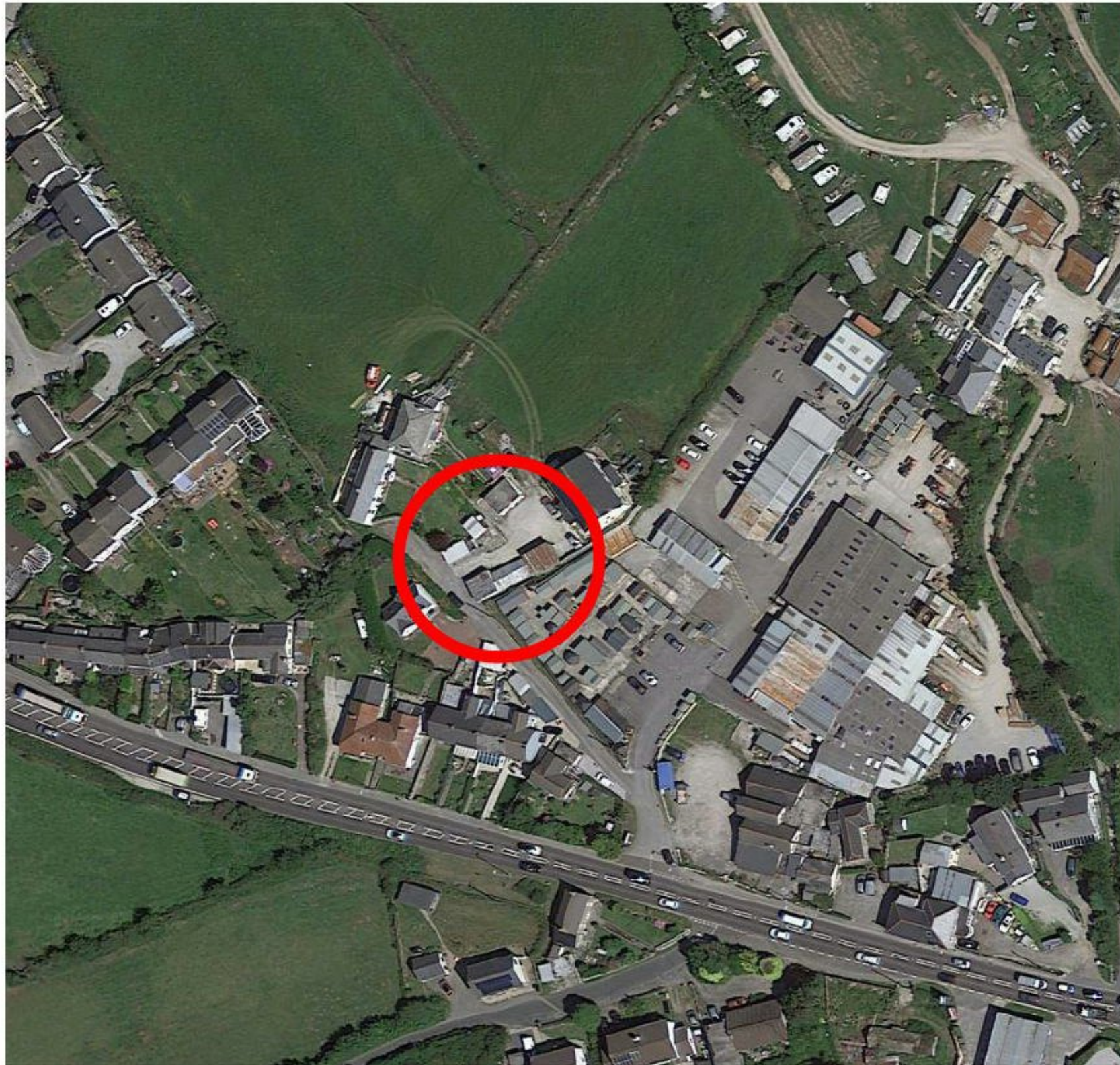


DESIGN STATEMENT:

