



Appeal Decision

Site visit made on 12 February 2024

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2024

Appeal Ref: APP/D0840/W/23/3327588

Hillview, Currian Road, Nanpean, St Austell PL26 7YB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Hancock against the decision of Cornwall Council.
 - The application Ref PA22/09961, dated 7 November 2022, was refused by notice dated 10 February 2023.
 - The development proposed is an application for permission in principle for the demolition of existing detached dwelling and replaced with up to 3 new dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of three dwellings and a maximum of three dwellings, following the demolition of the existing dwelling, at Hillview, Currian Road, Nanpean, St Austell PL26 7YB in accordance with the terms of the application, Ref PA22/09961, dated 7 November 2022.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (the Guidance) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or 'permission in principle' stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent technical details consent application, if permission in principle is granted.
4. The Guidance explains that, in summary, that a decision on whether to grant permission in principle to a site following a valid application must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework (the Framework) and national guidance, which indicate otherwise.
5. The application form specifies the maximum number of dwellings proposed is three. No minimum number is specified on the application form. However, having regard to the description of the development, the indicative plans and the written submissions, I have treated the minimum number which is sought as three following the demolition of the existing dwelling. In effect, three

dwelling is proposed on the site in total following the implementation of the scheme and I have considered the proposal accordingly.

6. The application has been accompanied by a layout plan which shows the demolition of the present dwelling and the possible siting of three dwellings on the site with associated access and parking. I have treated this layout as illustrative as to what the appellant has in mind for the development, although other layouts may also be possible.

Main Issue

7. The site lies within the built-up area of Nanpean and, therefore, the proposed residential use of the site is acceptable, as a matter of principle, in both location and land use terms. Accordingly, the main issue is whether or not the amount of development would be acceptable having regard to the effect on the character and appearance of the area.

Reasons

8. Currian Road includes some quite long terraces of dwellings fronting the road, and closer to the junction with Fore Street/Hallew Road there is a greater variation in the built form. In this area in the vicinity of the appeal site, up the slope from the junction, the built development includes detached and semi-detached bungalows and houses, as well as a block of flats and the Nanpean Methodist Church. In the section of the road broadly south west of the Church, there are properties fronting the road and also driveways that leads to further development, including residential buildings, set back behind the road frontage properties.
9. Hillview is a detached dwelling which includes a quite large rear, single storey extension. The property appears somewhat tired, the grounds are quite overgrown and there is a partially collapsed detached garage. The property has a reasonable sized rear garden that extends back to, and includes within the appeal site, a section of slim paddock land.
10. Within the street scene next to Hillview, there is the Church to one side which is set back in its plot. On the other side, there are bungalows, some with a chalet form and which are positioned further up the slope of the road. When within the rear garden of Hillview, the presence of the Church, and the outbuilding at the back corner, and on the other side the neighbouring property's outbuildings, provide some built presence to this rear area.
11. The illustrative plan shows that the existing property would be demolished and a replacement dwelling could be sited so as to slightly improve the width of the vehicular access. In these circumstances, the drive alongside the south west boundary would be satisfactory to serve the indicatively proposed two properties at the rear and, with an appropriate design, should not adversely affect the living conditions of the occupants of the frontage dwelling.
12. The frontage replacement property could be designed so that it was sympathetic to the street scene, and would not look out of place with the alignment and mix of other properties in this part of the road, especially considering the presence and form of the existing dwelling.
13. At the rear, the illustrative plan shows the position of two semi-detached houses. They would be set back sufficiently so as to be adequately spaced from

the frontage dwelling and would be in proximity to outbuildings in the adjoining properties. The spacing between the proposed rear dwellings and the replacement frontage dwelling would allow parking, turning and garden space which would be satisfactory so that in the context of the surroundings the development would not appear cramped.

14. In terms of the wider impacts, the pattern of development in the surrounding area includes some quite substantial single storey outbuildings to the rear of the properties to the north east on this side of Currian Road and there are dwellings to the south west behind properties that front the road. Consequently, the pattern of development includes buildings set back behind the frontage dwellings.
15. The proposed two dwellings would be perceptible from parts of the road, from within the Church site and from some neighbouring properties. However, given the general form and arrangement of buildings along this side of the road, the presence of two dwellings to the rear of the appeal site would not be especially conspicuous or out of character. Accordingly, subject to appropriate details at the second stage, I am satisfied that the design, layout and impact of the scheme would be able to meet with the requirements for development in the Cornwall Design Guide 2021.
16. I have taken into account the objections to the scheme from St Stephen in Brannel Parish Council. For the reasons explained, I do not consider that the overall scheme, if in general accordance with the illustrative plan, would create an over-development of the site. Indeed, I consider that the illustrative plan show that three dwellings could, subject to appropriate details at the technical details consent stage, be accommodated satisfactorily on the site without any material harm to the character and appearance of the area. Importantly, the scheme would be an efficient and effective use of land within an established built-up area, where future occupants would have good access to local services and facilities by sustainable transport modes. In this way the scheme would comply with Policy 21 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) which concerns making the best use of land and existing buildings.
17. The development of the site with up to three dwellings should, therefore, be considered acceptable at this permission in principle stage. Any other schemes for development on nearby land would also need to be considered on their merits, including having regard to the size of the site, relationship to the surroundings and other buildings, and the specific circumstances of that development. Consequently, I do not consider that the approval of a scheme on this site would set a precedent or necessitate the approval of any other development elsewhere in the vicinity if such a development was considered to be harmful.
18. It follows, at this permission in principle stage, I conclude that a scheme for up to three dwellings could be accommodated on the site without harm to the character and appearance of the area, subject to appropriate submissions at the technical details consent stage. In particular the development would comply with the requirements of Policies 2, 12 and 21 of the Local Plan which, amongst other things, seeks to make the best use of land and existing buildings.

19. In coming to this judgement, I have taken into account the draft St Stephen in Brannel Parish Neighbourhood Development Plan 2023-2030 (Submission Draft July 2023) and, in particular, Policies H2, H3, D1, D2 and D3. For the reasons I have explained, the scheme would be compatible with the character of this part of Nanpean, which is located within the development boundary of this draft Neighbourhood Development Plan. As a consequence, the details available for the scheme at this stage would not conflict with the draft plan approach to housing development.

Conditions

20. It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and amount of development. Conditions may be attached to any subsequent approval at the technical details consent stage.
21. When permission in principle is granted by application, such as this, the default duration of that permission is three years, and there is no justification to vary this period in this case.

Conclusion

22. For the reasons set out above, I conclude that the proposal for up to three dwellings on this site would accord with the development plan when considered as a whole and there are no reasons to make a decision otherwise than in accordance with the development plan. I conclude that the appeal should be allowed and permission in principle granted for a maximum of three dwellings.

David Wyborn

INSPECTOR