



Appeal Decision

Site Visit made on 7 July 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 August 2021

Appeal Ref: APP/D0840/W/20/3265813

6 Churchtown Road, Gwithian TR27 5BX

- 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 A Weeks against the decision of Cornwall Council.
 - The application Ref PA19/10523, dated 3 December 2019, was refused by notice dated 30 June 2020.
 - The development proposed is construction of replacement dwelling following demolition of existing dwelling and detached chalet, as resubmission of recently withdrawn application PA18/11470.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 20 July 2021, during the appeal process, the Government published its revised National Planning Policy Framework (the Framework). Both parties have had an opportunity to comment on the revisions where they may be relevant to the case, and any comments received have been taken into account in determining the appeal.

Main Issue

3. The effect of the proposal upon the character and appearance of the existing building and the conservation area, including the setting of nearby listed buildings.

Reasons

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

Significance and settings

5. The appeal building stands within the Gwithian Conservation Area (GCA). Its inclusion within the GCA means that it is a component of a designated heritage asset. In addition to this the Council is of the view that it should also be regarded as a non-designated heritage asset in its own right.

6. The older part of the building comprises a small cottage with a principal ground floor room that opens into a smaller rear room with two rooms over. It is suggested that it may not have started life as a residential building. The evidence put forward for this is the interpretation of the tithe map. It is acknowledged however that this map has several noticeable inaccuracies. Furthermore, I am not convinced that the red site line overlaid on figure 3 of the submitted Heritage Impact Assessment is necessarily correct. It seems to me that the site area could be further north, taking in plots 360 and 273, the latter of which is referred to as 'house and garden'.
7. Given this uncertainty and taking into account the form and layout of the older part of the existing building, it is possible that the two storey cottage existed at the time the tithe map was drawn. Indeed, there is no evidence before me and nothing I saw at my site visit that would lead me to conclude that the building was not purpose built as a dwelling.
8. The Historic England Advice Report¹ states that the building retains a good degree of historic character and makes a highly positive contribution to the built environment of the GCA. It is referred to as having group value with designated heritage assets, and an example of a building type that was once commonplace, but which have become vulnerable to 20th century replacement.
9. At my visit I saw that the cottage has considerable aesthetic value as a very modest building in an equally modest back-land location. The building was considered to fall short of the criteria for listing, however the very purpose of recognising a building as a non-designated asset is to attribute a level of historic significance that sits below the listing regime. Although outside the scope of the LBCA it is a status that is recognised within the Framework. I am satisfied that the building has sufficient value in terms of both its appearance and group value to be viewed as a non-designated heritage asset.
10. The GCA is a small conservation area that takes in most of the village. The main road through the village follows the edge of plots and buildings, without a pavement. Some buildings are set well back from the road whilst some front the road edge. Most buildings in the GCA are of a relatively modest scale and vernacular appearance. They are mainly detached and arranged in a characterful unplanned manner. Buildings are constructed of local materials including cob and stone, mostly with rendered or painted finishes. The modest and unplanned character of the settlement, the loose and rather sporadic placement of buildings, many of which are of historic interest, listed and unlisted, are characteristics that contribute to the significance of the GCA.
11. The Church of St Gothian is a grade II* listed building neighbouring the appeal site to the north. It mostly dates from 1865-1866, though the tower is a 15th century refurbishment, and it incorporates a 13th century font. The lych gate and coffin rest is separately listed at grade II, and a cross within the churchyard is a schedule ancient monument.
12. The Churchyard is a well-defined space, enclosed by boundary walls and mature trees, which separate it from the activity of the road and give it a sense of seclusion. The Church stands close to its western boundary and the buildings of the village, including the nearby grade II listed Parsonage, are significant to its setting. To the south the Church Hall, also a listed building, forms a highly

¹ Dated 22 January 2020, Case Number 1468556

significant component to the building's setting and in particular its principal approach from the road via the lych gate. The special interest of the building, which is derived from the value of its built fabric, its design and its spiritual and communal function are enhanced by the building's physical association with its Churchyard and other historic buildings within the GCA.

