



Appeal Decision

Site visit made on 16 July 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2019

Appeal Ref: APP/D0840/W/19/3226949

Carvean, 22 Fore Street, St Just TR19 7LJ

- 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 J Hinde against the decision of Cornwall Council.
 - The application Ref PA18/09069, dated 26 September 2018, was refused by notice dated 24 January 2019.
 - The development proposed is described as '*Construction of Four Traditional, One Bedroom Apartments & Associated Works (Outline Approval PA18/04723)*'
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Decision

1. The appeal is allowed, and planning permission is granted for the construction of four traditional, one-bedroom apartments and associated works at Carvean, 22 Fore Street, St Just TR19 7LJ in accordance with the terms of the application, Ref PA18/09069, dated 26 September 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001A, 002A, 003A.
 - 3) Prior to installation, details of the materials to be used in the construction of the external surfaces of the building hereby permitted shall have been submitted to and approved in writing by the local planning authority. The details to be provided must enable the materials to be identified by reference to a product number and/or British Standard and include reference to Size, Colour, Texture and Finish. Development shall be carried out in accordance with the approved details.

Procedural Matter

2. In the interests of clarity, I have removed reference to planning permission Ref PA18/04723 from the description of development within my decision above.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to housing density and the function of the highway network.

Reasons

4. Carvean is a detached dwelling on the corner of Fore Street and South Place, within the town of St Just. The appeal relates to its garden, which has planning permission for the erection of two semi-detached dwellings¹. The house itself has planning permission for conversion into two residential units². Street parking along the sections of road adjacent to the site is limited by the narrowness of the carriageway and/or the presence of parking restrictions.
5. Although there are detached dwellings in the surrounding area, including bungalows, the area is also formed of semi-detached dwellings, and modern and historic terraces. The terraces are not only present in the historic core of the town to the north, but have also been constructed to the east, along Carn Bosarven. Plot sizes are equally variable, and there is no coherent sense of spaciousness. As such, whilst there are detached buildings to the south and east of the site, there is no consistent housing density within the area.
6. The scheme seeks to erect a building containing four flats. However, its design would lead it to appear akin to a traditional pair of semi-detached dwellings. The shared amenity areas would be set back away from South Street and behind the boundary wall along Fore Street. Bins would be discreetly stored. As such, whilst the scheme could lead to the creation of six households overall, I find that the increased residential use within the site would have little tangible effect on the perceived housing density in the area.
7. Policy 13 of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted 2016) (CLP) seeks proposals to provide appropriate levels of off-street parking, taking into account the accessibility of the location in terms of public transport and proximity to facilities and services. It does not seek to prescribe the level of parking for individual schemes. Although reference is made within the supporting text to the 'Travel Plans-Advice for developers in Cornwall' document, this provides indicative standards, which, to my mind, should not therefore be inflexibly applied.
8. The scheme would include cycle storage. Although there would be no off-street car parking, the site is within walking distance to the services within the town. The Council considers that, in the event that access to facilities beyond St Just was needed, bus services are not so numerous as to be reliable. However, I note that there is an hourly direct bus service to Penzance, which lessens to two-hourly at night, Sundays and Bank Holidays. In my view, combined with the wide range of facilities within St Just, this would provide residents with adequate access to services. Given also the size of the units, which would largely exclude family occupation, I find that car ownership amongst residents would likely be limited and inessential.
9. In the event residents did own a vehicle or had visitors who travelled by car, there are car parks in the area, including the free car park at Lafrowda Close under 200 metres away. There is also street parking nearby, such as along South Place. If people were minded to park indiscriminately or block the highway in the vicinity of the site or elsewhere, during or after construction of the building, this would be regulated by parking restrictions or ultimately

¹ Ref PA18/04723

² Ref PA18/00833

existing highway legislation³. Given the circumstances, whilst I appreciate the concerns raised regarding the existing parking situation in St Just, I find that any limited increase in street parking as a result of the development would have a negligible effect on the function of the highway network. As such, and having had regard to the Manual for Streets, the absence of off-street parking in this case would be appropriate, and not an indication of poor design.

10. I therefore conclude that the proposal would have acceptable an effect on the character and appearance of the area, with particular regard to housing density and the function of the highway network. It would accord with Policies 1, 2, 12, 13 and 21 of the CLP which, amongst other things, require proposals to respect its environment, to provide an appropriate level of parking, and to increase building density where appropriate. I also find no conflict with the relevant sections of the National Planning Policy Framework.

Other Matters

11. The site is within the St Just Conservation Area (CA) and the Cornwall and West Devon Mining World Heritage Site (WHS). These are designated heritage assets of the highest significance⁴, and I have had regard to my statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
12. There is no evidence before me that the site makes any notable contribution to the character or appearance of the CA or the Outstanding Universal Value of the WHS. Whilst the windows would not exhibit the degree of vertical emphasis seen elsewhere, the proposal would nonetheless adopt a traditional design and would sit modestly within its plot. Its scale and massing would be compatible with neighbouring properties. As such, subject to a condition regarding its finish materials, I am satisfied that the proposal would have no harmful effect upon these designated heritage assets.
13. As the site is located within the Cornwall Area of Outstanding Natural Beauty (AONB) I have had regard to the statutory purposes of the designation, and advice within Paragraph 172 of the Framework to give great weight to the conservation and enhancement of landscape and scenic beauty. As the site is well contained within the settlement, it would have no material effect on the landscape or scenic beauty of the AONB.
14. As the building would be set down within the site, I am satisfied that it would not unacceptably affect the outlook or daylight and sunlight received by the occupants of adjacent residential properties.

Conditions

15. In the event that the appeal was allowed the Council requested conditions to be applied, which I have assessed with regard to the Framework and the advice of the Planning Practice Guidance. I have amended them where appropriate for the sake of clarity and precision. In addition to the standard time condition, it is necessary to identify the approved plans in the interest of certainty. Whilst a condition securing the detailed finishes of the building is essential, these details can be provided prior to their installation.

³ Highways Act 1980

⁴ Paragraph: 032 Reference ID: 2a-032-20140306

Conclusion

16. For the reasons outlined above, and taking all matters raised into account, I shall allow the appeal.

Matthew Jones

INSPECTOR