

Appeal Decision

Site visit made on 21 April 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th May 2023

Appeal Ref: APP/D0840/W/22/3308303

Adjacent To 75 Trelawney Avenue, St Ives, TR26 1BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mark Taylor against the decision of Cornwall Council.
 - The application Ref PA22/00313, dated 13 January 2022, was refused by notice dated 3 August 2022.
 - The development proposed is the erection of a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the locality and b) living conditions for neighbours.

Reasons

3. The appeal site is an enclosed irregular parcel of land situated between existing residential properties on Trelawney Avenue. It slopes upwards away from the road and widens beyond its entrance. It is an unusual space between the rear gardens of the frontage estate style properties. The locality is of established residential character and the buildings and gardens come together to give a pleasing appearance to the streetscenes. The proposal is as described above.

Character and appearance

4. The Council is concerned that the proposal would fail to provide continuity with the existing built form by being on higher ground and offset to the rear of the existing dwellings; it has failed to pay due regard to its specific location.
 5. Reading the Council Officer's report and the extensive reason for refusal I deduce that the Council feels the consistency of the building line presently found on the north west side of Trelawney Avenue is sacrosanct and would rule out any form of set-back or backland residential development in principle. I would not share that opinion. A property on the appeal site, which widens out beyond its entrance thus limiting views to only a short section of highway, would not necessarily disrupt the scene along the street or the sense of consistency brought by the present building line. The nature of the locality does not mean that as a matter of principle every dwelling has to be in a
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straight line. The acceptability or otherwise of more intensively using this undeveloped well-located urban-land would to my eye depend very much on the form of development being proposed. In summary my conclusion on the acceptability of the principle of development of this 'plot' is that there would need to be an element of discreteness in form.

6. Regrettably the scheme before me would not be suitably subtle and where I do agree with the Council is that the erection of this scale of development in this position would look discordant. Ironically, rather than innovation, the Appellant appears to have tried to overly-replicate the frontage style development. It would look cramped and out of place because the proposal would simply be too large in bulk when positioned in this proximity, and relative height, to the forward dwellings to either side. Because of this the dwelling as proposed would look uncomfortably out of place.
7. Policies 1, 2 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (LP) and Policy GD1 of the St Ives Area Neighbourhood Plan 2015-2030 (NP) are relevant. Taken together and amongst other matters they seek high quality design of development which protects the character and environment of a place, would be a suitable scale, and would display sensitivity to surroundings. Given the above I conclude that the appeal scheme would conflict with these policies.

Living conditions

8. I have noted the Appellant's submissions relating to distancing. However, for a two-storey dwelling on higher ground I would assess that the proposed house would simply be too close to those in front on Trelawney Avenue. Notwithstanding some boundary screening the property would lead to undue actual and perceived overlooking. There would also be a most uncomfortable sense of dominance and enclosure by reason of this building's bulk in this proximity to the residents either side.
9. LP Policy 12 and NP Policy GD1 both call for development to protect the amenity enjoyed by neighbouring residences; I conclude that the appeal scheme would not accord with these policies in this regard.

Other matters

10. I recognise that the development would increase housing supply in the locality and it would also provide an economic and social benefit proportionate with the delivery of one house. These are matters of weight in favour of the appeal; however, they do not outweigh the harm that I have found in this instance under the main issues.
11. I confirm that policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality as

well as on living conditions for neighbours. Accordingly, the appeal is dismissed

D Cramond

INSPECTOR