

Erection of a Dwelling

Amended Scheme

on Land to the South West of 'Westward Ho', Ashton, Helston, Cornwall

Design & Access Statement & Heritage Impact Assessment

On behalf of:

Mr Chris Lock

December 2023



Penmellyn

Design & Land

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1.0 Introduction

- 1.1 This statement accompanies a new planning application which follows advice given by the planning officer in response to a pre-application enquiry, reference PA23/01075/PREAPP and the decision to withdraw planning application reference PA23/02553 in August 2023. The main concern raised by the planning officer in determining PA23/02553 was the perceived potential overbearing impact on the neighbouring property known as 'Bamforth' which is located on the north west boundary of the application site.
- 1.2 Our amended scheme now proposes a dormer style bungalow with only a single first floor window which faces south. The planning officer agreed in his advice following PA23/01075/PREAPP that the impact on the neighbouring property, as a result of the amended scheme, would be minimal given the hipped style roof which has an eaves level more or less level with the existing boundary with the neighbouring property.
- 1.2 This application is supported by the following drawings:
- 001 Location Map;
 - 002 Block Plan as Existing;
 - 003 Site Layout as Proposed; and
 - 004 Plans & Elevations as Proposed.
- 1.3 This application is made to the Local Planning Authority (LPA) and relates to the area edged in red on the submitted Location Plan, see extract below.

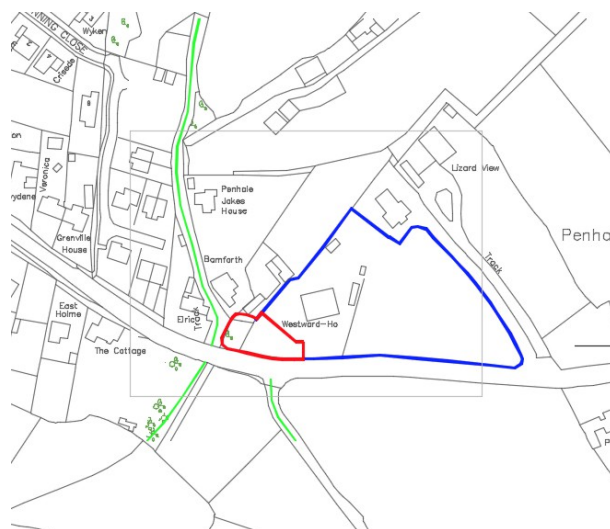


Figure 1. Extract from submitted Location Map

2.0 Site Location and Description

- 2.1 The site, which measures 0.06 hectares, is situated in on the eastern fringes of Ashton immediately adjacent to the A394. It currently forms part of the large residential garden associated with the applicant's current home known as Westward Ho. The area of garden is relatively flat with a gentle upward slope in a north easterly direction
- 2.2 The main built up area of Ashton village is to the west and the site has residential development on 3 sides with the A394 immediately adjacent to the southern boundary.
- 2.3 There are local services and facilities available, including a public house and bus stops providing frequent bus services to the wider area.
- 2.4 The site is not within Article 3.2 land and there is no overriding architectural style in the immediate area with existing residential housing being a mix of traditional and modern predominantly two storey dwellings. There are no known heritage constraints, the site is not designated for high its landscape value and there are no tree preservation orders within the site or close to it. Finally, the site is located within Flood Risk Zone 1, which is at the lowest risk from flooding by the sea or rivers.
- 2.5 The site lies within the zone of influence for the Fal and Helford Special Area of Conservation, (SAC). Policy 22 of the CLP requires that the potential impact of new development and future tourist guests in respect of recreational pressure will need to be considered and appropriate mitigation measures identified. It sets out potential mitigation measures which can include specific actions, provision and/or a financial contribution.

3.0 The Proposals

- 3.1 The proposal is to erect a detached dormer style bungalow in the south western corner of the garden of Westward Ho. The single storey dwelling will have 3 bedrooms on the ground floor with a master bedroom located entirely within the roofspace which is served by a single dormer window facing south across the A394 towards the countryside beyond.
- 3.2 The new dwelling will be finished externally with painted render under a simulated slate roof. It will benefit from a private garden/patio area to the west and on-site parking and turning to the east. The new dwelling will share the existing access off the A394.

3.2 The Cornish hedge on the roadside boundary and on the boundary with 'Bamforth' will be retained. A new section of traditional Cornish hedge will be created at the entrance to the site and the boundary between the application site and Westward Ho will be a close boarded fence.



Figure 2. Extract from the Block Plan as Proposed

3.3 The proposed dwelling, see images below, is a single storey style dormer bungalow with the first floor accommodating a single master bedroom. The ridge height of the the proposed dwelling is 6.5m from ground level which compares favourably with the existing dwelling and is 0.7m lower than the original scheme.

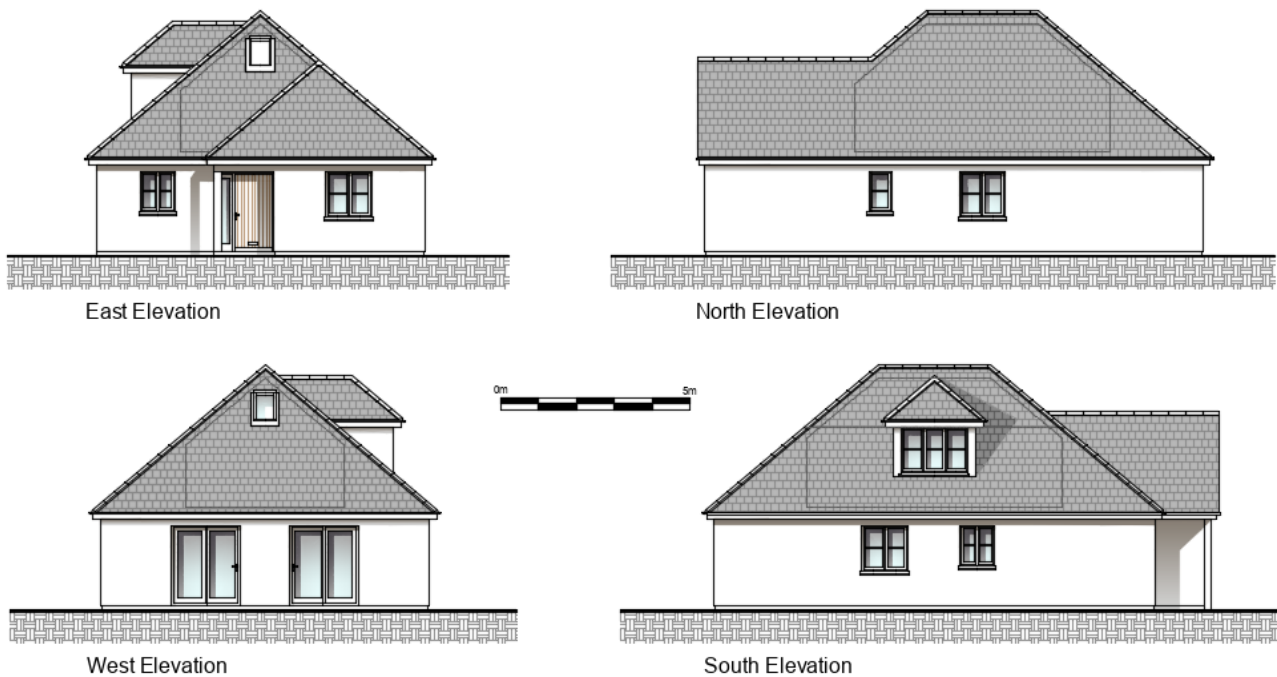


Figure 3. Extracts from Submitted Proposed Plans and Elevations

4.0 Relevant Planning History

- 4.1 The most recent planning history relevant to this application is PA20/03738 “Erection of a dwelling of a dwelling and formation of a new access. This site was also formerly within the garden of Westward Ho.
- 4.2 This application was approved at planning committee on the grounds that the development was considered to be within the settlement; representing both suitable rounding off of the settlement and the development of previously developed land.

5.0 Planning Policy Background

National Planning Policy Framework

- 5.1 Paragraphs 2 and 47 of the National Planning Policy Framework (NPPF) dictate that *‘applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.’*
- 5.2 The revised NPPF from 2021 sets out the government's planning policies for England and

how these are expected to be applied. It represents a material consideration as outlined through paragraph 218, consequently a high degree of weight should be attached to the NPPF.

- 5.3 At the heart of the NPPF is a *'presumption in favour of sustainable development' which, for decision-taking, means 'approving development proposals that accord with an up-to-date development plan without delay.'*

Development plan documents

- 5.4 The development plan covering the area is the Cornwall Local Plan (CLP). This document provides a positive and flexible overarching planning policy framework for Cornwall, and sets, amongst other matters the housing and employment targets. A high degree of weight can be afforded to these policies.

Breage Parish Neighbourhood Development Plan (NDP)

- 5.5 The site is outside but adjoins the development boundary for Ashton according to the Breage NDP. Small scale development that rounds off the built form, constitutes infill or utilises previously developed land or buildings within the development boundaries will normally be supported where such development also conforms to other policies of the NDP. The overall aim of the development boundaries is to facilitate small scale development in the Parish's main villages. This reflects the principle of sustainability by directing development to areas where access to facilities and services can minimise the need to travel and is in harmony with the approach advocated in the Cornwall Local Plan (CLP). The development boundaries have also been drawn to protect the open countryside and avoid over expansion of villages.

Supplementary Planning Documents and Other Planning Guidance

- 5.6 Supplementary Planning Documents (SPD's) are documents that are produced to provide more detailed advice and guidance to supplement policies and proposals contained in the CLP.
- 5.7 At the point of writing this statement, Cornwall Council has adopted three SPD's - the Housing SPD, adopted in February 2020, provides guidance on the development of new homes including; affordable housing, self-build and specialist housing for the elderly or disabled - the Cornwall and West Devon Mining Landscape World Heritage Site SPD,

adopted in May 2017 and the Chief Planning Officer Advice Note (CPOAN's), which is considered to be most relevant to this proposal – in particular the advice it provides on development comprising Infill, Rounding Off and Development on Previously Developed Land.

- 5.8 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 on the Council's interpretation of the application of Policy 3 and also Policy 21 c) and its supporting text. Reference is made in the Advice Note to the Council's support for 'unplanned 'organic' growth in and adjacent to Cornwall's existing city, towns, villages and hamlets.'

Other Material Considerations

- 5.9 Material considerations can also include matters of design, amenity, environmental impact, economic impact, etc.
- 5.10 The case made for the proposed development in this statement is consequently structured around the most relevant development plan policies and, where relevant, other material considerations.

6.0 Heritage Impact Assessment

- 6.1 The Site lies at the southern extent of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) Area A3 Tregonning and Gwinear Mining Districts.
- 6.2 There is one Grade II Listed structure within close proximity of the application site. This is the Trevena Cross which is located on the south side of the A394 some 100m or so to the east.
- 6.3 As the Site lies within the Cornwall and West Devon Mining Landscape World Heritage Site, a detailed assessment of its contribution to the Outstanding Universal Value of the WHS, and the potential effects of the Proposed Development is required and set out below.
- 6.4 The application site lies in formally agricultural land, just beyond the urban extents of Ashton and therefore outside the early to late C19th development of mineworkers housing.

6.5 Currently the Site comprises the SW corner of the large enclosed rear garden of Westward Ho.

Contribution to the OUV of the WHS:

6.6 Whilst the Site forms part of the WHS, it is not considered to contribute any significant value to its OUV. The settlement of Ashton as a whole is of significance, as it represents an example of a community which grew up as a direct result of the mining industry and as such is integrally linked to the mining heritage of the area.

6.7 It is not considered that the application site, in its present form and due in part to its position in relation to the more historic core of the village, contributes significantly to the OUV of the WHS.

Potential effect of the Proposed Development on the OUV of the WHS

6.8 The potential effects of the proposed development on the identified historic environment resource will be a material consideration in the determination of the planning application.

Direct Impact

6.8 Direct impacts as a result of the proposed development will comprise site stripping, the installation of new services, infrastructure and new foundations, with additional soft and hard landscaping.

Indirect impact

6.9 The proposed development, in our opinion, will not represent a significant impact on any designated sites and monuments within the immediate area, the OUV of the WHS or the wider historic landscape character, due to its nature, location, aspect, and screening.

7.0 Case for the Proposals

7.1 The spatial strategy for new development across Cornwall is set out in Policy 2 of the CLP which advocates maintaining the existing dispersed development pattern whilst respecting and enhancing the quality of place. At Policy 3 it is established that outside the main towns housing growth will be delivered through an approach based on the existing village settlements in terms of infill and the rounding off of the existing settlement form.

- 7.2 Also under Policy 3 it is also possible to consider new housing development where it involves the re-use of previously developed land. I
- 7.3 It is considered that the site is eminently suitable for development comprising a single dwellings as an informed re-use of previously developed land. The development would deliver small scale benefits in terms of the social, economic aspects and any environmental harm has the potential to be mitigated.
- 7.4 With regard to designated sites and monuments, in our opinion the proposed development will not result in substantial harm with regard to designated sites, monuments or areas, as set out in the NPPF and NPPG.
- 7.5 Development at the Site would comprise a very minor extension to an area of extant modern housing at Ashton's eastern extent, with no significant visual impacts on elements of the surrounding historic environment and no significant negative effects on the OUV of the WHS.
- 7.6 It is considered that, in heritage terms, the proposed development will be very discreet in the wider context of the settlement and wider landscape setting with established screening and boundaries. Furthermore, it is considered that the proposed layout respects Ashton's historic village pattern and as such would not impact negatively on the village within the context of the OUV of the World Heritage Site.

Sustainability

- 6.1 The NPPF clearly sets out the Government's desire to significantly increase the number of new houses built in sustainable locations. The ultimate aim is to secure the future of settlements such as Ashton as a balanced, sustainable community, providing homes that serve people's needs at different stages of life, encouraging local employment and developing the area to make communities attractive and practical places to live. .
- 6.2 Ashton is a village that has long been established as being a sustainable settlement and as such, it is a suitable location for new residential development.
- 6.3 Amongst the tests of sustainability is the Government's desire to provide the new houses that are required in the right locations. In terms of sustainability there are three elements: economic, social and environmental.

Economic

- 6.4 In economic terms, the provision of a new dwelling will have a positive impact on the well-being of the village and the wider community.
- 6.5 Economically, it has been held at appeal – and acknowledged by the Council – that even one new dwelling will provide a degree of economic benefit. Here, there is little doubt that significant economic benefits would arise from the proposed development.

Social

- 6.6 Socially, and very much in favour of the proposal, the proposed development would bring forward further housing in the parish to support local community services such as the school.

Environmental

- 6.7 Environmentally, there will always be an impact from new development. In terms of the effects on the character and appearance of the area, there would be little adverse impact – certainly not enough to outweigh the benefits of the scheme. It is our view that the proposed development will be well related in terms of its location within the settlement.
- 6.8 Other environmental issues, such as foul and surface water drainage, are not expected to throw up any matters that should mitigate against the scheme.
- 6.9 The proposed dwelling would be provided with ample space for the storage of refuse and recycling which could then be placed on entrance to the lane for collection on the allocated day.

Policy Compliant

- 6.10 Outside of the principal settlements, the CLP does not specify settlements that are suitable for new build market-led housing. Through paragraph 1.57 of the CLP, which falls within the preceding text to Policy 3 – Role and Function of Places of the CLP, it is explained that:

“The majority of parishes that do not have a town or village named in Policy 3 can meet the remaining housing requirement through the following:

1. Existing sites with planning permission;
2. Infill;

3. Small scale rounding off;
4. The development of previously developed land within or adjoining settlements; and
5. Rural exceptions sites.”

- 6.11 Paragraph 1.64 also explains that outside of the mains towns and city in Cornwall *“development would be expected to focus upon meeting local need and supporting the sustainability of smaller communities through windfall development, including infill sites and exceptions sites. Development should be of a scale and nature appropriate to the character, role and needs of the local community.”*
- 6.12 The CPOAN referred to in para. 4.7 provides more detail on the Council’s interpretation of the application of Policy 3 and also Policy 21 c) and its supporting text.
- 6.13 In terms of the delivery of policy 3 of the CLP, the proposal falls under the criteria 2 as an *“infill”* site, and or/as a criteria 3 *“small scale rounding off”* site and criteria 4 as the *“development of previously developed land within or adjoining settlements.”*
- 6.14 Criteria 2 – CPOAN states on *“infill”* as follows: *“this is development that would fill a gap in an otherwise continuous frontage which would normally be a road frontage. The layout and density of the development should be in character with and similar to others in the continuous frontage. Development should not diminish a large gap that is considered important to the setting of the settlement.”*
- 6.15 The application site is a typical infill site intended by Policy 3 given that it is situated within a continuous built frontage and represents a small gap between Elric to the west and the main dwelling to the east. The site is situated immediately adjacent a dwelling and currently occupied by residential garden. It is considered to be land of a scale which could reasonably accommodate a well-designed new dwelling.
- 6.16 Criteria 3 – CPOAN states on *“rounding off”* as follows:
- “this is development of an appropriate scale and should not visually extend development into the open countryside and should be predominantly enclosed by edging features. Furthermore, suitable sites are likely to be surrounded on at least two sides by existing built development and provide a symmetry or completion*

to a settlement boundary."

- 6.17 The site is completely surrounded by three properties, Elric to the west, Bamforth to the north and Westward Ho to the east. The size and shape of the site will provide a logical completion of the settlement boundary in this location and the proposal will not visually extend building into the open countryside and is of a scale which is commensurate to the size of the village.
- 6.18 The proposal therefore fully aligns with the definition of 'rounding off' and is therefore a site is in a suitable location in principle for accommodating new open market housing.
- 6.19 Criteria 4 – CPOAN states on "*development of previously developed land within or adjoining settlements*" as follows:
- 6.20 The development of previously developed land, (PDL) within or adjacent to settlements or where it is sustainably located is acceptable unless other environmental, social and economic considerations outweigh this.
- 6.21 PDL is defined in the NPPF, Cornwall Council's Vacant Buildings Credit note and case law. The Council accepts, in line with case law, that the gardens of dwellings, that are not in built-up areas, are PDL.
- 6.22 PDL can be defined as land which is or was occupied by a permanent structure, including the curtilage of development land and associated fixed surface infrastructure. This excludes land that is or has been occupied by agricultural or forestry buildings, land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
- 6.23 The site is currently part of a residential garden and should therefore be classed as PDL.
- 6.24 The proposed dwelling will not encroach the built form into the open countryside and given the proposed scale and design, it will sit comfortably within the existing built environment and will not detract from the character of the area.

- 6.25 Policy 21 of the CLP also supports the reuse of previously developed land provided it is not of high environmental or historic value and the density makes efficient use of the land given the character of the surrounding area. The site is not of high environmental or historic value and the character of the immediate area is one of low density detached dwellings on the edge of the settlement thus the siting of a single dwelling is in-keeping with this character.
- 6.26 The proposed development is therefore considered to comply with the aims and intentions set out within Policies 3 and 21 of the CLP and can be considered as infill and / or rounding off development or development of PDL which is appropriate in scale and will not adversely effect the environmental or historic value of the location. As the proposal relies on meeting the criteria referred to above, the proposal will not set a precedent for further development in the locality.

Character & Appearance

- 6.27 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.
- 6.28 Policy 23 of the CLP explains that *'Development proposals will need to sustain local distinctiveness and character and protect and where possible enhance Cornwall's natural environment and assets according to their international, national and local significance.'*
- 6.29 It is the applicant's intention that the proposal will be sensitively designed and will sit comfortably within the landscape and enhance it rather than detract from it. By adopting a low profile form and using materials which match existing dwellings in the immediate vicinity, the proposal will visually integrate with its surroundings and help maintain the rural character and appearance of the area.
- 6.30 The proposal will result in a density which reflects the surrounding area and therefore clearly constitutes sustainable and acceptable residential development which makes an efficient use of land wholly in accordance with Government policy in the NPPF and Policy 3 and 21 of the CLP.

6.31 It is considered that the site is more than capable of allowing the construction of a single detached dwelling without detriment to existing amenity or local character.

Access

6.32 The site will utilise the existing access from the A394 to the east of the site for the principle access to and from the public highway and will be shared with Westward Ho.

6.34 A key objective of the NPPF is to provide development in locations where the use of sustainable transport modes are available. In this instance, the site is situated within walking distance to Ashton village which is served by public transport which would provide access to the wider locality.

6.35 Paragraph 32 of the NPPF is clear that development should only be prevented or refused on transport grounds where the impacts of the development are severe. For the reasons outlined above, the proposal should not have a severe impact upon the highway network or safety of users of the byway.

Neighbour Impact

6.36 The proposals have been designed to ensure that the occupiers of neighbouring properties will not suffer any significant loss of amenity as a result of:

- 1) Overlooking and unreasonable loss of privacy
- 2) overshadowing and overbearing impacts or
- 3) unreasonable noise and disturbance.

6.37 There would, of course, be some impact – there always will be from new development – however, it is felt that this would not be significant enough to prevent residential development on this site.

8.0 Conclusion

8.1 This statement has shown how the proposals can be considered positively in policy terms as it involves suitable rounding off of the village, infill of a gap between existing housing and the efficient use of PDL with defensible boundaries in a sustainable location which is well related to the village of Ashton. The application site is not seen in isolation

and is in context with the adjoining built development and is ideally located for residential development being accessible by means other than a private vehicle.

- 8.2 Additionally, with the site being part of any established group of existing development, the addition of a further dwelling will not result in the proliferation of dwellings in a predominantly rural environment.
- 8.3 The proposals will deliver notable social, economic and environmental benefits in the context of development plan Policy 3 of the CLP which identifies PDL as suitable for housing.
- 8.4 The amended scheme features a single storey dormer style bungalow which has an eaves level more or less the same height as the boundary with 'Bamforth'. There are no first floor windows facing this neighbour therefore their privacy is unaffected and given the scale and form of the new dwelling, there will be no overbearing impacts.
- 8.5 The development makes use of a site in a sustainable location. There are no overriding concerns in relation to residential amenities or any other material planning considerations. The proposed development should therefore be supported in principle, having regard to the statutory determination obligation prescribed by Section 38(6) of the Planning and Compulsory Purchase Act 2004, and in accordance with the relevant policies of National Planning Policy Framework 2019 and policies within the Cornwall Local Plan 2010 – 2030 particularly Policies 3 and 21.