



Appeal Decision

Site visit made on 2 August 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8TH August 2022

Appeal Ref: APP/D0840/D/22/3297659

14 Claremont Terrace, Beacon Road, Breageside, Porthleven, TR13 9JU

- 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 Ellis against the decision of Cornwall Council.
 - The application Ref. PA21/09464, dated 14 September 2021, was refused by notice dated 16 February 2022.
 - The development is proposed new dormers.
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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 host property and surrounding area, with particular regard to the sites location within the Porthleven Conservation Area.

Reasons

3. The appeal site lies within the Porthleven Conservation Area (PCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in section 16 of the National Planning Policy Framework (July 2021) (Framework) and also in policies BE1 and HE1 of the Porthleven Neighbourhood Plan (PNP) (June 2021) and policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (CLP) (November 2016).
4. The Porthleven Conservation Area Appraisal & Management Strategy (CAA) was published in March 2010. As the introduction to the document states, its purpose is to assist in decision making and should be read in conjunction with the relevant development plan policies. It sets out the special interest which justified its designation as a Conservation Area and how that special interest can be preserved and enhanced. In doing so, the CAA identifies three individual character areas that make up the PCA. The appeal site forms part of the working harbour character area, with its fishing and industrial buildings, tourist facilities, landmark Institute building and limited housing.
5. The limited housing is primarily concentrated in Beacon Road, Mount Pleasant Road and Ocean View. The CAA indicates that most of the properties in Beacon Road, which includes the appeal site, date from the late 18th to the early 19th Century and comprise predominantly two storey houses, in informal rows or in

pairs of semi-detached properties. The host property is semi-detached, with similar pairs of semis to the east, whereas to the west the properties form part of smaller terraces. All of these properties are referred to as Claremont Terrace, with the westernmost property, Breage Cliff, a Grade II Listed Building and a number of the cottages, in between that property and the host, identified as buildings of local interest. All the properties within Claremont Terrace, other than 4 Claremont Terrace (No.4), retain many of their original historic features.

6. In relation to views and landmarks, the CAA states that due to the steep local topography properties that may not be especially visible at close range are often prominent when viewed from the other side of the harbour, and this includes Claremont Terrace, from where views, over the harbour, of its roofscape is a particular feature. In assessing strengths and weaknesses, the CAA states that one of the significant qualities of the PCA is its good quality eighteenth and nineteenth century houses, especially around the harbour. All of the above factors contribute to the significance of the PCA as a whole.
7. Whilst the CAA does not include detailed guidance on extensions and alterations, it states that one of the threats to the area is the removal of original historic features. The latter has resulted in the loss of original features such as stone walls, roof slates and chimneys and the introduction, for example, of uPVC windows/gutters, solar panels and inappropriate roof alterations to accommodate loft conversions, all of which, the CAA states, can damage the character and appearance of the Conservation Area. The CAA also states that dormer windows are not a feature of the historic buildings within the PCA.
8. The appeal proposal would involve the replacement of the existing two Velux windows on the main front roof to the host property with two new dormer windows, comprising a gabled design with pitched roof.
9. Within the above context, I agree with the Council that the proposed dormers, due to their scale, height and location, would be overly dominant within the existing roofscape to the host property and streetscene. The proposed dormers would create a discordant feature and overwhelm the roof of the host property and the important role it plays within Claremont Terrace, where, as I confirmed above, the roofscape is relatively intact and an important feature in long range views. Claremont Terrace is, in my judgement, a fine example of the historic properties that contribute to the importance of the harbour character area and in order to preserve and enhance the PCA, it is essential that inappropriate alterations, such as the appeal proposal, which would damage its intrinsic historic value, are resisted.
10. The actual design of the new dormers is also of a poor quality and adds to the harm that would be caused to the Conservation Area. The new dormers would extend up to the main ridge of the host, rather than being set below it; they would not be aligned or in proportion with the existing windows below; and the right hand dormer (when viewed from the street) would introduce an awkward juxtaposition with the existing two storey bay with ridged pitched roof. The result is a development that does not harmonise well with the design of the host and overall does not sit comfortably on the appeal site.
11. The harm that results would be further accentuated by the fact that the host forms part of a broadly identical pair of semi-detached properties, where the roofscape of the other half, 16 Claremont Terrace (No.16), remains intact. The

proposed dormers would harm the symmetry created by this pair and introduce a discordant architectural feature. I note that the owner of No.16 has indicated that they would construct similar dormer windows, if the appeal were successful, to create a more harmonious appearance. However, that proposal is not before me and I can only consider the appeal proposal as submitted, although, based on my findings above, a combined proposal is also likely to result in significant harm to the PCA.

12. Whilst I acknowledge that the proposed dormers would replace the existing Velux windows, as I observed on my site visit, the latter are reasonably flush with the existing roofscape. As a consequence of this and their dark finish, they are not visually prominent and do not materially detract from the character or appearance of the host property or the streetscene. I do not, therefore, agree with the Appellant's contention that the replacement dormers would represent a more traditional feature than the existing Velux windows and there is nothing in the Cornwall Design Guide (2013) or the Domestic Alterations & Extensions Guide (January 2017) that would lead me to reach a different finding on this issue.
13. The Council also contend that the proposed dormers would create an over heavy roof space extension when viewed in the context of the existing rear dormer. Whilst I have found the proposed dormers themselves to be unacceptable, as I observed on my site visit, the rear dormer is well hidden, with limited views from public vantage points. Whilst glimpsed views are possible, I am not convinced that those views, in conjunction with the proposed dormers, would result in an over heavy roof extension or that this objection alone would be sufficient in itself to justify the refusal of planning permission.
14. Reference has been made to examples of existing dormer windows and modern replacement dwellings elsewhere within the PCA. Some of the examples referred to relate to properties where the dormers appear to be an intrinsic part of the original design or are located some distance from the appeal site and do not form part of its immediate context. Even so, I do not know the full planning circumstances of any of these examples and it is not possible for me, therefore, to determine whether they are in any way relevant or comparable to the appeal proposal. I can only consider the proposal that is before me and determine it on its individual merits having regard to the particular circumstances of the case.
15. The above findings apply specifically to the example of 4 Claremont Terrace, which pursuant to planning permission ref. PA19/0874, appears to have been remodelled with two dormer windows at roof level. Again, there is no substantive evidence before me of the planning background to that approval. However, the existence of this development does not in itself provide justification for the appeal proposal or for the poor quality design, which, as I confirmed above, would be harmful to not only the host property but also to the streetscene.
16. For the above reasons, neither the example of No.4 nor the other examples of dormer windows within the area affect the findings I have reached on this issue.
17. I find, therefore, that the appeal proposal would be of a poor quality design and would result in significant harm to the character and appearance of the host property and surrounding area, and as such it would not preserve or

enhance the PCA. In view of this finding and as is required, particularly by the Framework, considerable importance and weight must be attached to the harm to this designated heritage asset. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset. The level of harm would, in my judgement, be high, and there are no public benefits before me, delivering either economic or social or environmental objectives, which would outweigh that harm.

18. Accordingly, I find that the proposed development would be contrary to policies BE1 and HE1 of the PNP, policies 1 and 12 of the CLP and paragraphs 126, 130, 189, 197, 199 - 200 and 202 of the Framework.
19. The Council have also referred to the potential conflict with sections of the Cornwall Design Guide. Although the latter principally relates to new housing and commercial development and the Council have not provided any specific references, insofar as the Guide requires all new development to be of a high quality and to respect its historic context, the appeal proposal would be contrary to these broad aims and objectives.

Conclusion

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

G Roberts

INSPECTOR