

Planning and Flood Risk Statement

*Reinstatement of property into
a single dwelling with associated internal and external works*

At
*Harbour Edge 'Thy Marghas',
South Cliff,
Mousehole
TR19 6QX*

1. Background to the Proposals and Site Context

- 1.1 This planning and listed building consent application relates to adaptations to the existing property to enable its use as a single dwellinghouse.
- 1.2 The property currently contains two self-contained residential uses, with a two-bedroom property at the ground floor and first floor level, and a small one-bedroom unit situated at the lower ground floor level. Whilst the accommodation is not tied in planning terms as holiday accommodation, it has been used as such over the recent past.
- 1.3 The proposal seeks to reinstate the property back to a single residential unit for the applicant, thereby ceasing the existing holiday-let use.
- 1.4 The primary adaptations to enable to above include internal revisions to provide an internal stair to the lower ground level; external alterations to the balcony area leading from the lower ground floor including the raising of the granite balustrade; and the provision of a window at first floor level above the entrance door. A porch roof as approved under an earlier application PA15/09243 will also be provided. There will also be other minor configuration works internally.
- 1.5 The full detail of the proposed works are set out in the supporting Design and Access Statement (the DAS) and the accompanying plans prepared by ATArch.
- 1.6 The application is also supported by a detailed Heritage Statement and Heritage Impact Assessment (the HS) prepared by Eric Berry, Historic Buildings Consultant. As the HS explains in Section 6, the application property has been subject to a number of modifications and changes over time, but nonetheless *'retains its overall form and character that positively contributes to the historic character of the Conservation Area.'*
- 1.7 The application property is a Grade II Listed Building (List Entry Number: 1219346) and falls within the Mousehole Conservation Area (the CA). Please refer to the HS for further information on the heritage significance of the property and its context.
- 1.8 The site also falls within the Cornwall National Landscape, the West Penwith Section of the Area of Outstanding Natural Beauty (the AONB).

2. Legislative Context and Relevant Planning Policies

- 2.1 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, (The LB&CA Act) requires decision makers in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 2.2 Section 72 of the LB&CA Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 2.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 dictate that *'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.'*
- 2.4 The development plan document covering the area, consist of the adopted Cornwall Local Plan (the CLP), , the Cornwall Site Allocations Development Plan Document (the Allocations DPD) and the Climate Emergency Development Plan Document (the CE DPD).
- 2.5 Whilst work is progressing on the Penzance Neighbourhood Plan (the NDP), which covers the Penzance Civil Parish area, including Mousehole, the NDP has not (at the time of writing this report) proceeded through an Examination or Referendum. As a consequence, the policies within the emerging NDP could still be subject to challenge and/ or change, and therefore do not carry full weight.
- 2.6 The revised National Planning Policy Framework 2023 (NPPF) act as a material planning consideration.
- 2.7 The Source documents listed under Section 7 of the HS are also material in this case.
- 2.8 Over the following pages we explain how the proposals are in accordance with the development plan and relevant material considerations including the NPPF.

3. Planning Assessment

Principle

- 3.1 The proposal is located within the defined settlement of Mousehole, whereby a residential use is supported as a point of principle through Policies 3 and 21 of the CLP and Policy 1 of the Allocations DPD.
- 3.2 Further, the application property already contains two unrestricted residential uses, but the nature of the accommodation, particular the lower ground floor lends itself to being used for holiday-let purposes. The proposal will enable the property to function more appropriately as a full residential use, helping to support the vitality and viability of the services and facilities in Mousehole and the wider area throughout the year.
- 3.3 The proposal will also provide for a sustainable use of the application property as a Grade II Listed Building and within a CA as supported via Policy 24 of the CLP.
- 3.4 As a result, the proposal is in full accordance with the identified policies contained within the CLP and the Allocations DPD. Furthermore, the proposal is also supported by policies within the NPPF. The development is therefore acceptable as a matter of principle.

Heritage

- 3.5 The effects of the proposals upon heritage assets are set out in considerable detail within the supporting HS, in particular reference is drawn to the conclusions in Section 8: Impact Assessment.
- 3.6 The recommendations of the HS explain that *'This building has undergone many changes in the past. The current proposals are designed to maintain the surviving character and interest of the building, and to make minor changes that should ensure a more sustainable future for the building. The proposals are in the best*

interest of the building, and it is therefore recommended that the current application gains consent subject to appropriate planning conditions.'

3.7 Subject to the above, the proposal is acceptable in heritage terms.

Character and Appearance

3.8 The external changes are minimal and are supported in heritage terms. It thereby follows that the proposals will have an acceptable effect in character and appearance terms and will not prejudice the purposes of the designated AONB landscape.

Living Conditions

3.9 Policies 12 and 13 of the CLP and the NPPF through paragraph 135 f) require development to provide for a high standard of amenity for existing and future users.

3.10 The proposals include no external changes that would prejudice the privacy of existing residents. The proposals will also facilitate a more functional use of the property as a full-time residential dwelling, providing for a high quality and attractive living environment.

3.11 Consequently, the proposal will result in no undue harm to existing or future living conditions and therefore fully aligns with policies 12 and 13 of the CLP and paragraph 135 f) of the NPPF.

Travel Plan and Accessibility

3.12 Whilst no on-site parking provision exists, this is equally the case for the existing two units within the property. Further, the site is well located to provide for alternative transport options to the private motor car for future occupiers.

3.13 The application therefore fully complies with all current Regulations and Good Practice making the scheme accessible in line with policies and legislative requirements.

Green infrastructure

3.14 Due to the nature of the existing site, the proposal will have no impact upon green infrastructure.

Flood Risk

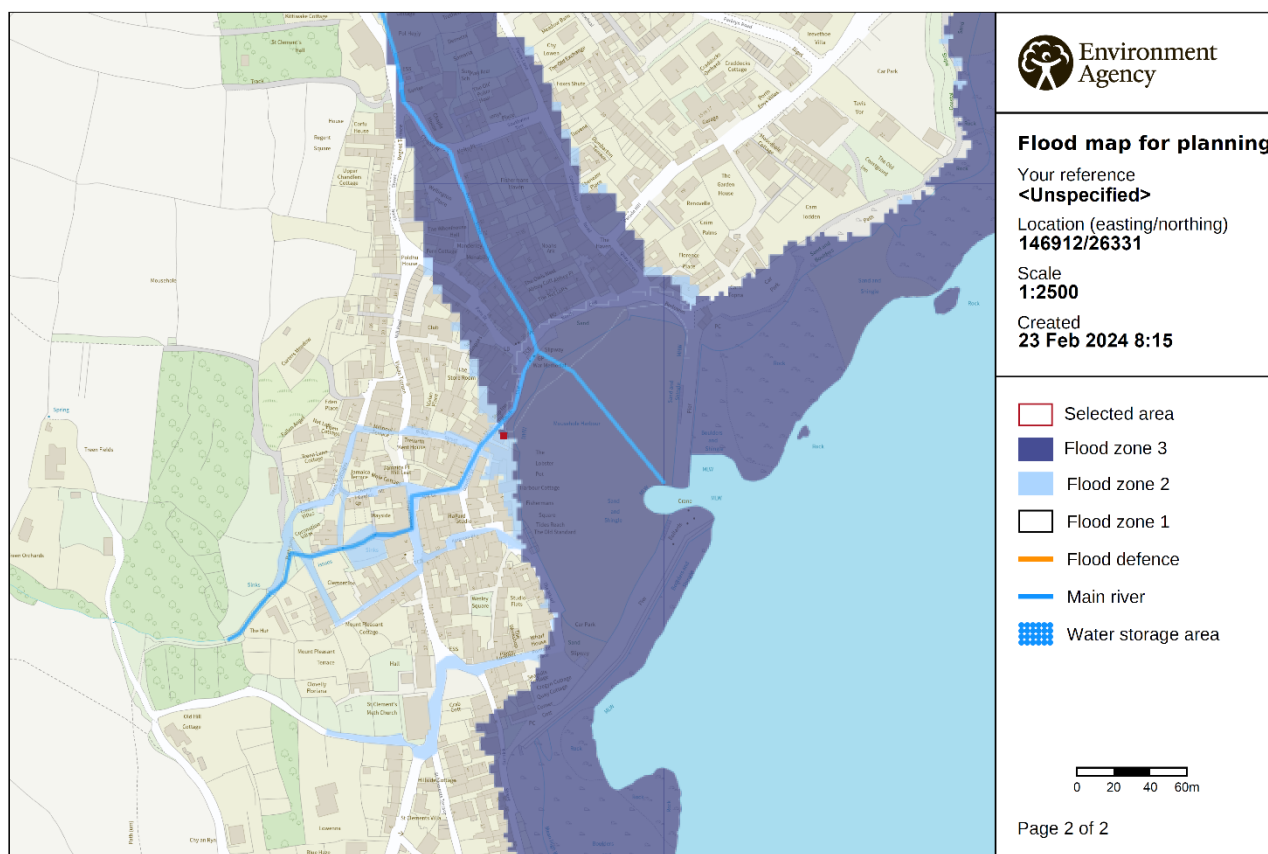
3.15 As shown on the plan overleaf, the application site falls within flood zone 2 and in part flood zone 3 as identified by the Environment Agency.

3.16 Paragraph 158 of the NPPF explains that 'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk.'

3.17 Paragraph 159 of the NPPF sets out that '*New development should be planned for in ways that:... avoid increased vulnerability to the range of impacts arising from climate change.*'

3.18 Paragraph 174 of the NPPF explains that ‘Applications for some minor development and changes of use60 should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.’

3.19 The application property is already in a residential use with two existing unrestricted units. The application property was also previously used as a single dwellinghouse. As the proposal will reduce the net increase of residential units at the site within the flood zone, thereby there will be no increased vulnerability arising from the proposals. Thereby, the flood risk impacts will be acceptable in accordance with Section 14 of the NPPF.



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4. Conclusions

4.1 The application reinstates an existing building to provide for a single residential unit in lieu of holiday let accommodation. The proposals will maintain the surviving character and interest of the building and will ensure a more sustainable future for the building. There are no other planning matters of concern.

4.2 The proposal therefore accords with the relevant legislation, the development plan and material planning considerations. It should therefore be approved in accordance with planning law.