



Appeal Decision

Site visit made on 16 January 2024 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2024

Appeal Ref: APP/D0840/D/23/3330347

19 Polsue Way, Tresillian, Cornwall TR2 4BE

- 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 Mrs Jenny Kelsey against the decision of Cornwall Council.
 - The application Ref PA23/04375, dated 9 May 2023, was refused by notice dated 26 July 2023.
 - The development proposed is described as: 'Replacement and extended roof, raising ridge line. New dormer extension and replace existing balcony with covered balcony'.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. During the application process the description of development changed from that stated on the application form. Since the main parties do not seem to have agreed the change, I have used the original description which is, in any case, sufficient for the purposes of identifying the works to which the appeal relate.

Main Issue

4. The effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

5. The semi detached appeal building, owing to the local topography, appears as single storey to the front and two storeys to the rear. It is part of an estate of similar buildings stepped on the hillside which are finished and designed similarly. As such, and despite there having been some changes, the estate has a pleasant consistency and simplicity in its pattern, design and arrangement. These factors contribute positively to the character and appearance of the area. The elevated position of the building, the rear of which is visible from the A390 and surrounding gardens, gives it an obviousness and prominence in the wider area.
6. The increased ridge height would not appear overly awkward against the adjoined neighbour. However, when associated with the size and off set position of the dormer window relative to the pair, the building would appear

top heavy at the rear and the simplicity of the original roof shape would be unacceptably subsumed. This looming and unbalancing effect would be exacerbated by the size of the new balcony which, through the use of a projecting roof and misaligned fenestration relative to the house, would appear disjointed and incongruous.

7. I appreciate that there are other flat roof rear dormers on the estate. But the overall height, bulk and offset position of the proposals here (in their entirety) would not sit well with either the building in alignment terms or respect the dominance of the original building as it presents to the hillside and the wider area. The proposed rear elevation would therefore adversely affect the character and appearance of the area. The fact that the materials would be appropriate and the scheme would not materially increase the building's floor area would not be sufficient to change my view.
8. Accordingly, the proposal would fail to comply with Policy 1(b) of the St Clement Neighbourhood Development Plan, Policies 2 and 12(1) of the Cornwall Local Plan Strategic Policies 2010-2030 and the relevant paragraphs of the National Planning Policy Framework December 2023 (the Framework), insofar as they seek, amongst other things, good design that reflects local distinctiveness.

Other Matters

9. Planning permissions PA21/12722, PA14/11796, and PA20/03217 relate to new dwellings and not extensions. They are also on the periphery of the estate character area which benefit less from the highly elevated position of the appeal property. Furthermore, I cannot be certain of the specific circumstances of each case and thus whether they are sufficiently similar to the appeal scheme. I am not therefore led to recommending allowing the appeal in their light.
10. The appeal scheme would not be harmful in other areas such as ecology and the living conditions of neighbours. These are not contentious matters for the appeal and a lack of harm cannot, regardless, be used to weigh against harm.

Conclusion and Recommendation

11. For the reasons given above, the appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR