
Appeal Decision

Site visit made on 27 July 2020

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2020

Appeal Ref: APP/D0840/D/20/3253302

Fairhaven, Dobbin Close, Trevone, Padstow, Cornwall, PL28 8QS.

- 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 G Walker against the decision of Cornwall Council (the LPA).
 - The application Ref. PA20/00635, dated 21/2/20, was refused by notice dated 19/3/20.
 - The development proposed is an extension.
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Decision

1. The appeal is dismissed.

Reasons

2. The appeal site lies within the built-up area of Trevone and within a part of the Cornwall Area of Outstanding Natural Beauty (AONB) that contains dwellings of various sizes and designs. I agree with the LPA that the proposal would not harm the character, appearance, landscape or scenic qualities of the area. It would accord with the provisions of the development plan¹ that are aimed at protecting and enhancing this nationally important landscape. However, LP policy 12 requires proposals to protect individuals from overbearing impacts.
3. The submitted plans show that the nearest part of the proposed hobbies room² would be about 14.8m from the nearest part of the neighbouring dwelling at Greystone and the nearest part of the proposed lounge extension³ would be about 20.7m from the nearest part of the neighbouring dwelling known as Keston⁴. The appellant's agent has calculated that the proposed hobbies room would be about 2m higher than the existing garage roof and the lounge extension would be about 1.5m above the existing roof ridge of Fairhaven.
4. Notwithstanding the change in levels, the proposals would disrupt sea views from Greystone and Keston. There is no right to a view and whilst this would detract from the residential enjoyment of these neighbouring properties it would be insufficient to withhold permission. However, the increase in height and mass of the extensions would be readily apparent from within the rear gardens of Greystone and Keston⁵. From here, the proposals would appear overbearing and oppressive for those living alongside⁶. This unneighbourly development would conflict with the provisions of LP policy 12.

Neil Pope
Inspector

¹ This includes the Cornwall Local Plan Strategic Policies 2010-2030 (LP). LP policy 23 relates to the AONB.

² This would comprise a sizeable addition above the garage with a large expanse of new wall and roof.

³ This would take the form of a central pitched roof dormer along about 6m of the existing rear elevation.

⁴ The development would be in close proximity to the garden boundaries with these neighbouring dwellings.

⁵ The development would be further from Staddle Stones and only visible in oblique views.

⁶ The impact of the lounge extension would be limited to Keston and the impact of the hobbies room to Greystone.