
Appeal Decision

Site visit made on 6 January 2022

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 JANUARY 2022

Appeal Ref: APP/D0840/W/21/3278592

9A New Hill Estate, Grampound, Truro, Cornwall TR2 4RA

- 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 Garry Becconsall against the decision of Cornwall Council.
 - The application Ref PA20/11332, dated 18 December 2020, was refused by notice dated 19 March 2021.
 - The development proposed is 'formation of access and parking area'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. A new version of the National Planning Policy Framework (the Framework) came into effect in July 2021. I have not considered it necessary to seek views from the appeal parties on this change, as the Framework's policy content, insofar as it relates to the main issue, is largely unchanged. However, I have referred to the Framework's current paragraph numbering rather than the former numbering that appears in Cornwall Council's (the Council) refusal reason.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. New Hill Estate is a residential cul-de-sac situated in the northern part of the village of Grampound. The road starts at its junction with Pepo Lane and rises northwards. On its east side, there are 5 rows of houses, each originally containing 4 dwellings. It falls within an Area of Great Landscape Value (AGLV), where planning policies seek to protect the landscape and its features and characteristics from harm.
5. The rows of dwellings are arranged in a uniform layout, with the houses having a south-westerly orientation and fronting footpaths from which they are accessed. The original housing layout did not include on-plot parking and, whilst a few dwellings with road frontages have added hard standings to create parking spaces, most residents appear to park on-street. There is also a bay of

- 6 parking spaces, which appear to be controlled by resident permits, located opposite Nos 1 – 4 New Hill Estate.
6. A feature of the housing layout is that the easternmost dwellings on each row have wider side gardens, which have a boundary with Pepo Lane, which is set at a lower level. The appeal property, No 9A New Hill Estate, is an approved, but yet to be completed, detached dwelling which is sited on a plot that has been created from one of these former side gardens (of No 9). When I visited, the dwelling's concrete foundation slab was in place, but building works on the above ground structure had not been commenced.
 7. The planning permission for the development of No 9A¹ was granted in 2008 and had attached conditions requiring a scheme of landscaping to include additional planting along Pepo Lane (condition 3), the retention of the Pepo Lane hedge bank (condition 6) and the preclusion of vehicular or pedestrian access onto Pepo Lane (condition 7). Based on the information before me, I have no reason to doubt that the permission has been part implemented, and is therefore extant and capable of being fully implemented.
 8. The appeal proposal would create a vehicular access from Pepo Lane and a hard surfaced parking/turning area to serve the recently constructed house. This would require the removal of the existing boundary wall and bank and a length of hedgerow. It would also entail the excavation of the ground beyond to a level accessible from Pepo Lane to create the hard surfaced parking/turning area, and the construction of retaining wall structures on its 3 sides. A proposed pedestrian stepped access would lead from the parking area up to the front of the new dwelling.
 9. Pepo Lane changes in character and appearance as it extends northwards. Its southern stretch, from Fore Street (A390) to its junction with New Hill Estate, has built development on both sides from different eras and is very much part of the village settlement in character and appearance. Heading north beyond the New Hill Estate junction, the character changes quite quickly. It first becomes suburban, where Nos 1 – 4 New Hill Estate and the side of No 8 and its garage are visible, but then becomes distinctly rural in the vicinity of the appeal site and for a notable stretch beyond, where the banks either side with hedges and trees create an attractive length of a typical Cornish lane. This is then briefly interrupted by the appearance of Bonython Drive, a development of bungalows, before the rural lane character resumes.
 10. The appeal proposal would appear as a harsh engineered intrusion into Pepo Lane's rural character. It would remove a length of hedgerow and involve a notable excavation enclosed by high retaining walls on 3 sides. This would be discordant and alien and would denude the attractive rural character of the lane, which is an important feature within this part of the AGLV.
 11. I have noted the appellant's submissions regarding the existing access and garage at No 8, a neighbouring property to the south. This appears to have been constructed some time ago and is situated at a point where the land levels did not require extensive excavation and, in my assessment, the access at No 8 marks a transition point beyond which the lane's character, including the appeal site frontage, is predominantly rural.

¹ Planning reference No C2/08/00215

12. I have also taken into account the appellant's submissions that only 7 metres of hedge would be removed and the remainder lowered to 600 mm, and that the Council's tree and highways officers raise no objection. However, the proposed change would still be notable and harmful, and the fact that no high amenity value trees would be lost does not equate to an acceptable impact in terms of the character and appearance of the area, which is within the AGLV. The lack of any highway objection is a neutral factor in my assessment.
13. I have further noted the appellant's submissions about car parking and his view that, when the permission was granted (for No 9A), it was considered that there was sufficient on-street parking for all dwellings on the estate, but that is no longer the case. However, no evidence has been presented to demonstrate this assertion and the permission appears to be extant and capable of implementation. Moreover, when I visited the site, I observed that there were no on-street parking restrictions in New Hill Estate and on-street parking was available in close proximity to the appeal site. I also observed that there are bus stops nearby on Fore Street, meaning that future residents may not be entirely dependent on the private car as the only mode of travel to access services and facilities.
14. The appellant and the Council have each made submissions with regard to heritage considerations. The appellant has submitted a Heritage Scoping Statement claiming that the wall that would be removed is of no heritage value and that the appeal site is 74 metres away from the Grampound Conservation Area. The Council has submitted that Pepo Lane and the hedge appear on maps from 1888 and 1837 – 1845. I have noted these submissions and, whilst the history of the wall and hedge has some bearing on the main issue, it is not determinative in my assessment.
15. I have further noted submissions concerning likely precedent and permitted development provisions that might be claimed for other accesses at other properties. However, I have made my assessment on the individual merits of the proposal before me.
16. On the main issue, I conclude that the proposal would be harmful to the character and appearance of the area. This would conflict with saved policy 14 of the Restormel Local Plan (2001) which, within the designated AGLV, seeks to protect the landscape and its features and characteristics from harm. It would further conflict with Cornwall Local Plan 2010 – 2030 (adopted November 2016) policies 2, 12 and 23 which require, amongst other matters, that new development respects and enhances the quality of place, achieves high quality design and sustains local distinctiveness and character. It would also conflict with the Framework's paragraphs 130, 174 and 8 because it would not represent good design that was sympathetic to local character, would not enhance the natural and local environment and, as a result, would not constitute sustainable development.

Conclusion

17. For the reasons stated above, the appeal is dismissed.

P. Staddon

INSPECTOR