



**Planning Statement
Including Green Infrastructure (GI) Statement**

**In support of a planning application for the
conversion of an existing garage to one detached
dwellinghouse using existing vehicular access and
associated works**

At

**Land adjacent No. 5 Minefield Cottages, Menheniot,
PL14 3RY**

Date: March 2024

For: Mr & Mrs Elliott



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1.0 Introduction

JL Planning has been instructed by Mr & Mrs Elliott to prepare a planning statement to support a full planning application for the conversion of an existing garage to one detached dwellinghouse using existing vehicular accesses and associated works.

This application has been prepared in collaboration with the project architectural consultant, Simon Ellis along with advice from Horizon Consulting Engineers who have provided both highways and drainage advice, Armour Heritage who have provided archaeology advice, Cornwall Mining Consultants who have advised on mining and land contamination issues and Butler Ecology who have provided ecology advise.

2.0 Application Site

The application site sits within the village of Menheniot and comprises of the detached garage for No. 5 Minefield Cottages and surrounding vacant land. The site sits to the rear of Nos.1-4 Minefield Cottages, with residential dwellings to the north, east and south. To the west is an area of undeveloped level within which is an uncapped mine shaft, to the southwest is a field.

The application site sits within the village's development envelope as set out in the Menheniot Parish Neighbourhood Development Plan (NDP). The site is accessed via the existing vehicular access which is used by Nos. 1-5 Minefield Cottages.

The site benefits from convenient pedestrian access to the village centre and its services which includes, church, school, public house, village hall, children's playground, playing field, tennis and cricket club.

The site is not subject to any other designations such as a Conservation Area or Area of Great Landscape Value.

The application site is identified in figure 1 below.

Figure 1 - Bing Maps



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3.0 Planning History

Relevant planning history for the site is set out below.

PA12/11820 - Construction of 2 houses with drive and parking areas and improvements to the existing vehicular access.

This application was recommended for approval by officers but was refused at planning committee. The application was then approved at Appeal via reference APP/D0840/A/13/2209913.

PA15/11160 - Variation of Condition 2 (approved plans) to Application No. PA12/11820 dated 18th June 2013 (Appeal Decision Notice APP/D0840/A/13/2209913) for the construction of two houses with access drive and parking areas; namely to provide motor garage to unit 2. Application approved.

PA19/04546 - Construction of dwelling (revised design to PA15/11160 dated 03.02.2016 to include provision of detached double garage. Part retrospective. Application approved.

4.0 Proposed Development

This application seeks planning permission for the conversion of an existing garage to one detached dwellinghouse using existing vehicular access and associated works. The existing garage was approved and constructed via application PA19/04546. The garage sits to the south of No. 5.

The garage would be converted and extended to the rear, to provide a detached, dormer-bungalow style new home. Externally the dwelling would comprise of rendered elevations, under a slate pitched roof. A chicket style dormer window is provided on the front, north elevation of the property. Internally the dwelling would provide an internal garage, open plan kitchen / living room, a home office or carers room and WC at ground floor. At first floor, 3 bedrooms (one ensuite) and a bathroom is provided. The home has been designed to be future proof by providing a carers room or ground floor bedroom for disabled / elderly occupiers.



As well as the internal garage, 2 parking spaces are provided to the front of the dwelling, so in total 3 parking spaces are provided. A good size west / south facing garden sits to the west of the dwelling. Solar panels would be fitted on the rear, south roof slope.

Turning to the existing dwelling, No. 5, this site is reorganised to provide No. 5 with 3 parking spaces. 1 parking space is available to the front of the dwelling (as existing) and 2 new spaces are proposed to the side, west of the property.

Access is provided via the existing vehicular access which currently serves 5 dwellings.

5.0 Planning policy and other material planning guidance

The intention here is not to provide an exhaustive list of all the applicable planning policies and guidance, but rather to highlight the key planning policies and material planning guidance.

5.1. Menheniot Parish Neighbourhood Development Plan

Policy 1 - Development Boundaries. Policy 1 identifies a development boundary for Menheniot and explains *there is a presumption in favour of sustainable development that will apply to proposals for small scale infill and the development of previously developed land that respect the setting, scale, form and character of the settlement and the criteria set out in NDP Policy 9.*

Policy 1 also identifies three specific housing sites for Menheniot, with policy 3A.2 relating to land at Minefield Cottages.

Policy 2 applies to new residential development and sets out 8 development criteria / standards which require consideration. This includes matters relating to design, density, house type, access / parking, neighbour impacts, highway design and garden sizes.



Policy 3A.2 concerns an identified parcel of land to the rear of Minefield Cottage and sets out several site specific issues which require consideration. The implication of this policy is discussed in chapter 6 of this report.

Policy 9 designates a *historic core* for the village and seeks to ensure that new development is respectful and sympathetic to the historic core.

Policy 13 relates to the design of new development and in summary promotes high quality design which reinforces the character of the parish.

Policy 25, energy efficient and small carbon footprint design, explains that *new development which aims to meet a high level of sustainable design and construction and be optimised for energy efficiency so that it has a small 'carbon footprint' will be supported.*

5.2 Cornwall Local Plan

Policy 1 explains that the Council will take a positive approach (my emphasis) when considering development proposal, that reflect the presumption in favour of sustainable development.

Policy 2a (Key Targets) explains that *the local plan will provide homes in a proportional manner where they can best meet need and sustain the role and function of local communities and that of their catchment.*

Policy 3 explains that;

"Other than at the main towns identified in this Policy, housing and employment growth will be delivered for the remainder of the Community Network Area housing requirement through:

- *identification of sites where required through Neighbourhood Plans;*

Policy 12 explains that the *Council is committed to achieving high quality safe sustainable and inclusive design and that development must ensure Cornwall's enduring distinctiveness and maintain and enhance its distinctive natural and historic character.*



Policy 13 seeks to ensure an appropriate standard of development which in this case would involve matters relating to housing sizes, spaces for cycle storage, parking accommodation taking into account the accessibility of the location and sufficient space for the storage of recycling and compostables.

The layout presented in this proposal would fully comply with policy 13.

Policy 21 seeks to promote the best use of land and states that encouragement will be given to sustainably located proposals that, inter alia, increases building density where appropriate.

Policy 27 explains that *all development should provide a safe and suitable access to the site for all people and not cause a significantly adverse impact on the local road network.*

5.3 National Planning Policy Framework

The National Planning Policy Framework and accompanying National Planning Practice Guidance set out the Government's national planning policies and guidance.

Para. 7 explains that the planning systems purpose *is to contribute to the achievement of sustainable development, including the provision of homes...*

Para. 8, in summary, states that achieving sustainable development means that the planning system has three overarching objectives;

- a) an economic objective
- b) a social objective
- c) an environmental objective

Para. 11 states:

Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:



c) approving development proposals that accord with an up-to-date development plan without delay;

Para. 38 states that *Local planning authorities should approach decisions on proposed development in a positive and creative way.*

Para. 47 explains that planning decisions must be determined in accordance with the development plan, unless material considerations indicate otherwise.

As set out in paragraph 60 of the NPPF, it is *the Government's objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.*

Paragraph 70 explains that *small and medium sized sites can make an important contribution to meeting the housing requirement of an area and that local planning authorities should, support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes* (my emphasis).

Paragraph 83 explains that *to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.*

Chapter 9 of the Framework seeks to support sustainable transport and emphasises the need to focus development in locations which can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The Framework explains that this approach can help reduce congestion, improve air quality and public health (para. 109).

Para. 115 states that, *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Chapter 11 seeks to promote an effective use of land in meeting the need for homes.



Para. 124 d) explains that planning decisions should, *promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.*

Para. 131 sets out the importance of design within the planning process, notably stating that *good design is a key aspect of sustainable development, creates better places in which to live and work and help make development acceptable to communities.*

5.4 Cornwall's Housing Crisis

There is strong policy support for housing delivery and this issue has become more acute over the last few years. As recognised in the Council's plan to respond to Cornwall's Housing Crisis. This plan identifies that Cornwall is experiencing a housing crisis and sets out a number of objectives and interventions to respond to it. This proposal would deliver a new home within a very sustainable location and therefore would directly respond to the housing crisis.

5.5 Climate Change DPD

Policy C1 states; *Development in Cornwall should represent sustainable development and manage our natural, historic and cultural assets wisely for future generations, contributing in line with the scale and type of development.*

Policy G1 explains that *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.*

Policy T1 seeks to ensure development is designed and located in order to minimise the need to travel.



5.6 Chief Planning Officer's Advice Note (CPOAN) - Good Design in Cornwall - March 2023

In summary the CPOAN seeks to promote high quality design. It explains that the Council aims to encourage *innovation in sustainable building construction and seeking good design solutions, but we do not wish to impose an artificial vernacular or aesthetic taste.*

Key points within CPOAN include:

Development should not be stuck in the past or replicate nearby poor-quality development, it should respond creatively and positively to its surroundings, providing healthy places for people and space for nature.

Managing energy demand, encouraging on-site energy generation and water efficiency should be design considerations from the outset, rather than bolt on solutions.

5.7 Cornwall Design Guide

The design guide aims to support the local plan by providing a comprehensive guide to help inspire and guide the delivery of high quality places to live.

The design guide clearly emphasises the requirement for high quality sustainable design which responds to the climate emergency.



6.0 Planning Assessment

Key planning issues in the assessment of this application are;

6.1 Principle and need for the development

6.2 Highway Issues

6.3 Design and impact on the wider area

6.4 Neighbour Impacts

6.5 Ecology

6.6 Mining & Contaminated Land

6.7 Archaeology

6.8 Green Infrastructure Statement (GI) & Policy SEC1 - Sustainable Energy and Construction

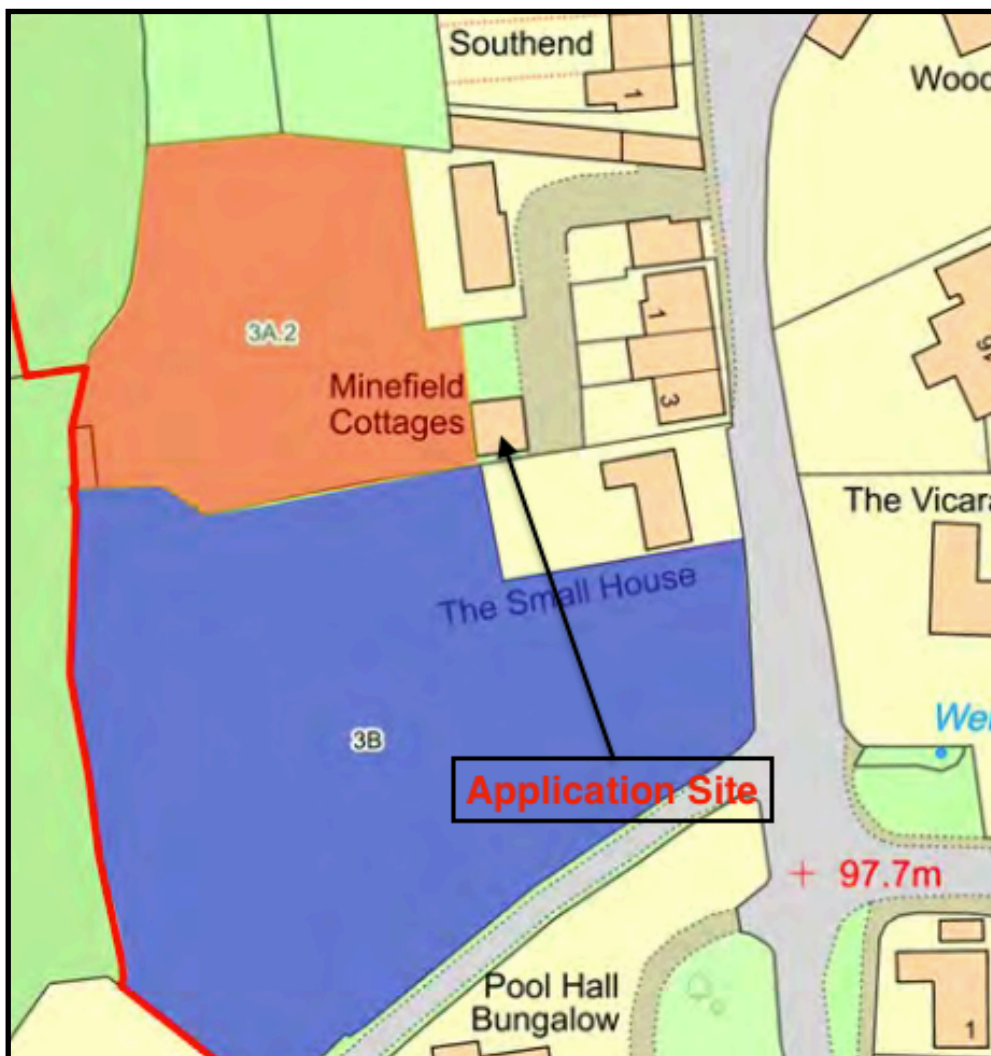
6.1 Principle and need for the development

The application site is in Menheniot's development boundary as set out in the NDP. The principle of housing development on this site is therefore acceptable and in accordance with policy 1 of the NDP.

Policy 3A.2 of the NDP allocates the land at the rear of Minefield Cottages for housing development. As shown in figure 2 below, the existing garage sits outside the designated area identified in policy 3A.2, however a small area of land to the west of the garage is included within the application site. The site specific criteria set out in policy 3A.2 are addressed in this statement.

While the development would result in the loss of the garage for No.5, two replacement parking spaces are provided for this property. These new spaces in conjunction with the existing single parking space would result in No.5 benefitting from three off-road parking spaces. Thus, the loss of the garage would not, in my experience, result in any sustainable 'in-principle' objections to this development.

Figure 2 - Map 9 Menheniot Parish NDP





Policy 21 of the local plan, explains that *to ensure the best use of land, encouragement will be given to sustainably located proposals that:*

c. Increase building density where appropriate, taking into account the character of the surrounding area and access to services and facilities to ensure an efficient use of land.

Clearly this is a sustainable location, which has excellent access to services and facilities.

Policy 21 of the Local Plan reflects the national planning policy position set out in the NPPF. Chapter 11 of the Framework promotes the effective use of land to deliver housing growth, but also to limit development in the countryside and high value locations. Paragraph 124 d) states that planning decisions should *promote and support the development of under-utilised land...especially if this would help to meet identified needs for housing.*

Need for the development

Turning to the wider need for the housing development. It is clearly set out in the NPPF that *to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed (para. 60).* Paragraph 70 explains that *small and medium sized sites can make an important contribution to meeting the housing requirements of an area, and are often built-out relatively quickly.*

Criterion c) of paragraph 70 explains that support should be given to windfall development and that **great weight** must be given to the benefits of using suitable sites within existing settlements.

The use of this windfall site would be an efficient use of land and accord with the Government's wider agenda to help protect and retain agricultural land for food production (Footnote 62 of NPPF).

Policy 2a of the Local Plan explains within the plan period to 2030, development should help deliver a minimum of 52,500 homes. The LPA can demonstrate a 5 year housing supply, however in making planning decisions across the county the LPA have always explained that such targets are a minimum not a maximum.



