



Appeal Decision

Site visit made on 23 September 2025

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2025

Appeal Ref: APP/D0840/W/25/3366830

Land adjacent to 35 Church View Road, Camborne, Cornwall TR14 8RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Justin Paull against the decision of Cornwall Council.
 - The application Ref is PA24/09827.
 - The development proposed is a dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a dwelling at Land adjacent to 35 Church View Road, Camborne, Cornwall TR14 8RQ in accordance with the terms of the application, Ref PA24/09827, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. A Flood Risk Assessment¹ was submitted with the appeal, together with a drawing numbered 3001, which proposes an attenuation-based surface water drainage system, designed for the 100-year peak rainfall event with a 50% allowance for climate change. The Council has confirmed that the scheme overcomes the second reason for refusal on the decision notice.

Main Issues

3. The main issues are, therefore:
 - a) The effect of the development on the character and appearance of the area; and,
 - b) Whether the proposal would provide suitable living conditions for future occupants with regard to outdoor amenity space.

Reasons

Character and appearance

4. The site lies in a residential area comprising dwellings in a range of types, scale, and design. There are terraced houses of varying age and materials on both sides of the road to the south. Directly opposite the site are substantial historic two-storey detached houses. The buildings to the north are semi-detached houses and bungalows of more recent origin, some with dormer windows. Bellever Parc, to the west, is a cul de sac of relatively recent rendered bungalows with shallow-pitched

¹ Nijhuis Consulting Engineers Ref: J-15956-01-LC dated 30 May 2025

concrete-tiled roofs. The area does not, therefore, have a cohesive or locally distinctive character. However, there is some consistency in the layout, with most buildings being set back from the roads behind boundary walls that abut the highway.

5. As it lies on the corner of Church View Road and Bellever Parc, the site is prominent in the street scene, particularly when approaching from the south. It is an overgrown piece of land, with a range of untended shrubs and scrubby undergrowth, which is invading the pavement. It is seen in association with an unattractive electricity substation and a utilitarian flat-roofed garage, which are adjacent to the site in Bellever Parc. Consequently, whilst undeveloped corner plots are often attractive features within a residential area, in this case, the unkempt nature of the site means that it does not make a positive contribution to the character and appearance of the area.
6. The proposed dwelling would be of traditional two-storey design, with rendered walls and a slate-covered hipped roof. Its ridge would be lower than that of the adjacent house at 35 Church View Road and the bungalow to the west in Bellever Parc. Its scale, form and materials would, therefore, be consistent with surrounding buildings. The main frontage of the house would be set back on an alignment with that of 35 Church View, and the side elevation would correspond with the garage building in Bellever Parc, so it would be consistent with the general layout of surrounding buildings. The front gable would project beyond the general line of buildings in Church View Road to the north, but the terraced houses on the opposite side of the Bellever Parc junction are closer to the road. Consequently, in the wider street scene, it would not appear discordant with the general alignment of buildings.
7. The proposed plot would be comparatively small, but the house itself would be a considerable distance from the neighbouring dwellings in Church View Road and Bellever Parc. Consequently, the proposal would not result in a cramped appearance in the street scene in this respect. The house would be very close to the rear plot boundary, and would have no useable rear garden. However, this would not be readily apparent from public viewpoints, so would not result in any visual harm to the character and appearance of the area.
8. The Cornwall Design Guide (December 2021) (the Design Guide) advises that the boundaries between private and public spaces should be clearly defined with vertical markers that are appropriate to their context. The proposed plot would be enclosed by a rendered boundary wall, with timber fencing above, along the back edge of the pavement. As boundary walls adjacent to the highway are a common feature in the vicinity, this element of the proposal would be entirely in character with the surrounding context. I am mindful that the Design Guide advises that closeboard fencing should generally be avoided and should not be installed alongside the public realm. In this case, however, the fencing would be hit and miss, so would have some articulation and transparency. Furthermore, it would be on top of a wall, so would not be full height. Consequently, it would not have the harmful visual impact that the Design Guide seeks to avoid.
9. Overall, the development would provide a home on a suitable site within a settlement, whilst maintaining its prevailing character and appearance. The proposal would, therefore, accord with Policies 1, 2, and 12 of the Cornwall Local Plan Strategic Policies 2010-2030 (November 2016) (the Local Plan) and Policy

C1 of the Climate Emergency Development Plan Document (2023) (the DPD). Taken together these policies seek to ensure, amongst other things, that the design of development is high-quality, and maintains and enhances the distinctive character of the area.

Outdoor amenity space

10. As the house would be close to its rear boundary, occupants would be largely reliant on the area to the front of the house for outdoor activities and relaxation. This area would measure 67 square metres, significantly greater than the footprint of the house. In spatial terms, therefore, the proposal would exceed the requirements of Policy G1 of the DPD. The proposed boundary treatment would provide a reasonable degree of privacy, which could be enhanced through future planting and landscaping. The garden would be fairly level, and the orientation would allow ample sunlight and daylight for most of the day. It would, therefore, provide a cohesive space that would be suitable for a range of activities. There would also be spaces to either side of the house, which would be large enough for some additional uses.
11. The proposed outdoor amenity space would, therefore, provide suitable living conditions for future occupants. Consequently, the development would accord with Policy 12 of the Local Plan and Policy G1 of the DPD, which seek to ensure the provision of high-quality private spaces.

Conditions

12. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The Council has submitted a schedule of suggested conditions to cover other matters. I have considered all the suggested conditions against the advice in the Planning Practice Guidance. Where I have agreed that the conditions are necessary, I have altered them, in the interests of clarity and precision, to better reflect the guidance.
13. The Preliminary Site Risk Assessment submitted with the application outlined potential land contamination which will require further investigation. A planning condition requiring such investigation and future remediation, if required, is therefore necessary and reasonable. A condition requiring completion of the surface water drainage works prior to occupation is also necessary in the interests of flood control.
14. Details of the proposed materials are included on the submitted drawings. Rendered walls, natural slate roofing, and white PVC windows would accord with the surrounding development. I have not, therefore, imposed a condition requiring submission of further details as it would not be reasonable or necessary.

Conclusion

15. For the reasons given above, I conclude that the appeal should be allowed.

Nick Davies
INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 24-0014 100A – Existing Topo Site Plan; 24-0014 101 – Proposed Floor Plans; 24-0014 102A – Proposed Elevations; 24-0014 103A – Proposed Site Plan; 24-0014 104A – Proposed Roof Plan & Sections.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - i. a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii. the site has been remediated in accordance with the approved measures and timescale; and
 - iii. a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

 - i. additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - ii. a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) The dwelling hereby permitted shall not be occupied until the surface water drainage system for the site shown on drawing no 3001 at Annex C of the Flood Risk Assessment (Nijhuis Consulting Engineers Ref: J-15956-01-LC dated 30 May 2025) has been completed in accordance with the approved details. The drainage system shall thereafter be permanently retained and managed in accordance with Figure 6 of the Flood Risk Assessment.

END OF SCHEDULE