



Appeal Decision

Site visit made on 18 June 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: 23 July 2024

Appeal Ref: APP/D0840/D/24/3336419

35 Gwithian Towans, Gwithian, Hayle, Cornwall TR27 5BT

- 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 Mr Roger Wright-Morris against the decision of Cornwall Council.
 - The application Ref is PA23/07524.
 - The development proposed is alterations to roof including raising of ridge and single storey side extension to provide improved living accommodation.
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Decision

1. The appeal is allowed, and planning permission is granted for alterations to roof including raising of ridge and single storey side extension to provide improved living accommodation at 35 Gwithian Towans, Gwithian, Hayle, Cornwall TR27 5BT in accordance with the terms of the application, Ref PA23/07524, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers: P457 07; P457 06; P457 05.
 - 3) The external materials of the development hereby permitted shall match those used on the existing building.

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 Matter and Main Issue

3. The Council does not appear to object to the single storey extension element of the appeal scheme, and I have no reason to disagree. The focus of their substantive concerns seems to relate to the increase in the height of the building, the proposed ridge line specifically. This has formed the main issue of the appeal which is its effect on the character and appearance of the area.

Reasons for the Recommendation

4. Gwithian Towans features a large number of properties discretely located to the rear of and thus inland from the dunes. There are a variety of traditional beach huts, larger holiday cottages and more modern redevelopments. There is a ramshackle, but pleasingly organic beachside feel to the more traditional smaller buildings that punctuate the dunes in places and appear to undulate

like flotsam on the ocean. The obviously more modern developments appear noticeably greater in volume and height, well above their neighbours. They do not appear to follow the principles of the Gwithian Towns Design Guide (GTDG) in this respect. They thus contribute negatively to and jar against the innate characteristics of the area as I have set them out.

5. The GTDG is supplementary to the Gwinear-Gwithian Parish Neighbourhood Development Plan 2016-2030 (NDP). The GTDG expressly sets out that where a building is located on a slope that the datum for development should be the lowest level of the dwelling footprint. It continues to explain that the eaves height should not be more than 2.5 metres from any point around the footings and the ridge height of the building, at any point, should be no more than twice the height of the wall roof plate (eaves) from the footings. Furthermore, the roof pitch should be between 20-45 degrees. The existing building eaves height, measured from the lowest level of the dwelling footprint, is just below three metres. Some measure above the guidance. However, the appeal building fits into its character area and does not appear unduly large.
6. The proposal would increase the ridge height to accommodate rooms in the roof. The GTDG allows for this. Whilst it implies a maximum ridge height in the proportional sense, it does not expressly set this out as an absolute limit figure. The eaves height would remain and, in the visual sense, the increase in the ridge would not be overly obvious. The building would be read in the above context of noticeable variation and very much as, for all intents and purpose, a modest low-rise bungalow in any event. Further, it would still be substantially subservient to those much larger modern redevelopments. Finally, I am conscious of the fact that the GTDG is guidance and conflict therewith is not the same as conflict with the development plan.
7. With this and the above in mind, I am satisfied that the increase in the ridge height of the property would not be harmful and would assimilate itself into the undulating proportions of the vicinity. Accordingly, the proposal would comply Policy GGPP 8 of the NDP, Policies 1, 2 and 12 of the Cornwall Local Plan Strategic Policies 2010- 2030 and paragraphs 8 and 130 of the National Planning Policy Framework 2023, insofar as they seek high quality design that respects character and appearance amongst other things.

Other Matters

8. The close proximity of the development to its neighbours would be consistent with the clustered character of the area with multiple properties constructed very close to each other. The appeal scheme would not change this. The rooms in the roof space would be served by roof lights, the angle and sill height of which would not permit lines of sight such that the privacy of neighbours would be adversely affected. There is one lower roof light proposed, but this would be obscure glazed as per the approved plans. The Council did not object to the proposed development in these respects.
9. Matters of sewage are raised; however, there is no detailed evidence submitted to demonstrate any issue either pre existing or arising from the proposed development which is, in any case, an extension of an existing building. Matters of access and maintenance are civil and not for this decision to address.

Conditions

10. As well as the standard conditions requiring development to begin not later than three years and in accordance with the plans, one requiring that materials used should match the dwelling would be necessary in the interests of the existing building and the character and appearance of the wider area.

Conclusion and Recommendation

11. For the reasons given above, the appeal scheme would comply with the development plan. I therefore recommend it be allowed.

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 allowed. Subject to the conditions set out.

John Morrison

INSPECTOR