Furthermore, and as explained above, Cornwall Council have formally declared a housing crisis. There is strong policy support for housing delivery and this issue has become more acute over the last few years. Cornwall's Housing Crisis plan identifies that Cornwall is experiencing a housing crisis and sets out a number of objectives and interventions to respond to it. This proposal would deliver a new home within a very sustainable location and therefore would directly respond to the housing crisis.

6.2 Highway Issues

Turning to highway issues, the development proposes to use the existing vehicular access. The LPA will recall during assessment of the previous applications, that no highway objection from either highway or planning officers were raised. A Highways Technical Memo from Horizon Consulting Engineers accompanies this application and in summary explains:

The additional vehicle movements generated by the additional property are considered to be negligible and unlikely to impact on the capacity of the existing highway network.

A review of collision data has been undertaken, within the vicinity of the site access, for the previous five year period. No recorded incidents are shown to have occurred in this period. Based on this analysis it is concluded that the proposed dwelling is unlikely to represent an increased safety risk to the existing highway network.

It is therefore concluded that the conversion of the double garage to a 3 bedroom dwelling represents a negligible change, in highway terms, to the existing situation.

In this case the LPA have previously raised no objections on highway grounds to development on land at Minefield. The quantitative data confirms that there are no recorded incidents at the site's access. It can be concluded that there is no existing road safety issue in this location. This data in my opinion attracts significant weight.

In view of the above I am confident that the LPA can conclude that the access is safe and suitable for the proposed development and would accord with both the Cornwall Local Plan and national planning policy.



Policy 3A.2 designates land to the rear of the existing garage for housing, and criterion b) explains that access should be through the site to the south (the adjoining field). In response, it is important to recognise that only a small part of the application is in the land identified in policy 3A.2 (see figure 2 above). Secondly, this application proposes the conversion of the existing garage to provide only one dwelling, thus the additional vehicle movements would be minimal. As set out above there is no evidence to suggest that the existing access is inappropriate or not safe. Finally, there is no existing access via the land to the south, this land is not developed, and my client does not own this land. It is simply not possible to provide access through the land to the south.

This application has presented robust evidence to conclude that the existing access is entirely suitable for the development and therefore while criterion b) is noted, there is not a sound planning reason to refuse the application on highway grounds.

It is a well-established planning principle that when determining a planning application, decision makers should not apply a slavish devotion to planning policy, on the contrary, the local plan should be read as a whole. When reading the plan as a whole it is clear the development is acceptable on highway grounds.

In terms of parking provision, the proposed new house would benefit from 2 parking spaces and a garage. This application also includes 2 new parking spaces for No.5, which in total provides 3 parking spaces for No. 5. The proposed parking spaces for the new dwelling and No.5 is acceptable. This application would not alter the parking and turning arrangements currently available to Nos.1-4 Minefield Cottages. Overall, the highway and parking arrangements for the development are entirely acceptable.

6.3 Design and impact on the wider area

Policy 9 of the NDP designates a *historic core* for the village and seeks to ensure that new development is respectful and sympathetic to the historic core. The application site sits within the historic core.

The site sits behind Nos.1-4 Minefield Cottages and therefore is not visible or highly prominent from public vantage points. The application site is not visible from the street scene.



This application proposes one dormer-bungalow style dwelling with a modest fenestration pattern. The dwelling's solid to void ratio is appropriate and is reflective of its wider residential setting. In terms of materials, natural slate roof tiles and rendered elevations are proposed, which would be sympathetic to the site and wider village.

To conclude, the design of the new dwelling would be sympathetic and respectful to the site and to the village's historic core. Overall, the application would accord with policy 9 and 13 of the NDP and policy 12 of the local plan.

6.4 Neighbour Impacts

In terms of neighbour impacts, there are no first floor windows (other than roof lights) which would face Nos.1-4 Minefield Cottages. The roof lights would serve a bathroom and bedroom. Due to the obvious design and orientation of roof lights, such features would not give rise to unacceptable overlooking / loss of privacy impacts.

