

DESIGN, ACCESS AND PLANNING STATEMENT

**ADVOCO
-PLANNING**

PROPOSED DEVELOPMENT:

AFFORDABLE DWELLING

ADDRESS:

The Shed
Ox Lane
St Mawgan
TR8 4EU



October 2023

1.0 Introduction

- 1.1 This combined Design, Access and Planning Statement has been prepared by Advoco Planning and FDArchitecture. The purpose is to explain and support a detailed planning application submitted to Cornwall Council for an affordable dwellinghouse (Class C3) at land at The Shed, Ox Lane, St Mawgan, TR8 4EU. The applicants, Mr and Mrs Fenner are the owners of the site and the dwelling is for their own occupation as their principal residence. The site forms part of a larger site which gained outline planning approval in December 2019 for up to three houses including affordable housing. Had it been possible, this application may have been made via reserved matter application, but in the event the original outline application has now lapsed and therefore a full planning application for a single dwelling is made. The applicants have, through the council, also been through a process of validation of their qualification as occupants of this affordable home.
- 1.2 In the interests of submitting clear and concise information, the national and local requirements for both a Design and Access Statement and Planning Statement have been combined on this occasion, although care has been taken to ensure that the formal requirements for both documents are met in this single submission.
- 1.3. The Design and Access component forms the front section of this document, and the Planning Statement is included as **Appendix 1**.

2.0 Site Location and Description

- 2.1 The application site ('the Site') is located on the outskirts of St Mawgan which is immediately to the south.
- 2.2 The Site is within a mixed residential and agricultural area with farm buildings to the rear of the site (west), scattered residential properties to the south, and farmland to the north and east as shown in Figure 1 below.



Figure 1: Aerial photograph of local area, with site's location identified.

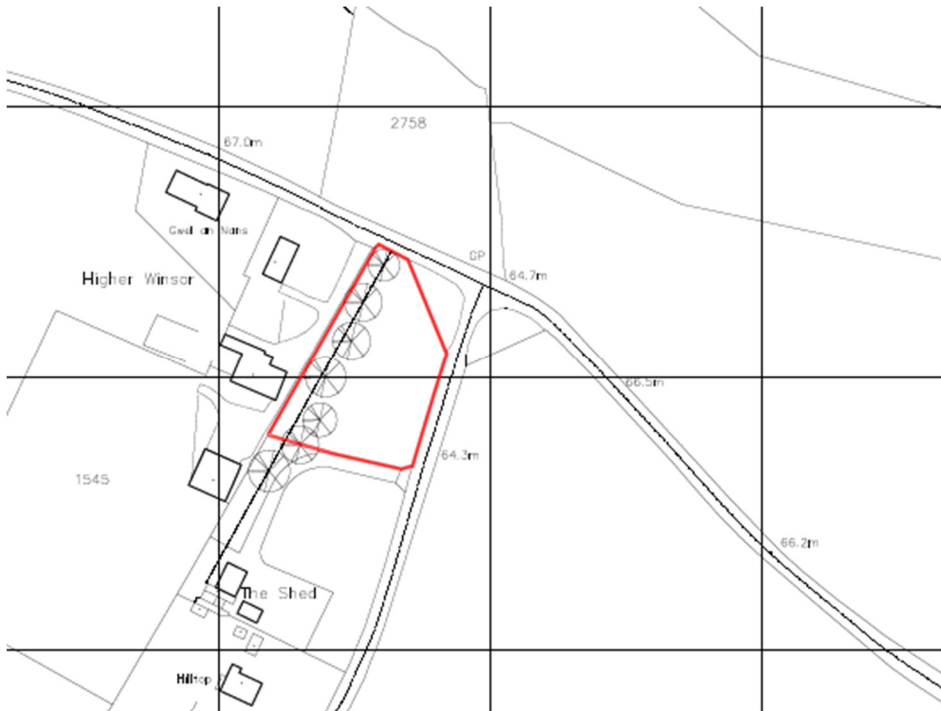


Figure 2: Existing Site Location Plan (extract) showing Site outlined in red.

The Site

- 2.3 The Site extends to circa 0.10 hectares and comprises an area of garden land that is maintained as an area of lawn. Access to the site is via Ox Lane via the existing access as shown in Figure 3 below.



Figure 3: View of existing improved access onto Ox Lane

- 2.4 The site is located in a fairly exposed position forming relatively flat elevated area with distant views in all directions. The site is close to the junction between Ox Lane and Higher Windsor.

Ox Lane is a single track road with high and well established Cornish hedges on either side, whilst Higher Windsor, has similar characteristics but is wider and is double width in most places and therefore a more significant road.

3.0 Design Principles

3.1 The design rationale has been to construct a new high quality home that accords with the parameters defined in the original outline approval whilst meeting the specific needs of the applicants. At the same time, at the heart of the proposal is to design a development which is responsive to the site’s setting and the context of the surrounding area.

3.2 Key site-specific factors and principles which have guided the design have included:

- Living space requirements: Three bedrooms including one ground floor bedroom, combined kitchen and dining space;
- Topography: Work with the Site’s location and topography whilst minimising overall building height and impact on the local landscape;
- Energy efficiency: To achieve and exceed Building Regulations requirements (Part L), and include renewable technologies, where it is feasible to do so;
- Architectural design: A relatively simple traditional design, with contemporary detailing that references and is sympathetic to development in the local area.

4.0 Design and Access Considerations

4.1 The following sections address the main Design and Access headings relating to: -

- i. Use and Amount
- ii. Layout
- iii. Scale
- iv. Landscaping
- v. Appearance
- vi. Access
- vii. Sustainable Construction

i. Use and Amount

4.2 The proposed development is for the erection of a three-bed detached dwelling with the upper floor accommodation set partly within the roof space.

4.3 The following table sets out the proposed floor area (sq.m GIA):-

Ground Floor	86
First Floor	38
Garage (non-habitable)	28
Total	152 sq.m. (124 sq.m habitable)

ii. Layout

4.4 The proposed dwelling is arranged over two floors as follows:

- Ground Floor: Combined kitchen dining area, separate living room, double bedroom, snug, entrance hall and single integral garage; and
- First Floor: Two further bedrooms and a bathroom.

4.5 Approximately two thirds of the total accommodation is provided on the ground floor and only a third on the upper floor. As a result of this the building is part single and part 2 storey.

4.6 The dwelling is designed to fully comply with Part M of the Building Regulations, where possible, including level thresholds to main entrance doors and internal door widths and corridors at the Upper Ground level.

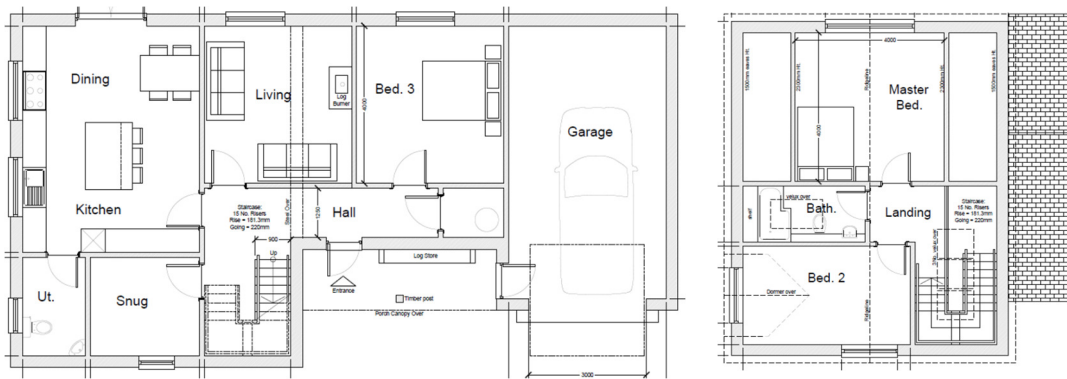


Figure 4 Proposed layout of the dwelling arranged over two floors.

4.7 The application site comprises a corner plot with two active road frontages. Given the layout of the site there are competing arguments in terms of the orientation of the house and which road frontage it should address. In the event the site is well screened and the hedge along both road frontages limits views into the site.

4.8 The key determinant of the orientation of the house has therefore been the trees which run along the site’s western boundary. Whilst these are some distance from the house, they are large and visually dominant. Accordingly, the optimal orientation for the trees to be located at the side of the property rather than the rear and therefore this is proposed.

iii. Scale

4.9 The scale of the proposed dwelling aligns with the original outline approval and accords with more general guidance in relation to affordable homes which ordinarily are expecting to be in the region of 120 sq.m. The proposed unit also complies with the Nationally Described Space Standards which require a minimum of 102 sq.m.

iv. Landscaping

4.10 The proposals including the setting out of a domestic curtilage which will result in a garden area around the house being formed. Whilst it is not considered necessary to impose a landscape condition, should the LPA think otherwise, a landscaping scheme could readily be secured via planning conditions.

v. Appearance

- 4.11 The architectural form and detailing of the proposed dwelling comprise a simple design which draws from a narrow but high quality palette of materials. The roof will be natural slate whilst the dominant material for the walls is natural larch cladding, which will weather and silver over time.
- 4.12 The dwelling will be part single and part 2 storey in height which serves to add interest and articulation to the design, whilst minimising its mass and landscape impact. As previously stated, the upper floor provides less than a third of the total floor area proposed. This accommodation is also set within the roofspace which ensures that the building appears recessive within the landscape.
- 4.13 If required by the LPA, further details of the proposed external materials and finishes could be submitted by the Applicant prior to the determination of the planning application, or alternatively via planning condition.

vi. Access

- 4.14 Vehicular access would be via the existing access onto Ox Lane as shown in Figure 3 above. This access was improved and upgraded at the time of the original outline application and has been designed to accommodate the residential development consented. It will function as a shared access and will therefore serve a maximum of three dwellings.
- 4.15 The proposed dwelling will have a short drive and connect to the existing shared driveway. A turning area at the front of the proposed dwelling is proposed to be provided which ensures that cars can access the new dwelling with ease, whilst maintaining access for the rest of the site, and any later development that it may accommodate. A single garage is proposed which is oversized and therefore provides parking for a single car and at least two cycles. The front hardstanding area also provides at least 2 further car parking spaces.

APPENDIX 1**PLANNING STATEMENT****1.0 Introduction**

- 1.1 This Planning Statement has been prepared by Advoco Planning, and is to provide the town planning justification for a full planning application submitted to Cornwall Council (the Local Planning Authority – ‘the LPA’) for an affordable dwelling for their own occupation.
- 1.2 The details of the Site and the design merits of the proposals are explained within the preceding Design and Access Statement. This Planning Statement addresses the proposed development’s compliance with relevant planning policies and guidance at the local and national levels.

Relevant Planning History

- 1.3 The LPA’s online planning history register identifies the following:-
- 1.4 **PA18/09327.** Outline planning approval for up to 3 dwellings including up to 2 affordable units. Approved 20.12/2019. This application was approved with all matters reserved.
- 1.5 **PA15/03435.** Prior Approval of proposed change of use of agricultural building to a dwellinghouse (use class C3) and associated operational development. Approved 14/05/2015. This development has been completed and is now occupied.

2.0 Planning Policy Context**Development Plan**

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2 The part of the Development Plan relevant to the assessment of this planning application is the Cornwall Local Plan (including Community Network Area sections), adopted on 22 November 2016.
- 2.3 The Cornwall Site Allocations DPD (adopted November 2019) also forms part of the Development Plan but is not applicable to the Site. The Site is within the Mawgan-in-Pydar Neighbourhood Plan Area which was designated in August 2019. However, preparation of the Neighbourhood Plan is at an early stage.

Allocations and Designations

- 2.4 The LPA’s online Interactive Policies Map and the Environment Agency’s online Flood Map for Planning confirm that the Site has the following designations:
- CCA17. Newquay and Perranporth Coast Landscape Character Area;
 - Area of Great Landscape value (AGLV)

- Designated Rural Areas/AONB; and
- Within Flood Zone 1 (lowest risk of flooding).

2.5 In terms of heritage, the site is not located within a conservation area, nor does it contain any listed buildings or structures.

