

Appeal Decision

Site visit made on 13 September 2016

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 September 2016

Appeal Ref: APP/D0840/W/16/3149902

12 South Terrace, Camborne, Cornwall TR14 8ST

- 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 Kevin Bone against the decision of Cornwall Council.
 - The application Ref PA16/00216, dated 15 January 2016, was refused by notice dated 31 March 2016.
 - The development proposed is formation of a new access and hardstanding.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - whether the proposal would preserve or enhance the character or appearance of the Camborne Town Centre Conservation Area.
 - the effect of the proposal on the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons

Character and appearance

3. The appeal property is situated within the Camborne Town Centre Conservation Area. The significance of the Conservation Area is mainly derived from the quality of the historic buildings, many of which are associated with the mining history of the town. The area is also part of a World Heritage Site based on this mining history. Paragraph 132 of the National Planning Policy Framework (The Framework) states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
 4. The street scene in this part of South Terrace has a rather mixed appearance. Development on the opposite side of the road from the appeal property features both historic and contemporary buildings of various sizes and designs. However, the appeal property is within an historic terrace which has a much greater degree of consistency. Although many properties within the terrace have been subject to alteration, there is nonetheless a clear sense of architectural rhythm and regularity on this side of the street.
-

5. Part of this consistency is derived from the low boundary wall which runs along the terrace, creating small courtyards to the front of each property. Although the wall has been removed or modified in some places, it is nonetheless present along the frontage of most properties. As a ground level feature, it is noticeable from the pavement and the wider street scene and makes a contribution to historic integrity of this particular terrace. Whilst the appellant suggests that properties within the terrace are not the simple miner's cottages described by the Council, they nonetheless make a direct contribution to the appearance of the Conservation Area in this location.
6. It is proposed to remove a section of this wall to create a parking area. This would have the effect of disrupting the consistency of the terrace, thereby harming the appearance of the street scene in this location. I accept that the proposal would be minor in the context of the Conservation Area as a whole. However the development would represent incremental harm which, if replicated elsewhere within the terrace in the future, could have a highly noticeable impact. In reaching this decision, I am particularly mindful of the 'great weight' that is assigned to the protection of Conservation Areas and World Heritage Sites within the Framework.
7. It is argued that other developments approved by the Council in the area have had a far more significant impact on the character of the area. Whilst this may be the case, I have not been informed of the circumstances under which these planning applications were granted or the policies that were in place at the time. As such, these examples do not provide a precedent for the current proposal.
8. Whilst I have found that the proposal would cause harm to the character and appearance of the Conservation Area, I consider that the harm I have identified would be less than substantial (as defined in the Framework) and thus paragraph 134 advises that this harm should be weighed against any public benefits associated with the development. In this case, the scheme would create an off-road parking space and the benefits would mainly be private in nature. Although it is argued that a reduction of on-street parking would help to improve traffic flow, this is not sufficient to outweigh the harm I have identified above.
9. I therefore conclude on this issue that the proposal would not preserve the character and appearance of the Camborne Town Centre Conservation Area. There would be conflict with the overarching objectives of the Framework to protect heritage assets, including Paragraph 132.

Highways

10. It is suggested that it would be possible for vehicles to drive in and out of the proposed parking space without there being any need to reverse. Although this may be possible, there would be limited room for manoeuvre and there can be no certainty that future occupiers of the dwelling would necessarily elect to drive in and out as suggested. Similarly, whilst it would also be possible to reverse into the space from the highway, it is also uncertain that future occupiers of the appeal property would choose to do this. Hence, the proposal increases the prospect of vehicles reversing onto the highway.
11. There is currently unrestricted on-street parking in front of the appeal terrace. Drivers reversing out of the proposed space may therefore have their views of

approaching traffic blocked by cars parked in the street. Indeed, vehicles reversing from the space would potentially need to move across the pavement and out into the street before unobstructed views could be obtained. The road is a busy route close to the town centre and the scheme would therefore present a risk to traffic safety in this location.

12. The appellant argues that traffic flow is disrupted by the Council allowing free parking along this part of South Terrace. It is accepted that cars which parallel park in the street would interrupt the flow of traffic in a similar manner as a car using the proposed parking space. However, this does not negate the safety risk that I have identified above.
13. I note that some other properties in the street have parking arrangements which may encourage cars to reverse onto the highway. I am unaware of the circumstances under which these gained planning permission, but the appeal proposal would only serve to exacerbate safety risks in this location.
14. I therefore conclude on this issue that the proposal would harm the safe operation of the highway network in the vicinity of the appeal site. There would be conflict with the objective of the Framework to promote highway safety, including Paragraph 35 which indicates that developments should create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Colin Cresswell

INSPECTOR