



Appeal Decisions

Site visit made on 16 July 2024

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 26 July 2024

Appeal A Ref: APP/D0840/W/24/3336813

5 St. Stephens Hill, Launceston, Cornwall PL15 8HN

- 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 S Longthorp against the decision of Cornwall Council.
 - The application Ref is PA23/07188.
 - The development proposed is off road parking space with electric vehicle charging point and dropped kerb.
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Appeal B Ref: APP/D0840/Y/24/3336812

5 St. Stephens Hill, Launceston, Cornwall PL15 8HN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr S Longthorp against the decision of Cornwall Council.
 - The application Ref is PA23/07189.
 - The works proposed are off road parking space with electric vehicle charging point and dropped kerb.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals relate to the same scheme under different legislation. I have dealt with both appeals together in my reasoning.

Main Issues

4. The effect of the proposal upon the significance of the grade II listed building known as 5 St Stephens Hill¹, and whether it would preserve or enhance the character or appearance of the Launceston Conservation Area (LCA).

Reasons

5. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) require the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, section

¹ List Entry Number: 1196007

72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

6. No. 5 St Stephens Hill dates from at least the 17th century. Its significance lies in its simple vernacular form and appearance, which is derived from its use of local materials and irregular fenestration. Its front elevation is dominated by a substantial lateral chimney stack. It is set back from the road behind a small front garden that reinforces its character as a village house.
7. The building stands within the LCA, in an area that is described in the Launceston Conservation Area Character Appraisal 2006 as an outstanding piece of historic townscape. Buildings on both sides exhibit considerable variety but are unified by their terraced form and set back position behind front gardens, and are important contributors to the character and appearance of the LCA.
8. The hedge shown on the submitted plan has already been removed, so very little change will need to be made to the plot to facilitate the parking of a car. However, permitting the parking of a car on the front garden would constitute a considerable visual change. The appeal building has a modest scale, which means that a parked car would be more dominant than it might be at the front of a more substantial building. Furthermore, as the garden is shallow; a parked car would occupy the whole depth of the plot and would abut and partly obstruct views of a key feature of the building's frontage – its projecting lateral stack.
9. The visual impact of the proposal would thus cause considerable visual harm and detract from the characterful appearance of the building's front elevation that includes key historic elements. In terms of context, only one other nearby dwelling already features front parking. That is the neighbouring dwelling that has a broader façade, and the parked car sits to one side, leaving the main symmetrical part of the elevation in full view. Beyond this, front areas are well enclosed and primarily used as gardens and are of considerable value to the character and appearance of the LCA. This includes the house at the northern end of the terrace which has parking to the side. The parked car would therefore be at odds with this prevailing character and would erode the valued historic townscape.
10. I accept that I cannot assume that a car would be parked at the space all of the time; however, as the appeal building is a dwelling it is reasonable for me to assume that a car would be parked in the space for considerable lengths of time. Furthermore, even when the space is unoccupied, it would remain as a sterile parking space, and to retain its functionality would not be replanted, laid to lawn or contained by a hedge in the manner that it was previously.
11. Parked cars are already an element of the streetscene but are contained neatly to one side of the road, without having too great an impact on the visual qualities of the terraces to either side.
12. Although the Council is silent on the matter, the proposal also includes the fixing of an electric vehicle (EV) charging point to the front of the listed building. Details of this are limited to a basic drawing, which does not include details of associated wiring or how the fitting would connect with the building's existing electricity supply. The unit would be fixed in a central position alongside the chimney stack. The addition of a modern fixing in a prominent

position such as this would add to the harm already identified; and, although details are lacking, it is reasonable to assume that there would also be a modest level of additional harm to the building's historic fabric arising from fixing the unit and associated wiring.

13. The harm to the listed building would be considerable. The harm to the LCA would be more modest, given that it relates to only a small part of the large area covered by the designation. In terms of the National Planning Policy Framework (Framework) the harm would be less than substantial but would nevertheless be of considerable importance and weight. Paragraph 208 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
14. The parking space would be for the benefit of the occupants of the dwelling and would reduce the availability of on street parking for wider use. Furthermore, there is no evidence that the proposal would have a meaningful positive impact on highway safety. These matters therefore carry very little weight.
15. The provision of an EV charging point accords with various local and national policies as it would be an alteration that would contribute to mitigating and adapting to climate change. It would allow the occupants of the dwelling to run an EV more easily than if they had to rely on public charging facilities. I am however of the view that the weight I give to this should be no more than moderate, as the availability of public EV charging is increasing and there is no guarantee that the space would only be used to park an EV.
16. There would be a small economic benefit arising from the construction work, which is a public benefit that should attract modest weight.
17. Together the public benefits carry moderate weight. In the context of paragraph 205 of the Framework which states that great weight should be given to the conservation of heritage assets, the public benefits are not sufficient to outweigh the harm.
18. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm the special interest of the listed building and would fail to preserve the character or appearance of the LCA. It would also fail to accord with Policies 1, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and Policy T2 of the Climate Emergency Development Plan Document 2023, which together seek to ensure that development proposals are well designed, maintain historic character and significance, and that cars do not dominate layouts and parking should be designed to conserve and enhance the significance of heritage assets, including historic streetscapes.

Other Matters

19. The appellant refers to Articles 1 and 8 of the Human Rights Act 1998. Article 1 relates to the protection of property and Article 8 the right for respect for private and family life. Both are qualified rights, which means they may be interfered with or infringed in order to secure an aim set out in the relevant article.
20. The appellant submits that the provision of an off road parking space would provide a safer place to park than the street, and would also allow the EV charging point to be safeguarded. There is however no evidence before me to suggest that parking on the street is unsafe, and at my visit I saw that the

road is well overlooked by the terraces and is lit. In any case, the space would adjoin the pavement and would not be behind gates, and would therefore have similar characteristics to on road parking. Therefore, I give these matters little weight and am satisfied that the proposal would not unacceptably interfere with the appellant's rights under Articles 1 and 8.

Conclusion

21. For the reasons given above the appeals should be dismissed.

A Tucker

INSPECTOR