13. The grade II listed Gwithian Church Hall is a late 19th century building that was built as the village school. It shares its eastern boundary with the appeal site. Despite its modest footprint it has a significant presence within the streetscene owing to its siting close to the road and has a formal appearance that is enhanced by a prominent lateral chimney stack to the front and a bellcote at the north apex. It is built from rubble stone with granite dressings and a slate roof. It stands in a small walled enclosure, with an outbuilding to the rear. Its formal appearance, architectural detail and design as well as its communal value as the village school are significant contributors to the building's special interest. Its prominent and accessible position are characteristics of its setting that contribute to its special interest, as does its relationship to the Church and other nearby historic buildings within the GCA.
14. The grade II* listed Methodist Chapel is close to the appeal site to the south. As an outworking of modest Wesleyan ideals, it occupies an unassuming position away from the street with a very simple form comprising a thatched roof set over its principal façade which contains a single sash window and timber door and is otherwise free of any ornamentation. It is reported to be the only original thatched Methodist Chapel left in Cornwall. Thus, the retention of historic fabric and form and its modest overall design are significant contributors to its special interest, enhanced by its simple setting, tucked away from the road and without any meaningful curtilage.

Effect of the proposal on the non-designated heritage asset, the character and appearance of the GCA, and the setting and significance of the listed buildings

15. The proposal would see the complete demolition of the existing building. The loss of the more recent west extension and the detached summerhouse would not cause harm. However, on the basis that the building has a good degree of historic character and is regarded as a non-designated heritage asset, the demolition of its historic core, that is the main four room cottage, would be harmful. Paragraph 203 of the Framework establishes that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. The paragraph also suggests a weighing exercise that has regard to the scale of harm or loss. In this case the scale of the loss would be substantial as the whole building would be demolished, which would weigh heavily against the proposal.
16. The existing cottage could not be considered to be a prominent building within the GCA. It can be glimpsed from adjacent areas such as the Churchyard and the environs of the hall. It can however be viewed easily from the area to the east of the Chapel, which is a track that gives access to the appeal site, the adjacent dwelling and the Chapel. From this perspective its modest scale and backland setting can be easily appreciated, as can its association with other historic buildings such as the Chapel and the outbuildings at the rear of Churchtown House. It thus makes a valuable contribution to the character and appearance of the GCA and the modest back land setting of the Chapel.

17. The replacement building would occupy a larger footprint than the existing dwelling, with a more complicated form that would draw the eye and be quite different to the modest and unassuming appearance of the existing cottage. The scale of its south elevation would be very different to the existing building, with a much wider two storey form, the width of which would be emphasised by the horizontal division of materials. Attempts to give the two-storey part a traditional form that would echo the appearance of the building it replaced would be eroded by the material choice and the use of glazing that breaks the eaves line. For these reasons I find that the proposed demolition of the building and the proposed replacement would fail to preserve the character and appearance of the GCA and would cause harm to the setting of the Methodist Chapel.
18. The existing cottage forms part of the backdrop to the Church Hall, but is not easily viewed in this context. However, the loss of the building would be apparent from the external areas of the hall, to the side and rear. Its demolition would cause harm to a long established historic relationship between the two buildings. However, given the limited intervisibility between the two buildings and the orientation of the Hall away from the site I am not satisfied that the level of harm to the building's setting arising from the demolition would be significant. The proposal would see the side elevation of a simple single storey stone building face towards the rear of the Hall. It would have a low scale with a conventional fenestration and traditional roof form. I am satisfied that the proposed building would not harm the setting of the Hall.
19. The appeal building and summerhouse can be seen from the Churchyard, over the southern boundary, however views are restricted by intervening vegetation. From this perspective the summerhouse is most prominent. It has the appearance of a domestic outbuilding and does not contribute positively to the setting of the Church. Beyond this the rear roof of the cottage can be seen with its short chimney and rubble stone rear wall. Although the view is not a significant or prominent one, the traditional and modest form of the building can be seen from the Churchyard. I am therefore of the view that the existing cottage makes a small positive contribution to the setting of the Church. Its loss would thus result in some harm to the setting of the Church.
20. From the Churchyard the proposed building would have quite a different scale and occupy a substantially different footprint to the existing building. The simple form and appearance of the westward range would not be harmful, particularly as it would face towards the Church with a modest blank gable. However, the significant addition in height resulting from the two-storey part, coupled with the overtly contemporary form of the single storey element on its north side and the modern material palette would draw the eye and detract from the quiet and secluded setting of the Church and Churchyard. During the winter months the impact would be greater and, owing to the additional height proposed, would not be satisfactorily mitigated by the height of the boundary hedge.

