



Appeal Decision

Site visit made on 26 July 2022

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2022

Appeal Ref: APP/D0840/D/22/3290031

Orchard Cottage, 36 Mount Bennett Road, Tywardreath PL24 2QX

- 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 Philip Phelps against the decision of Cornwall Council.
 - The application Ref PA20/11225, dated 11 December 2020, was refused by notice dated 15 November 2021.
 - The development proposed is extension to an existing conservatory to front of house. Ground floor. To take down existing conservatory and replace with a flat roofed extension same width but longer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Both parties refer to Policy 'EH 2' of the Tywardreath and Par Neighbourhood Development Plan 2020 – 2030 (NDP). However, the copy of the Policy provided to me by the Council is titled 'H2'. It is clear from both the Council officers report and appellants statement that this is the same Policy, and I will therefore refer to this Policy as 'H2' in my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a 2-storey semi-detached period dwelling located to the eastern edge of Tywardreath. There is some variation in terms of the design and scale of properties near the appeal site. However, while not considered to be a designated or non-designated heritage asset by the main parties, both the appeal property and attached property are of traditional design. The properties are sited perpendicular to the highway, with the appeal property being the furthest from the highway. Due to the topography, both properties are seen above the highway when travelling north out of Tywardreath although due to the gardens and properties orientation, this area retains an open aspect.
5. Given the topography and the neighbouring properties existing boundary treatment, views of the proposal from public vantage points would be limited, although I observed at my site visit that some views are available.

6. Although sited to the front of the property, the appeal property's existing conservatory retains the traditional form of the host dwelling, being of a proportionate size and lightweight appearance due to being largely glazed. The proposal would project significantly forward of the front elevation and considerably further than the existing conservatory. Moreover, it would not match the built form of the host dwelling being of more contemporary appearance even if matching materials were conditioned. The proportions of the proposed extension would be highlighted and amplified by its orientation relative to the horizontal form of the semi-detached dwellings and therefore, despite being single storey, the extension would appear as a significant bulky addition. Furthermore, whilst not impacting on the wider area's open aspect, the proposal would be clearly seen from nearby properties, as well as limited public viewpoints. For the above reasons, it would appear an incongruous, tacked-on feature that would fail to respect the rhythm and form of the pair of semi-detached dwellings and would appear as an alien addition. It would therefore read as a harmful feature in the locality.
7. Whilst I observed other flat roofs that are visible from public vantage points on my site visit, none of these are of the same design as the scheme before me. The context of other examples differs in both overall appearance, scale and relationship with both the host dwelling and street scene. Any comparison with other examples does not therefore, indicate that the form of this proposal would sit comfortably within its setting, and the existence of other examples of flat roofs does not justify further harm.
8. For the above reasons, I conclude that the proposed development would unacceptably harm the character and appearance of the area. The proposal would conflict with Policies 2 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030 and Policy H2 of NDP. These seek to ensure, amongst other things, that development is of high quality design which respects surrounding areas and enhances the quality of place. The proposal would also be contrary with the provisions of the National Planning Policy Framework in relation to achieving well-designed places which are visually attractive as a result of good architecture.

Other Matters

9. No objections have been received from the occupants of the attached neighbouring property and the Council have not raised concern in respect of living conditions. Even if I were to agree that there would be no unacceptable effects in the living conditions of neighbouring properties occupiers this is a neutral factor and not weigh in favour of the scheme.
10. The proposal would result in additional living space for the occupants in a more sustainable energy efficient development than the existing conservatory. Whilst this may be so, given the scale of the proposal the benefits would be relatively limited.
11. While I appreciate that the scheme was reduced in scale during the application in an attempt to overcome the concerns raised, I have found it would result in harm.

Conclusion

12. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR