PLANNING DESIGN AND ACCESS STATEMENT

ERECTION OF DETACHED TWO STOREY DWELLING

LAND SOUTH OF GROVE FARM, EAST HILL, BLACKWATER, TRURO TR4 8EG

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1. I**NTRODUCTION** 
   1. This is an outline planning application, with all matters reserved other than the site access and layout, for a two storey dwelling on land south of Grove Farm, East Hill, Blackwater.
   2. The proposal accords with the definition of an ‘infill’, and ‘other development within a settlement’ site as supported through the adopted Cornwall Local Plan 2010 – 2030 (the CLP).
   3. The proposal constitutes sustainable development, for which there is a presumption in favour in the CLP and the National Planning Policy Framework 2019 (the NPPF).
2. **THE SITE**
   1. The application site relates to an area of underused garden associated with the existing dwelling house at Grove Farm, Blackwater. The property has a long, elongated garden space to the south of the host dwelling. The existing dwelling is served by a private gravelled driveway, which is connected southwards to the highway linking Chiverton to Blackwater.
3. **THE PROPOSAL**

* 1. The proposals are submitted in outline form with all matters, other than the layout and the site access, reserved for further approval.The layout is shown on the submitted plans with a centrally located dwelling Drawing No: 2114-02).

1. **RELEVANT PLANNING POLICY AND MATERIAL CONSIDERATIONS** 
   1. Section 38(6) of the Planning and Compensation (PAC) Act 2004 and Section 70 (2) of the Town and Country Planning (TCP) Act 1990 alongside Paragraph 47 of the NPPF explain that ‘*planning law requires that applications for planning* *permission must be determined in accordance with the development plan,**unless material considerations indicate* *otherwise’.*

* 1. On 22 November 2016 the CLP was adopted as the development plan for Cornwall. The NPPF is, in itself, a material consideration as confirmed through paragraph 212. The Government’s National Planning Practice Guidance (NPPG) provides guidance on how the policies in the NPPF are to be implemented and is also therefore considered material for decision making purposes.
  2. St Agnes Parish Council prepared a Neighbourhood Development Plan for the area including Blackwater. Following a Referendum, the Plan has been adopted as a “made plan” and covers the period 2018 to 2030. The settlement boundary map for Blackwater is included on page 14 of the document.
  3. St Agnes Parish Neighbourhood Development Plan Area forms part of the St Agnes and Perranporth Community Network Area (CNA) in the Cornwall Local Plan. The Cornwall Local Plan makes a provision of 11,000 dwellings for the CNA in the period 2010 up to 2030. The St Agnes Neighbourhood Development Plan (NDP) states that:

“*During the plan period 844 dwellings have already been constructed and planning permission has been granted for a further 700 dwellings. It has also been anticipated that the level of windfall from 2010 – 2030 is expected to be 225 dwellings, based on previous windfall delivery.”*

* 1. The advice of Cornwall Council is that in St Agnes Parish the remaining housing requirement is likely to be delivered through windfall development without the specific need for allocations. The proposed development in the application is considered to be windfall development.
  2. Further to the adoption of the Cornwall Local Plan, Cornwall Council issued a ‘Chief Planning Officer’s Advice Note’ (the Advice Note) on ‘Infill/Rounding Off’. Whilst the Advice Note has not been subject to formal consultation, and does therefore not carry full weight in the decision making process, it nonetheless provides some more detail to the Council’s interpretation of the application of housing policies in the CLP and its supporting text.
  3. As the application is submitted in outline form, with the only matters for consideration being the layout and site access, it is the principle of the development that is sought for determination, along with the detail of the siting and the access.
  4. Over the following pages it will be outlined that the principle of development, its layout and the access to the site directly align with policies in the NPPF, the NPPG and the CLP.

1. **ASSESSMENT OF THE PROPOSAL**
   1. At the heart of the CLP and the NPPF is the presumption in favour of sustainable development. Policy 1a) of the CLP and Paragraph 11 of the NPPF require that planning permission should be granted unless ‘*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits’.*
   2. The proposal is assessed in this context.
2. **PRINCIPLE OF DEVELOPMENT**
   1. The application site concerns part of a domestic garden associated with the existing dwelling at Grove Farm, East Hill, Blackwater. Existing housing development is located on three sides, and the site is within the eastern part of the settlement with good connections to the facilities and services provided at Blackwater.
   2. Paragraph 1.57 provides the substance to policy 3.3 of the CLP and explains that any remaining housing requirements can be achieved through the following:
3. Existing sites with planning permission
4. Infill
5. Small scale rounding off
6. The development of previously developed land within or adjoining settlements
7. Rural exceptions sites.
   1. This proposal falls under both criteria 2 of paragraph 1.57 as an ‘infill’. With regard ‘infill’, the CLP defines this as follows through paragraph 1.65 to 1.67:

*‘1.65 Infill: For the purposes of this policy ‘infilling’ is defined as the filling of a small gap in an otherwise continuously built up frontage that does not physically extend the settlement into the open countryside.*

