



Appeal Decision

Site visit made on 28 May 2024

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2024

Appeal Ref: APP/D0840/W/23/3334950

The Barn, The Caravan, Green Lane West, Marazion, Cornwall TR17 0HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Gareth Job against the decision of Cornwall Council.
 - The application Ref is PA23/04361.
 - The development proposed is Proposed replacement of residential caravan with dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is accompanied by Drawing No.22381-PL-00-05 Proposed Site Plan – Car Turning and Drawing No.22382-PL-00-04 Rev A Proposed Site Plan. These plans are submitted in response to the second reason for refusal to demonstrate how cars would be able to turn within the site and benefit from suitable visibility. The details have not been subject to formal public consultation. However, given that the Council and interested parties have had an opportunity to comment on the information, and given my findings below, I am satisfied that no party would be prejudiced by my acceptance of this information. Therefore, having regard to the principles of Holborn¹, acceptance of the further information would not be procedurally unfair and as a result I have considered it in determining this appeal.
3. The Council have confirmed that the detail on the above drawings satisfactorily addresses the second reason for refusal. Given this information, given that the access already serves a dwelling on the site and is proposed to be widened, I have no reason to disagree. As a result, it does not form a main issue in the consideration of the appeal.

Main Issue

4. In light of the above, the main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The site is located off Green Lane West at its junction with Green Lane close to other residential development in a prominent corner position on slightly rising land. The residential dwellings within the vicinity of the site comprise predominately bungalows, dormer bungalows and two-storey houses of a

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

mainly traditional and more modern design of varying scales largely over two floors with modest sized openings. The dwellings are predominately finished with stone or render facing materials under traditional pitched tiled or slate roofs, some of which benefit from small dormer windows or balconies. As a result, there are very few modern contemporary designed dwellings in the immediate area visible from the site.

6. The existing caravan on the appeal site is of limited single-storey form occupying a small footprint with a very shallow pitched roof. While the appeal site is viewed on approach in association with the surrounding dwellings, the small scale of the caravan is partially screened by Cornish hedges of varying height. As a result, the caravan is not highly prominent in the street scene.
7. I acknowledge that the modern contemporary design of the appeal proposal seeks to take its design cues from features on the existing dwellings in the area with regard to the pitch roof form, footprint, and inclusion of a dormer window and balconies. I further acknowledge that dwellings in the immediate area comprise a range of designs, materials, and roof forms and that the eaves and ridge heights would be below that of Badgers Rest.
8. However, there are very few modern contemporary designed dwellings in the immediate area, standing seam zinc is not a commonly used roofing material close to the appeal site and timber cladding is rarely used as the main facing material as demonstrated by the submitted Visual Appraisal from the Appellant. Moreover, a-symmetrical roofs are the exception in the area and where present comprise more traditional roofing materials above predominantly rendered walls containing modest sized openings. This is in contrast to the appeal proposal. Therefore, by reason of the combination of the modern contemporary design incorporating the use of a large a-symmetric zinc standing seam roof, large openings and extent of timber cladding, the proposal would appear at odds with the design of the surrounding dwellings and be visually intrusive and detract from the prevailing form of development.
9. Furthermore, for the same reasons, and given the small scale of the existing caravan, the contemporary modern design and resultant visual bulk of the West Elevation would be overly prominent and visually intrusive in this corner location, particularly when viewed through the widened entrance. This would be the case even acknowledging that a larger footprint and slightly taller caravan/lodge could be provided on the site and the presence of the existing and proposed boundary treatment providing some screening.
10. I acknowledge that the design also seeks to make the most of views towards St. Michael's Mount, works with the site levels, provides energy efficiency benefits including cross-ventilation, solar panels, solar gain and EV charging. I also note the good daylight to rooms, use of recyclable materials, new Cornish hedge, enhanced hedgerows and increased standard of living accommodation. Nonetheless, I have no reason to believe that similar benefits could not be achieved through a design more in keeping with the immediate area.
11. I acknowledge that Section 4.2 of the Cornwall Design Guide (December 2021) (the Design Guide) does not specifically state that developments should blend in with their surroundings and supports more modern innovative design. Nonetheless, paragraph 4.2.2 of the Design Guide states that buildings, forms and materials should respond to the local landscape and materials with paragraph 4.2.5 stating that designs should reflect and respect the character of

the surrounding area, in terms of, amongst other things, massing of buildings and landscape to help integrate new buildings. Moreover, Policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (CLP) states that 'Development should demonstrate a design process that has clearly considered the existing site context' and 'promote local distinctiveness'.

12. Taking account of all of the above, I find that the proposal would harm the character and appearance of the surrounding area. The proposed development is therefore contrary to Policies 1, 2 and 12 of the CLP, Policy C1 of the Climate Emergency Development Plan Document 2023, guidance in the Design Guide and the National Planning Policy Framework (the Framework). Amongst other things, these state that applications that accord with the policies in the Local Plan will be regarded as sustainable development, proposals should respect and enhance quality of place, ensure that the design of development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location, achieve high quality, safe, sustainable and inclusive design, increase the built environment distinctiveness through locally distinctive, high quality provision, and achieve well-designed and beautiful places.

Other Considerations

13. My attention has been drawn to appeal decisions at Kelsey² and Little Hendra³. I do not have full details of these proposals but from the decision letter provided for Kelsey, it is for a replacement dwelling that is not particularly positive in the street scene and is in a different location and context to the current appeal proposal characterised by existing insensitive buildings. Little Hendra is also in a different location, and from the decision letter, is in an area that has been redeveloped. As a result, these appeal decisions are not directly comparable to the current appeal proposal that does not adjoin insensitive buildings, is not in an area that has been redeveloped and would not respect the character of the surrounding area. Furthermore, I am required to consider the current appeal on its merits.
14. Due to the presence of an existing caravan, I give limited weight to the provision of a new dwelling on the site with regard to aiding the supply of housing. The proposal would provide some economic benefits from, and during, construction but given the small scale of the proposal, the benefits are limited.
15. I have had regard to the lack of harm to the living conditions of neighbouring occupiers. However, this is neutral in my consideration as it is a requirement of local and national planning policy and guidance.

Conclusion

16. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

C Rose

INSPECTOR

² APP/D/0840/W/23/3319419

³ APP/D0840/W/21/3282279