



Appeal Decision

Site visit made on 24 February 2025

by Mr Cullum Parker BA(Hons) PGCert MA FRGS MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 February 2025

Appeal Ref: APP/D0840/D/24/3351600

Mount Whistle, Higher Fore Street, Marazion, Cornwall TR17 0BQ

- 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 Mr Andrew Goode against the decision of Cornwall Council.
 - The application Ref PA24/05142, dated 2 July 2024, was refused by notice dated 23 August 2024.
 - The development proposed is described as '*Construction of dormers to existing loft room*'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on character and appearance of the area; including whether or not it preserves or enhances the character or appearance of the Marazion Conservation Area.

Reasons

3. The dwelling comprises a two storey terraced property and sits within the context of other residential development along Higher Fore Street. The appeal scheme seeks the construction of two dormers; to the front and rear of the dwelling. The site is located within the Marazion Conservation Area. The significance of the Conservation Area derives from the attractive and cohesive street pattern, the fact that Higher Fore Street is characterised by modest 2-storey vernacular terraces, with some rooflines lively; with tall buildings interspersed with lower ones, with an interesting mix of building materials and styles, and with slate roofs predominant and chimney stacks proliferate¹.
4. I saw during my site visit, that within the wider Conservation Area roof features such as dormers were the exception rather than the norm. Indeed, the only visible example in relation to the appeal site is found at the adjoining building (detailed as *Lowarth Mor* in the Appellant's Appeal Statement). The other rare examples I saw were located along Fore Street, some distance to the west (but within the Conservation Area). This suggests that dormer style windows on the front elevation of dwellings within the Conservation Area are uncommon. As such they are not characteristic of the Conservation Area as a whole.

¹ As detailed in the Appellant's Design and Heritage Statement

5. I note that my attention is drawn to planning permission that was granted around 21 years ago, in April 2004, at the building Goonearl which is located on the other side of Lowarth Mor. This does not appear to have been built out. I have also been directed to the example of Venton View, Fore Street, which was approved in 2009. However, in both cases I have not been provided with any detail of the reasoning as to why those examples were considered to be acceptable by the Council at that time.
6. For example, in the Venton View case, the description indicates that, amongst others, an 'enlargement of dormers' was granted permission. That suggests that in that case, there were *in situ* dormers before at the application building. That is not the same as the case here. Taking into account these examples and noting that there have been a number of changes to local and national planning policy since 2004 and 2009 respectively, I only afford these examples minimal weight in consideration of the appeal scheme before me.
7. The dormers proposed in this case would represent an uncharacteristic addition to the roof form. Whilst I note the Appellant's suggestion that the dormers would not be that visible when viewed from the pavement on Higher Fore Street, they would, nonetheless be visible from various points from within and outside of the Conservation Area – such as from Turnpike Hill and School Lane and represent an uncharacteristic form of development in this area. As such they would be at odds with the prevailing pattern of development within this part of the Marazion Conservation Area. Accordingly, I find that the proposal would fail to preserve the character or appearance of the Conservation Area.
8. The proposal would, therefore, result in less than substantial harm to the designated heritage asset in the form of the Conservation Area. To articulate this harm further, given its limited extent within the wider Conservation Area this harm would be low. Nonetheless, Paragraph 215 of the *National Planning Policy Framework* (the Framework) sets out that where less than substantial harm arises this should be weighed against the public benefits of the proposal. No public benefits have been cited by the Appellant² and no obvious other public benefits are suggested by the Appellant in their submitted evidence. The logical conclusion is that the proposal results in harm which is not outweighed by any public benefits.
9. Accordingly, I find that the proposal conflicts with Policies C1 of the *Climate Emergency Development Plan Document*, and Policies 12, 13 and 24 of the *Cornwall Local Plan Strategic Policies 2010-2030*, which, amongst other aims, seek to maintain the special character and appearance of Conservation Areas. It would also conflict with the aims of the Framework, including those set out in Chapter 16: Conserving and enhancing the historic environment.
10. I note the observations made by the Appellant in terms of the lack of consultation with the Council's heritage officer on this scheme. Ultimately though, the decision to refuse planning permission rests with the Local Planning Authority, as delegated to their respective officers.
11. For the reasons given above, I conclude that the appeal should be dismissed.

C Parker INSPECTOR

² See page 23 of the Appellants *Appeal Statement*, dated September 2024