REF: 21016.3.050

ALTERATIONS TO APPROVED SCHEME REF: PA19/05176 REPLACEMENT OF AN EXISTING  
PIGSTY AND GARAGES WITH A NEW 2 BEDROOM DWELLING.  
FOR MR F LAVERS



SUBMITTED TO CORNWALL COUNCIL AS A FULL PLANNING APPLICATION IN JULY 2021



## INTRODUCTION

Lilly Lewarne Architects are appointed by Mr F Lavers the owner of Whitehouse villas and Higher and Lower Treavars, to develop proposals that aim to alter the approved scheme ref: PA19/05176 'replacement of an existing pigsty and garages with a new 2 Bedroom dwelling'. The original application was conditionally approved on the 4<sup>th</sup> November 2019. Since gaining approval Lilly Lewarne Architects have been developing the later technical design stages commensurate with obtaining building regulations approval for the approved works. During the development of the technical design information, and in discussion with the client, it has been necessary to explore some minor amendments to the previously approved scheme to improve the internal organisation of the property, make best use of the available site (in accordance with NPPF paragraph 125 (c) and Policy 21 (notably a - c) of The Cornwall Local Plan), to make adjustments to the previously approved materials and to improve ventilation/natural light and the balance of fenestration across the development as a whole. This application seeks to regularise these minor adjustments to the previously approved scheme within the context of the principle of development already established under the existing approval.

## SITE AND LAND USE

The application site forms a collection of buildings and land, a number of which are in the client's ownership and control. To the south west corner of an historic yard area sits a single storey former pig shed which is currently used as a store and presently enjoys conditional planning approval (Ref PA19/05176) for replacement with a new 2 Bedroom dwelling. To the east of this, is a pair of semi-detached dwellings (Higher and Lower Treavars) which are owned by the applicant, with agricultural fields to the north on higher ground. To the south of the site is a mix of housing and industrial uses, with houses to the west. To the east are camping fields with open fields and granite quarries to the north.

A public right of way (Ref: 231/30/1 - Silver) runs along the access route to the site but remains unaffected by these revised proposals.

## RELEVANT PLANNING POLICY

Cornwall Local Plan Strategic Policies 2010-2030 (Adopted 22nd November 2016)

Policy 1 Presumption in favour of sustainable development



Policy 2 Spatial Strategy  
Policy 2a key targets  
Policy 3 Role and function of places  
Policy 7 Housing in the countryside  
Policy 8 Affordable housing  
Policy 12 Design  
Policy 13 Development standards  
Policy 18 Minerals safeguarding  
Policy 21 Best use of land and existing buildings  
Policy 23 Natural environment  
Policy 26 Flood risk management and coastal change  
Policy 27 Transport and accessibility

National Planning Policy Framework 2019

Section 1. Introduction  
Section 2. Achieving sustainable development  
Section 5. Delivering a sufficient supply of homes  
Section 6. Building a strong, competitive economy  
Section 11. Making effective use of land  
Section 14. Meeting the challenge of climate change, flooding and coastal change  
Section 15. Conserving and enhancing the natural environment  
Section 17. Facilitating the sustainable use of minerals

Planning Practice Guidance

Cornwall Design Guide 2013

### PLANNING HISTORY

There are several recent planning applications of relevance, including:

W2/PA03/00524/F for the erection of two dwellings and two domestic garages and installation of two septic tanks which was approved and built out. A Pre-Application Enquiry was submitted (PA17/01581/PREAPP) for both this application and the agricultural shed with

written response received 12 September 2017 (See Appendix A). The pre-app response was supportive of the replacement dwelling in this location under policy 3 of the Cornwall Local Plan due to its location within the settlement.

A planning application for a 3-bedroom house was submitted in November 2018 (PA18/01804). This was subsequently withdrawn following discussions with the Case Officer and proposals were subsequently revised prior to resubmission. These revisions included amendments to the size of the amenity space associated with the proposed dwelling and confirmation of site access, parking arrangements etc.

Following the withdrawal of PA18/01804, a new application for a new 2-bedroom house to replace the existing pigsty and garages was submitted to Cornwall Council Planning Department in June 2019 (PA19/05176). The application was conditionally approved on the 4th November 2019.

Of the statutory consultee consulted at the time:

- Countryside Access Team – no comments recorded on the public record.
- Highway Development Management – West – No objections to the application.
- Stithians Parish Council – Did not support the application, however the three cited concerns were addressed as reflected in the subsequent and existing approval.
- Mineral Policy Consultations – The proposals were not considered to conflict with policy MS1 of the DPD.
- Ramblers Association (Cornwall) - No objections to the proposal.

Of the Public comments recorded at the time, there were 7 objections and generally the following matters were summarised across them all:

1. Overlooking (This further cited as “Overlooking to properties to the north” within the subsequent Case Officers report.
2. That 4 rental dwellings and two garages are already owned by applicant.
3. Access, turning, parking, etc.
4. Existing residents had to move their vehicles (which were blocking the lane) to allow an ambulance through.
5. Impact of building works upon the lane.



Some photographs were provided by an objector illustrating the parking issues created by residents of the nearby dwellings.

Consideration of these factors were taken into account in the subsequent Case Officers Report, a brief summary of the same, viz:

### **Footprint and Scale**

*"The existing building is single storey with pitched roof. The proposed building would increase the height, but to a lesser degree than the withdrawn design due to the introduction of dormer windows and a reduced roof height. The existing height of the buildings are between 3-4 metres, up to 4 metres at the shed with the main central ridge of the main fairly squat old piggery at 3m. The main ridge height of the proposed dwelling is 6.3m, an approximate rise of 2-3 metres, which does not appear to be an excessive increase for a dwelling [...] The proposed overall increase in footprint is from 90m<sup>2</sup> to a proposed 97m<sup>2</sup>, which is a marginal increase.*

The proposed amendments to the scheme shall not affect this established position as no alterations to the footprint of the proposed dwelling are proposed. Under the current proposals the maximum ridge height has not been increased from that previously approved and the addition of dormer windows under the previously approved strategy to reduce impact has been retained under the revised proposals. The additional space at first floor and the additional dormer will not affect the properties to the north (i.e. any impacts on residential amenity will not be additionally impacted upon) and the properties at Higher and Lower Treavars remain in the applicants ownership and control. Notwithstanding, no windows have been added to the elevation facing Lower Treavars so as to protect the residential amenity of the property at Lower Treavars which is 10 meters from the development.

### **Residential Amenity**

*"The distance from proposed first floor windows to the nearest window at Whitehouse Cottage and Whitehouse Villa is 30 metres at an oblique angle. This is above the 25 metres recommended in the Cornwall Design Guide as the necessary distance to maintain privacy in a direct window to window situation. The proposal will therefore not result in a harmful loss of privacy from overlooking to occupants of the aforementioned properties as privacy by distance*



*has been secured in accordance with the Council's design guidance on residential amenity standards."*

The proposed amendments to the scheme shall not affect this established position as the footprint of the proposed dwelling remains at the distances cited above. The additional space at first floor and the additional dormer will not affect the properties to the north (i.e. any impacts on residential amenity will not be additionally impacted upon) and the properties at Higher and Lower Treavars remain in the applicants ownership and control. Notwithstanding, no windows have been added to the elevation facing Lower Treavars so as to protect the residential amenity of the property at Lower Treavars which is 10 meters from the development.

### **Parking**

*"The proposal does include two parking spaces, one being created by the removal of a low wall and one in the proposed garage (on the site of the existing shed). Given that the space occupied by these two proposed spaces is currently unusable for manoeuvring anyway, it is not anticipated that the proposal will create additional issues with manoeuvring.*

*The applicant's agent has submitted plans which shows that Higher and Lower Trevears both have two parking spaces and also demonstrates vehicle manoeuvrability for all properties. Given that the site is considered to be in a sustainable location (i.e. a settlement with public transport links) 2 spaces per property is considered to be sufficient. The development thereby accords with Government policy in paragraph 109 of the National Planning Policy Framework 2018."*

The proposed amendments to the scheme shall not affect this established position as the access, tunning and parking arrangements of the previously approved scheme shall remain unchanged under these revised proposals.

### **Access**

*"An existing access serves both the existing dwellings and land from the main road, giving access from the south-west. This would be retained and used for all dwellings. The Highways consultation returned no objection on safety terms owing to the fact that the access is existing and already serves residential properties and businesses."*

The proposed amendments to the scheme shall not affect this established position as the access, tunning and parking arrangements of the previously approved scheme shall remain unchanged under these revised proposals.



### Foul Drainage

*"The site is in an area without mains drainage (see Appendix B: South West Water drainage asset map) and due to the proximity of existing outfalls from septic tanks and packaged treatment plant serving surrounding properties, it is proposed that the replacement dwelling will be serviced by a private cesspit as indicated on the submitted drawings."*

The proposed amendments to the scheme shall not affect this established position as the drainage provisions of the previously approved scheme shall remain unchanged under these revised proposals.

### Visual Impact

*"The proposed development, by virtue of its form, design and finishes will preserve/enhance the character of the existing dwelling and the visual amenities/landscape character of the surrounding area."*

The proposed amendments to the scheme are not deemed to affect this established position as the replacement of 'sandstone' for local stone will further enhance the local distinctiveness of the proposals.

The additional comments regarding Bats and Contaminated land also remain unaffected by the revisions forming this application.

In concluding the Case Officer records that:

*"The proposal has been approved because it is considered that the development proposal accords with the said policies and there are no other overriding material considerations, which justify refusing planning permission. Taking these factors into account, on balance it is considered that the proposal is acceptable, subject to conditions. All other matters raised have been taken into account, including the planning history and the comments of the Local Council, but none is of such significance as to outweigh the considerations that have led to the conclusion".*

It is within the context of this established principle of development that the current amendments to the previously approved scheme are sought.

The application PA19/05176 was subsequently approved with conditions.



Of the conditions applied to the existing planning consent conditions No 1 – 5 can be maintained as they remain unaffected by the proposed amendments.

Condition No 6 of the existing planning consent relates to permitted development and whilst same can also be maintained under any future planning approval it is acknowledged that some of the amendments proposed under this new application (notably the extension of first floor accommodation and the porch) are presently covered by the original condition.

Immediately prior to the submission of this application a non-material amendment was submitted, (ref: PA21/05714) to Cornwall Council Planning Department seeking to amend and add fenestration to the previously approved scheme (ref: PA19/05176), in addition to requesting material changes to the boundary treatments. This application was submitted as a non material amendment on the basis that the Case Officer report for PA19/05176 had already addressed any alleged impacts in respect of visual amenity. Notwithstanding, the application was refused on the grounds that the changes proposed are not considered to be non-material (despite the previous consideration of visual amenity and the distances involved) and may incur changed to neighbouring amenity beyond that achieved under the development originally approved.

Accordingly, this new Full Planning Application now seeks to address the required amendments to the previously approved scheme (ref PA19/05176) under a further Full Planning Application and to fully and comprehensively ratify the proposed changes. This current application being made in accordance with the existing principle of development that has already been secured on the site.

### PROPOSED CHANGES

The proposed changes to the previously approved PA19/05176, and for which regularisation is sought under this application, are as follows:

1. Renewable energy sources have been incorporated into the design, in the form of Solar Panels and an Air source Heat Pump.
2. The proposed construction materials for the boundary walls of the private garden area have been amended to fairfaced concrete blockwork and stone hedge.
3. The position of all windows, including roof lights, on the previously approved north elevation have been adjusted and their sizes amended. As with the previously



approved scheme these windows remain above the 25 metres recommended in the Cornwall Design Guide as the necessary distance to maintain privacy in a direct window to window situation. The revised proposals will therefore not result in a harmful loss of privacy from overlooking to occupants of the surrounding properties as privacy by distance has been secured in accordance with the Council's design guidance on residential amenity standards.

4. New windows are proposed on the South Elevation to provide additional light and ventilation (purge and passive cross ventilation) to the plan. This having been necessitated by the free area (size) of the small windows on a single elevation within the existing approved scheme and the single sided ventilation they would have otherwise offered. Lower windows are proposed as obscure glazed units. These proposed windows do not directly overlook (in a window-to-window situation) any surrounding residential properties within 25 meters and accordingly the revised proposals will therefore not result in a harmful loss of privacy from overlooking to occupants of the surrounding properties as privacy by distance has been secured in accordance with the Council's design guidance on residential amenity standards.
5. Changes to the first-floor plan to create an enlarged master suite that can accommodate home working provisions. Including extending the ridge of the previously approved car port to match that of the previously approved dwelling. The creation of additional space reacting to the recent necessity of home working as a result of the recent Pandemic. The addition of first floor space without enlarging the footprint of the development also making the most efficient and best use of land in accordance with NPPF paragraph 125 (c) and Policy 21 (notably a - c) of The Cornwall Local Plan.
6. An additional dormer window has been added to the North elevation. As with the previously approved scheme these windows remain above the 25 metres recommended in the Cornwall Design Guide as the necessary distance to maintain privacy in a direct window to window situation. The revised proposals will therefore not result in a harmful loss of privacy from overlooking to occupants of the surrounding properties as privacy by distance has been secured in accordance with the Council's design guidance on residential amenity standards.
7. A cantilevered porch is proposed above double doors leading to private garden space to provide occupants some shelter when accessing the property. The porch has been



designed as a canopy structure rather than increasing the floor area of the proposed dwelling.

8. Rainwater goods, facias and soffits are now proposed to be black upvc.
9. A locally sourced natural stone finish is proposed to replace the previously approved 'sandstone'. The proposed amendments to the scheme are not deemed to affect this established position as the replacement of 'sandstone' for a locally sourced stone will further enhance the local distinctiveness of the proposals.
10. External lighting has been shown adjacent to both external doors.
11. External doors to be brown upvc to match the proposed windows.

### ACCESS STATEMENT

An existing access serves both the existing dwellings and land from the main road, giving access from the south-west. This would be retained and used for all dwellings. Principle access to the dwelling would be level to conform with Building Regulations.

Provision has been made within the scheme for the parking of 2 cars associated with the replacement dwelling and this provision remains unaltered from the previously approved scheme.

The client has requested that the covered parking spaces be designed to be left open to ensure that they are used for vehicle parking and not storage.

The access arrangements previously approved under PA19/05176 have not been changed and remain unaffected by the proposed amendments outlined above.

### FLOOD RISK AND DRAINAGE

The application site lies within the Falmouth and Penryn Critical Drainage Area.

Surface water drainage will be by soakaways located in suitable locations near the new dwelling and designed in accordance with BRE 365 and current building regulations.

The extent, area and nature of surfaces previously approved under PA19/05176 have not been changed and remain unaffected by the proposed amendments outlined above.

The site is in an area without mains drainage (see Appendix B: South West Water drainage asset map) and due to the proximity of existing outfalls from septic tanks and packaged treatment plant serving surrounding properties, it is proposed that the replacement dwelling will be serviced by a private cesspit as indicated on the submitted drawings. The flood risk and



drainage position and proposals previously approved under PA19/05176 have not been changed and remain unaffected by the proposed amendments outlined above.

## CONCLUSION

These submitted proposals seek to make amendments to the recently approved planning application ref: PA19/05176 to improve the internal organisation of the property, make best use of the available site (in accordance with NPPF paragraph 125 (c) and Policy 21 (notably a - c) of The Cornwall Local Plan), to make adjustments to the previously approved materials and to improve ventilation/natural light and the balance of fenestration across the development as a whole. As part of the detailed design renewable energy sources have also been incorporated in the revised proposals.

New windows have been introduced in locations where natural (cross) ventilation and natural light would be desirable for the occupants of the subject dwelling. This having been necessitated by the free area (size) of the small windows on a single elevation within the existing approved scheme and the single sided ventilation they would have otherwise offered. These proposed windows do not create any window to window overlooking issues for surrounding residential properties and face the shed storage area to the south. The windows on the ground floor have been obscure glazed.

The proposals seek to make better and more efficient use of the available development site (in accordance with NPPF paragraph 125 (c) and Policy 21 (notably a - c) of The Cornwall Local Plan) by increasing the available accommodation at first floor over the previously approved car port. This amendment has also been informed by the recent Covid 19 Pandemic and the requirement to incorporate home working provisions within dwellings. The addition of this space over the previously approved car park providing this much needed additional space at first floor whilst not affecting the overall footprint, or the total maximum overall ridge height, of the previously approved scheme, the amendments are all created within the previously approved footprint. The additional space at first floor necessitates the extension of the previously approved ridge line over the car port area but the impact of this on neighboring properties has been mitigated by the previously implemented and approved strategy (within PA19/05176) of reducing the ridge line and creation of dormer accommodation at first floor. The immediately neighboring property Lower Treavars is in the applicant's ownership and control and the southerly aspect of their existing west facing amenity space will not be affected by the proposals. No windows have been proposed on the east elevation of the proposed



development as Lower Treavars is 10 meters from the proposed dwelling and it is necessary to maintain the required distance to maintain privacy in a direct window to window situation. By the omission of windows on this elevation the revised proposals will therefore mitigate against any harmful loss of privacy from overlooking to occupants of Lower Treavars. The proposed extension of the existing approved ridge height will not have an overbearing presence in the context of Lower Treavars. Both Higher and Lower Treavars (the neighboring semidetached dwellings in the applicant's ownership and control) have a surveyed eaves and ridge height of 55.89 and 59.26 meters to datum respectively and the proposed eaves and ridge height of the proposed dwelling is 54.72 and 56.81 meters to datum respectively and relative to each other. This ensures that the proposed dwelling has a ridge height of almost 2.5 meters less than that of the nearest adjacent dwelling. Any perceived impact is further mitigated by the geometry of the site and the site layout due to the proposed dwelling being skewed 10 degrees out of parallel with the front elevation of Lower and Higher Treavars. The resulting oblique angle of incidence on the properties of Lower and Higher Treavars reducing any perceived impact as the front elevation of Higher and Lower Treavars still 'opens out' onto the existing shared access courtyard. Lower Treavars and the proposed dwelling are 10 meters apart and when this is compared the existing average density and proximity of dwellings within the established settlement pattern the proposed 10-meter separation distance between buildings is equal to, if not in excess of, the established average for the settlement.

All the proposed amendments to the previously approved scheme PA19/05176 have been considered in the context of that original approval and most notably the Case Officer's assessment, determination and subsequent approval. The proposed amendments have been justified and expanded upon within this supporting statement making reference where necessary to Planning Policy and how this has informed the development of the alternative design proposals.

Accordingly, on balance and in light of the enclosed, the proposed changes are considered to have minimal impact on the nature of the previously approved scheme and the benefits of the amendments far outweigh any perceived impacts.



Statement Prepared by

**Patrick Clark – Associate Architect**

**Dale Cummings – Architectural Assistant**

For and on behalf of

Lilly Lewarne Practice Ltd.

**APPENDIX A: PHOTOGRAPHS**



Fig.1: Image showing front elevation of existing pigsty and garages facing into the existing graveled courtyard.





Fig.2: Existing side elevation of garages directly adjacent to the access lane.



Fig.3: Rear Elevation showing the existing boundary treatment and existing materials.





Fig.4: Existing access from the lane.



Fig.5: Existing Field Access from graveled courtyard and neighbouring dwelling to the right of the image.