

Planning Statement

Ref. 2023-24

November 2023

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Summary:

This statement is submitted in support of a full application for the replacement of an agricultural barn (benefitting from Class Q consent under PA23/01996) with a single dwelling on land east of West Lawn, Newtown Road, Congdons Shop, Launceston, Cornwall, PL15 7LS.

The existing site and barn adjoin the eastern edge of Illand, a smaller rural settlement. The existing barn benefits from Class Q consent for conversion to a single dwelling (under PA23/01996). However, the proposed design and landscaping lead to a visual enhancement and better quality, energy efficient family home beyond the extant Class Q consent.

The proposal represents sustainable development and fully accords with the Cornwall Local Plan Strategic Policies 2, 7, 21, 23 and 27, the Chief Planning Officer's Advice Note: Barn Conversions/Replacement dwelling in the countryside, and the guidance set out in the National Planning Policy Framework 2023.

Relevant planning policies:

Under section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, to the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

In this case, the development plan comprises of the North Hill Neighbourhood Development Plan 2010 - 2030 (the NDP) (this document is 'made' and attracts full weight in decision making) and the Cornwall Local Plan Strategic Policies 2010-2030 (the CLP):

NDP:

Policy H1: Location and scale of housing development

Policy H3: Design of new housing and building conversions

CLP:

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 12 Design
Policy 13 Development standards
Policy 16 Health and wellbeing
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

Climate Emergency DPD:

Policy SEC1 – Sustainable Energy and Construction;
Policy T1 – Sustainable Transport

Chief Planning Officer’s Advice Note: Barn Conversions/Replacement dwelling in the countryside (Cornwall Council)

Chief Planning Officer’s Advice Note on Infilling/Rounding Off (Cornwall Council, December 2017).

**Chief Planning Officer’s Advice Note: Providing homes (Cornwall Council, May 2023)
Housing SPD (Cornwall Council, February 2020)**

Cornwall Design Guide (adopted December 2021)

Material Considerations:

National Planning Policy Framework September 2023 (the NPPF):

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Existing site:

The existing barn is a modest sized structure clad in green metal sheeting other than the front, north opening which is timber clad and which has a large central opening. The building is of a functional lean-to design of limited visual merit.

The barn is positioned on the upper, south side of a larger field in an undesignated landscape. It is located at the eastern edge of Illand, close to the domestic curtilage of West Lawns, and accessed via the adjacent field gateway onto the unclassified Newtown Road to the immediate south.

Principle and location of residential development:

The application site lies just beyond the built form of Illand (a smaller rural settlement of 12 dwellings) which can reasonably be considered to end at West Lawns, a detached residential property and curtilage. Ordinarily, a new dwelling in this location (if not rounding-off or infill development in accordance with Policy 3 of the CLP or in the settlement as per H1 of the NDP) would therefore require special circumstances to justify it under Policy 7 of the CLP.

However, in this case, the existing barn on site benefits from extant Class Q permission (under PA23/01996) for conversion to a single dwellinghouse. In considering the Mansell case¹, where there is a real prospect of a 'fallback' position, this is material to any subsequent planning decision (i.e., in terms of replacing the barn with a new build dwelling as is now proposed). The fact that the applicant has secured a Class Q permission, with the associated expense and effort, demonstrates a real commitment to convert the barn to a dwelling and confirms a real prospect that PA23/01996 represents a realistic fallback position.

The Chief Planning Officer's Advice Note (CPOAN) (Barn Conversions/Replacement dwelling in the countryside) reaffirms the principle of the fallback position in terms of existing Class Q permissions being replaced with a new build dwelling. The CPOAN does also raise the following matters for consideration in such cases:

- Does the replacement dwelling offer a betterment in terms of design, or in terms of being more appropriate scale and character within its context?
- Is the building a non-designated heritage asset?
- Is a heritage assessment required?
- For traditionally built and structurally sound dwellings, has the application set out how the retention or incorporation of the building has been considered and discounted.
- Acknowledge that a replacement dwelling may be energy efficient.

