



Appeal Decision

Site visit made on 9 November 2023

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

an Inspector appointed by the Secretary of State

Decision date: 28th November 2023

Appeal Ref: APP/D0840/D/23/3319124

Chy-an-Gweal Farm, St. Ives Road, Carbis Bay, Cornwall, TR26 2PN

- 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 Douglas Vallender against the decision of Cornwall Council.
 - The application Ref PA22/06204, dated 5 July 2022, was refused by notice dated 17 February 2023.
 - The development proposed is alterations and extension to dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and extension to dwelling at Chy-an-Gweal Farm, St. Ives Road, Carbis Bay, Cornwall, TR262PN, in accordance with the terms of the application Ref PA22/06204, dated 5 July 2022, and the plans submitted with it, namely 689 002-2 and 689 004-2 Rev A.

Procedural matter

2. Planning permission was granted in December 2021 (Ref. PA/21/10219) for extensions and alterations to 2 Chy-an-Gweal. The development was carried out substantially in accordance with that permission apart from the construction of dormer windows which did not form part of the original permitted scheme. These dormers were built during the works to construct the original scheme and have now been completed. They are the subject of this appeal.

Main issue

3. I consider that the main issue in this case is its effect on the character and appearance of the area.

Reasons

4. The appeal property is part of a two storey building converted to two semi-detached dwellings, now known as 1 and 2 Chy-an-Gweal, and subsequently extended, set within a large plot in an established residential area along the St. Ives Road. The original building was a dwelling of simple traditional design which the Council considers to be a non designated heritage asset on the basis of its appearance on a map of 1875-1901 and its traditional construction, although this was not referred to as a planning constraint in the planning officer's report for the original scheme. The Council has not put forward any evidence to demonstrate this status either through inclusion in the NDP list of

- heritage assets or in other historical records and I find that it carries little weight in this appeal.
5. The relevant policies in this case include 1, 2 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (the local plan) and GD1 of the St. Ives Area Neighbourhood Development Plan 2015-2030 (NDP), which relate to sustainable development and design matters, including size and scale.
 6. I consider that although individually the dormers the subject of this appeal comply with the Council's guidance in terms of their size and design, the combination of the five on 2 Chy-an-Gweal and the two on the adjoining 1 Chy-an-Gweal, has resulted in a very cluttered roof profile and awkward top heavy design. This is inappropriate to the simple form of the original building, although that has now been largely lost as a result of the cumulative effect of the extensions and alterations that have been permitted in recent years.
 7. This profile is also seen in the context of the dormer windows on the adjacent new dwelling on the site of a former coach house. The number and scale of the latter are more in proportion with the roof profile of that building but do contribute to the visual impact of the accumulation of roof elements on the site as a whole.
 8. While the perceived need for the dormers may only have emerged during construction works, I consider that this should have been foreseen and the situation indicates at best an ill-considered approach to the development at an earlier stage.
 9. I have taken account of the fallback position in this case whereby the dormers could be constructed under permitted development rights. I consider that this is a strong fallback position and in these circumstances it would be unsustainable to dismiss this appeal and require the dormers to be dismantled, only to find that they were eventually built again.
 10. On balance, although I find that the number of dormers amounts to an unsatisfactory design in relation to the building itself, I am mindful of the fallback position. I consider that the plot is large enough to accommodate the present overall size and massing of the appeal building and the adjacent new dwelling without amounting to overdevelopment. The site appears in the wider context of the large Tesco building and of the surrounding residential area, which includes a mix of houses of various styles, many of which are substantial in size and have prominent dormers.
 11. I conclude that the development does not cause unacceptable harm to the character and appearance of the area and is not in conflict with local plan policies 1, 2 and 12 and policy GD1 of the NDP.
 12. For the reasons given above, the appeal is allowed.

Conditions

13. The development has already been carried out and no conditions are necessary.

PAG Metcalfe

INSPECTOR