Relevant Local Plan Policies & Guidance

2.6 The policies of the Local Plan which are considered most relevant to this planning application are: -

- Policy 1 - Presumption in favour of sustainable development
- Policy 2 - Key targets and spatial strategy
- Policy 3 - Role and function of places
- Policy 7 - Housing in the countryside
- Policy 8 - Affordable housing
- Policy 9 - Rural Exception sites
- Policy 12 - Design
- Policy 13 - Development standards
- Policy 21 - Best use of land and existing buildings
- Policy 23 - Natural Environment
- Policy 27 - Transport and Accessibility

2.7 The Cornwall Design Guide 2013 was adopted in March 2013 and is a material consideration in the planning process. It provides a design process to inform and improve the quality of design and development, and sets out design principles which act as a suite of criteria to design and assess development proposals.

National Planning Policy Framework (NPPF)

2.8 The latest version of the National Planning Policy Framework was published in July 2021 ('the NPPF') and sets out the Government's planning policies for England and how these should be applied. The document, and the Government's supporting Planning Practice Guidance ('PPG') which amplifies aspects of NPPF policy and due process, are both material considerations in planning decisions. Earlier versions of the NPPF have been archived and carry no planning weight.

Presumption in Favour of Sustainable Development

2.9 The NPPF identifies that the purpose of the planning system is to contribute to the achievement of 'sustainable development' (Paragraph 7). Achieving this means that the planning system has three overarching objectives - economic, social and environmental - which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives (Paragraph 8).

2.10 These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF but are not criteria against which every decision can or should be judged. (Paragraph 9).

- 2.11 The Local Plan's policies reflect and reaffirm the NPPF's presumption in favour of sustainable development (Policy 1).

3.0 Planning Compliance Statement

- 3.1 This section of the Statement assesses the proposed development's compliance with relevant Local Plan policies, the NPPF, and other relevant planning guidance and standards.

Land Use Principles

- 3.2 The principle of at least one affordable house on this site has been previously established via the outline planning approval ref. PA18/09327. This application was for up to 3 dwellings of which up to two would have to be affordable in the event that three were pursued. The outline approval also appeared to also allow 2 units only, and in this case at least one would be affordable and one would be an open market house. There is some ambiguity on this point and a potential inconsistency between the planning permission and the associated s.106 planning obligation.
- 3.3 That outline approval has now lapsed and therefore the principle of an affordable house, whilst previously agreed, has also lapsed and must therefore be re-assessed. In this regard the key issues relate to whether there has been any material change in circumstances since the 2019 outline approval and whether the principle established by that approval continues to apply in the context of this application for a single affordable unit. Inevitably this assessment will draw heavily on the previous officer's report as this sets out the planning justification and approach in relation to the earlier approval.
- 3.4 CLP Policy 9 allows rural housing where it rounds off a settlement or is infilling. Where these criteria are not met, the only other criteria would be the provision of an affordable housing led scheme which should be 'well related to the physical form of the settlement and appropriate in scale, character and appearance'.
- 3.5 This proposal is only for a single unit and occupies just under half the previous outline approval site. It is therefore entirely affordable and would seemingly allow either 1 or 2 further dwellings on the remainder part of the original outline site to the south, at least one of which would need to be affordable. Given the approach adopted in relation to the outline approval, it is considered that they apply equally to a single affordable dwelling and therefore the principle of the proposal is acceptable and accords with Policy CP9.
- 3.6 In reaching this conclusion, it must be acknowledged that the rest of the site could remain undeveloped and therefore only the proposed house would exist. In this regard the proposed position of the house loosely clusters with other farm and residential buildings on adjoining land to the west and therefore the house would continue to be 'well related to the physical form of the settlement'.
- 3.7 For the above reasons, the principle of the proposed development is established, and the acceptability of the proposals therefore hinges principally on design-related matters, together with other development management considerations. In this regard, the other areas of assessment to be addressed in turn below are:

- Affordability;
- Design Principles;
- Neighbouring Amenity;
- Highways Access, Safety and Parking;
- Ecology and Biodiversity; and
- Trees and Landscape Impact

Affordability

3.8 As detailed above, the acceptability of the original outline planning approval for residential development hinged on the ability of the site to deliver affordable housing. The applicants are a local family who have special housing requirements arising from medical conditions affecting family members. These impose a requirement for additional internal living space. There are formal diagnoses for the conditions which are clearly confidential but can be shared with the Council if required. The applicants have also been through a process of verification terms of establishing their qualification for occupying this proposed house against the criteria set out in the original planning obligation. This process has confirmed that they meet qualification criteria and therefore affordable housing objectives are met in terms of the initial occupation of the dwelling.

3.9 Notwithstanding this point, the outline approval including a legal obligation which ensured that the house(s) affordable status is permanent. This principle clearly needs to be re-established and the applicants accept this. The original legal agreement included the following definition:-

'Affordable Dwellings' means any one of the 2¹ dwellings (including any associated parking space(s) and residential curtilage) referred to in the Application and/or the approved Affordable Housing Scheme in accordance with the Affordable Housing Mix comprising:

- (a) *Affordable Rented Dwellings; or*
- (b) *Intermediate Homes for Sale*

to be constructed on the Land pursuant to the Planning Permission and "Affordable Dwelling" means any one of the said dwellings

3.10 The applicant accepts this definition and is committed to a legal agreement which secures the affordability of the proposed dwelling in perpetuity. Proof of Title is readily available and the applicant agrees to pay the Council's reasonable legal costs in either drafting the necessary agreement or reviewing an agreement prepared by a third party on the applicant's behalf.

3.11 With such an agreement in place the affordability objectives of the Council will be secured.

Design Principles

Relevant Planning Policy

3.12 Paragraph 126 of the NPPF makes clear the role good design plays in achieving sustainable development. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments: will function well and add to the overall quality of the area; are visually attractive; are sympathetic to local character and history; establish or maintain a

¹ This is an apparent inconsistency as the approval is for up to three houses.

strong sense of place; optimise the potential of the site; and create places that are safe, inclusive and accessible.

- 3.13 These overarching principles are reiterated at Policy 12 of the Local Plan and throughout the Cornwall Design Guide.

Compliance

- 3.14 As demonstrated in the preceding Design and Access Statement, the proposed dwelling would be a high-quality and wholly complementary addition to the local housing stock. The broadly traditional design, with contemporary detailing is considered to be an entirely appropriate design response.
- 3.15 The proposed development therefore should be considered to fully comply with national and local design and place making policies and guidance.

Neighbouring Amenity

Relevant Planning Policy

- 3.16 Policy 12 of the Local Plan states (inter alia) that development proposals should protect individuals and property from:

- a. overlooking and unreasonable loss of privacy; and*
- b. overshadowing and overbearing impacts; and*
- c. unreasonable noise and disturbance.*

Compliance

- 3.17 The proposed position of the house is some distance from the adjoining residential property. The total distance between existing and proposed dwellings is approaching 50 m. The relationship between the two is also oblique and has mature trees within the intervening space. In these terms none of the impacts outlined above will arise and therefore Policy 12 is complied with.

Highways Access, Safety and Parking

Relevant Planning Policy

- 3.18 Access: Both the NPPF (Paragraph 110) and Policy 27 of the Local Plan require new development to achieve safe and suitable access for all users.
- 3.19 Highway Safety and Impact: Paragraph 111 of the NPPF states that development should only be refused on highways grounds if there would be *'an unacceptable impact on highways safety, or residual cumulative impacts on the road network would be severe'*.
- 3.20 Parking: Policy 13 of the Local Plan states that *'an appropriate level' of off-street parking and cycle should be provided, 'taking into account the accessibility of the location in terms of public transport and proximity to facilities and services'*.

Compliance

- 3.21 The principle of using the existing site access and for this to serve up to three dwellings has been established through the outline approval. Adequate parking is also shown including up

to 4 car parking spaces plus cycle parking within the garage, which is oversized to accommodate this provision.

3.22 Accordingly, the parking and access arrangements are considered to comply with the NPPF and Policy 13 of the Local Plan.

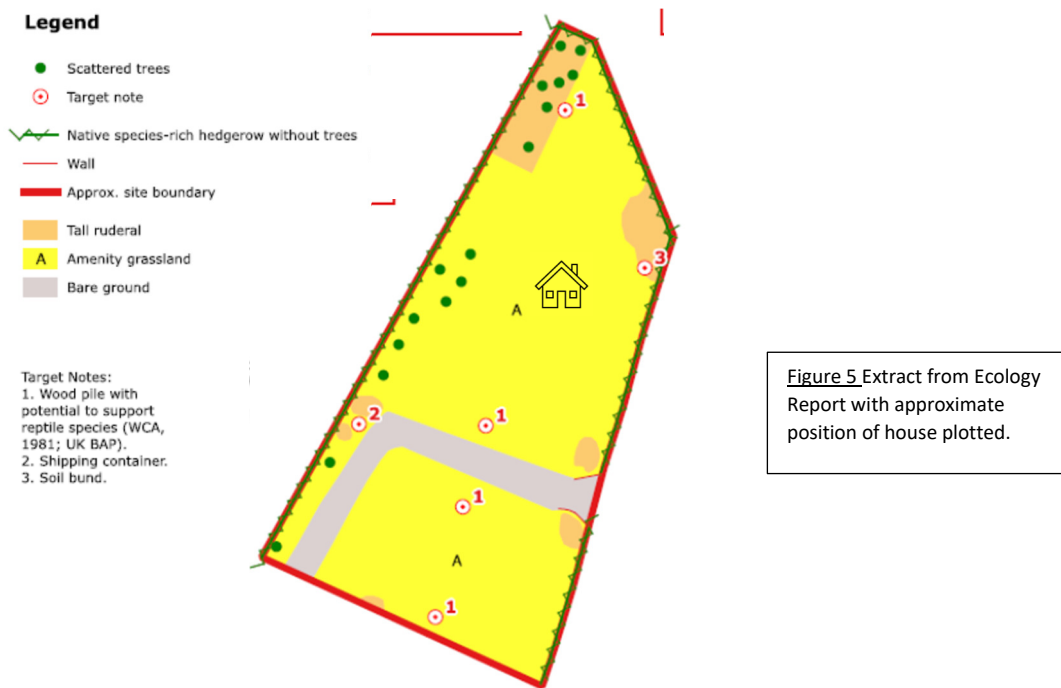
Ecology and Biodiversity

Relevant Policy

3.23 Paragraph 174 of the NPPF and Policy 23 of the Local Plan both require that new developments should avoid adverse impacts on protected species and habitats and should pursue opportunities for net gains in onsite biodiversity.

Compliance

3.24 The original outline application was accompanied by a Preliminary Ecological Assessment which assessed the whole application site, and therefore an area far larger than the current application site. The area where the dwelling is proposed is managed as domestic garden and comprises well kept and regularly cut lawn area. Figure 5 below shows the identified features of ecological potential.



3.25 It is clear from the above that the house is proposed to be located on amenity grassland (lawn) and there are no features of ecological potential that will be impacted. Immediately to the south of the proposed dwelling the 2018 survey indicated the presence of a woodpile. That is no longer present whilst the tall trees will be unaffected by the proposed development and that applies equally to the small areas of tall ruderal vegetation identified, all of which are located on the margins of the application site.

