
Appeal Decision

Site visit made on 18 January 2021

by John Wilde CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 09 February 2021

Appeal Ref: APP/D0840/W/20/3261515

Plot adjacent to No 42 Brockstone Road, St Austell, Cornwall PL25 3DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant subject to conditions of consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Daniel Mitchelmore against the decision of Cornwall Council.
 - The application Ref PA19/10054, dated 13 November 2019, sought approval of details pursuant to condition No 1 of a planning permission Ref PA16/10872 granted on 21 June 2017.
 - The application was refused by notice dated 18 August 2020.
 - The development proposed is a building plot.
 - The details for which approval is sought are: Access, appearance, landscaping, layout and scale.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:-
 - a) The living conditions of the occupiers of 44 Brockstone Road with particular respect to outlook, and
 - b) The character and appearance of the area.

Reasons

3. The appeal site lies directly to the rear of 42 Brockstone Road and was previously the rear garden area of that property. It is now separated from No 42 by a wooden fence and is at a somewhat higher level. The site is small and open to the access road to the east where hedging has been removed.

Living conditions

4. The proposed dwelling would be two storey and its western elevation encompassing a full height gable would be in close proximity to the rear garden area of No 44, running along most of the length of the garden.
5. I acknowledge that the proposed dwelling has been designed with relatively low eaves and ridge for a two storey dwelling and I note that it has been positioned more centrally in the plot than originally designed. Nonetheless, it would have a large gabled elevation facing the garden area of No 44 and would extend for

a considerable distance along the garden. Overall, notwithstanding the changes that have been made, I consider that the combination of the proximity to the garden of No 44, the proposed height, the length and the existing difference in levels would mean that the proposed dwelling would have a significantly detrimental effect on the outlook from the garden area of No 44.

6. There would therefore be conflict with policy 12 of the Cornwall Local Plan (LP) which makes clear that proposals will be judged against fundamental design principles including overbearing impacts.

Character and appearance

7. The proposed dwelling would be mainly seen within the context of the dwellings either side of the access road and those beyond the access road to the west. Either side of the access road are No 42, which is a bungalow and No 40, which is a chalet style bungalow with dormers in the pitch of the roof. Beyond No 42 the dwellings fronting Brockstone Road on both sides are all bungalows for some distance, before further chalet bungalows are encountered.
8. I acknowledge that there are some traditional two storey properties in the area, including those behind No 40 and those to the north of the appeal site. However, the ones behind No 40 would not be dominating in views of the appeal site when approaching along Brockstone Road from the south-east and the ones to the north are some distance away and again not particularly dominant in the street scene.
9. In contrast the proposed dwelling would be a full two storey building situated on higher ground than No 42. Notwithstanding that the area is relatively densely developed, the proposed dwelling would be seen over No 42 and the neighbouring bungalows and by virtue of its height, mass and bulk would appear as a cramped and discordant feature.
10. Conflict would therefore occur with policy 12 of the LP, which seeks to ensure, amongst other things, that development is of an appropriate scale, height and mass. Policy 2 of the LP requires that proposals should ensure that the design of development is high quality and demonstrates a physical and aesthetic understanding of its location. The proposed development fails to do this and is therefore also in conflict with this policy.

Conclusion

11. For the above reasons, and having taken into account all other matters raised, I conclude that the appeal should be dismissed.

John Wilde

INSPECTOR