

Montagu Town Planning Limited

PLANNING POLICY ASSESSMENT, HERITAGE AND EXPLANATORY STATEMENT

BETHANY HOUSE,
33 WOODLANE, FALMOUTH

APPLICATION FOR PLANNING PERMISSION FOR THE PROPOSED
CHANGE OF USE FROM A LARGE HMO (SUI-GENERIS USE CLASS) TO
A DWELLING (C3 USE CLASS) INCLUDING A SELF-CONTAINED
ANNEXE

CLIENTS: MR & MRS A JORDAN

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1. Introduction

- 1.1 This Statement has been prepared by Montagu Town Planning Ltd, in conjunction with Simon Spear CAD Services, on behalf of Mr & Mrs A Jordan who are in the process of purchasing the site.
- 1.2 This statement is submitted in support of a detailed planning application for the proposed change of use of the large HMO (Sui-Generis Use Class) into a dwelling (C3 Use Class) including a self-contained annexe.
- 1.3 Planning permission was granted in September 1999, under application reference **PA02/1181/99/S** for the proposed conversion and refurbishment of a care home to provide a multiple occupation private dwellinghouse. The property was used by a religious order as a large House in Multiple Occupation (HMO), where 7 or more unrelated people lived in the building and shared amenities. There is no planning history relating to the annexe; however, considering the means of construction and its appearance, it is evident that the building has existed for more than 10 years on the site. An assessment of historic images of the site from Google Earth confirms the aforementioned fact.
- 1.4 The Applicants are in the process of purchasing the property and want to use it as a single dwellinghouse including retaining the existing apartment. This application does not seek to change the external appearance of the building at all.
- 1.5 A detailed consideration of the various planning policies is provided below. That said, it is considered that the development complies with the requirements of the Development Plan for the following reasons:
 - The development will not change the external appearance of the building;
 - Subject to the outcome of the application the building will be used by the Applicants as their dwellinghouse;
 - The proposal will add one dwelling and an existing apartment to the existing housing stock on a site which is located in the built up area of Falmouth; and

- The development will not result in any harm to the character and appearance of the Conservation Area.

2. Site Description

- 2.1 The application site is developed with a large 11 bedroom semi-detached building and a separate self-contained apartment, which is located on the eastern side of Woodlane. There is a gated access driveway, which leads onto a large open paved parking area to the front of the building. There is a large well developed private garden to the rear of the building.
- 2.2 The HMO building is undercover of a pitched slate roof, with accommodation provided over three floors. The building is finished with a painted render. The apartment, which is located adjacent to the roadside boundary is covered with a flat roof and is finished externally with a painted render.
- 2.3 Internally, the ground floor of the HMO comprises of a breakfast room, a kitchen, a utility, a lobby, a study, a large lounge/dining room, a garden room and a number of w.cs. There are 6 en-suite bedrooms at the first floor together with an office and there are a further 5 en-suite bedrooms at the second floor. The annexe is fully self-contained comprising of a lounge, a kitchen/dining room, a bedroom and a shower room.
- 2.4 The property is located in a predominantly residential area which is developed with two storey dwellings located in well maintained gardens. King Charles Primary school is located on the opposite side of Woodland, to the west. There are a number of bus stops located to the south of the property, on either side of Woodlane, close to its junction with Melville Road, which are within a short and easy walking distance from the site.
- 2.5 The site is located in the Conservation Area for the town.

3. Application Proposal

- 3.1 As has been mentioned previously planning permission is sought for the proposed change of use of the large HMO (Sui-Generis Use Class) into a dwelling (C3 Use Class) including a self-contained annexe.
- 3.2 The Site Location Plan and Existing Site Plan (Drawing No.00) detail the location and the extent of the application site. The Existing Floor Plans (Drawing No.01, 02, 03 and 04) show the internal layout of the building. The Existing Elevations (Drawing No.05, 06 and 07) detail the external appearance of the building.
- 3.3 The Existing Site Plan (Drawing No.00) shows the location of the large garden area to the rear of the building, as well as the open paved parking area to the front of the building. This plan also shows the location of the flat roofed apartment, adjacent to the roadside boundary.
- 3.4 As has been mentioned, the proposal seeks to change the use of the building from a large HMO to a dwellinghouse and to retain the existing apartment, without changing any of the external elevations.
- 3.5 The following plans and documents are submitted as part of the application:
- Drawing No.00 - The Site Location Plan (scale 1:1250) and Site Plan (scale 1:500);
 - Drawing No.01 – The Existing Lower Ground Floor Plan (Scale 1:100);
 - Drawing No.02 – The Existing Ground Floor Plan (scale 1:100);
 - Drawing No.03 – The Existing First Floor Plan (scale 1:100);
 - Drawing No.04 – The Existing Second Floor Plan (scale 1:100);
 - Drawing No.05 – The Existing Northern Elevation (scale 1:100);
 - Drawing No.06 – The Existing West Elevation (scale 1:100);
 - Drawing No.07 – The Existing South Elevation (scale 1:100); and