- 3.26 In addition, no buildings need to be removed and there have been no material changes to the site which might have resulted in new areas of ecological potential being formed. In these terms, no adverse biodiversity impacts will arise.
- 3.27 Notwithstanding the above conclusion and the uncertainty regarding the formal adoption of Biodiversity Net Gain, there is a key policy objective of achieving biodiversity enhancement through development. In this regard the original Ecology Report included the following suggested measures.
- There is opportunity to enhance the site for roosting bats by installing bat boxes/ tubes within the proposed new dwellings. In accordance with the pending Cornwall Council Biodiversity Supplementary Planning Document (SPD) a single bat tube (or bird box) must be incorporated into the fabric of each new dwelling. Suitable products for bats include 1FR & 2FR Schwegler bat tubes.
 - There is opportunity to enhance the site for nesting birds by installing bird boxes within the proposed new dwellings. In accordance with the pending Cornwall Council Biodiversity SPD a single bird box/brick (or bat roost feature) must be incorporated into the fabric of each new dwelling. Suitable products include Schwegler brick nest.
 - There is opportunity to enhance the site for invertebrate species by installing a bee brick within the fabric of the proposed new dwellings. In accordance with the pending Cornwall Council Biodiversity Supplementary Planning Document (SPD) a single bee brick must be incorporated into the fabric of 50% of the proposed new dwellings.
 - Maximize the value of the site for invertebrates, amphibians, reptiles and hedgehog by providing piles of deadwood and stones in landscaped areas post-development. The proposed sedum roof will add habitat for invertebrates.
 - Plant native tree and shrub species as opposed to introduced ornamental species within landscaped parts of the site post-development.
- 3.28 These could be secured in whole or part via an appropriately worded planning condition and would ensure that biodiversity enhancement was achieved. The inclusion of a sedum roof further adds to the overall biodiversity enhancement. In light of the above findings and recommendations, it should be considered that the proposed development complies with Paragraph 174 of the NPPF and Local Plan Policy 23 with regards to species and habitat protection and onsite biodiversity enhancement.

Trees and Landscape Impact

- 3.29 The key landscape features of the site are the trees which run along part of the site's western boundary and the Cornish hedge that encloses the site on two sides comprising its road frontages. Neither of these features will be impacted by the proposed development.
- 3.30 Specifically, the tree belt along the western boundary comprises mature Monterey pine trees. Whilst these are non-native species, they are highly visible given their relative isolation and prominence and have a positive landscape impact which extends beyond the application site. The proposed dwelling will be situated well outside the (high) canopy spread of these trees and no additional building work such as hardstanding of garden features is proposed within the intervening space. In these terms, the trees will be safeguarded and in accordance with

BS5837:2012 there is no formal requirement for a Tree Survey or Arboricultural Impact assessment. That said, as a further safeguard the application will be happy to erect and maintain protective fencing following to outer edge of the crown spread of these trees. This would be maintained throughout the construction phase and could be readily secured by planning condition.

- 3.31 The site also falls within an Area of Great Landscape Value, which is a large scale designation which acknowledges special landscape qualities, though insufficient to justify AONB status. Within this wider destination the site falls within the Newquay and Perranporth Coast Landscape Character Area.
- 3.32 The previous outline approval established the principle of development and this would inevitably included a dwelling in the approximate location of the house as now proposed. Accordingly, the landscape impact has previously been assessed albeit in more general terms, and the development of a largely open site will inevitably have some landscape impact.
- 3.33 In this regard, the house is modest in scale. It is also limited in height and both these factors seek to minimise any wider landscape impact. The site is relatively exposed and is visible from all sides, with no obvious hierarchy in terms of important and less important views. In these terms the proposed dwelling could be positioned parallel to either Ox Lane or Higher Windsor and the landscape impact would be the same for either option and would be equally limited.
- 3.34 In the event, the proposed dwelling is orientated in a north- east south-west direction. This means that it presents a side elevation to the mature trees along the western boundary. This in turn reduces the chances of any future amenity conflict in terms of loss of light, outlook or overshadowing from these trees and therefore provides the optimal orientation for the house.
- 3.35 None of the features or characteristics identified with in the Council Landscape character assessment would be impacted by the proposed development and any landscape impact would be both limited and highly localised, with limited views of the proposed dwelling from anywhere other than within the site.
- 3.36 It is therefore contended that no adverse landscape impacts will arise, and no existing landscape features will be lost, whilst planning conditions would allow further landscape enhancements to be secured. The proposals therefore comply with CLP Policy 23.

4.0 Conclusions

- 4.1 The proposed development provides a high quality affordable dwelling on a site where the principle of such housing has previously been established. The dwelling will meet the pressing housing needs of a local family and will remove any housing burden from the public purse and provide an affordable unit in perpetuity.
- 4.2 It has been demonstrated that the design of the proposed development is sympathetic to local character, and is compliant with relevant Development Plan policies, associated guidance, and the NPPF in all other technical respects, thereby constituting Sustainable Development.