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SEAVIEW, ROAD FROM SOUTH ROAD TO PERRAN LANE,
PERRANUTHNOE, PENZANCE TR20 9LZ

CONSTRUCTION OF BUNGALOW TO REPLACE A RESIDENTIAL CARAVAN

Mr L. ALLEN

SUPPORTING STATEMENT

PLANNING AND GREEN INFRASTRUCTURE
ASSESSMENTS AND TRAVEL PLAN

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INTRODUCTION

This document has been produced by Jon Pender, Chartered Town Planner, for Mr L. Allen for his sole use in relation to Seaview, road from South Road to Perran Lane, Perranuthnoe, Penzance TR20 9LZ. No responsibility is accepted for liability arising to any third party from the unauthorised use of this material.

THE SITE AND ITS SURROUNDINGS

- The application site is to the north of Perranuthnoe, midway between this coastal village and the A394 Penzance – Helston road. The site is within a small group of houses and static caravans adjoining the north-west side of the Class C road serving this village.
- The application relates to the western part of the applicant's land on which a residential caravan has been stationed since 2008. The rest of the land is used for commercial storage.
- The site is within an Area of Outstanding Natural Beauty [AONB]. It is not liable to flood or within a Critical Drainage Area, and it is outside the Coastal Vulnerability Zone.

RELEVANT PLANNING HISTORY

- In April 2013 a Lawfulness Certificate was granted for the existing use of the applicant's land neighbouring the current application site to store, sort and recycle materials and to park and store vehicles, plant and machinery (ref. PA12/04255).
- In May 2021 a Lawfulness Certificate was granted for the existing use of the current application site for stationing a residential caravan (ref. PA21/02347).
- In October 2021 outline permission was granted to construct a dwelling replacing the lawful residential caravan on the current site (ref. PA21/06321).
- In July 2023 full permission to erect a dwellinghouse replacing this lawful caravan was refused (ref. PA22/08977).

THE APPLICATION

- This full application proposes a replacement dwelling in a significantly revised form to that refused in July 2023.
- The accompanying drawings show a modest bungalow on the "footprint" of the lawful caravan. It will have a shallow pitched roof whose ridge is lower than the caravan's with eaves overhanging the windows on its front (south) elevation.
- The extent of the site and its access to the classified road are the same as PA22/08977 as well as in the extant outline permission PA21/06321. In fact, the revised development proposed the current full application could instead be the subject of an application for approval of the matters reserved in this outline permission since (in particular) it complies with condition 8.

PLANNING POLICY BACKGROUND

The planning policy documents relevant to this re-application are:

- Cornwall Local Plan Strategic Policies 2010 – 2030 [CLP]. It was adopted by Cornwall Council in November 2016 and is part of the Development Plan.
- Perranuthnoe Parish Neighbourhood Plan 2019 – 2030 [PNP]. It was made in August 2023 and is another part of the Development Plan.

- Cornwall Climate Emergency DPD [CCE]. It was adopted in February 2023 and forms the last part of the Development Plan.
- National Planning Policy Framework [NPPF]. It contains the Government's national planning policies. The NPPFD is generally-worded and not specific to this locality but it deserves weight as a planning consideration because it is up-to-date and is continually reviewed and revised, most recently in September 2023.
- Chief Planning Officer's Advice Note Barn Conversions/Replacement dwelling in the countryside [CPOAN] (February 2023). It is intended to help interpret CLP policy 7.1 but has not followed a formal adoption process and so strictly speaking deserves no weight.

PLANNING ASSESSMENT

Areas of agreement

The reason of refusal on the decision notice for PA22/08977, as amplified by the officer's report, makes it clear that there are no objections to the principle of replacing the lawful caravan with a dwellinghouse (taking particularly into account the extant outline permission for this redevelopment, PA21/06321), and its effects on highway safety, neighbourliness and residential amenity, and ground conditions.

The deciding issue in the current application

- There has been no material change in physical circumstances at and around the application site since PA22/08977 was refused.
- In addition, the outline permission PA21/06321 remains valid so that it has been accepted that a single storey dwelling of some kind can be built on the site. The officer's report on this application says that: "it is considered that an appropriately designed dwelling can be achieved on the site so as not to impact upon the character of the surrounding area."
- Consequently, the only deciding issue in the current application concerns the visual effect of the substantially different design of the replacement bungalow which has a much smaller "footprint", is lower, and is in a conventional style without balconies or large expanses of glazing.

In practical terms, this assessment involves comparing the amended scheme with:

- The "fall back" situation with the lawful residential caravan; and
- The refused house design.

"Fall back" situation

- The officer's report on PA22/08977 says on page 18: "...a caravan is not a traditional vernacular form nevertheless due to its small scale its impact upon the landscape is limited. It is recognised that proposals to remove and replace such features in designated landscapes provide an opportunity to enhance its scenic beauty."
- The replacement house proposed in PA22/08977 has a larger "footprint", but the report instead focussed on its height. In particular, the Council's AONB Unit sought more information about the height of the present caravan and went on to express concerns that this proposal "would be an elevated and conspicuous addition to the local landscape". The reason of refusal accordingly stated: "The

proposed replacement dwelling would be noticeably visible...the increase in prominence of built-form would fail to conserve or enhance the landscape character and natural beauty of the AONB."

- In response, the CPOAN says under the heading "What does 'broadly comparable' and 'of appropriate scale and character to its location' mean?": "Consider whether there is a realistic fallback position in terms of extensions to existing buildings."
- In the current case, the Lawfulness Certificate for a residential caravan means that planning permission is not required to replace it with another caravan. The term "caravan" is defined in the Caravan Sites and Control of Development Act 1960 as a structure that is potentially capable of being moved in one piece. The Caravan Sites Act 1968 added twin-unit caravans to this definition and gave a maximum internal height but not an external height limit, while there are no specific height or other size restrictions on single-unit caravans (like the one now stationed on the application site).
- As a result, the "fall back" situation with which the current revised application must be compared is that any structure that can be moved intact can be brought onto the site without needing planning permission, regardless of its precise height and "footprint". There is no reason to suppose that the applicant will not take advantage of this legal right.
- It consequently follows that when deciding whether the amended design conserves or enhances the landscape and scenic beauty at and surrounding the application site (as set out in NPPF paragraph 176), it must be compared with the visual impact of any structure meeting the legal definition of a "caravan", whose height and/or other dimensions can lawfully exceed the present caravan's.

Comparison between the refused and the amended designs

- The reason of refusal of PA22/08977 identified 3 objections:
 - 1) Its visibility from the footpath to the west of the site;
 - 2) Its contemporary massing (especially including balustrades); and
 - 3) Its glazing whose extent will give rise to light spill into undeveloped countryside.
- As far as the site's visibility is concerned, the Council identified only views from the public footpath running northwards from Perranuthnoe to the west of the site. At its closest, this right of way is 250 metres away.
- Observations along this path show that there are only 3 points where the site can be seen by walkers – from the west, some 250 metres distant; and from the south-west, over 300 metres distant.
- The first three bullet-points of the CPOAN under the heading "What does 'broadly comparable' and 'of appropriate scale and character to its location'" stress the importance of assessing the proposed replacement dwelling in its context. From the 3 points to the west and south-west, the current application site and the caravan stationed at its highest elevation are seen together with the scatter of houses and static caravans described above. In the nearest view, from the west, the applicant's caravan appears below the skyline.
- Consequently, the lawful caravan is not perceived as an unobtrusive agricultural building. The points made above about the "fall back" situation make clear that

there is a potential for the present caravan to become more visible and incongruous outside planning control. The outline permission instead confirms that the caravan's replacement with a dwellinghouse is more in keeping with its setting. The current site corresponds with the curtilage of this approved dwelling.

- Comparing the refused and amended designs in relation to their visibility, the Section and Elevations drawing of the latter scheme demonstrates that the replacement bungalow now proposed will be lower than the present caravan, in the same location on the site. Consequently, its visual impact when seen from identified vantage points on the footpath to the west will be less than the present caravan, while at the same time the replacement bungalow will be perceived as much more in keeping with the houses neighbouring it on the east in nature, size and style.
- Turning to the massing and style of the current proposal, it has been appreciably reduced and simplified from PA22/08977. In particular:
 - Its floorspace is only half of the refused scheme's;
 - Its "footprint" is smaller by the same amount and no longer extends towards the classified road or steps down the gradient of the site; and
 - The current proposal is for a conventional bungalow in a simple L-shaped form which does not include balconies.
- Overall, the current application is for a modest dwelling having clear similarities with the neighbouring dwellings.
- Lastly, on the issue of light spill, the solid: void ratio of this amended design confirms that the proposed bungalow's proportions are in line with common house styles. Large windows are limited to the south elevation, to take advantage of natural lighting and an outlook over the main part of the curtilage, but are screened below wide eaves.
- Under the "fall back" situation discussed above, there is no planning control over the extent of glazing in the present or any replacement caravan. The assessment of the current proposal should take into account the resulting potential light spill.
- As a result, the amended bungalow design will not give rise to unusual or excessive amounts of light spill in comparison with the generality of houses and the potential "fall back" situation.

Compliance with relevant design policies

- The revised bungalow design that is the subject of the current application accords with CLP policy 7.1 (as amplified by the CPOAN) as well as PNP policy HTA2ii because its size, scale and bulk are broadly comparable to the lawful and any "fall back" caravan which it will replace on the same part of the site.
- The amended design also complies with CLP policies 12.1 and 12.2 as well as 23.2(a). For the same reasons PNP policy BDL1 is satisfied, taking into account that the replacement bungalow will not overdevelop the site or impact neighbours and that it is lower than the existing caravan and complements adjacent dwellinghouses.
- PNP policy NLB3 is satisfied because the internal illumination of the proposed bungalow is in keeping with the existing and "fall back" situations and with

adjacent dwellinghouses and because there are no upward facing openings and the windows on the south elevation are recessed.

Travel Plan and Accessibility

- Outline planning permission exists for a replacement bungalow like that now proposed, after Cornwall Council's Highways officers commented that the principle was acceptable.
- The current application does not propose changing the present access to the classified road passing the site. The site will remain used as a single dwelling so that the volume and nature of traffic attracted to the site will not change. There will also remain ample on-site parking and turning space.
- The site is in a sustainable location. It is close to the village of Perranuthnoe and bus routes run past it as well along the nearby A394, giving access to the nearest towns and their more extensive community facilities and public transport links.
- To sum up, the current revised application does not harm highway safety and there will be no material difference to traffic generation at the site when compared with the existing lawful situation and the 2021 approved proposal. Having regard to CLP policy 27 and paragraph 111 of the NPPF, as well as to CCE policies C1 and T1, the current application therefore remains acceptable in sustainability and highway safety terms.

Green Infrastructure Statement

- The application proposes maintaining the level of residential use of the site.
- Bearing this in mind, the relationship of the proposed replacement dwellinghouse to the "10 pillars" in the Environmental Growth Strategy are as follows:
 - 1) The application will maintain a residential site where there are no invasive species.
 - 2) The application site is 0.75 kilometres from the sea and is separated from it by the village of Perranuthnoe and the surrounding countryside. The proposal has no implications on inshore waters, Marine Protected Areas or the sustainability of local fisheries.
 - 3) The proposal maintains the residential use of the site and has no implications on natural climate solutions.
 - 4) The proposal is near a rural settlement with a network of public rights of way in the vicinity. The nature and volume of traffic already generated by the site will not change under the proposal.
 - 5) The application will maintain the level of residential accommodation on the site and so will not affect air pollution.
 - 6) The site is not near watercourses or sources of pollution, and the proposed replacement dwelling has no implications on clean water resources.
 - 7) The application maintains the nature and scale of the residential use of the site and so has no implications in terms of waste and resources.
 - 8) The application has no implications on agriculture and sustainable food production.

9) The proposal has environmental and social benefits under paragraph 8 of the NPPF and CLP policy 1 because it improves the standard of the area's housing stock, thereby strengthening the local community.

10) The application has no implications on governance, leadership and community in relation to the Environmental Growth Strategy.

To sum up, the application has no adverse implications on the "10 pillars for action" in the Environmental Growth Strategy and overall has some potential benefits.

Planning balance

The three dimensions of sustainable development are set out in paragraph 8 of the NPPF and are included in CLP policy 1. The proposed replacement of the present lawful dwelling on a brownfield site has social benefits through upgrading the present housing stock, economic benefits during the construction of the revised new bungalow, and a beneficial effect on its designated surroundings because it will replace the present and potential future caravan with a lowed conventional modest dwellinghouse with affinities to neighbouring properties.

CONCLUSION

The application is for a replacement dwelling whose design has been revised to overcome previous objections. As a result, it accords with all parts of the Development Plan and other material considerations (notably the valid outline permission for this proposal and the guidance in the CPOAN) do not indicate otherwise but lend more support.

Consequently, under the statutory duty in Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission for the replacement bungalow now proposed should be granted.