- The Planning Policy Assessment, Heritage and Explanatory Statement compiled by Montagu Town Planning Ltd.

4. Historic Impact Assessment

Overview

- 4.1 The purpose of heritage impact assessment is twofold: Firstly, to understand – insofar as is reasonably practicable and in proportion to the importance of the asset – the significance of a historic building, complex, area or archaeological monument (the ‘heritage asset’). Secondly, to assess the likely effect of a proposed development on nearby heritage assets (direct impact) and their setting (indirect impact).

National Planning Policy

- 4.2 National planning policy and guidance for the conservation of the historic environment are set out in the National Planning Policy Framework (NPPF). The relevant extracts are reproduced below.
- 4.3 Section 12 of the NPPF, entitled Conserving and enhancing the historic environment provides policy for planning authorities, property owners, developers and others on the conservation and investigation of heritage assets. Overall, the objectives of Section 12 of the NPPF can be summarised as seeking the:
- Delivery of sustainable development;
 - Understanding the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment;
 - Conservation of England's heritage assets in a manner appropriate to their significance; and
 - Recognition that heritage contributes to our knowledge and understanding of the past.

- 4.4 Section 16 of the NPPF recognises that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term.
- 4.5 Para 200 advises, *“In determining applications, local planning authorities should require the applicant to describe the significance of any heritage assets affected, including the contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which a development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”*.
- 4.6 Para 201 advises, *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal”*.
- 4.7 Paragraphs 203-206 of the NPPF set out the approach to be adopted for assessing heritage assets in order that their significance, the impact of proposed development on that significance and the need to avoid or minimise conflict between a heritage asset’s conservation and proposed development, can be understood.
- 4.8 Heritage Assets are defined in Annex 2 of the NPPF as: a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. They include designated heritage assets (as defined in the NPPF) and assets identified by the local planning authority (including local listing).

- 4.9 A Designated Heritage Asset comprises of a: World Heritage Site, Scheduled Monument, Listed building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area.
- 4.10 Significance is defined as: The value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
- 4.11 Policy 24 of the Cornwall Local Plan presumes in favour of proposals where they would sustain the cultural distinctiveness and significance of Cornwall's historic environment by protecting, conserving and where appropriate enhancing the significance of designated assets and their setting.

Designated Heritage Assets

- 4.12 The majority of the most important ('nationally important') heritage assets are protected through designation, with varying levels of statutory protection. These assets fall into one of six categories, although designations often overlap, so a Listed early medieval cross may also be Scheduled, lie within the Curtilage of Listed church, inside a Conservation Area, and on the edge of a Registered Park and Garden that falls within a World Heritage Site.

Conservation Area

- 4.13 The area in the Conservation Area within which the site is located is referred to in the Neighbourhood Development Plan as "*The Woodlane Conservation Area*". The Conservation Area Appraisal, October 1988, describes this area as "*The historic character here though is generally later and of a more formal planned layout. At present it is detached from the earlier phases of conservation area designation. It is a fairly large area that includes the important planned terraces of Florence Place (grade II), Florence Terrace (part grade II), Cambridge Place (grade II), Wodehouse Terrace (8 listed items), Albert Cottages (grade II) and Clare Terrace (Clare Terrace School grade II), as well as the less regular Woodlane (6 listed items), part of Marlborough Road (2 listed items), Victoria Cottages terminating in the Observatory*

Tower (grade II), plus Earle's Retreat in Trelawney Road (grade II) and the Bowling Green (now a children's playground). Overall, the residential extensions to the original Conservation Area at Greenbank and Woodlane retain a quality and interest that matches and in some ways exceeds that of the original area. It is in these extensions that quality is represented by whole terraces as part of areas of an overall very high standard. Some of these terraces rival, or even surpass, anything that survives in the rest of the county. It is also the individual houses and groups that maintain a quality that is rarely diluted by anything that doesn't contribute positively to the whole".

