



Appeal Decision

Site Visit made on 9 February 2021

by Mr A Spencer-Peet BSc.(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 01 March 2021

Appeal Ref: APP/D0840/D/20/3262778

Penolva Bungalow, Mousehole Lane, Mousehole, TR19 6TX

- 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 David Graham and Lucy Joan Lawrence against the decision of Cornwall Council.
 - The application Ref PA20/06364, dated 28 July 2020, was refused by notice dated 8 October 2020.
 - The development proposed is for extensions, alterations & associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site is situated in a prominent location at the periphery of Penolva, enclosed by predominately open agricultural land to the north and west. Penolva appears as an evolved farmstead and comprises a mix of styles of property, generally of modest appearance and of traditional design and form. In combination with the traditional appearance of the evolved small farmstead, the surrounding narrow lanes, hedgerow lined agricultural fields and small patches of woodland, contribute to the established setting and rural character of Penolva.
4. The evidence before me indicates that the appeal site is located adjacent to, and outside of, the Penwith Section of the Cornwall Area of Outstanding Natural Beauty (the AONB) and adjacent to the West Penwith South (CA01) Landscape Character Area. Whilst I have not been provided with the full landscape character assessment, from the extracts provided, Penolva reflects and is typical of the appearance of a small farm based settlement which is a key characteristic of the surrounding area.
5. The appeal building is a twentieth century dormer bungalow located towards the top of a hillside. Although the existing building is unremarkable in terms of its architectural quality and has a relatively large footprint, the bulk and mass of the building is concentrated at ground floor level with the sloping roof form being reflective of the character and appearance of residential buildings within Penolva. In my view, whilst the design of the appeal building somewhat detracts from the predominately traditional character and appearance of Penolva, it is, nonetheless a relatively unassuming and modest feature in the

context of the surrounding rural setting and nearby built form. For these reasons, the appeal building does not appear dominant and, overall, does not have a significant harmful effect on the character or appearance of the surrounding area.

6. The appeal scheme proposes to significantly alter the roof form of the existing building, with the hipped dormer design being replaced with a contemporary box like structure. The exterior of the appeal proposal would be clad in timber at first floor level with stone being used on the exterior of the ground floor. As I observed on my site visit, whilst timber cladding is not a common design feature within Penolva, the proposed use of materials would reflect those exhibited by other nearby dwellings and would not be harmful in this regard.
7. In terms of design, I acknowledge that a contemporary scheme can be acceptable, and it is noted that the overall height of the proposed development would not be significantly greater than that of the existing dormer bungalow. However, in my view I consider that the proposed flat roof, box like addition at first floor level, would be of a design, bulk and unbalanced appearance that would not sit comfortably with the character or appearance of Penolva or the surrounding area.
8. By reason of its location towards the brow of a hill, the appeal scheme would be prominent when viewed from within the surrounding area and specifically from the nearby public footpath within Penolva and from Mousehole Lane located southwest of the site. Despite the intention to use finishing materials that are to be found on nearby dwellings within Penolva, the excessively bulky design of the first floor addition would be a stark and visually discordant feature that fails to have regard to its surrounding context, and would thereby draw the eye. Consequently, the appeal proposal would be an inappropriate and insensitive form of development that would cause material harm to the character and appearance of Penolva and to the surrounding rural area including the setting of the AONB.
9. The Appellants have put it to me that the appeal scheme would be a well executed design, highlighting that the benefits of innovative design should be welcomed in accordance with paragraph 131 of the National Planning Policy Framework (the Framework). Whilst innovative design is to be encouraged, it is clear from the Framework that it must first sit effectively within the context of its surroundings. For the reasons given above, the appeal proposal would not respect or protect the character or appearance of the surrounding area and, in my view, the proposal would not represent a truly innovative design. The appeal scheme, therefore, would not gain support from paragraph 131 of the Framework.
10. In light of the above, the proposal would not sustain local distinctiveness and would be harmful to the character and appearance of the surrounding rural area and, thereby, the natural environment including the setting of the AONB. Furthermore, the appeal scheme would be a visually discordant feature which would be harmful to the historic environment and setting of Penolva.
11. Consequently, the proposed development would conflict with Policies 12, 23 and 24 of the Cornwall Local Plan Strategic Policies (2010-2030) which, amongst other things, seek to ensure that local distinctiveness and the character and appearance of the area, is protected. The proposal would also be contrary to those parts of the Framework which concern achieving well

designed places and which seeks to ensure that development conserves and enhances the natural environment, and would fail to accord with the provisions of the Cornwall Design Guide, which seeks to inform the design of new development and ensure all factors of good design are recognised and incorporated.

12. Further to the above, the proposed development would conflict with Policies MD9, MD16 and SCW8.04 of the Cornwall AONB Management Plan (the AONBMP) which, among other matters, seek to protect the distinctive characteristics of localities by ensuring that development, including for replacement dwellings, responds appropriately to its landscape setting. While the AONBMP does not form part of the development plan, the identified conflict also weighs against the appeal scheme.
13. The proposed scheme would provide some very limited employment opportunities during the construction phase. The weight to be attached to these benefits is limited by the scale of the proposal and, in my view, would not outweigh the identified harm to the character and appearance of the surrounding natural and built environments and the associated development plan conflict, to which I attach significant weight.

Other Matters

14. I acknowledge that no objections have been received and the appeal scheme has some support from interested parties. However, these considerations would not outweigh the significant harm that I have identified above.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Mr A Spencer-Peet

INSPECTOR