*1.66 Many frontages however are not continuously built up and have large gaps, i.e. bigger than one or two dwellings between buildings or groups of buildings. These gaps can often provide the setting for the settlement, or add to the character of the area. Proposals should consider the significance of importance that larger gaps can make to settlements and ensure that this would not be significantly diminished.*

*1.67 Large gaps often exist between the urban edge of a settlement and other isolated dwellings beyond the edge of the settlement; they are not appropriate locations for infill development and the development of these gaps would not therefore be considered as infill under the policies of this Local Plan.*

**6.4** Reference is made to the settlement boundary of Blackwater as indicated on P.14 of the St Agnes Neighbourhood Development Plan document. In reality, the eastern boundary of the settlement has been significantly altered by the Granting of planning permission for 28 dwellings on 17 November 2020 (Cornwall Council Reference PA 1/02224. This development has commenced on site and effectively moves the notional boundary of the settlement eastwards towards the development and dwellings at Grove Farm, Holly Grove and Myrtle Cottage, as shown on the Site Location Plan (Drawing No. 2114 – 02).

**6.5**  In the light of the above the submission is made that the application proposal clearly relates to the filling of a small gap, of a commensurate scale of one dwelling, with built development on three sides that will not extend the settlement into the open countryside. The proposal is ‘infill’ development as per Policy 3 of the CLP.

**6.6** Further to all of the above, reference is also drawn to page 3 of the Advice Note, which refers to ‘Other development within a settlement’ and explains that:

*The development of land which does not entirely fit the definition of infilling (part of continual frontage) or rounding off, but would be within the form and shape of that settlement, whether a main town or other settlement, will be acceptable where there is no significant harm arising to social, environmental or economic considerations.*

*Development in this respect would accord with Policy 21 c) which encourages proposals to increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land.’*

**6.7** Acknowledging the above, if a view is reached that the proposal does not represent ’infill’ development as per policy 3.3 of the CLP, the submission is made that the proposal is acceptable as a point of principle through the application of policy 21 c) of the CLP as an alternative.

**6.8** Consequently, in accordance with Policies 3 and 21 of the CLP, the proposal is acceptable as a matter of principle.

1. **DESIGN LAYOUT AND FORM**
   1. The design and form of the development is not submitted for consideration at this stage and will be addressed through a subsequent reserved matters proposal. However, the layout is a matter for consideration at this stage. The proposed plans indicate a footprint that is reflective of adjacent built form, this is centrally located within the plot, and subject to the detail being addressed through the later reserved matters application. It is submitted that the character and appearance of the proposal will be entirely commensurate and reflective of existing buildings in the locality.
   2. Policy 12 of the CLP requires though all new development that the area’s distinctive character is maintained and the existing context is considered; that new development be of an appropriate scale, layout, height and mass with a clear understanding and response to its setting; and that development should provide continuity with the existing form and respect the natural environment.
   3. The approach is consistent with Section 12 of the NPPF Paragraph 124 stating that *‘The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectation and how these will be tested is essential for achieving this…’*
   4. It is concluded that the site could easily accommodate new development that would suitably integrate within its context, without compromising the attributes of the area, in full accordance with the above policies, the detailed design of which would be addressed through a reserved matters submission.
   5. A tree survey constraints analysis and arboricultural impact assessment has been prepared by Evolve Tree Consultancy. This report is submitted with the application. The report concludes:

*“The overall arboricultural impacts of the proposed development are moderate. However, there is some potential for managing the landscape and therefore the proposal does not conflict with either local or national planning policies.”*

1. **RESIDENTIAL AMENITY**
   1. It is considered that the site is entirely adequate to accommodate the proposed development to ensure that there is enough separation between the dwelling and the adjoining properties to ensure their residential amenity is appropriately safeguarded. In addition, an adequate standard of residential amenity can be provided on the application site to ensure that a suitable living environment is provided for residential occupiers.
   2. Policy 12.2 of the CLP explains that development proposals should protect individuals and property from matters such as ‘overlooking and unreasonable loss of privacy’ and ‘overshadowing and overbearing impacts’.
   3. The NPPF through Paragraph 127 f) requires development to provide ‘a high standard of amenity for existing and future users’.

The development will directly fulfil these principles.

1. **ACCESS**
   1. The site will be accessed via an existing route serving other existing dwellings.
   2. Policy 27 of the CLP requires that *‘All developments should: 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.’*
   3. Paragraph 109 of the NPPF explains that ‘*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on the highway safety, or the residual cumulative impacts on the road network would be severe’.*
   4. Due to the established use of the access to the site it is our submission that there are no highway safety concerns arising from the proposal.
2. **OTHER MATTERS**
   1. There are no wider planning matters or other material planning considerations that are considered of relevance to this proposal.
3. **CONCLUSION**

11.01 The proposal falls within the definitions of new build housing development as supported through Policies 3 and 21 of the CLP. The proposal will bring both social and economic benefits with minimal, if any, environmental harm.

11.02 Therefore, as there are no ‘adverse impacts’ that ‘would significantly and demonstrably outweigh the benefits’ the proposals constitute sustainable development and as a result should be approved in accordance with planning law.