Public benefits including flooding

21. In terms of the Framework the harm identified would be less than substantial. Paragraph 202 of the Framework establishes that any harm should be weighed against the public benefits of the proposal. The cottage sits on a low piece of land in close proximity to a number of water courses. It has been subject to

significant flooding events a number of times. As a matter of principal, works that would reduce flood risk to a building and thereby improve the living conditions of its occupants and thus the adequacy of local housing stock could be a public benefit.

22. At my visit it was clear that the building was suffering from a significant build up of damp that was visible across the internal surfaces of its walls. There is however no evidence before me to directly connect this to the flooding events. Indeed, a traditional building should be able to dry out relatively effectively between such events. Therefore, the damp problem evident within the ground floor rooms is more likely to be an unrelated problem. At my visit I saw that the cottage is painted with a modern impermeable paint and has a concrete perimeter path around its edge that is close to or possibly even slightly higher the internal floor level. These are factors that are likely to lead to the build up of damp within the building's masonry and limit its ability to dry out.
23. Evidence before me seeks to demonstrate that various options to reduce the incidence of flooding at the site have been explored and ruled out for various reasons. However, what is not before me is anything to demonstrate that a combination of measures have been considered that include efforts to make the existing property more flood resilient. There is no reference to the wealth of advice available from national heritage bodies relating to this, despite the fact that adapting a building that has historic value to make it more flood resilient is a well established approach.
24. Instead, a rather simplistic drawing has been submitted to show the effect of raising the floor levels of the existing building up to those suggested in the flood risk assessment (FRA). The FRA is a document that was prepared in the context of the redevelopment scheme, rather than with a view to retain the existing building. As an alternative, and on the basis that every effort should be made to retain the building, there may be a less invasive solution that raises the floor level of the cottage by a lesser amount but at the same time makes the building more resilient to the effects of flooding, whilst also improving the capacity of the site to accommodate flooding events.
25. I do not find that the information before me is sufficient to demonstrate that a range of measures have been considered, that take into account guidance from national heritage bodies, sufficient to justify the proposal. I am therefore not satisfied that the case before me is robust, and I accordingly give this public benefit, which is the primary justification for replacing the building, limited weight.
26. Paragraph 189 of the Framework states that heritage assets are an irreplaceable resource. Paragraph 199 of the Framework establishes that great weight should be given to the conservation of a heritage asset. The public benefit of the proposal would carry limited weight and would not be sufficient to outweigh the degree of harm identified.
27. In summary, the proposal would result in the loss of a non-designated heritage asset that contributes to the character and appearance of the GCA and to the setting of nearby listed buildings. The replacement building would harm the character and appearance of the GCA and the setting of nearby listed buildings. It would thus fail to meet the requirements of the LBCA and would not accord with Policies 1, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and Policy GGPP6 of the Gwinear-Gwithian Parish Neighbourhood Plan

2016-2030, which together seek to ensure that development proposals are of a high quality of design that sustain the distinctiveness and significance of the historic environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.

Other Matters

28. I am mindful of the examples of recent buildings of a contemporary design that the Council has allowed within the GCA, as well as the presence of the dwelling to the south of the appeal site. The full circumstances of these cases are however not before me. Unlike the appeal proposal they do not appear to have the same intimate relationship with a number of heritage assets, including those that are highly graded, and there is nothing before me to suggest that these developments resulted from the loss of a building that was considered to be of historic value. The existence of these other developments nearby is therefore not sufficient to outweigh my findings on the main issue of the appeal.

Conclusion

29. There are no material considerations that indicate that the appeal should be determined other than in accordance with the development plan. For the reasons above, I therefore conclude that the appeal should be dismissed.

A Tucker

INSPECTOR