

Appeal Decision

Site visit made on 23 August 2022

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2022

Appeal Ref: APP/D0840/W/21/3283444

30 Trevethan Road, Falmouth TR11 2AS

- 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 & Mrs T Howes against the decision of Cornwall Council.
 - The application Ref PA20/02218, dated 10 March 2020, was refused by notice dated 23 March 2021.
 - The development proposed is for the demolition of existing garage and erection of new dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

3. The appeal site is accessed via a single track private road known as Five Fields Lane which runs broadly parallel and to the rear of houses fronting Trevethan Road for the majority of its length, although there is some frontage development at its very northern end including Claremont Cottages.
4. Notwithstanding this, the eastern side of the lane predominantly comprises single storey detached garages and parking areas serving properties fronting Trevethan Road with a few exceptions of where residential accommodation has been provided. Nonetheless Five Fields Lane generally has the appearance of a service road and there is a marked fall in topography in a northerly direction. I noted on my site visit that architecture is of a mixed character within the locality which includes a block of flats (Trevethan Court) on the opposite side of the lane; nonetheless this is a distinct building in its own right post-dating the more historic housing and settlement pattern to the east.
5. I have had regard to the planning history of the site which is material to this appeal and I also note that pre-application advice was sought by the appellants in 2019. However, I consider that the current proposal would have an uncharacteristically high eaves height for a single storey building with the proposed north west (front) elevation demonstrating an air of incongruity in comparison to the immediately adjacent garage buildings either side. Further,

the design, the subject of the pre-application advice was significantly different to that of the appeal proposal, therefore I cannot agree that it was of a similar scale and massing to it.

6. I note that no objection has been raised to the principle of residential development on this site, but notwithstanding the examples of other residential uses along the lane, each case must be determined on its own merits.
7. I accept that the existing garage is in a relatively poor state of repair, however as has been highlighted, this is ultimately the responsibility of the appellants as landowner, and it does not in itself justify approving any form of replacement building. I say this within the context that the appeal site is not the subject of any local or strategic policy designations within the Development Plan or Supplementary Guidance; and that the prevailing context within which the appeal scheme would sit is an established urban area where there can be a tolerance for change. I fail to see that the design before me could be constituted as a vernacular solution, although I do not take issue with a contemporary design approach per se, and I have been given no substantive reason to doubt that the materials that could have been employed would have been of a high quality.
8. The visual influence of the appeal site is relatively confined, therefore any impacts upon longer range views and vistas would not be materially affected by the proposal. Notwithstanding this, the proposal would give rise to a building of significantly greater overall bulk and massing particularly through its increase in height, in spite of the orientation of the main ridge and the use of a hip-end roof. I accept that the appeal site is in a sustainable location and would clearly make a positive contribution towards the delivery of housing within the Community Network Area whilst providing some limited benefits to the local economy both during the construction process and on occupation. In addition I accept that the living conditions of neighbouring residents, in addition to future occupants of the proposed development would be protected. These considerations, however, do not outweigh the harm that would ensue to the character and appearance of the street scene.
9. I find the proposal contrary to Policies 2 and 12 of the Cornwall Local Plan Strategic Policies, and Policies DG1 and DG2 of the Falmouth Neighbourhood Development Plan which together require new development to respect and enhance quality of place with proposals to be judged against fundamental design principles of, amongst other things, character – being of an appropriate scale, height and mass, whilst having regard to the Council's Cornwall Design Guide and the Chief Planning Officer's Advice Note on Good Design in Cornwall.

Conclusion

10. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR