

PROPOSED UTILISATION OF EXISTING STRUCTURE TO CREATE A REPLACEMENT  
BOATHOUSE WITH STUDIO | DESIGN, ACCESSIBILITY & PLANNING APPRAISAL  
INCLUDING GREEN INFRASTRUCTURE STATEMENT, TRAVEL PLAN STATEMENT & FLOOD RISK ASSESSMENT

ADDRESS: HIGHWOOD, RESTRONGUET POINT, FEOCK TR3 6RB

CLIENT: MRS H RALSTON

DATE: MARCH 2024



planning | architecture | landscape

## CONTENTS

1.0 EXECUTIVE SUMMARY.....	1
2.0 EXISTING SITE .....	2
3.0 PLANNING HISTORY.....	8
4.0 PROPOSED DEVELOPMENT.....	10
5.0 PLANNING POLICY ASSESSMENT .....	11
6.0 DESIGN & ACCESS STATEMENT.....	12
7.0 PLANNING ASSESSMENT .....	16
8.0 CONCLUSION.....	19
APPENDIX 1.....	20



## 1.0 EXECUTIVE SUMMARY

Laurence Associates is retained by Mrs Helen Ralston ('the applicant') to progress a full planning application to utilise existing structure to form a boathouse / studio ('the proposed development').

This statement, alongside a review of the site history and relevant policies at both a local and national level, provides a description of the proposed development together with an appraisal of the planning merits of the scheme as a whole and should be read in conjunction with the suite of submitted drawings.

It is concluded that the proposed development represents a high quality, sustainable development and is entirely consistent with relevant policies contained within the Cornwall Local Plan 2010 – 2030 (CLP 2016) and Feock Neighbourhood Development Plan 2017-2030 as well as policies within the National Planning Policy Framework 2023 (NPPF 2023), and supplementary guidance contained within the Cornwall Design Guide 2021, the Climate Emergency Development Plan Document 2023 and The Cornwall Area of Outstanding Natural Beauty Management Plan 2022 – 2027.

The proposed boathouse / studio provides a high quality, sensitive, low-key design which incorporates dark colours / materials to ensure a cohesiveness with the surrounding natural environment. The design has been informed by a number of specialist surveys which include an Ecological Impact Assessment, a Habitats Regulation Assessment, a Coastal Vulnerability Assessment and a Tree Survey to ensure that the proposed development is sensitive and sustainable to the site. It is considered that the proposals would conserve and enhance the setting within the AONB and would constitute sustainable development at this location.

Moreover, it is demonstrated within this statement that the development should be supported by the LPA and permission ought to be granted.



## 2.0 EXISTING SITE

The site contains a detached dwelling located along the Road from Marble Head Cottage to The Old Barn with a boat house/store and slipway next to Carrick Roads. It is located near the centre of the settlement of Restronguet Point. The site benefits, like many of the neighbouring residences, from a large garden and off-street parking. The site is surrounded by residential development to the north, south and west, with Carrick Roads to the east.

The site is located within the South Coast – Central section of the Cornwall Area of Outstanding Natural Beauty, the Fal Ria, Truro & Falmouth Landscape Character Area, the Zone of Influence of the Fal & Helford SAC and a SSSI Impact Risk Zone.

The site is also within an Article 4 Directions Area for Feock, Restronguet (removal of certain permitted development rights in relation to the erection, construction or placing and the maintenance, improvement or other alteration within the curtilage of a dwellinghouse of any building or enclosure (other than a dwelling, garage, stable, loosebox or coach-house) required for a purpose incidental to the enjoyment of the dwellinghouse as such including the keeping of bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwelling house.

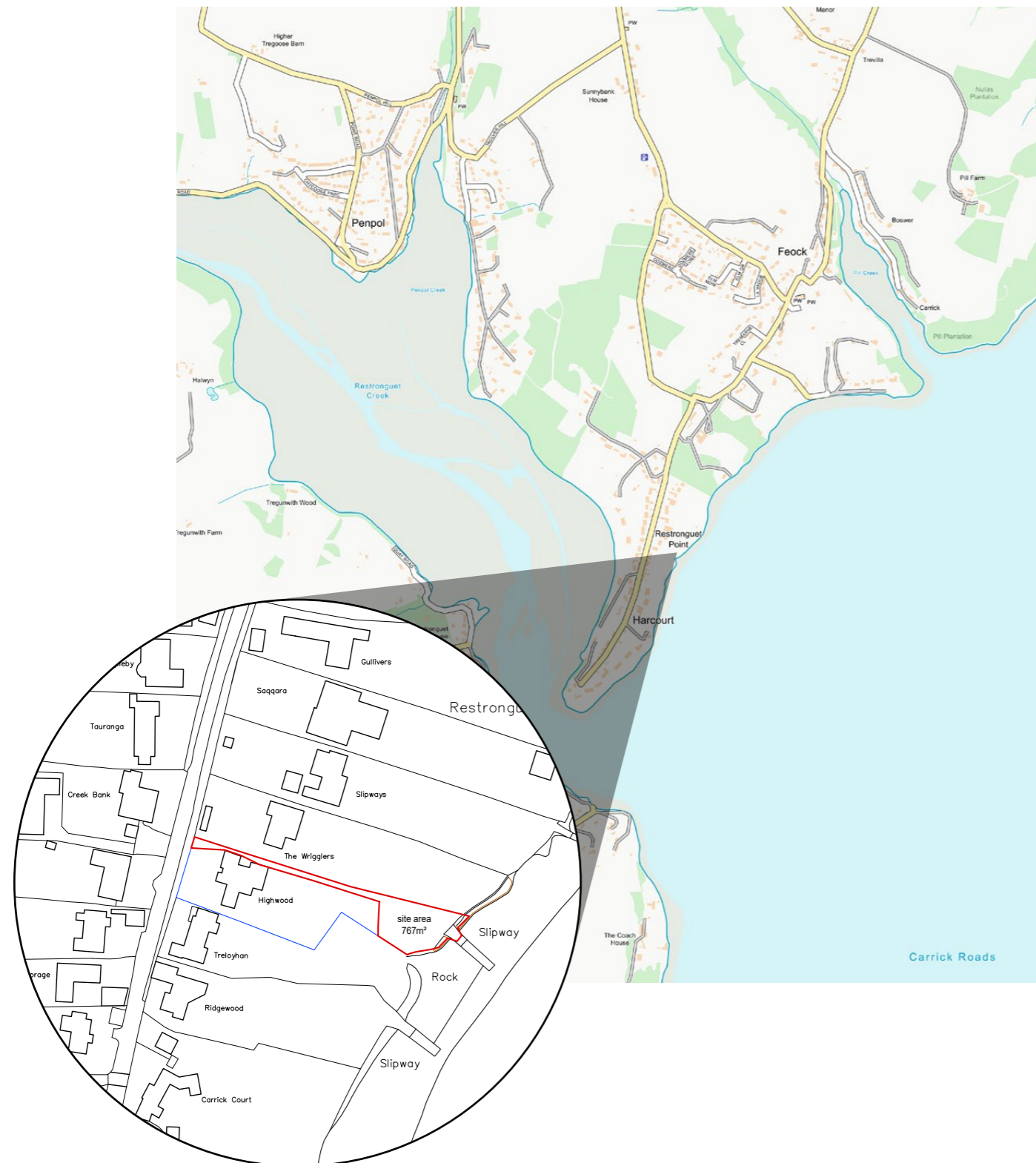
Part of the site is part of the landscape designation of Porthgwidden – C19 landscaped gardens. Porthgwidden was listed in the Hort. Direct. From at least 1870 until 1891 and was one of Thurston's select gardens. Part of the site is also within an area susceptible to ground water flooding. It is also adjacent to/within the Falmouth Bay & St Austell Bay Special Protection Area and the Fal & Helford Special Area of Conservation. There are also Tree Preservation Orders at the site.

The site is not located next to or within the vicinity of any Public Rights of Way.

It is within Band 1 of the CIL Charging Zone.



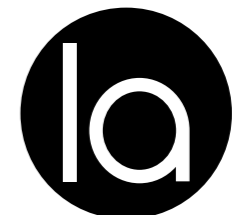
## 2.1 SITE LOCATION



HIGHWOOD, RESTRONGUET POINT | SITE LOCATION

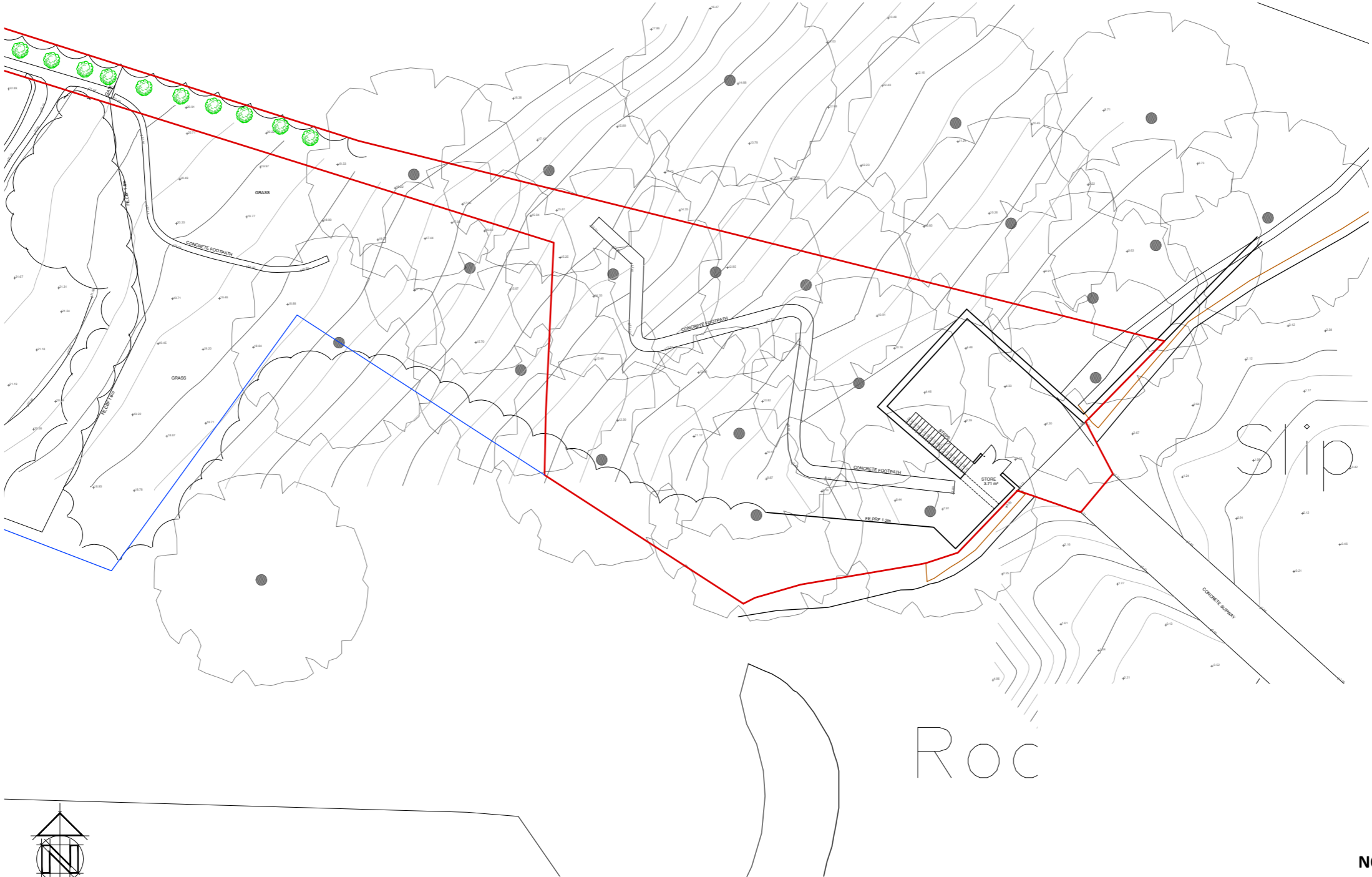


## 2.2 LOCAL CHARACTER





2.3 EXISTING SITE PLAN

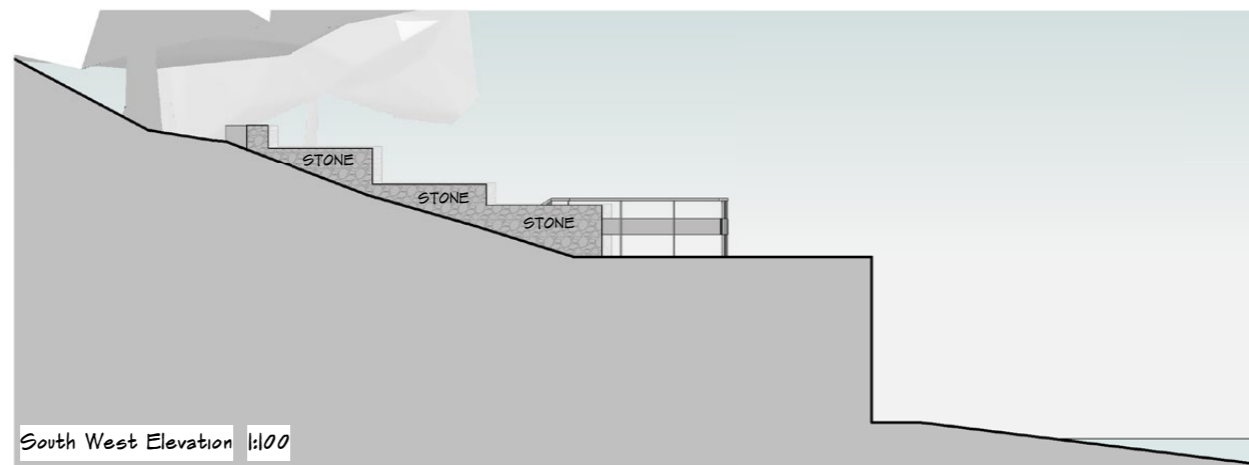
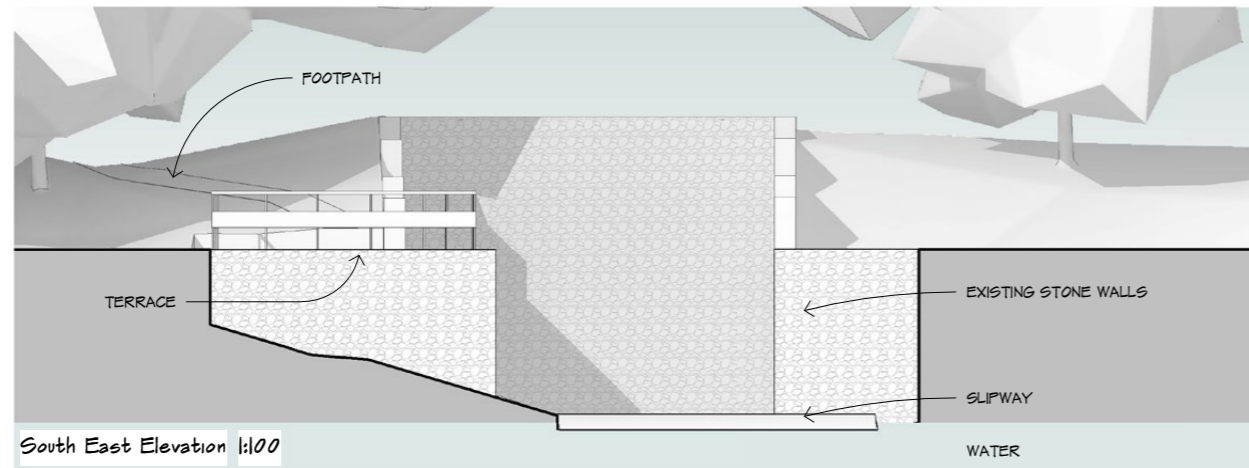
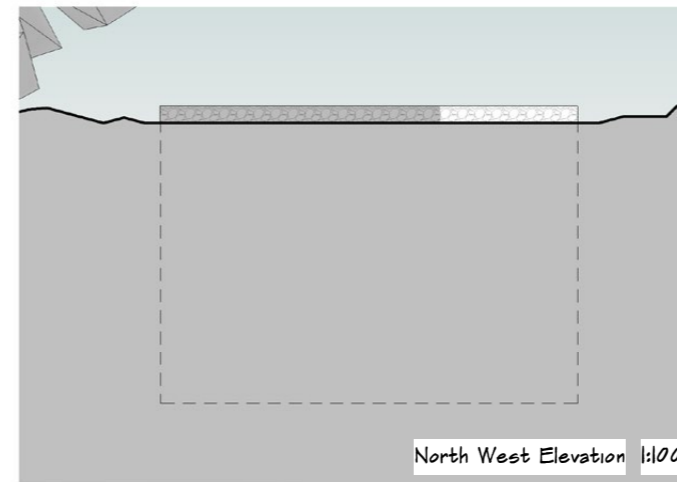
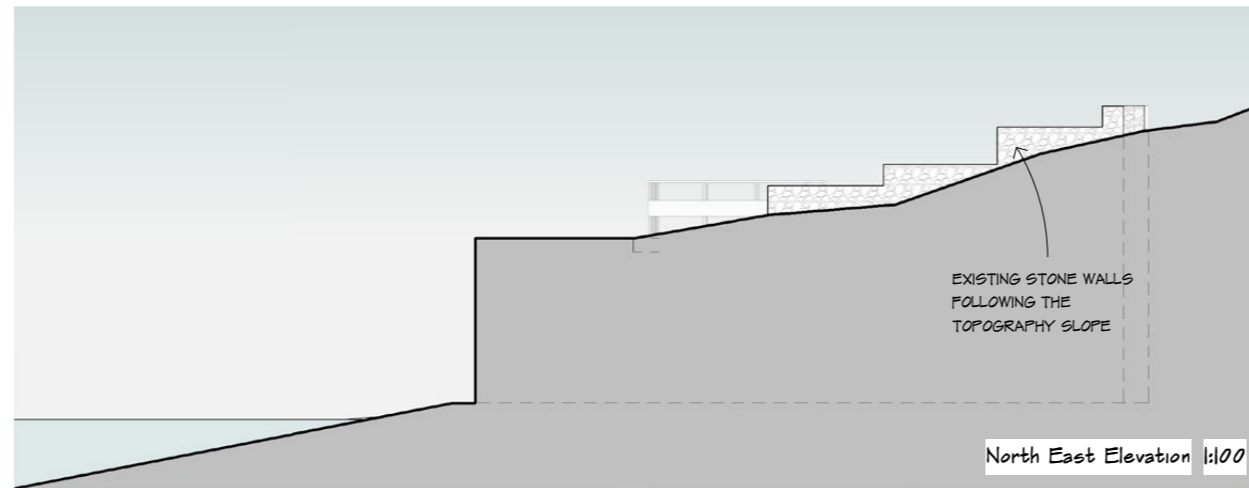


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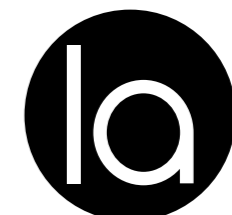
## 2.4 EXISTING PLANS



1:100 scale Bar  
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### 3.0 PLANNING HISTORY

A search of Cornwall Council’s online planning register has been undertaken in order to understand the site’s planning history with the following applications:

- **PA23/05481:** Construction of replacement dwelling and detached garage. Approved with conditions 18th of December 2023.
- **PA18/07932:** Removal of two Turkey Oak Trees, crown lifting two trees. Approved with conditions 27th of September 2018.
- **C1/PA07/1201/00/S:** Extension to provide small sitting room and enlarged entrance hall. Approved with conditions 4 October 2000.
- **C1/PA07/0011/93:** Construction of swimming pool. Approved with conditions 8 Mar 1993.
- **C1/TP07/0897/90:** Felling and lopping of trees. Approved with conditions 19th of July 1990.
- **C1/3078001030PFH:** Erection of living room annexe. Unconditional permission 9th of July 1980.
- **C1/C7348263H:** Construction of slipway. Conditional Approval 13th of March 1974.
- **C1/C6729859H:** Erection of 4 dwellings. Conditional Approval 3rd of April 1967.
- **C1/C6321154H** - Residential development. Conditional Approval 16 Dec 1963.

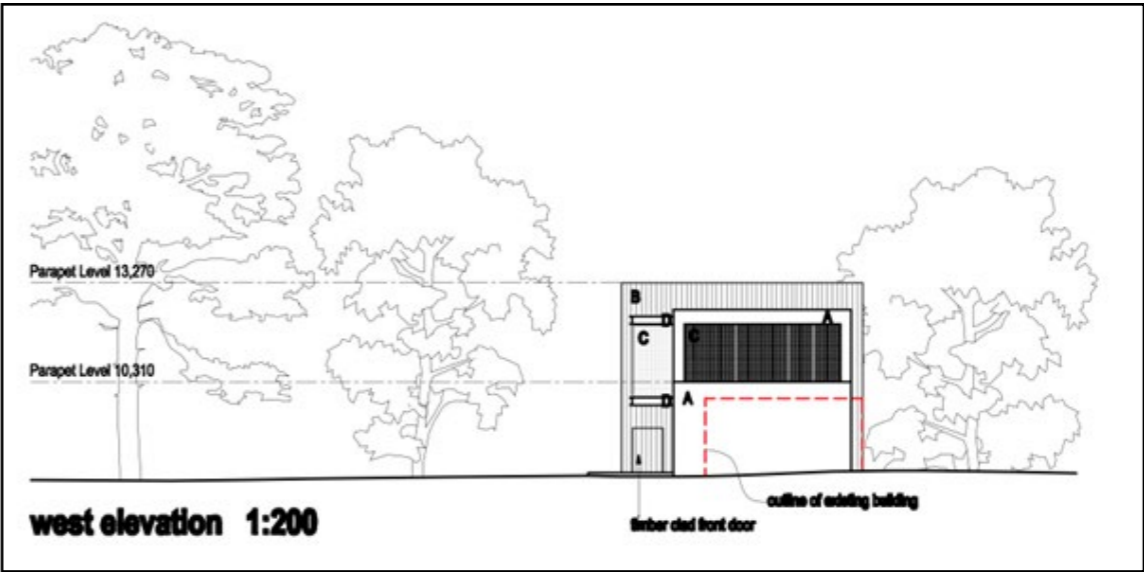
It is also worth noting a number of similar applications in the site’s vicinity:

- **PA12/04040:** The refurbishment and extension of an existing boatstore and studio annexe. Overstrand Restronguet Point. Approved with conditions 27th of July 2012.

There is no Officer Report available for this application, however included within the Decision Notice, the LPA stated that:

*‘The proposed development is considered to be of an appropriate scale, siting and design to remain in keeping with the character and appearance of the host building and the surrounding area in the context of the designated Area of Outstanding Natural Beauty. The proposal complies with Saved Policy 1 and 2 of the Cornwall Structure Plan 2004, Saved Policy 3D, 3F and 4O of the Carrick District Wide Local Plan 1998, the National Planning Policy Framework 2012, Cornwall AONB Management Plan 2011 and advice contained in the Carrick District Design Guide 2005.’*

The permission granted, concerned an existing structure, although in this example, the structure was not retained, as seen by the red dotted line on the proposed building.



- PA16/10179: Construction of replacement dwelling, garage and boathouse and associated landscape works. Saqqara in Restronguet Point. Approved with conditions 23rd December 2016.
- o In respect of the boat house element of the proposal, the LPA made it clear that: *‘The boat house element would be sited to replace an existing summerhouse and its design would be low, in utilising a flat roof to match the new main dwelling and clad with natural stonework and glazing to recede the structure into the adjoining stone retaining walls and the rising topography behind. This approach is considered acceptable with the building form being set into the landscape and fronting onto the existing slipway and with minor adjustments to the existing retaining wall terracing. Overall, this part of the scheme is not considered to be visually intrusive and would not introduce significant additional ancillary accommodation into this section of the site.’*



A visualisation submitted with the application is presented below, which is considered to be comparable with this application given the use of an existing structure and position next to the existing slipway.



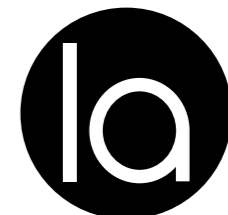
As can be seen on the approved planning drawing for the studio, the studio is nestled into the site as a result of utilising the original structure and considering existing landscape features.



- **PA17/05699:** Demolition of existing detached residential building on two levels and replacement with new-build family home on two levels. Adaptations to landscaping, on-site car parking and rebuilding of waterside studio accommodation. Chy-En-Garth at Restronguet Point. Approved with conditions 3rd of November 2017.

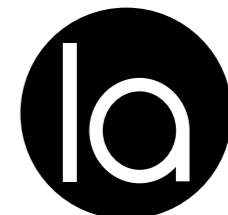
Regarding the proposed studio in place of the former boat store, which again is similar to the application before the LPA, it was considered that:

*'Given the size of the replacement building would be similar to the existing boat house, this would be largely acceptable, although its prominence would be increased by its replacement. However, the use of natural stone would help the studio to blend in with its edge of Creek location and it is not considered to have an unacceptable impact on the surrounding area.'*



## 4.0 PROPOSED DEVELOPMENT

The proposed development utilises the existing structure to create a replacement boathouse with studio.



## 5.0 PLANNING POLICY ASSESSMENT

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; meaning amongst other things any other supplementary / supporting planning documents and the government's guidance as set out in the National Planning Policy Framework (NPPF) (2023).

The statutory development plan for the site consists of the Cornwall Local Plan 2010 – 2030 (CLP) (2016) and the Feock Neighbourhood Development Plan 2017-2030, whilst material considerations in this instance comprise national policies set out within the National Planning Policy Framework (2023), and supplementary guidance contained within the Cornwall Design Guide 2021, the Climate Emergency Development Plan Document 2023 and The Cornwall Area of Outstanding Natural Beauty Management Plan 2022 – 2027.

The relevant policies are appended to the end of this document.



## 6.0 DESIGN & ACCESS STATEMENT

The application seeks planning permission for the proposal that is detailed fully within the suite of submitted drawings.

The proposed design for the new boathouse embodies a deliberate low-key approach, carefully tailored to complement the existing stone structural walls. This thoughtful integration aims to create a serene and contemplative space.

The proposal seeks to provide an enhanced facility for boat storage through the introduction of a covered space which would provide protection during poor weather conditions. Moreover, this would also provide a higher functioning storage space for boating paraphernalia, including kayaks and paddleboards. The studio would provide a space for the residents to utilise at the bottom of their garden, where there are currently no outbuildings. Given the large garden area, it is considered entirely acceptable for residents to wish to benefit from a covered space to spend their time in their garden and enjoy the view out to Carrick Roads.

### Amount

The proposed development involves utilising the existing structure, to create a new boathouse and studio.

The proposed gross internal area (GIA) of the proposed development is circa 48sqm which demonstrates the minor footprint of the build in comparison to the garden as a whole.

### Layout

The proposed development provides space for the boat to be housed and above is for the studio area. The existing terrace is to remain, as per the submitted plans.

### Scale

The scale of the proposed development is acceptable, given that the existing structure is utilised, which allows the creation of a boathouse and studio. The size, scale and mass of the scheme is commensurate to the site with the ridge height being approximately 4m.

### Landscaping

As can be seen by the drawings that accompany this submission, no landscape works are needed to facilitate this proposal, and the existing trees would assist in screening the proposals into the existing landscape, which is the same approach taken on the boat houses / studios that are identified within this supporting Design, Accessibility and Planning Appraisal.

### Appearance

The design concept places great emphasis on utilising the existing stone structure. The lightweight materials above are grey woodgrain, low-maintenance cladding, thoughtfully following the lines of the steep walls. Additionally, a zinc roof has been selected to ensure a cohesive appearance with the shaded wooded area that surrounds it.

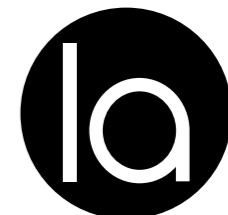
The applicants are committed to maximising energy efficiency by the extent of glazing in the day, meaning that no artificial lighting would be needed. In addition, the glazing selection will be carefully considered, to ensure that it is non-reflective and would contain the internal light, to protect the dark skies given the sites location within the AONB.

Low key outdoor downlights have been included to minimise lighting impacts.

This design approach is a conscious response to the present context, which is characterized by a unique architectural identity. It is our commitment to ensure that the new boathouse / studio harmoniously coexists within this singular architectural landscape, enhancing rather than diluting the distinctive character of the surroundings.

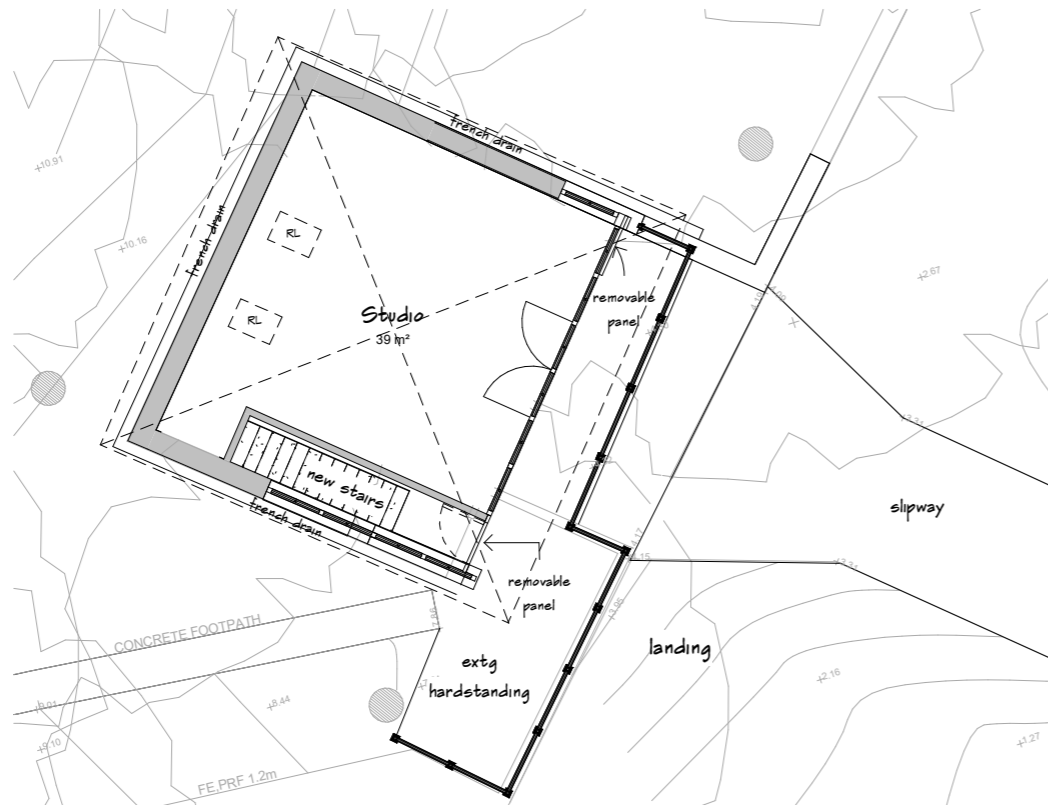
### Access

There is no change to the access, given there is an existing path to the former boathouse, along with a hardstanding terrace surrounding the structure.

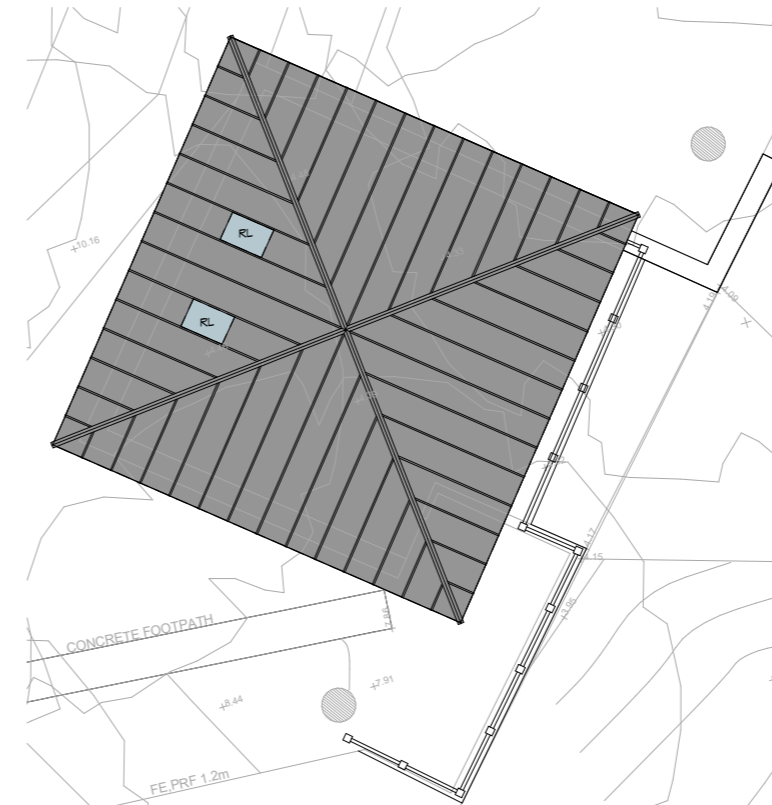




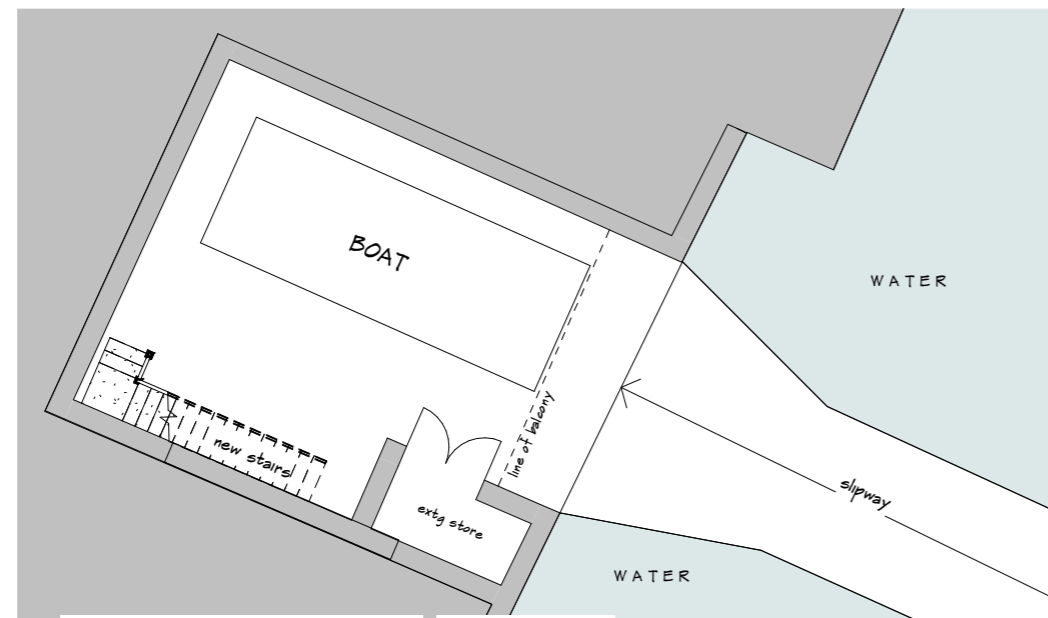
## 6.2 PROPOSED FLOOR PLANS



Boat House + Studio - Level 2 Plan 1:100



Boat House + Studio - Roof Plan 1:100



Boat House + Studio - Level 1 Plan 1:100



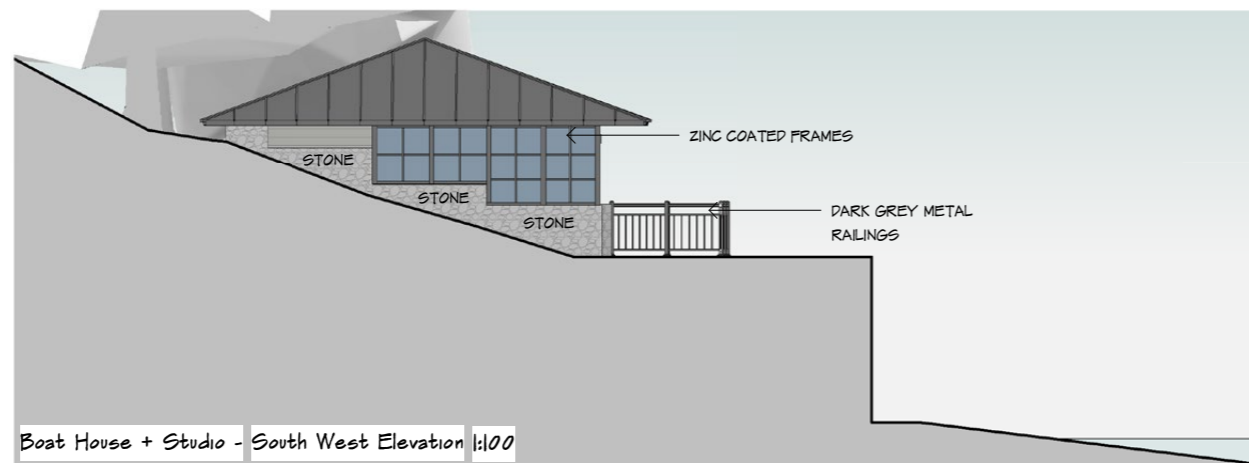
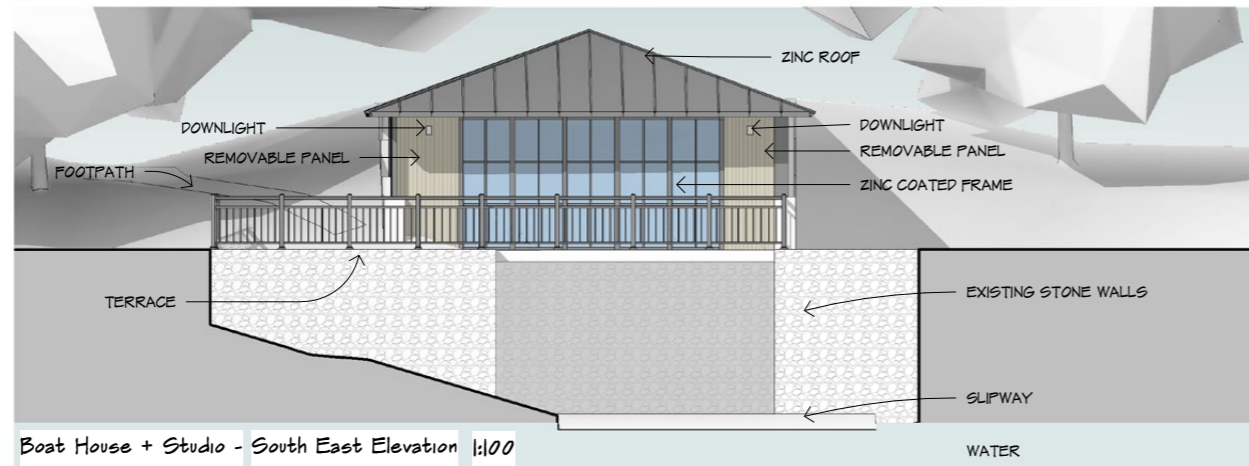
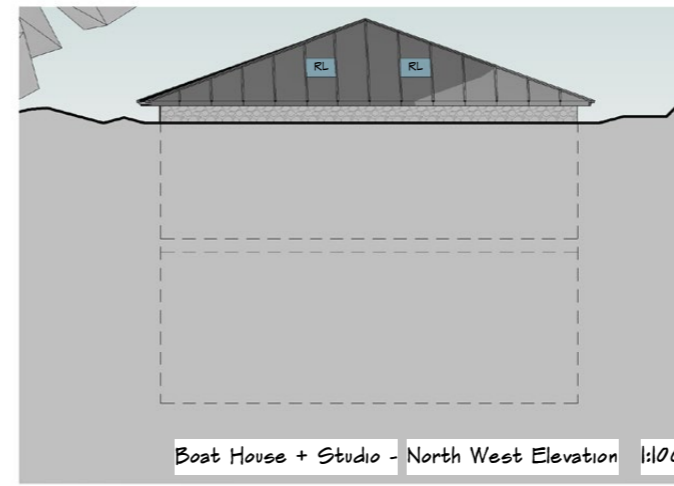
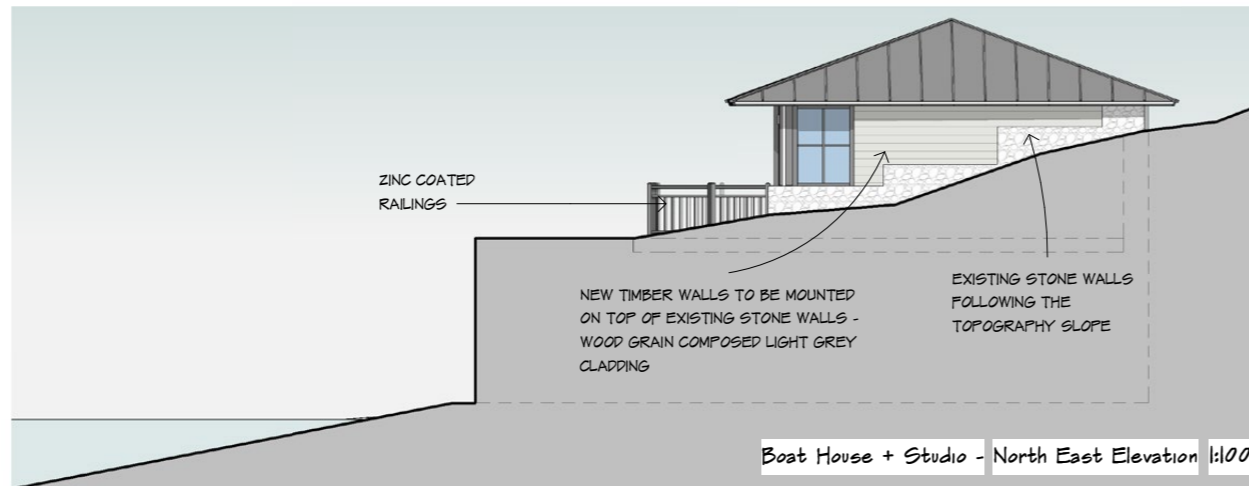
**PROPOSED GIA:**  
 LEVEL 1 - 3.71 m<sup>2</sup>  
 LEVEL 2 - 44.45 m<sup>2</sup>  
 TOTAL - 48.16 m<sup>2</sup>

NOT TO SCALE





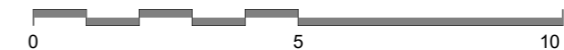
## 6.3 PROPOSED ELEVATIONS



NEW STOREY ABOVE BOAT HOUSE  
TO BE USED AS A STUDIO ROOM



1:100 scale Bar  
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## 7.0 PLANNING ASSESSMENT

It is considered the proposal is an entirely appropriate type of development and is fundamentally compliant with local and national policies and guidance.

Policy 1, 2 and 12 of the Cornwall Local Plan focus upon ensuring that development is sustainable and that proposals are of a high quality, safe and sustainable design which are able to combat climate change and consider impacts upon both the natural and built historic environment. Sustainability and a low-key respectful design within this location have been at the forefront of the design process. Most notably, the site lies within the South Coast – Central section of the Cornwall Area of Outstanding Natural Beauty, the Falmouth Bay & St Austell Bay Special Protection Area, the Fal & Helford Special Area of Conservation, Porthgwenidien C19 landscaped gardens and is adjacent to Tree Protection Orders amongst other constraints. These constraints have meant that special regard was required to ensure a sensitive design. The following sections provide an assessment of proposals and draw in on the reports that were instructed to inform a sustainable design.

Firstly, the proposed development site contains an existing slipway and boat storage area therefore the principle for the proposed development is considered acceptable. Moreover, various boathouses can be seen to be located along the coast of Restronguet Point, some of which have been previously referenced within the Planning History section. The key considerations therefore should be in relation to whether the design is acceptable.

It is also important to identify Policy 16 which focuses upon health and wellbeing, aiming to maximise the opportunity for physical activity through the use of sports. This proposal would be supported by this policy given that this proposal support use of the water and also the studio would provide a space where indoor sports such as yoga could take place.

Focusing upon the appearance of the proposed development, the key considerations here are the context of the site within the South Coast – Central section of the Cornwall Area of Outstanding Natural Beauty, the Fal Ria, Truro & Falmouth Landscape Character Area. As has already been noted, the proposed design for the new boat house / studio embodies a deliberate low-key approach, carefully tailored to complement the existing stone structural walls. This thoughtful integration aims to create a serene and contemplative space, ideal for the pursuit of various hobbies.

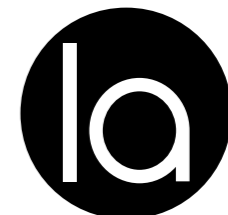
The footprint of the proposed development occupies a modest footprint of circa 48sqm, making use of the existing stone walls to build above and between. This would ensure the footprint is retained to where the existing built development is retained, and not impact upon the surrounding green space and ecology in this sense. This footprint is relatively insignificant in comparison to the expansive size of the garden as a whole. The footprint has been the starting point for the appearance as the design concept has placed a great emphasis on maintain the integrity of the existing stone structure.

The proposed design consists of two levels with the first, lower level, providing space for the boat to be housed and the upper level comprising the space for a studio. In terms of layout, outside of the studio, there would be a modest area for a terrace. The choice of dark grey metal railings has been made to ensure a low-key appearance as opposed to brighter colours which may attract more visibility from passersby on the water.

Other materials include a grey woodgrain, low-maintenance cladding which thoughtfully follow the gradients of the steep walls. A zinc roof has been selected to ensure a cohesive appearance with the shaded wooded area that would surround the proposed development.

Lighting has also been a key consideration for the design process. The choice of dark grey or graphite glazing minimizes light reflection, further preserving the tranquil ambiance of the space. The choice of darker materials would help to reduce any visual impacts in comparison to bright white colours which otherwise may have been proposed within the design. Furthermore, outdoor downlights have been included as to minimise lighting impacts, as well as panels.

It is respected that great weight would be afforded to conserving the landscape and scenic beauty within the AONB, hence the reasoning for the choice of sensitive materials and glazing choices which would help the proposed development to assimilate into its natural surroundings, as per the thrust of Policy 23. The proposal is considered to safeguard the significance and conserve and enhance the natural beauty and special qualities of the AONB at this setting, in line with NDP Policy LS2. The proposal would also respect and reflect the local character and minimise impacts on the landscape, as per NDP Policy D1 and AONB Management Plan Policy PD-P3 and PD-11.



The design of the development without a doubt provides a proposal which corresponds with local distinctiveness, the site's identity and local character, and therefore is considered to be supported by Policies 1, 2 and 12, and the Cornwall Design Guide.

### **Flood Risk Assessment**

The Planning Application Forms, suggest the need for a Flood Risk Assessment because the site is located within a Flood Zone 2 and 3 but clearly the structure is to be built between Low Mean Water Level and a point above High Water Level and will be covered by water twice a day. The structure will not increase any flood risk to neighbouring properties, given the proposal seeks to utilise existing structure to form a boathouse / studio.

### **Ecology**

The site is within or adjacent to many ecologically sensitive areas therefore it was essential to instruct a specialist ecologist to inform a sensitive design. These constraints include the Falmouth Bay & St Austell Bay Special Protection Area, the Fal & Helford Special Area of Conservation, the Zone of Influence of the Fal & Helford SAC and a SSSI Impact Risk Zone.

Plan for Ecology were instructed to produce an Ecological Impact Assessment (EclA) Report and a HRA Stage 2 to inform and support the application. The reports are submitted as part of this application, here, a summary of the findings is instead provided.

The EclA concludes that provided the mitigation recommendations given in the EclA and the HRA reports are implemented, no residual impacts are predicted. Such measures include ensuring that the access route to the site for construction is confined to the existing pathway through the woodland to avoid disturbance to the woodland ground flora and damage to tree root protection areas. If any accidental woodland ground flora disturbance is caused, it is proposed that the woodland ground flora is restored by rectifying any areas of compacted soil and reseeded with a suitable native woodland seed mix. Many other measures are proposed so please refer to the EclA and HRA reports for the full picture of measures.

The HRA concludes that the proposed development, when considered alone or in-combination with other plans or projects, will not affect the conservation objectives or site integrity of the Fal and Helford SAC, the Falmouth Bay to St Austell Bay SPA and Carrine Common SAC.

Policy 23 focuses upon ensuring that new developments enhance the natural environment. Policy BIO1 of the NDP also states that the highest level of protection will be given to sites of European importance. This proposal has been informed by two detailed ecological reports and mitigation and enhancement measures would be adhered to ensure compliance with Policy 23 and NDP Policy BIO1. It would be expected that a condition is added to any approval to ensure compliance with the ecology reports.

NDP Policy BIO3 and Climate Emergency Development Plan Document Policies G1 and C1 focuses upon enhancing green infrastructure through retaining and enhancing wildlife areas and green spaces and the connections between them. This proposal has entirely been proposed on top of existing stone walls to avoid impacting upon green infrastructure.

NDP Policy LS1 states that developments will only be supported relating to creeks and coast where it can be demonstrated that it will not damage the marine ecosystem and the quality of the creek-side landscape, and it would not result in the loss of, or lead to encroachment onto beaches or the foreshore. The proposal would also align with this, as per the ecology reports.

It is recognised that the site is located within the sensitive settlement edge and land protected by designation or conservation policy, therefore it has been important to ensure that the development is exceptionally sensitive in terms of ecology in particular, hence why specialist ecologists were brought on board to undertake an EclA and HRA. Their findings however consider that there would be no harm caused as long as the mitigation and enhancement measures are followed.



### **Arboriculture**

A tree survey was carried out by Evolve Tree Consultancy in order to assess the conditions of the trees with regards to their potential for the proposed development. At the time of writing the report, the consultant had access to the final design in order to make a thorough assessment.

The onsite trees are a typical mix for Restronguet, dominated by Turkey oak and beech trees with a minor presence of holm oak and sycamore. The trees are even-aged and early-mature age-class. They have a drawn up form and rely on the other trees in the group for stability.

Overall, the arboricultural impacts of the proposed development are low. However, it is accepted that a planning condition be imposed within any future decision notice which requires the measures outlined within the Tree Protection Plan.

It is therefore considered the proposal would align with Cornwall Local Plan Policies 23 and 25, and NDP Policies BIO2 and BIO3. The trees would be maintained and fully respected.

### **Coastal Vulnerability Assessment**

Slope Stability Southwest produced a Coastal Vulnerability Assessment to support the application. The report is submitted as part of this application and concludes that the risk of the proposed development on impacting on coastal processes is considered negligible. The proposed development has been designed to build onto the existing stone walls in order to avoid and minimise any impacts on the surrounding coastal environment and coastline itself.

It is considered that the proposal therefore aligns with NDP Policy SC1 as the proposed development will be clear of the water level even under the worst-case projected sea level rise scenario, please see the Coastal Vulnerability Assessment in full for more details.

### **Amenity**

It is not considered that this development would have an impact on neighbouring amenity given the proximity to neighbouring properties and considering the existing lawful use of the site.

### **Heritage Statement**

Part of the site is part of the landscape designation of Porthgwidden – C19 landscaped gardens. In addition, Porthgwidden was listed in the Hort and from at least 1870 until 1891, was one of Thurston’s select gardens. As such, it is considered appropriate to consider heritage impacts from the proposed development. Notwithstanding this, considering the proposals seek to utilise the existing boat house structure, to create a new boat store and studio, which have been designed in a scale and appearance acceptable to its siting, it is not considered that the proposals would cause any harm to the named heritage asset.

It is therefore considered that the proposal would be supported by Policy 24 and NDP Policy HE1.

### **Green Infrastructure Statement**

The proposed development is focused upon an existing built footprint in order to reduce any environmental or ecological footprints. Moreover, relevant ecology and tree surveys have been undertaken. The proposed works would be built in accordance with the recommendations of these reports.

### **Travel Plan Statement**

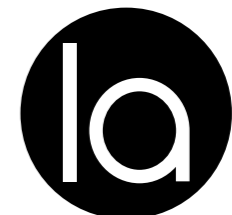
The proposed development would not increase the number of residential units at the site. There would still be one residential unit / planning unit at the site. It is therefore considered that the proposal would not cause any impact in terms of traffic on the local highway network. Moreover, future residents would benefit from access to the water via the existing slipway. A few minutes’ walk away, future residents would also benefit from access to a nearby bus stop which currently provides the 493 and 660 bus services which provide connectivity towards Truro for example. There are therefore opportunities to travel by sustainable public transport services from the site. The proposal would be considered to be supported by Policy 27 and NDP Policy GA2 in terms of the provision of adequate parking.



## 8.0 CONCLUSION

The proposed works to utilise and extend the existing structure would create a new lease of life for a useable boathouse and studio. The proposed scale and appearance of the boathouse / studio are proportionate to the existing structure and the appearance is complimentary by virtue of the lightweight recessive materials proposed, above the existing stone walls. The proposed development is consistent and complimentary to other boathouses / studios within the vicinity and there are no technical reasons to prevent the LPA from supporting this application.

The development should therefore be approved, 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 2023, policies within the Cornwall Local Plan 2010 – 2030 and Feock Neighbourhood Development Plan 2017-2030, and Cornwall Design Guide 2021, the Climate Emergency Development Plan Document 2023 and The Cornwall Area of Outstanding Natural Beauty Management Plan 2022 – 2027.



## APPENDIX 1

### THE DEVELOPMENT PLAN

#### The Cornwall Local Plan

The Cornwall Local Plan was adopted in November 2016 and sets out Cornwall Council's vision and planning approach for the period 2010-2030. It includes a number of strategic planning policies that are to be used in the decision-making process.

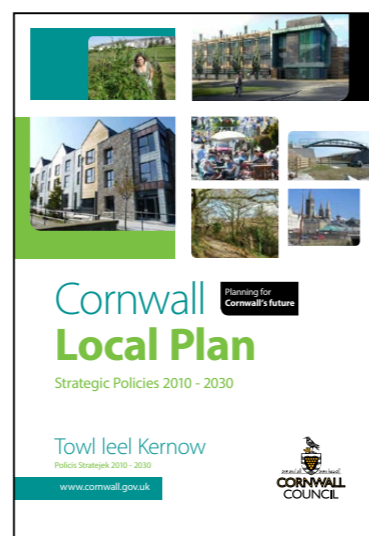
**Policy 1** sets out a presumption in favour of sustainable development. It states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as enshrined within the NPPF.

**Policy 2** sets out how new development proposals must be of a high-quality design, be able to combat climate change and considers any potential impacts on both the natural and built, historic environment.

**Policy 12** requires new proposals to be of a high quality, safe and sustainable design which sustains Cornwall's sense of distinctiveness. It provides a set of design principles that are to be followed when creating new developments, including creating places with their own identity and promoting local distinctiveness and being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape, townscape and setting.

**Policy 16** focuses on health and wellbeing and aims to maximise the opportunity for physical activity through the use of open space, indoor and outdoor sports and leisure facilities and providing or enhancing active travel networks.

**Policy 23** sets out how new development proposals are to enhance Cornwall's natural environment and assets according to their international, national and local significance. Within this policy, it states that development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and un-designated landscapes. Development must take into account and respect the sensitivity and capacity of the landscape asset, considering cumulative impact and the wish to maintain dark skies and tranquillity in areas that are relatively undisturbed, using guidance from the Cornwall Landscape Character Assessment and supported by the descriptions of Areas of Great Landscape Value. In areas of undeveloped coast, outside main settlements, only development requiring a coastal location and that cannot be achieved elsewhere, will be acceptable.



In terms of the Area of Outstanding Natural Beauty, great weight will be given to conserving the landscape and scenic beauty within or affecting the setting of the AONB. Proposals must conserve and enhance the landscape character and natural beauty of the AONB and provide only for an identified local need and be appropriately located to address the AONB's sensitivity and capacity. Proposals should be informed by and assist the delivery of the objectives of the Cornwall AONB Management Plan including the interests of those who live and / or work in them.

In terms of biodiversity and geodiversity, development should conserve, protect and where possible enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and county-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance, helping to deliver the actions set out in the Cornwall Biodiversity Action Plan.

In terms of European Sites, the highest level of protection will be given to potential and existing Special Protection Areas, candidate and existing Special Areas of Conservation and listed or proposed Ramsar sites. Proposals having an adverse impact on the integrity of such areas that cannot be avoided or adequately mitigated to remove any adverse effect will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are:

- a) no suitable alternatives;
- b) imperative reasons of overriding public interest; and
- c) necessary compensatory provision can be secured to ensure that the overall coherence of the Natura 2000 network of European sites is protected.

Development will only be permitted where the Council is satisfied that any necessary mitigation is included such that, in combination with other development, there will be no adverse effects on the integrity of European Nature Conservation Sites.

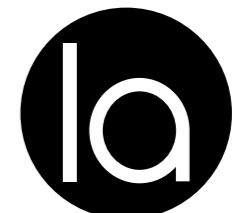
Development should avoid adverse impact on existing features as a first principle and enable net gains by designing in landscape and biodiversity features and enhancements, and opportunities for geological conservation alongside new development. Where adverse impacts are unavoidable, they must be adequately and proportionately mitigated. If full mitigation cannot be provided; compensation will be required as a last resort.

**Policy 24** relates to the historic environment and states that development proposals will be permitted where they sustain the cultural distinctiveness and significance of Cornwall's historic environment. Development proposals will be expected to sustain designated heritage assets and conserve and, where appropriate, enhance the design, character, appearance and historic significance of historic parkins and gardens.

Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset. In those exceptional circumstances where harm to any heritage assets can be fully justified, and development would result in the partial or total loss of the asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of that asset, and archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard in a public archive.

**Policy 25** relates to green infrastructure which includes landscape and trees. Proposals should retain and enhance the most important environmental infrastructure assets and connections that contribute to the functionality of networks of ecosystems.

**Policy 27** relates to transport and accessibility. It states that new development proposals must provide safe and suitable access to the site for all people.



## Feock Neighbourhood Development Plan 2017-2030

**Policy BIO1** states that the highest level of protection will be given to sites of European importance within the Parish (potential, candidate and existing Special Areas of Conservation). Proposals having an adverse impact on the integrity of such sites will not be permitted other than in exceptional circumstances. Measures to avoid any adverse impacts on these sites will be sought as a first principle.

Sites of national importance (Sites of Special Scientific Interest) will be protected. Development having an adverse impact on these sites will not normally be permitted. Measures to avoid any adverse impacts on these sites will be sought as a first principle.

Features and locally designated sites of biological or geological interest (County Wildlife Sites, Biodiversity Action Plan habitats and species, Tree Preservation Orders) will be conserved, protected and enhanced. Unavoidable impacts on such sites should be appropriately mitigated or compensated for.

**Policy BIO2** focuses on the retention and maintenance of trees subject to a Tree Protection Order. Development proposals should seek to protect and incorporate non designated trees that provide visual amenity and skyline interest and natural shelter/windbreak (including hedgerow trees).

**Policy BIO3** states that proposals should enhance the green infrastructure of the parish through retaining and enhancing wildlife areas and green spaces and the connections between them.

**Policy HE1** states that development will be supported only where it safeguards the historic environment. Development should not have an adverse impact on locally designated sites of historic interest (Conservation Areas, Feock Parish Local Heritage List). Any such proposals will be considered against guidance in the Cornwall Local Plan Policy 24.

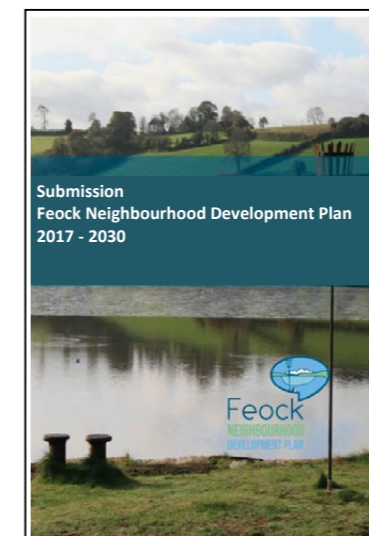
**Policy LS1** states that development will only be supported relating to creeks and coast where it can be demonstrated that it will not damage the marine ecosystem and the quality of the creek-side landscape, and it would not result in the loss of, or lead to encroachment onto beaches or the foreshore.

**Policy LS2** states that proposals will only be supported where it safeguards the significance and conserves and enhances the natural beauty and special qualities of the AONB and its setting.

**Policy D1** states that proposals should:

- Respect and reflect local character and identity, through sensitive siting, design, scale, and use of materials.
- Follow the design guidance set out in county wide and other relevant local design guides.
- Provide garden amenity spaces in an appropriate scale to the type and size of the dwelling and to reflect the character of the local context and the proportion of built development to open space.
- Minimise impact of development on the landscape and provide mitigation for any adverse impacts identified.
- Encourage the use of professional design services and local craftsmen.

**Policy SC1** states that all development should be designed to avoid polluting aquifers, rivers and the sea. Development is not supported in areas identified as vulnerable to flooding in accordance with the NPPF and as identified by the Environment Agency. Development in areas vulnerable to sea level rise as identified in the NPPF must be subject to appropriate mitigating precautions advised by the Environment Agency. Cornwall Local Plan Policy 26- Flood risk management and coastal change also provides detailed guidance which is relevant.





## MATERIAL CONSIDERATION

### National Planning Policy Framework (NPPF) 2023

The NPPF is a material consideration in the determination of this application as per **Paragraph 2** of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004. It sets out Government planning policies for England and how these are expected to be applied.

**Paragraph 7** of the NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Paragraph 8** of the NPPF sets out the three dimensions to sustainable development: economic, social, and environmental; all of which give rise to the need for the planning system to perform a number of mutually dependent roles.

The golden thread running throughout the NPPF is the Government's presumption in favour of sustainable development (**Paragraph 11**) whereby developments which correctly balance the requirements of economic, social, and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.

At **Paragraph 12**, it is made explicitly clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

**Paragraph 38** states that LPAs should approach decisions on proposals in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. **Section 6** of the NPPF 2023 sets out that proposals which serve as a boost to local economy should be welcomed.

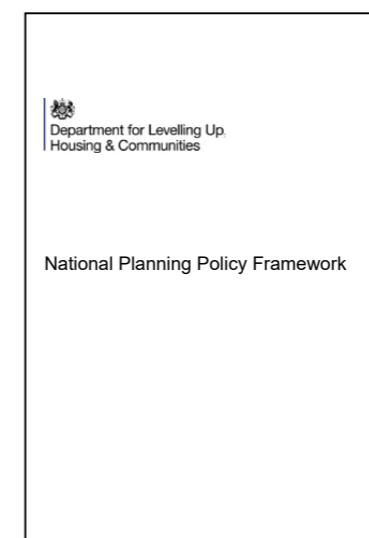
**Paragraph 119** states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

**Section 12** of the NPPF, sets out how new developments should achieve high standards of design. **Paragraph 126** places a strong emphasis on achieving high quality designs in new developments and states that good design is a key aspect of sustainable development.

**Paragraph 130** further provides a number of design related criteria that is to be achieved during the decision-making process.

**Section 15** focuses upon conserving and enhancing the natural environment. Planning decisions should contribute to and enhance the local environment. Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

**Section 16** focuses upon conserving and enhancing the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.



### The Cornwall Design Guide 2021

The new Cornwall Design Guide has been subject to a sustainability appraisal, consultations, scrutiny, review and is now adopted.

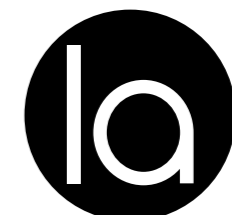
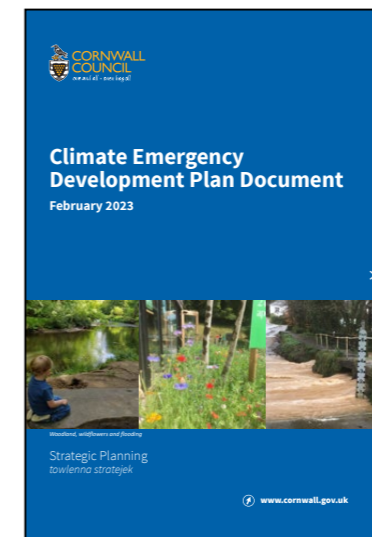
**Section 4** of the Design Guide sets out the importance of an effective design process, and highlights that there are many factors to consider in designing a successful scheme, including the nature of the site itself, its surroundings, community needs and opinions, good design principles and local policies. **Section 4.13** highlights why understanding the context of any site is important, and **Section 4.20** sets out how the outcomes of the Context Appraisal should be used to establish design principles.



### The Climate Emergency Development Plan Document 2023

**Policy C1** focuses upon climate change principles. This includes through contributing positively to the health, wellbeing and resilience of our communities and the natural world; maximising the ability to make trips by public transport, sustainable and active modes of transport in all developments through careful design and mix of uses that actively support walking and cycling rather than car use for day to day living; and conserving and enhance our natural and historic environment and cultural heritage according to their international, national and local significance and increase built and natural environment distinctiveness through locally distinctive, high quality and sustainable design and multi-functional green infrastructure provision.

**Policy G1** relates to green infrastructure design and maintenance. Green infrastructure should be central to the design of schemes, ensuring permeability of the site for wildlife and people and creating a multi-functional network of spaces and uses. All developments should be planned around the protection and enhancement of nature. Within this policy, there is promotion for including existing green infrastructure whilst also incorporating new trees, hedges etc.





### The Cornwall Area of Outstanding Natural Beauty Management Plan 2022 - 2027

The Cornwall AONB Management Plan sets the agenda for the management of protected landscape. The current plan was adopted in May 2016 and therefore should be regarded as a material consideration.

**Policy PD-P3** requires the replacement and redevelopment of existing dwellings to be supported where the overall scale, density, massing, height, layout, materials and landscaping of the development appropriately responds to local character and natural beauty of the surrounding AONB landscape.

**Policy PD-P11** states that any development in, or within the setting of, the AONB must be sustainable development that:

- maintains local distinctiveness and contributes to the sense of place; it should respond to local historical, cultural and landscape context and enhance and feel part of the existing landscape.
- is appropriately located, and addresses landscape sensitivity and capacity being of a scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape and townscape setting.
- reflects vernacular scale and detailing avoiding the uncharacteristic introduction of large scale dwellings with very extensive glazed elevations and imposing presence; Innovation in building design within the AONB should be landscape-led providing contextually responsive in the terms set out above, provide contemporary development that is well integrated into its setting and the AONB landscape.
- is compatible with the distinctive character of the location described by the Landscape Character Assessment, with particular regard to the setting of settlements and the rural landscape.
- does not compromise the special qualities and characteristics of the AONB designation as outlined for each local section and in relevant landscape character assessments.