¹ Mansell v Tonbridge & Malling Borough Council [2017] EWCA Civ 1314

The existing barn, with its lean-to form and green box profile cladding, is of limited visual merit in the wider landscape. Notwithstanding this, the proposed dwelling design has been informed by the scale, width and positioned of the existing barn. The proposal is single-storey and the resultant scale ensure no significant increase in building mass beyond the existing barn in terms of the wider landscape. The proposed design incorporates vertical timber boarding, and a dark grey corrugated type roof; these design cues reflect the former agricultural context whilst also achieving a more recessive appearance in the wider undesignated landscape. The provision of a new hedge bank around the building also helps to assimilate the proposal into the wider rural context.

Given its age and appearance, the existing barn is not a heritage asset, and is not a traditional structure; as such, it has not been incorporated into the proposed dwelling design.

The proposed design achieves a much more energy efficient dwelling than likely achievable by converting and retrofitting the existing barn. The application is supported by an Energy Statement which demonstrates the energy efficiency credentials of the proposed dwelling. The design has been carefully considered to utilise the south facing roof pitch for a solar pv array. The footprint of the dwelling has been moved slightly further north to mitigate any potential shadowing to the dwelling and solar pv from the roadside hedge planting.

In summary, the Class Q permission is a realistic fallback permission which establishes the principle of a replacement dwelling in this context. The proposal delivers an energy efficient family home at the edge of the settlement. It results in a more sympathetic design and landscaping in the wider undesignated landscape. The principle of the replacement with the proposed design is therefore acceptable in this site context. The proposal fully accords with Policy 7 of the CLP and the CPOAN (Barn Conversions/Replacement dwelling in the countryside) in this regard.

Access:

The existing barn is served by an established vehicular access (field gateway) onto the unclassified Newtown Road to the immediate south. This access to the barn formed part of the Class Q permission / fallback position.

The proposed again seeks to utilize this same access. Considered on a one-for-one replacement basis due to the extant Class Q permission, the proposed single dwelling does not result in any increase traffic movements. The existing access also provides suitable visibility plays in either direction for egressing traffic.

In conclusion, the proposed access and parking arrangements are safe and suitable in accordance with Policy 27 of the CLP.

Visual impact and Landscaping:

As concluded, the proposed design (and landscaping) results in a significant visual enhancement in terms of the character of the wider undesignated landscape. The proposed design, form and materials purposely seek to achieve a more agricultural appearance. The use of the dark grey roof and dark window frames also helps to achieve a more recessive appearance. As such, the proposal sits comfortably within this undesignated landscape and without harm to its character.

The proposed design (which includes a south facing solar PV array and air source heat pump (ASHP)), and as per the submitted Energy Statement, delivers an energy efficient, sustainable and comfortable family home. The proposed design is in full accordance with Policy SEC of the Climate Emergency DPD.

The submitted plans demonstrate enhanced landscape planting as part of the proposed works, particularly new native species hedge planting to the north, east and west site boundaries. This helps to assimilate the proposal into the wider landscape character and provides significant habitat enhancement as well. The established roadside hedge is also to be retained and protected during construction.

The proposed design and landscaping fully accord with Policies 2, 7, 12 and 23 of the CLP.

Heritage assets:

Neither the site nor wider location are designated heritage assets.

Flood Risk/Drainage:

The proposed dwelling lies entirely within Flood Zone 1 and is not within a Critical Drainage Area. As such, and given its scale, further Flood Risk Assessment (FRA) is not required in this instance.

As existing, the proposal will connect to a package treatment plant. Surface water will be dealt with via soakaway.

Ecology:

The site is not within or close to any sites designated for their ecological value. However, given demolition of the existing barn is proposed, the application is supported by a Phase 1 bat and nesting bird survey report (prepared by Devon and Cornwall Ecology, dated December 2022). The survey found no evidence of protected species using the building and does not recommend further surveys. Recommendations and suggested habitat

enhancements have been integrated into the proposed designs. The application is also supported by an Ecology Trigger List.

Conclusion:

Given the established fallback position of Class Q permission, the principle of replacing the barn with a dwelling is acceptable in planning terms.

The proposed design and landscaping result in a visual enhancement in the wider undesignated landscape and deliver a more energy efficient home than achievable through converting the existing barn.

Access is safe and suitable in accordance with Policy 27 of the CLP.

The proposal fully accords with the policies of the Cornwall Local Plan, CPOAN and the NPPF. In the absence of any other material considerations to indicate otherwise, the application should be supported by Cornwall Council.