



Appeal Decision

Site visit made on 5 December 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 December 2023

Appeal Ref: APP/D0840/D/23/3328779

56 Seafields, Gwithian Towans, Gwithian, Cornwall TR27 5BT

- 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 Jeff Sacree against the decision of Cornwall Council.
 - The application Ref PA23/03666, dated 27 April 2023, was refused by notice dated 3 July 2023.
 - The development is a front extension and balcony.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I noted on my site visit that the extension and balcony have been constructed. I have considered the appeal on the basis that planning permission is being sought retrospectively for the construction of the extension and balcony.
3. On the 19 December 2023, the Government published a revised National Planning Policy Framework (the Framework). The paragraphs of the Framework referenced in the Council's reason for refusal remain unchanged in terms of their wording. As such, in this instance I do not consider it necessary to invite any submissions from the parties on the revised Framework.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and the surrounding area.

Reasons

5. Seafields is a residential property located in Gwithian Towans, a group of residential chalets set within the Towans dunelands on the Cornish coast. The chalets have varying styles and finishes and are positioned close together with minimal separation between them.
6. The extension has been constructed on the principal elevation of the host building and has taken the built footprint up to the boundary line of the property. The balcony is on top of the extension and includes a balustrade around three sides, except for the side facing on to the roof of the host building.
7. The extension's position on the principal elevation of the host building has resulted in the simple and traditional entrance to the dwelling being lost and replaced by a large flat roof addition that is not sympathetic to, or reflective of,

the scale and form of the host building. Further to this, it has not been contained within the confines of the width of the host building as it extends past one of the side elevations of the building. This increases its dominant and harmful visual impact on the character and appearance of the host building. The design and scale of the extension is also out of keeping with its immediate environs and causes harm to the character and appearance of the immediate surrounding area.

8. The balustrading around the balcony rises significantly above the eaves of the host building to a height almost level with the mid-way point of the building's roof. It also terminates abruptly where the extension meets the host building, leading to a vertical post on both sides sitting awkwardly with the roof that slopes away from it. As the balcony uses the entire area of the extension's roof, it is also a substantial raised feature that stands out clearly amongst the surrounding dwellings, particularly when taking into account the apparent lack of balconies immediately around the site. The balcony itself also causes harm to the character and appearance of the host building and surrounding area.
9. I acknowledge that when stood in the wider landscape, the appeal site is difficult to see amongst the surrounding buildings. However, my finding is that the development, due to its design and scale, and the inclusion of a visually prominent balcony, is at odds with the built form in the immediate surroundings of the site and is not a sympathetic addition to the host building.
10. My attention has been drawn to other sites in the local area where flat roof extensions have been constructed. However, I have been provided with limited information to explain the background and context to the decisions that were made to allow those developments. In any event, the presence of these other extensions in the local area does not justify the harm to the character and appearance of the appeal building and surrounding area in this particular case. Moreover, I have determined the appeal on its own individual merits based on the evidence before me.
11. I have also been made aware of two properties that have balconies and are located on the same private road as Seafields but not viewable within the context of the appeal site. Again, I have been provided with limited information to explain the background and context to the decisions that were made to allow those developments. This aside, those other balconies are of a modest scale and are contained within the confines of gable ends, which is a different scenario to the appeal development. They are therefore not directly comparable to the balcony at Seafields.
12. For these reasons, the development conflicts with Policies 2 and 12 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (LP), which collectively seek, amongst other things, for development to respect and enhance quality of place and natural and historic character, and to ensure that Cornwall's distinctiveness is maintained through high quality design.
13. The Council's reason for refusal references a conflict with GGP Policy 8 of the Gwinear-Gwithian Parish Neighbourhood Plan 2016 – 2030 (NP). This states that the Gwithian Towans Design Guide should be taken into account when considering extensions to existing chalets within the boundary of Gwithian Towans. The development does not comply with certain criteria of the Design Guide and in turn, therefore, conflicts with GGP Policy 8 of the NP.

14. The development also conflicts with the Framework insofar as it requires development to add to the overall quality of the area, be visually attractive in as a result of good architecture and be sympathetic to local character, including the surrounding built environment.
15. I have also had regard to Paragraph 139 of the Framework, which sets out that development that is not well designed and does not reflect local design policies should be refused. This lends further support to my findings.
16. The Council's reason for refusal includes reference to a conflict with Policy 1 of the LP. However, that policy deals with whether a proposal constitutes sustainable development and that is not a matter that the Council have raised as a concern. As such, I consider that Policy 1 is not determinative in my consideration of this appeal.

Other Matters

17. The development has led to increased and improved living accommodation at the property. However, this is a private benefit that carries limited weight and does not outweigh the conflict with the development plan identified above.

Conclusion

18. For the reasons given above, the development conflicts with the development plan, when taken as a whole. There are no other considerations that outweigh this finding. Accordingly, I conclude that the appeal should be dismissed.

K Reeves

INSPECTOR