3234740
34 Falmouth Road, Truro TR1 2HX

- 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 P Sidgwick against the decision of Cornwall Council.
 - The application Ref PA18/09100, dated 27 September 2018, was refused by notice dated 11 February 2019.
 - The development proposed is construction of dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Amended drawings accompanied the appeal. The amendments would significantly alter the design of the proposal. Given such, and mindful of the Wheatcroft Principles¹, I did not have regard to these amended drawings in my decision as to do so would potentially prejudice other parties.

Main Issue

3. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the Truro Conservation Area.

Reasons

4. The appeal site is the rear part of the back garden of No 34 Falmouth Road, which sits inside a row of probably late nineteenth century properties. At its western side is a garage, accessed from School Lane, which is a narrow lane running behind Falmouth Road to the west. The site is within the Truro Conservation Area (the CA) and I have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
5. The significance of this part of the CA is derived from its planned layouts of high-status town villas, set within predominate and generous landscaped gardens, providing a suburban space and scale². Although now in various uses, No 34 and its neighbours, including the Grade II listed buildings No 32 and Nos 40-46 Falmouth Road, are strong exhibitors of these attributes.
6. Although their front gardens are particularly prominent and important, their rear gardens are also visible from School Lane, from where a degree of degradation can be observed through the loss of landscaping and the erection of nondescript outbuildings. Yet, the outbuildings are ancillary in form and

¹ Bernard Wheatcroft Ltd v Secretary of State for the Environment and Another (1980)

² Identified within the Truro Conservation Area Appraisal (2010) and Conservation Area Management Plan (2010)

function, and there is some greenery and openness beyond them. The planned delineation and generous length of each garden remains legible. Despite some change, School Lane still reads as a service lane and, whilst views from it towards Falmouth Road are glimpsed, there is a palpable sense of hierarchy here, grounded in the historic planning. Given such, although I agree that the significance of these garden spaces has become marginalised to a degree³, their space, scale and prevailing connection to the dwellings they serve remain positive aspects of the CA. Whilst the garages could theoretically be sold off and severed from their sites, there is no evidence that this is in the offing.

7. It is proposed to demolish No 34's garage and erect a dwelling, which would roughly occupy the footprint of the garage but also extend deeper towards the centre of No 34's back garden. This subdivision would lead to the loss of the original plot layout and established hierarchy across this space. The generously long garden, proportionate to the originally intended high status of No 34, would be truncated, and its openness would be diminished by the increase in built form. The appellant considers that, through its modest and functional design and scale, the proposal would simply constitute the substitution of one building for another. However, to my mind there would be intrinsic harm, perceptible through the inevitable trappings of independent residential use.
8. As such, although I understand that Truro is a city where the principle of new residential development is acceptable, there are specific heritage constraints at play here which would lead the proposal to harm the CA. Whilst the level of harm would be less than substantial, it nonetheless merits great weight under the terms of the National Planning Policy Framework (the Framework), and falls to be weighed in the balance with the public benefits of the development.
9. The government is seeking to significantly boost the supply of housing and the scheme would provide a dwelling in an established residential environment with good access to services and facilities, away from locations susceptible to the potential outcomes of Climate Change. There would be an economic boost during construction. Given the scale of the proposal, these public benefits would be modest. They would not outweigh the harm to the CA.
10. I therefore conclude that the proposal would not preserve or enhance the character or appearance of the Truro Conservation Area. It would conflict with the heritage aims of Policies 2, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted 2016), Policy C1 of the Truro and Kenwyn Neighbourhood Development Plan 2015-2030 (made 2016) and the Framework.

Other Matters

11. Given the time since the Council's response to a pre-application enquiry at the site, and the informal nature of the advice, it has carried very little weight in my assessment. The appellant has referred to a theoretical scheme for the conversion of an outbuilding. However, it is not for me to be drawn on the merits of such an alternative proposal. Similar reference has been made to a previously refused proposal at the site, but the appeal must be assessed on its own merits, not in comparison to the previous scheme. The appellant has also suggested that the scheme would make efficient reuse of the land. However, given the harm it would cause to the CA, this would not be the case.

³ As identified within the appellant's Heritage Impact Assessment by M-Arc Heritage Limited (2018)

Conclusion

12. I therefore find that the proposal would conflict with the development plan when read as a whole and that there are no other considerations, including the Framework, that outweigh the harm.
13. For the reasons outlined above, and taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR