

Appeal Decision

Site visit made on 21 September 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2022

Appeal Ref: APP/D0840/W/22/3295655

Minerva Guest House, 2-3 The Crescent, Newquay TR7 1DT

- 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 O Griffith against the decision of Cornwall Council.
 - The application, Ref. PA21/08691, dated 25 August 2021 was refused by notice dated 21 January 2022.
 - The development proposed is to remove the existing third floor area and form a new larger third floor extension of 5 bedrooms and two balconies.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property; the street scene of The Crescent and the overall setting of the site.

Reasons

3. The background to the appeal application is that a previous application (Ref. PA20/10152) for the removal of the existing pitched roof and the formation of a new third floor level to provide 7 letting rooms and two balconies was refused by the Council in March 2021.
 4. An appeal against the refusal was dismissed in August 2021 for reasons including that the new floor and its design would harm the character of the area. The Inspector agreed and was particularly concerned that in views from the Killacourt Field public open space to the east, the height, design and glazing of the third floor would be harmfully at odds with the character and appearance of the host building.
 5. The amended scheme in this appeal seeks to resolve this objection and I have carefully considered the contents of both the Design Statement submitted with the application and the Grounds of Appeal. In essence these argue that compared with the earlier proposal the roof height would be reduced by 600mm and the structure would be set back from the front by 2.7m. It is asserted that this would prevent the addition being seen from the street and it would only become visible from the other side of Killacourt Field, and at that point with only a minimal view.
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6. However, on my visit I walked across Killacourt Field to and from Island Crescent and this informed me as to significance of the terrace in The Crescent, including Minerva Guest House, in the townscape of Newquay. Given this prominence and its proximity to an important public open space and the coast, it seems to me there is an imperative to stringently apply the Council's policies to ensure that the perception of residents and holidaymakers is one of an attractive place to live in and visit. In this context I note the Council's appeal statement reference to extracts from the National Design Guide (reproduced in Appendix 8 of the statement) which in essence explains the importance of the relationship of any development with its surroundings.
7. Whilst I acknowledge that with its recessed position the scheme's proposed roof is an attempt to secure an improvement on the previous application, I consider that the Council is correct to refer to the fact that in the final analysis the third floor is essentially a flat roofed box dormer across the full width of the building (albeit with its visibility partly mitigated by the set back and retention of the front dormers). Even with this mitigation, the appeal scheme would be likely to result in Minerva Guest House drawing the eye as a four storey building in close juxtaposition with three storey and lower buildings.
8. In addition, there is the issue of the building needing to maintain the tiered effect of the terrace so that it follows the fall of the land. To some extent this has already been compromised by the random mix of building design, in no small part because of inappropriate additions and alterations to different components of the terrace. However, I consider this only reinforces the need to preclude development that is unduly driven by functional requirements as opposed to being balanced by good design. In the appeal scheme it is the former that prevails.
9. I have had regard to the business need for the development as well as the benefit that the scheme could bring to the wider economy of Newquay. However, important though they are, these factors do not carry sufficient weight to justify a development that I conclude would cause noticeable harm to the character and appearance of the host property; the street scene of The Crescent, and the overall setting of the site including Killacourt Field.
10. This harm would be in conflict with Policy 12(1a & 1b) of the Cornwall Local Plan 2010-2030; Policy G2(c); D1(a1 & a2) and E5.1b of the Newquay Neighbourhood Development Plan 2019, and with Government policy in paragraph 130a)-d) of the National Planning Policy Framework 2021.
11. I have taken account of all other matters raised for the appellants but for the reasons explained the appeal is dismissed.

Martin Andrews

INSPECTOR