



Appeal Decision

Site visit made on 5 November 2024

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/D0840/W/24/3347576

9 Relistian Lane, Gwinear, Cornwall, TR27 5HE

- 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 David Grech against the decision of Cornwall Council.
 - The application Ref is PA24/01870.
 - The development proposed is garage conversion and loft extension to create self-contained accommodation for family member.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Appellant has raised concerns in relation to the Council's processing and determination of the application and its interaction with the Parish Council. These are not matters that I can comment on within the context of an appeal that has been submitted under section 78 of the Town and Country Planning Act (as amended). If the Appellant has any remaining concerns these are matters that should be taken up directly with the Council.
3. In relation to policy 12 of the Cornwall Local Plan Strategic Policies 2010 – 2030 (November 2016) (CLP) it appears that some confusion arose from the Appellant referring to an earlier draft version of this plan where policy 12 related to gypsies, travellers and travelling showpeople. Policy 12, as adopted, refers to 'Design' and I have determined the appeal on that basis

Main Issue

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

Reasons

5. The appeal site comprises a large detached single storey bungalow located on the western side of Relistian Lane. It sits in the centre of a row of three large bungalows all of which are of a similar design. Whilst there are also bungalows to be found opposite and to the south, beyond this there are a greater variety of styles including two storey properties. The frontage to the host property appears to retain its original features and form, including a low pitched roof with small projecting gable over a garage, a design that is largely replicated on the bungalows that form part of the same row. This particular part of the Lane is wide and open, with the frontages to all three properties in the row enclosed

- by low walls and planting. As a consequence, the appeal site occupies a prominent and highly visible location within the streetscene.
6. The appeal proposal involves converting the existing garage and extending the loft to create self-contained accommodation for a family member. The design was amended during the determination of the application and now proposes a first floor gable extension with flat roofed dormers either side. The proposal also includes a large flat roofed dormer on the rear elevation.
 7. The appeal proposal would effectively create an annex to the host property, to which the Council do not object in principle. I concur with this finding and also agree with the Council that the proposed rear dormer is acceptable. Due to its location on the rear elevation, this aspect of the proposal would not result in any harm to the character and appearance of the host property or streetscene.
 8. However, the siting, design and bulk of the front gable extension and dormers would in my view be excessive and represent a poor design, resulting in an inappropriate addition to the host property. The proposal would not be sympathetic to the original design or character of the host property. It would replace the low key gabled roof to the garage with an incongruous and prominent feature that would be out of keeping with the character of the host property and its immediate neighbours.
 9. The poor design of the proposal is accentuated by the new dormers, both of which would have a significant bulk, height and width. I agree with the Council that where roof extensions and/or dormers are proposed on the front elevation their ridge and eaves height should be lower than existing, so that they appear proportional and subservient to the host property. The appeal proposal fails to do this in that the ridge height of new extension and dormers would align with that of the existing property and the eaves to the extension would be higher than existing. The design and proportion of the new windows would also be inconsistent with the existing windows on the front elevation to the host.
 10. When looked at as a whole, the appeal proposal would not respect the design and appearance of the host or the surrounding area. It would dominate the streetscene which does exhibit a certain level of consistency, specifically in the row of three properties that the appeal site forms part of. Overall, the proposal would not sit comfortably on the appeal site leading to significant harm to the character and appearance of the host property and surrounding area.
 11. In view of the above findings, this aspect of the proposal would conflict with policies 1 (Presumption in favour of Sustainable Development), 2 (Spatial Strategy) and 12 (Design) of the CLP. These require, amongst other matters, that new development is of a high quality of design, respects and enhances the special character of Cornwall and local distinctiveness, protects and enhances the built environment and is of an appropriate scale, density, layout, height and mass in relation to the site and its surrounds. These policies remain consistent with those in paragraphs 135 and 139 of the National Planning Policy Framework (December 2023) (NPPF).
 12. This element of the proposal would also conflict with policy C1 of the Climate Emergency Development Plan Document (February 2023) (CEDPD). The Appellant contends that the policy is largely irrelevant but criterion 7), which the Council refers to in its evidence, seeks to increase built and natural environment distinctiveness through locally distinctive, high quality and

sustainable design. As I have found above, the proposal would represent a poor quality design that would be harmful to the character and appearance of the host and surrounding area.

13. The Appellant has referred to examples of other extensions within the road. As I observed on site, one of these is not, in my view, comparable as it appears to relate to a side extension to a property on the corner of Relistian Lane and Wall Road. The example at 4 Relistian Lane, opposite the appeal site, is of a large flat roofed dormer which is of a poor design and quality that dominates the roofscape of that property, detracting from the character and appearance of the streetscene. It is not an example of a design that should be followed or replicated and it's existence does not provide justification for a development that is of a similar poor quality design.
14. Even so, I have not been provided with any planning background to either of these examples or any evidence as to if and when they were approved, what policy guidance was in place at the time or whether they were undertaken under permitted development. I can, of course, only consider the proposal that is before me and as is required determine it on its individual merits. Neither of these examples affect, therefore, the findings I have reached on this issue.
15. I have a great deal of sympathy with the Appellants personal circumstances and desire, with their eldest autistic son living at the property, to provide self-contained accommodation for their youngest son. Whilst I attach moderate weight to these personal circumstances, this consideration is not, in my judgement, sufficient to outweigh the significant harm that I have identified or the conflict with development plan policies that are consistent with those in the NPPF. I have also had regard to the restrictive headroom imposed by the low pitch roof that results in the proposed design and the fact that the dormers were reduced in size during the determination of the application, but again none of these considerations are individually or cumulatively with others sufficient to outweigh the harm that I have identified.
16. I also accept that there were no objections to the proposal from neighbouring occupiers or from the Parish Council, but that does not negate the need for the proposal to be assessed against the prevailing development plan policies and guidance. Neither does it provide a justification for allowing development that, as I have found, is of a poor quality design and harmful to the character and appearance of the host property and wider streetscene.
17. Accordingly, I find that the appeal proposal would fail to comply with policies 1, 2 and 12 of the CLP, criterion 7) to policy C1 of the CEDPD and the corresponding policies of the NPPF.

Conclusion

18. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR