



Appeal Decision

Site visit made on 24 September 2020

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2020

Appeal Ref: APP/D0840/D/20/3252888

Trebean, Fore Street, Madron, TR20 8SH

- 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 T Matthews and Ms C Sear against the decision of Cornwall Council.
 - The application Ref PA19/10777, dated 10 December 2019, was refused by notice dated 4 March 2020.
 - The development proposed is proposed construction of garage, store and studio as a re-submission of PA19/07377.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area with particular regard to the proposed buildings location within the setting of the Madron Conservation Area.

Reasons

3. The appeal site comprises a two storey cottage and large garden. It forms part of a small terrace of similar properties located on northern side of Fore Street. The host property, Trebean, is at the far end of the terrace and therefore set back from the road. Within the garden to the north east of the main house is an existing single storey garage/store, which is the subject of this appeal. The Council state that the terrace is shown on the tithe map for the area. No further details have been provided, but I note that the Appellant has not challenged this evidence.
4. Whilst the host property, and the remainder of the terrace, are within the Madron Conservation Area (MCA), the existing single storey garage falls marginally outside the designated boundary to the MCA. Even so, the garage clearly falls within the setting of the MCA. Paragraph 190 of the National Planning Policy Framework (February 2019) (Framework) requires consideration to be given, therefore, to the impact of any new development on the setting of the conservation area. This approach is reflected in Policy 24 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (CLP).
5. The existing garage on the appeal site is largely concealed. However, on my site visit, I noted that glimpsed views of the ridge to the garage are still provided from Fore Street. Section 4 of the Design, Accessibility & Planning

Appraisal (December 2019) (DAPA), submitted in support of the appealed application, also acknowledges that the existing garage is “*partially visible from the main road*”. This factor is important in that the appeal proposal involves replacing this garage with a two storey building, to be used as a garage, store and studio.

6. Compared to the existing garage, the appeal proposal is substantially bigger in terms of its massing, height and footprint. As a consequence, the appeal proposal would be far more prominent and visible within the streetscene. On my site visit, I noted that the proposed building would be visible from various public vantage points on Fore Street. From these viewpoints, the proposed building would be seen in the context of the existing terrace, filling an area that is currently an open backdrop to the terrace. The appeal proposal would, as a result, be overly dominant and harmful to the setting of the terrace.
7. The openness found to the north and east of the host property, together with existing mature trees and landscaping, are an important part of the setting to the terrace and to the positive contribution it makes to this part of the MCA. The appeal proposal would significantly reduce this openness and would compete directly with the terrace. The proposed building would appear out of keeping, and would be harmful to the traditional form, layout and historic setting of this part of the MCA.
8. In my view, the resulting harm would be substantial and would not be mitigated by any public benefits that the proposal would secure.
9. The appellant has referred to the character of the village, which they argue contains a variety of buildings, from traditional cottages to modern dwellings and recent outbuildings. That may be so, but the proposal before me requires consideration to be given to the impact of the development on the setting of the conservation area. The fact that other parts of the village may contain more modern development does not, in my view, materially impact on that assessment.
10. The appellant points to the use of stone, render, timber cladding and grey profiled roofing on the appeal building so as to match the local context, and that its height has been kept to the minimum to reduce its impact. Even so, this does not alter the findings I have reached above. The appellant also refers to the local economic benefit that would arise from the use of the proposed studio by the occupiers to produce handmade artisan crafts. As I confirmed earlier, any public benefits that the proposal would secure would not be sufficient to mitigate the harm I have identified.
11. The appellant contends that the impact of the proposed building on the terrace would not be material. For the reasons I set out earlier, I do not agree. As I observed on my site visit, from various public vantage points on Fore Street, the appeal proposal would be visible and prominent, resulting in significant harm to the setting of the terrace and the MCA.
12. The appellant refers to the before and after photomontages in the DAPA as evidence that there would only be glimpsed views of the appeal proposal and that the change in the streetscene would not be material. As I confirmed earlier, that is not a view I share. Indeed, the photomontages, in my view, support my findings, in that they show that the proposed building would be highly visible from various public vantage points.

13. The appellant has referred to the modern 3 bedroom house to the rear of the appeal site, as well as other new developments that have been permitted within the MCA. However, I have considered the appeal proposal on its individual merits, having regard to the particular circumstances of this case. Even so, I do not know the full planning circumstances of these cases and it is not possible for me, therefore, to determine whether they are comparable to the appeal proposal.
14. The appellant has also referred to the fact that there were no objections to the proposed building from neighbouring properties or from Madron Parish Council. Even so, this does not alter the findings I have reached above.
15. Accordingly, I find that the proposed development would be contrary to Policies 12 (part 1a and 1b) and 24 of the CLP and paragraphs 127, 184, 189, 190, 192, 193 and 196 of the Framework. Combined, these policies seek to protect, enhance and conserve existing designated heritage assets, including their setting, from the impact of harmful development.
16. The Council's reason for refusal refers to other paragraphs from the Framework, but these are not, in my view, directly relevant to the issue raised by this appeal. Similarly, the Council's reason for refusal refers to the Cornwall Design Guide (2013) (CDG). Whilst the appeal proposal would not, for the reasons I have given above, be consistent with the advice in paragraphs 2.6, 2.9, 4.9 and 7.3 of the CDG, the other paragraphs referred to by the Council are again not directly relevant to the issue raised by this appeal.

Conclusions

17. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR