

Design and Access Statement

For the
Proposed Self- Contained Ancillary Accommodation
at
2 Commons Close
Mullion
Helston
Cornwall
TR12 7HY

1. The Proposal

- 1.1 The proposal relates to the construction of a detached self-contained one bedroom annexe within the rear garden of the application site. The accommodation will be used for ancillary purposes by the applicant's daughter.
- 1.2 The building itself is of a simple single storey form situated to the north-west corner of the application site. It will be faced externally in timber boarding.

2. Relevant Planning Policies

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the Town and Country Planning Act 1990 and Paragraphs 2 and 47 of the National Planning policy Framework 2021 (NPPF) dictate that *'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.'*
- 2.2 The relevant development plan documents covering the area comprise of the adopted Cornwall Local Plan (the CLP) and the Climate Emergency Development Plan Document (the CE DPD). The NPPF represents a material consideration as it confirms through Paragraph 218.

3. Assessment of the Proposal

Principle of the development

- 3.1 The proposal simply seeks to provide for ancillary accommodation within the established garden space associated with 2 Commons Close.
- 3.2 The garden space is enclosed to the rear of the main dwelling and is within close proximity to the property. The use as proposed provides for an ancillary status to the main dwelling. The ancillary status of the building can be controlled via condition.
- 3.3 There are no specific policies relative to the principle of incidental or ancillary accommodation contained within the CLP, the CE DPD or the NPPF. Cornwall Council have produced a guidance note on Annexes, whilst the document is not adopted policy, it is a useful guide, and for note it was recently considered in regard to an allowed appeal for a two bedroomed Annexe under ref: APP/D0840/D/22/3296848 at Moorgate, Higher Road, Pensilva, PL14 5NJ.
- 3.4 In allowing the above appeal the Inspector commented that *'A condition which seeks to restrict the use of the proposed building to a residential annex is also reasonable, necessary and enforceable, to prevent the proposed building being used or occupied as a separate and independent dwelling.'*
- 3.5 On the above basis, we submit that the proposal is acceptable as a point of principle, subject to the restrictive condition.

Character and appearance

- 3.6 The application site is located within a contained section of garden associated with the main dwelling, there are long established boundary enclosures to the garden space which restrict visibility into the site, with the exception of transient views over the fence from a private driveway to the north.
- 3.7 Policy 12 of the CLP requires through 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 built form and respect the natural environment.
- 3.8 This approach is consistent with Section 12 of the NPPF. Paragraph 130 requiring development to be '*visually attractive as a result of good architecture, layout and appropriate and effective landscaping*' and '*sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).*'
- 3.9 Policy 23: Natural Environment of the CLP requires development proposals to sustain local distinctiveness and character and protect and, where possible, enhance Cornwall's natural environment and assets. It explains that development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and un-designated landscapes.
- 3.10 Section 15 of the NPPF concerns the natural environment with paragraph 174 setting an overall requirement to ensure that development contributes to and enhances the natural and local environment through a number of criteria including recognising the intrinsic character and beauty of the countryside (Criterion b).
- 3.11 As a consequence of the limited visibility of the site and the subservient nature of the proposal, it will not have an adverse effect upon the character and appearance of the area, in accordance with the aforementioned policies.

Effects on living conditions

- 3.12 The NPPF through Paragraph 130 f) requires development to provide '*a high standard of amenity for existing and future users.*'. Policies 12 and 13 of the CLP follow the same emphasis.
- Due to the modest domestic nature of the proposal, and separation distances away from neighbouring properties, there will be no adverse effects on existing living conditions.

Travel plan and accessibility

- 3.13 The use is ancillary to the host property.
- 3.14 The application will also fully comply with all current Regulations and Good Practice making the scheme accessible in line with policies and legislative requirements.

Green Infrastructure

- 3.15 All established green infrastructure within the site will be retained through the proposals and can be controlled as such via a planning condition.

Other planning matters

3.16 There are no other planning matters that are considered material in this case.

4. Conclusions

- 4.1 The proposal accords with the development plan and precedents approved by Cornwall Council and allowed at appeal by the Planning Inspectorate. On this basis the proposal represents sustainable development. It provides for social and economic benefits, and it will also result in no undue harm to the character and appearance of the area or wider planning matters.
- 4.2 It is therefore submitted that the application should be approved in accordance with planning law.