5. Statement of Significance

5.1 The National Planning Policy Framework Section 16, states that great weight should be given to the conservation of heritage.

5.2 Paragraphs 206 to 209 of the NPPF explains that heritage significance can be harmed through its alteration, destruction or from development within its setting, and that the level of harm should be considered against the public benefits of the proposal. In assessing harmful impacts, the NPPF sets out the following grades:

- Total Loss;
- Substantial Harm; and
- Less than Substantial Harm

Consideration

5.3 The application seeks permission for a change of use of this building from a large HMO to a dwellinghouse. There are no changes proposed to the external elevations of the existing building.

5.4 It is evident from the submitted plans that there is no operational development proposed. It is therefore considered that the development will have a **less than substantial harm** to this historic assets and historic characteristic of the area.

6. Planning Policy Context

- 6.1 The revised National Planning Policy Framework (NPPF) published in December 2023 provides the Government's framework for delivering sustainable development and facilitating economic growth through the planning process. Planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 6.2 The introduction of the NPPF is a material consideration in planning decisions. The Development Plan for the Council covering this area of Falmouth includes the adopted Cornwall Local Plan Strategic Policies 2010 - 2030.
- 6.3 The Falmouth Neighbourhood Development Plan 2021 has been made and now forms part of the Development Plan.
- 6.4 The proposed scheme has been considered against the following guidance and specific policies, provided below, and is considered to be in conformity with these policies, as detailed within Section 5 of this Statement.

National Planning Policy Framework (NPPF)

- 6.5 The following sections of the NPPF are considered to relate to the proposal, namely:
- Section 2 – Achieving Sustainable Development;
 - Section 11 – Making Effective Use of Land;
 - Section 12 – Achieving Well-Designed Places; and
 - Section 16 – Conserving and Enhancing the Historic Environment.

Cornwall Local Plan Strategic Policies 2010-2030

- 6.6 The formal adoption of the Cornwall Local Plan is seen as a transition to a more positive and permissive set of guidance of which to assess planning applications and planning appeals against.

6.7 The following policies are considered to relate to the proposal, namely:

- Policy 1 – Presumption in favour of Sustainable Development;
- Policy 2 – Spatial Strategy;
- Policy 3 – Role and Function of Places;
- Policy 12 – Design;
- Policy 13 – Development Standards;
- Policy 21 – Best Use of land and Existing Buildings; and
- Policy 27 – Transport and Accessibility.

Falmouth Neighbourhood Development Plan 2021

6.8 The following sections of the NNDP are considered to relate to the proposal, namely:

- Policy DG2 – Development Generally.

7. Planning Assessment

Sustainable Development

7.1 The NPPF recognises that planning policies and decisions should play an active role in guiding development towards sustainable solutions; however, in doing so should also take local circumstances into account, to reflect character, needs and opportunities of each area (paragraph 9). It recognises overall that sustainable development has to be a balance of economic, environmental and social factors with no one factor being dominant. Paragraph 10 of the NPPF states that development should be considered in the context of the presumption in favour of sustainable development.

Principle of the Development

7.2 Policy 1 of the Local Plan states that the Council will take a positive approach that reflects the presumption in favour of sustainable development. The site is located within the developed part of the town, in close proximity to public open space, employment opportunities, a primary school and within easy access to public

transport. In light of the above mentioned the site is located in a sustainable location, one which has access to public car parks, public transport and one which is located in an area which is developed with a range of existing commercial uses.

- 7.3 Policy 3 of the Local Plan supports the provision of new residential development either on identified sites (Site Allocations DPD) or Neighbourhood Plans. Falmouth is a names settlement in these documents.
- 7.4 Whilst the site is not specifically allocated in any of the above mentioned documents, the site is nevertheless located in a sustainable location within the developed part of the town. In this respect, the provision of a further residential dwelling to add to the existing stock of dwellings is accepted in principle.

Loss of the House of Multiple Occupation

- 7.5 Planning permission is not required to change a small HMO to a dwelling, as this is permitted development. There are no planning policies contained within either the Cornwall Local Plan, or the Falmouth Neighbourhood Plan, which controls the loss of large HMO's. That said, the proposal will nevertheless allow the building and apartment to be added to the existing housing stock.
- 7.6 As has been mentioned previously, the building is owned by a religious order who used the building to house a variety of people. The Applicants are in the process of purchasing the property and they want to use it as their dwellinghouse, including retaining the apartment, which could be used to house an older child, or alternatively be used as a self-contained annexe.
- 7.7 There is more than enough on-site parking to accommodate parking for at least 5 vehicles. In addition to this there is a well maintained large private garden to the rear of the building, which is more than large enough to accommodate the Applicant's need for private garden space. Whilst the proposal will change the use of the HMO, the proposal will not result in any operational development being carried out on the site and, therefore the development will cause no harm to the established built character of the area.

Design and Visual Impact

- 7.8 Section 12 of the NPPF relates to achieving well-designed places. Paragraph 135 of The Framework accepts that the need to secure high quality and inclusive design goes beyond aesthetic considerations, and this is clear from the high-quality design, which incorporates both traditional and modern elements resulting in a pleasing appearance.
- 7.9 As required in paragraphs 135 and 136 of the NPPF, the proposed development will add to the overall quality of the area for the lifetime of the development; optimise the potential of the site; respond to local character and reflect the local surroundings.
- 7.10 Policy 12 of the Local Plan seeks to ensure that development retains the distinctiveness of an area and should be designed to reflect the existing context and character.
- 7.11 Policy DG2 of the NNDP presumes in favour of granting permission for development which accords with the requirements set out in the Design Guide and The Chief Planning Officer's Advice Note on Good Design in Cornwall.
- 7.12 Mention has been made of the fact that the proposal does not seek to make any changes to the external appearance of the building. The large garden area to the rear of the building will remain and, as such there will be no change to these resulting from the development.
- 7.13 In light of the above mentioned the development will comply with the requirements of Policy 12 of the Local Plan and Policy DG2 of the NDP.

Best Use of Land and Existing Buildings

- 7.14 In accordance with the requirements of paragraph 123 of the NPPF the proposed development would allow for the effective and efficient use of this site. The proposed density, as required by paragraph 128, is suitable for the settlement, taking into consideration the existing development and prevailing character within the settlement.
- 7.15 Policy 21 of the Local Plan seeks to ensure the best use of land and existing buildings. The policy seeks to protect the best and most versatile agricultural land from

development. The Applicant seeks to change the use of an existing building from a large HMO to a dwelling and the retention of the existing apartment and, as such this proposal clearly demonstrates that the development complies with the requirements of this policy.

Vehicular Access and On-Site Parking

- 7.16 Section 9 of the NPPF relates to promoting sustainable transport. Policy 27 of the Local Plan relates to transport and accessibility. The policy requires the provision of safe and suitable access for all people and the development should not cause a significantly adverse impact to the local or strategic road network. Furthermore, the policy requires that development be located so that the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 7.17 As has been mentioned previously, the vehicular access serving the property will be retained, as will the large open area to the front of the building which accommodates on-site parking.
- 7.18 Given the small scale form of development proposed and the fact that the development will not generate significant increased volumes of traffic, it is therefore considered that that there are no highway reasons for the Council to refuse to grant planning permission for the development as the proposal complies with the guidance provided in section 9 of the NPPF, Policy 27 of the Local Plan.

8. Conclusion

- 8.1 It is considered that this is an appropriate location for the development that is the subject of this application. The development accords with the guidance set out in paragraph 11 of the NPPF, which asserts the presumption in favour of sustainable development that is at the heart of the NPPF.
- 8.2 Whilst the development will result in a loss of a large HMO, it has nevertheless been demonstrated above that the development complies with the requirements of Policies

1, 2, 3, 5, 12, 21 and 27 of the Local Plan, as well as complying with the requirements of Policies BE4 and DG2 of the NDP.

- 8.3 By reference to the relevant policies contained in the development plan, and considering all relevant material planning considerations, it is concluded that development the subject of this application is acceptable in all respects.
- 8.4 The development complies in all respects with the development plan for the purposes of Section S38(6) of the Planning and Compulsory Purchase Act 2004. Most particularly in terms of guidance contained in paragraph 11 of the NPPF and the policies, referred to above, in the Cornwall Local Plan and the Neighbourhood Development Plan, because the proposal is beneficial in social, economic and environmental terms and is therefore 'sustainable', planning permission should be granted without delay.