
Appeal Decision

Site visit made on 4 February 2025 by S Wilson LL.B. MSc MRTPI

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/D0840/W/24/3352420

1 Westmoor Crescent, Perranwell, Truro, Cornwall TR3 7JU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr C. Marven against the decision of Cornwall Council.
 - The application Ref is PA24/03048.
 - The development proposed is the construction of 3-bedroom house with off-road parking and garden amenity area. Formation of off-road parking for no.1 Westmoor Crescent.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The application was made in outline with all matters reserved for later consideration. The details submitted include an indicative site layout. Whilst not formally part of the scheme, I have nevertheless treated these details as a useful guide as to how the site might be developed. I have considered the appeal on that basis.

Main Issues

4. The main issues are the effect of the proposal on:
 - Highway safety.
 - The character and appearance of the area.

Reasons for the Recommendation

Highway Safety

5. The appeal site is part of the residential garden of 1 Westmoor Crescent, a semi-detached property, and adjacent is the community centre/village hall and football club. The appeal site is bounded by earth stone walling to the front with some vegetation/hedge and a fence with trees and hedging to the village hall side. Adjacent to the site is a pedestrian footway and there are traffic calming measures within the highway serving School Hill.

6. Details before me indicate the formation of a driveway/parking space to the front elevation for the appeal property and also for number 1 Westmoor Crescent with one parking space each. It is indicated that the amount of space for vehicle parking at the proposed dwelling, would be limited and would not allow for vehicles to enter and exit in a forward gear. Given the limited space to manoeuvre, it would require occupiers to enter the parking in reverse or to reverse out across the footway and into the traffic calming area. The appellant maintains that the traffic calming area and the reduced speed at this location would make access and egress safer than locations without these measures in place. However, these manoeuvres would be dangerous due to the competing vehicular and pedestrian traffic, the restricted visibility when reversing and the attention required to navigate all these competing pressures at this location.
7. The give way for the traffic calming is located opposite the proposed access. Consequently, there is the likelihood that occupants would be required to wait when exiting the site in a vehicle, blocking the footway and forcing pedestrians, which potentially would include children traveling to and from the nearby school, to wait or manoeuvre into the highway to get past.
8. The appellant maintains that other housing in the immediate vicinity has off road parking without the ability to both enter and exit in a forward gear. Those properties do not have their access directly in front of a traffic calming area and I therefore differentiate those properties from the subject appeal.
9. The appellant maintains that the creation of off-road parking would mean that the current occupiers of 1 Westmoor Crescent would no longer need to park on the road outside their property and in close proximity to the traffic calming area, thus making it safer. Whilst I acknowledge that restricting parking at the traffic calming measure may improve visibility for vehicles on School Hill, the proposal would also increase the potential for conflict between vehicles exiting the site in reverse gear and pedestrians using the footway. As such I do not consider that the proposal would make the area safer.
10. The appellant maintains that they would be willing to consider access to the proposed dwelling through a shared access created in front of number 1 Westmoor Crescent. However, I have not been provided with any substantive details of such an alternative scheme.
11. The Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) Policy 27 requires that all development proposals provide safe and suitable access to the site for all people and not cause a significantly adverse impact on the local or strategic road network that cannot be managed or mitigated. The Perran-Ar-Worthal Neighbourhood Development Plan 2021-2030 (the NDP) Policy 20 encourages new development with three bedrooms to provide two off road parking spaces. The proposal appears to provide space for only one off road parking space and would fail to accord with this Policy.
12. For the reasons outlined above the proposal would have a substantial and unacceptable impact on highway safety and would not comply with Policy 27 of the Local Plan, Policy 20 of the NDP and the relevant paragraphs of the National Planning Policy Framework 2024 (the Framework), insofar as they seek safe and suitable access for all people that would not cause an adverse impact on the road network and adequate off road parking.

Character and Appearance

13. Layout, landscaping and appearance are matters reserved for a later stage. Nonetheless, in this instance, I have an illustrative plan with the likely position of the property within the plot, and it is noted that a section of hedge would be removed. The shape of the plot and the space available makes it likely that the proposed building would have to sit forward of the existing building line. However, the pattern of development in this locality is varied in terms of dwelling type, plot size and the set back from the road and there is no pattern of properties having hedgerows to the front at this location. Taking all these things into account, I do not find that the scheme would be at odds with the character, pattern and form of dwellings within the locality. Consequently, I do not find any conflict with Policy 12 of the Local Plan or Policy 1 of the NDP.

Other Matters

14. The Council has confirmed that it cannot demonstrate a five year supply of housing. As a consequence of the shortfall in five year housing supply, the presumption in favour of sustainable development test set out in paragraph 11(d) of the Framework would be engaged. This provides that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
15. The Framework seeks to significantly boost the delivery of housing and recognises that small sites can make an important contribution as they are often built out quickly. The development would provide one dwelling which would contribute to the housing stock in Cornwall. There would also be limited employment, economic and social benefits through the creation of employment during construction, and through the ongoing spend of future residents, and their support for local services in the area. The appellant maintains that the site is previously developed land; however, the Framework excludes residential gardens in a built-up area. The site is located within the built environment, and I conclude that the appeal site is not previously developed land.
16. I attach moderate weight to cumulative benefits of the scheme by reason of its scale. However, for the reasons given, the proposal would have an unacceptable impact on highway safety. I attach significant weight to that unacceptable impact given the importance placed within the Framework with regards to providing safe and suitable access for all users. Consequently, I find that the adverse impacts of the development would significantly and demonstrably outweigh the very modest cumulative benefits of the proposal when assessed against the policies in the Framework taken as a whole.

Conclusion and Recommendation

17. Whilst I do not find the proposal would be harmful to character and appearance, I do find it would have an unacceptable impact on highway safety. Consequently, for the reasons given above, the appeal scheme would conflict with the development plan as a whole and there are no material considerations worthy of sufficient weight (including the Framework) which would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

S Wilson APPEAL PLANNING OFFICER

Inspector's Decision

18. The appeal site is within the Zone of Influence of the Fal and Helford Special Area of Conservation. Whilst an important issue, I have not found it necessary to examine this matter in greater detail as I am dismissing the appeal for other reasons as outlined above in the recommendation.
19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet INSPECTOR