



Appeal Decision

Site visit made on 8 November 2023

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 27th November 2023

Appeal Ref: APP/D0840/D/23/3318681

14 Forthvean, Portreath, Cornwall, TR16 4NY

- 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 and Mrs M Webb against the decision of Cornwall Council.
 - The application Ref PA22/08609, dated 22 September 2022, was refused by notice dated 8 February 2023.
 - The development proposed is removal of existing roof and construction of new first floor increasing the roof height by 1.75m, increase of ground floor lounge by 1.8m width.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on the living conditions of neighbouring residents.

Reasons

3. 14 Forthvean is a semi-detached bungalow in a prominent position at the head of a cul-de-sac in an established residential area. Forthvean is a compact development of detached and semi-detached bungalows, sited across sloping land and surrounded in the wider area by a mix of detached and semi-detached two storey houses. The bungalows all have a similar, fairly simple architectural style but many of them have been altered and extended. Nos. 14 and 12 are in an elevated location above the other bungalows. The predominant materials are grey brick and white render, with some cladding. No. 14 has a large conservatory to the side.
4. The relevant policies in this case include 1, 2 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (the local plan) and policy 4 of the Portreath Neighbourhood Development Plan (the NDP), which relate to sustainable development and design in terms of matters including scale, height and mass and the protection of residential amenities including loss of privacy.
5. The Cornwall Design Guide 2021 (the Design Guide) advises that where homes are facing one another across a short distance the placement of windows should be designed to reduce overlooking into other homes.
6. The proposed new first floor would cover the full depth of the existing floor plan and would be slightly wider with a large gable to the front elevation. The

- proposed roof height has been reduced from the original scheme and would be approximately 6.5m, an increase of approximately 1.15m above the existing roof height.
7. The proposal would include a much enlarged front gable and I consider that this proposed increase in height and width would result in a prominent and visually intrusive feature which would be out of proportion with the existing building consisting of the semi-detached pair. The impact of this would be exacerbated by the large amount of glazing serving the first floor lounge, although this has also been reduced compared with the original scheme. The submitted plans indicate that the first floor elevations to the front and sides would have cladding but it is unclear whether or not that would be painted.
 8. I understand the appellants' desire to enlarge their home to accommodate a growing family, to improve the size of the bedrooms and to take advantage of their view of the sea by creating an additional lounge on the first floor. However, I consider that the scale, height and mass of the proposal would result in a disproportionate feature which would dominate the adjoining bungalow and unbalance the symmetry of the pair of semis and appear visually intrusive in the street scene.
 9. I have taken account of the examples of other bungalows which have been extended in Forthvean, particularly No. 18 which has planning permission for a first floor extension on which the appellants have modelled their proposal. However, it is a detached bungalow clearly separated from its neighbour, in a less prominent position and not directly comparable to No. 14 which is one half of a pair of semis. At the time of my visit construction had not started. Other extensions apparent among the nearby bungalows are different in that they are typically single storey and to the side.
 10. I conclude that the scale and form of the proposal would be poorly integrated visually with the nearby bungalows and would harm the character and appearance of the existing building and the wider street scene. It is therefore in conflict with local plan policies 2 and 12 and NDP policy 4.
 11. No. 14 is located in an elevated position above the bungalows to the north and overlooks these, particularly Nos. 12 and 18. At present there is no significant loss of privacy from overlooking from No.14 for the occupiers of these properties, due to their single storey form, siting and orientation and their enclosure by relatively high garden walls, which screen the private gardens and windows from direct overlooking.
 12. During my site visit, I made observations from a ladder in a position I estimate to be slightly lower than the viewpoint of a person standing inside the proposed upper lounge and at only one point across the width of the proposed window. I found that I could see into part of one of the windows and part of the garden of No. 12 and clearly into the conservatory and rear garden of No. 18. Although the distances between No. 14 and these properties may meet recommended separation distances suggested in the design guidance, the considerable difference in levels between them means that the occupiers of Nos. 12 and 18 lower down the slope would experience a noticeable reduction in their existing level of privacy in their south facing private space.
 13. I have considered the juxtaposition of No. 18 and No. 11 in the context of the permitted extension to the former and its impact on the privacy of the

occupiers of the latter. Although they are relatively closely sited across the road, and No. 18 is at a higher level than No. 11, the facing windows are all front windows, where separation distances are less critical. This is in contrast to the appeal site where overlooking is between the front of No. 14 and the private south facing rear windows of Nos. 12 and 18.

14. The proposal has been amended from the original scheme to reduce the amount of glazing in the gable window and to fit some obscured glass, but I consider that the size of the window would still be excessive. Although the use of the obscured glass would somewhat reduce the potential for direct overlooking of neighbouring properties by persons sitting in the lounge, I consider that it would not significantly reduce it for those standing. Part of the appellants' purpose in constructing the proposed upper floor lounge with its glazed front gable is to take advantage of the view and the use of obscured glass somewhat negates this aim.
15. I conclude that the proposal would result in unacceptable harm to the living conditions of neighbouring residents because of a reduction in their privacy, contrary to local plan policies 1 and 12 and the Design Guide.
16. The existing bungalow is relatively small and somewhat cramped for family living. I consider that it is capable of extension to provide additional accommodation without causing the harm I have identified. I am not persuaded that this is an appropriate solution.
17. For the reasons given above, the appeal is dismissed.

PAG Metcalfe

INSPECTOR