There are no first floor windows which would lead to overlooking impacts to the neighbour to the south. Furthermore, given the relationship and orientation of this proposal with the dwelling to the south, this application would not lead to unacceptable overbearing / loss of light or privacy issues.

No.5 sits to the north of the application site and is owned by the applicants. The internal estate road sits between the application site and No.5. Furthermore, parking spaces will also separate the sites. In light of this, the layout and design of this development within the context of this residential setting is entirely acceptable. Overall and given the layout and the design of the development, this proposal would not lead to any adverse neighbour impacts and would accord with policies 12 and 13 of the Local Plan.

6.5 Ecology

A bat and nesting bird report will accompany this application and informal advice from the ecologist (in advance of the final report) confirms that there will no ecological objections to this proposal.



6.6 Mining & Contaminated Land

In terms of mining and contaminated land matters, the application site has obviously already been developed. A phase 1 report accompanies the application as per the previous applications on the site. Land contamination matters can, where necessary, be conditioned. In terms of mining, the garage is existing and the LPA concluded that the development of No.5 and the garage was acceptable. The phase 1 report provides details on mining, with the mine shaft and Adit/tunnel siting to the west of the site, away from the application site.

6.7 Archaeology

An Archaeological Impact Assessment (AIA) from Armour Heritage accompanies this application. In brief the AIA explains that two detached properties have recently been constructed on the site along with a detached double garage. These works have led to considerable disturbance. Given the ground conditions, no features of potential archaeological interest were identified in this area beyond the existing mine shaft.

6.8 Green Infrastructure Statement (GI) & Policy SEC1 - Sustainable Energy and Construction

The Council's Policy Guidance note which accompanies the Climate Emergency DPD explains, *Policy G1 provides that development proposals will be required to meet the principles of Green Infrastructure design 'where appropriate to the scale and nature of the development'. Planning applications need to be accompanied by GI Statements and plans where appropriate to the scale and nature of development (for some minor development this may be a section of the Design Statement/Design and Access Statement).*

In this case there is limited existing GI on site. The existing boundary hedge to the south will remain in situ. The rest of the site is developed with the garage or current bare / vacant land. The provision of the garden will allow a lawn to be provided along with additional domestic planting.



Informal advice regarding policy SEC1 was sought from the validation team who confirmed that as this development relates to the conversion of an existing building, the requirements of policy SCE1 are not applicable to this proposal.

Solar panels are provided on the rear south roof slope which will generate renewable energy and reduce the development's carbon footprint and running costs.

7.0 Planning Balance and Conclusion

The proposed new dwelling is within the village's development boundary as set out in the NDP. The scale of the development is appropriate, and clearly future residents would be within walking distance of the village's services and facilities. The site's location is inherently a sustainable one.

In terms of the benefits of this development:

- The development would comply with the NDP, NPPF and Cornwall Local which all support sustainable development in villages.
- The site is sustainably located which would reduce the reliance on private transport.
- The development would support the vitality and viability of Menheniot.
- During the construction stage the development would invest circa 250k into the local economy, therefore delivering economic benefits.
- The provision of a new home would directly respond to the housing crisis in Cornwall.
- The home has been designed to be future proof by providing a carers room or ground floor bedroom for disabled / elderly occupiers.
- The development would not harm any heritage features, nor would the development lead to the expansion of the village into undeveloped countryside.



- Finally, the development has been designed to ensure that there are no adverse neighbour impacts in terms of overlooking, overbearing or loss of light matters.

National and local planning policy states that LPAs should support and take a positive approach when considering development proposals which reflect the presumption in favour of sustainable development.

Overall, the development is considered to fully comply with both the National Planning Policy Framework and the Cornwall Local Plan. I trust that the LPA following their assessment of this application will also conclude that this proposal is acceptable and will approve this application.