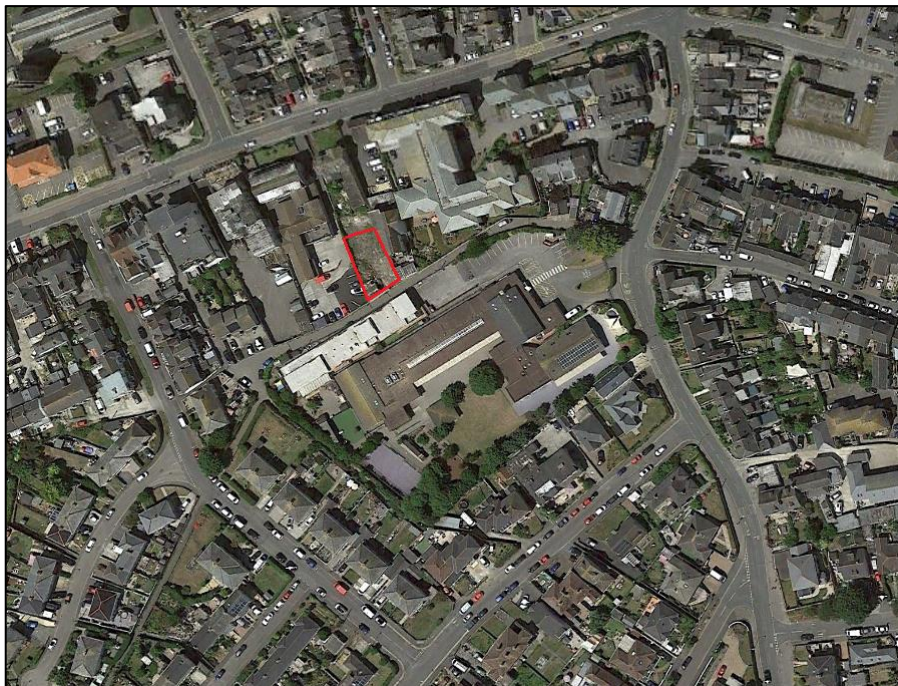




PLANNING STATEMENT

S73 OF THE TOWN AND COUNTRY PLANNING ACT 1990
VARIATION OF CONDITION 6 RELATING TO ROOF DETAILS
APPROVED UNDER PA22/11190



ON BEHALF OF MR & MRS ADAMBERRY

JANUARY 2024

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1.0 Introduction

LSC have been instructed on behalf of Mr and Mrs Adamberry to provide a Planning Statement to accompany a S73 planning application in relation the site known as land to the rear of 23 Mount Wise, Newquay (hereinafter referred to as 'the site').

The application is pursuant to the full application for three dwellings granted under application PA22/11190 which was approved in June 2023.

The application seeks consent to change the roofing material of the upper section of the roof of the three dwellings from sedum to a liquid plastic membrane. The sedum on the lower section would remain as proposed and approved.

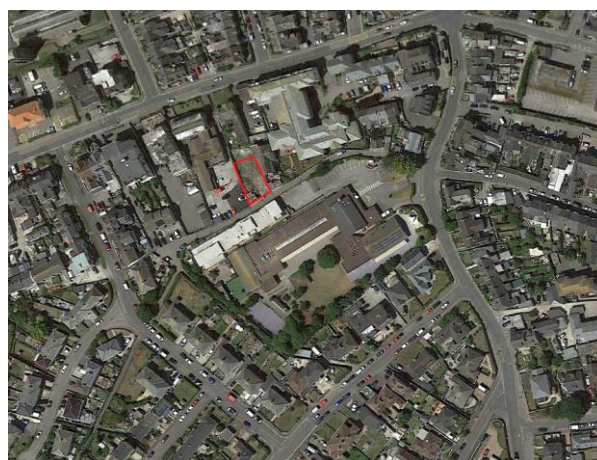
The submission seeks to demonstrate the acceptability of the amended plans where the changes would fundamentally result in a scheme of a scale and nature that is not substantially different from the one which was approved, and where the proposed amendments would not result in the loss of amenity to the character of the area.

Ecological details that were secured under condition 5 of PA22/11190 have been approved under Discharge of Condition application PA23/10016, and are submitted with this application, negating the need for this condition to be repeated within any approval.

2.0 Site location and contextual appraisal

The site is accessed off an unclassified lane to the rear of Mount Wise - one of the main routes through central Newquay - with the site lying close to the commercial centre of this popular seaside town on Cornwall's north coast.

The Google Earth extract below provides an indication of the site's location and immediate context.



Site location in the context of immediately adjoining development

3.0 Relevant planning history and pre-application history

PA23/11190 – Erection of three dwellings – Approved 12 June 2023

Condition 6 of the above stated:

Prior to first occupation of the dwellings hereby approved details of the sedum/ wildflower green roofs, as indicated on approved plan 14 Rev F, and a scheme for their ongoing maintenance shall be submitted to and approved in writing by the Local Planning Authority. The aforementioned green roofs shall be installed prior to first occupation of the dwellings, maintained in accordance with the approved details and retained for the life of the development.

Reason: In the interests of neighbouring residential amenity in accordance with Policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030.

Pre-application advice was sought from the Officer in respect of amending both the higher and lower roof levels from sedum to a membrane, with advice received that amending the higher section would be unlikely to result in an amenity impact, whereas the lower section was more widely seen and as such should remain as approved.

We have therefore proposed the amendment only to the higher section of the roof.

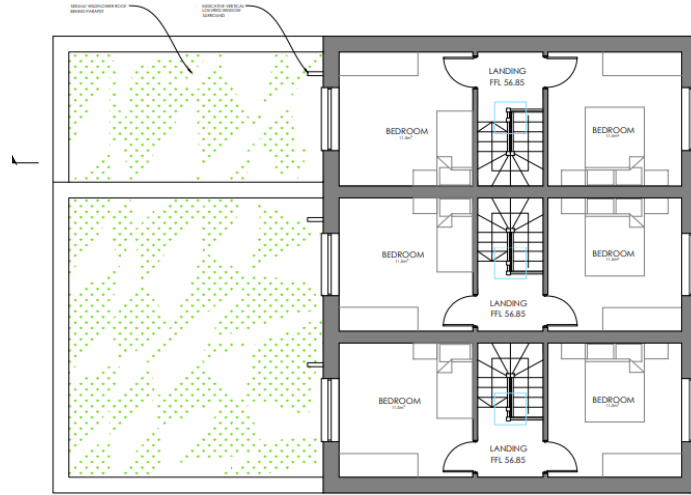
4.0 Proposed development

This application seeks to vary Condition 6 of the approval, to read;

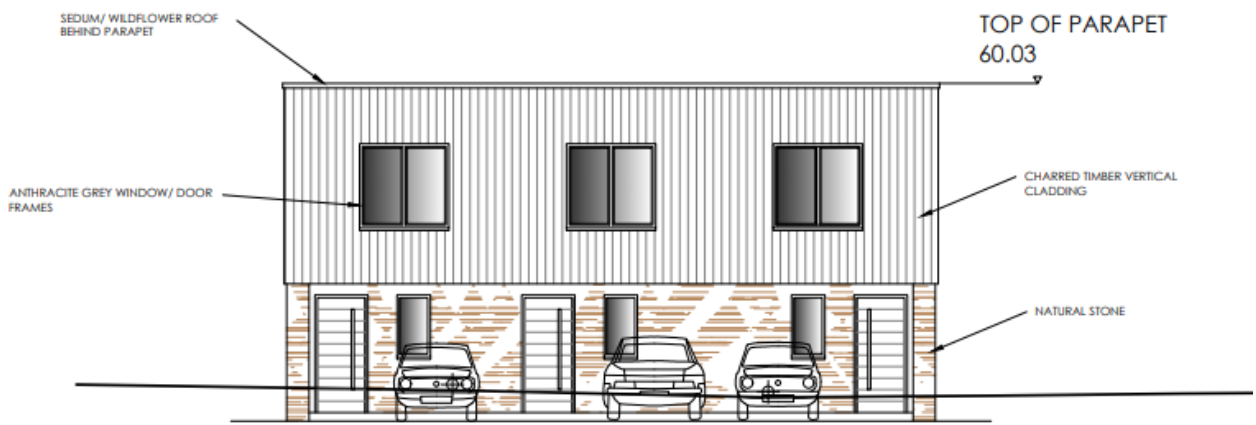
Prior to first occupation of the dwellings hereby approved details of the sedum/ wildflower green roofs, as indicated on approved plan PL01, and a scheme for their ongoing maintenance shall be submitted to and approved in writing by the Local Planning Authority. The aforementioned green roofs shall be installed prior to first occupation of the dwellings, maintained in accordance with the approved details and retained for the life of the development.

Reason: In the interests of neighbouring residential amenity in accordance with Policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030.

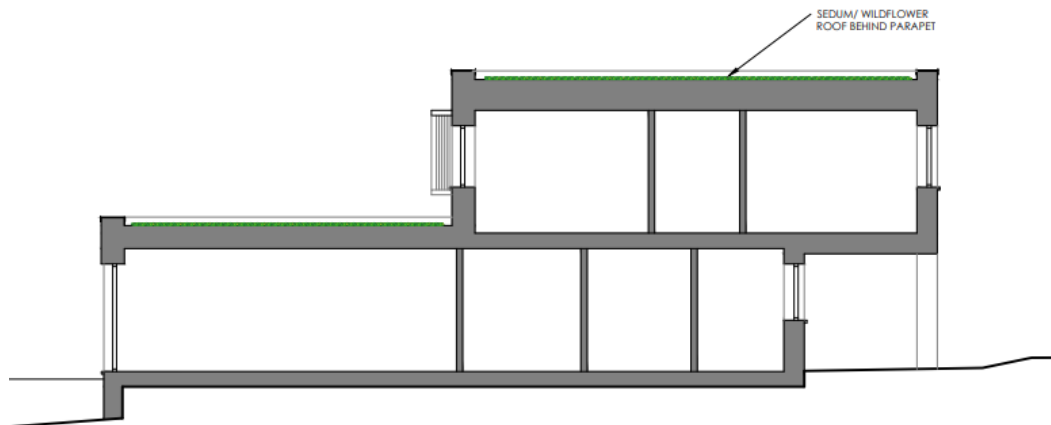
The approved plan, while not showing a roof plan that showed the upper level roof plan, clearly indicates that the sedum roof is over both levels, as in the extracts from plan 14 Rev F below;



First floor as approved

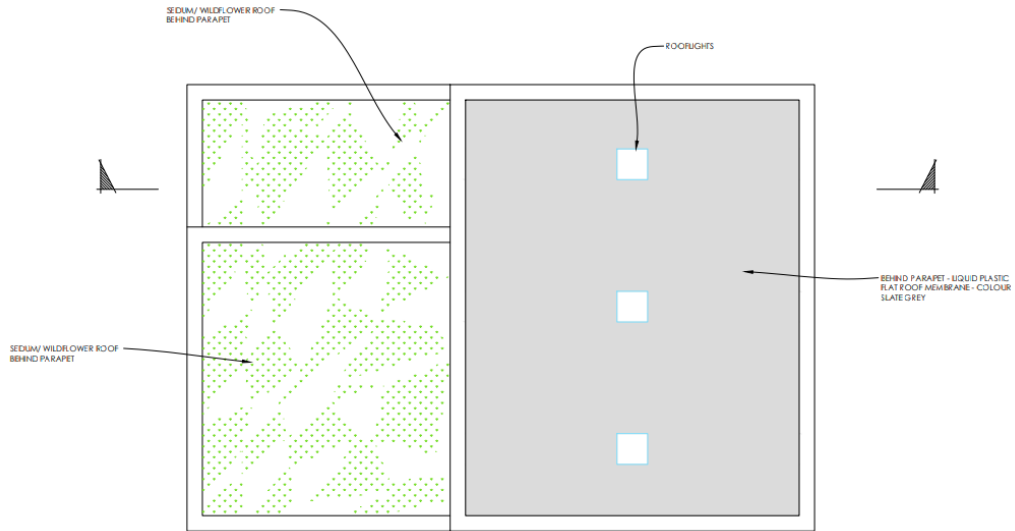


Front elevation as approved



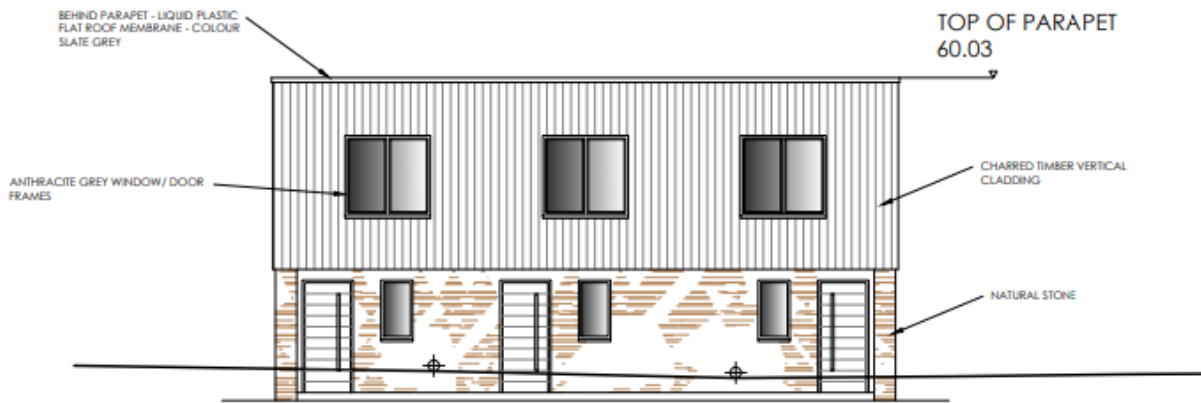
Section as approved

The current application seeks to amend the plan to the below with the extracts below showing the membrane roof at the higher level;

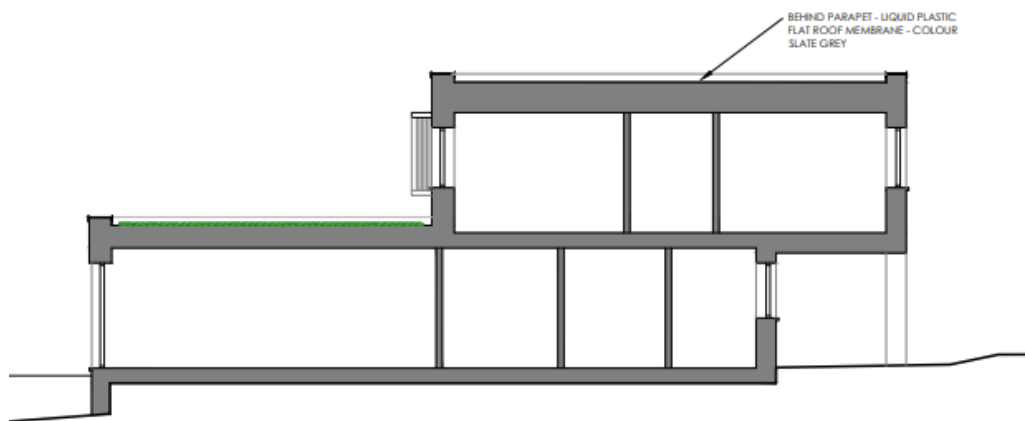


PROPOSED ROOF PLAN

Roof plan as proposed



Front elevation as proposed



Section as proposed

5.0 Policy guidance to support proposals

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Due to the nature of the amendment proposed and the scale of this in relation to the original proposal, as well as the limited time that has passed since the original approval was granted where there have been no changes to the key policies that this proposal was originally considered under, the amendments proposed should be considered against the same policy documents as the approved application. A minor exception to this is in respect of the NPPF which has been updated since the 2021 version to the NPPF 2023, without any significant changes insofar as the proposals are concerned.

5.1 National Planning Policy Framework 2023

Section 1 - Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 6 – Building a strong, competitive economy

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed and beautiful places

Section 15 - Conserving and enhancing the natural environment

5.2 Cornwall Local Plan Strategic Policies 2010-2030

Policy 1 - Presumption in favour of sustainable development

Policy 2 - Spatial Strategy

Policy 2a - Key targets

Policy 3 - Role and function of places

Policy 12 - Design

Policy 13 - Development standards

Policy 14 – Renewable and low carbon energy

Policy 16 - Health and wellbeing

Policy 21 - Best use of land and existing buildings

Policy 23 - Natural environment

Policy 27 - Transport and accessibility

Policy 28 – Infrastructure

5.3 Newquay Neighbourhood Plan 2019-2030

Policy G1 - Settlement Boundaries

Policy G2 - Development Principles

Policy D1 - Key Principles; Guidance and Design Statement

Policy D2 - Scale and Location of Development

5.4 Other Guidance

- Natural environment
- Effective use of land
- Cornwall Council Climate Emergency DPD

6.0 Material planning considerations

Given the scope of the amendment sought, which relates solely to the amendment from sedum to a liquid plastic membrane at the higher level of the roof of the three dwellings (with the lower section remaining proposed as sedum), the only material consideration that requires assessment is based on visual amenity. Matters such as the principle, neighbouring amenity, highways and ecological matters have been accepted previously.

Visual amenity

With consideration to the height of the dwellings, the parapet wall around the top of the roof, and the relationship of nearby windows to the upper section of the roof, the amendment from sedum to a grey membrane roof is unlikely to be noticeable. There are limited views from which this higher roof area would be seen and the membrane roof would be seen in the context of similar flat roofs in the area at that level.

The sedum roof at the lower section is to be retained as sedum. This section is below nearby windows and would also be seen from some rooms within the two houses to be built to the north. It would therefore be more widely appreciated.

It is considered that the amendment to the higher roof level would not result in harm to the amenities or character of the area, and as such would accord with Policy 12 of the Cornwall Local Plan 2016.

7.0 Conclusions

We trust that the information given within this statement demonstrates that the proposal to amend the roofing materials at the higher level of the three dwellings has been carefully considered.

In our view the proposed amendments would be in accordance with the aims and intentions of the NPPF, policy 12 of the Cornwall Local Plan, and the Newquay Neighbourhood Development Plan. Given the accordance with both national and local policies that meet the aims and objectives of sustainable development, in our view permission in principle should be approved, having regard to the statutory determination obligation prescribed by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

We hope that neighbouring residents, Newquay Town Council and Cornwall Council Officers are able to support the minor amendment in respect of the roofing materials on the higher section of the three dwellings at land to the south of 23 Mount Wise.