

PADSTOW TOWN COUNCIL

Station House
Station Road
Padstow
Cornwall
PL28 8DA

Kathy Pemberton Town Clerk
Town Clerk
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2 October 2019

TO: PLANNING COMMITTEE

Councillors: K Freeman (Chairman), R Higman, A Rickard,
Mrs A E Symons, Mrs T Walter & 1 Vacancy

Dear Member

I hereby give you notice that a Meeting of the **Planning Committee** will be held at the **Council Offices, Station House, Station Road Padstow** on **Tuesday 8 October 2019 at 7.00 pm.**

Yours faithfully

KE Pemberton

Kathy Pemberton
Town Clerk

A G E N D A

Public & Press are invited to attend.

- 1. To receive apologies for absence**
- 2. To receive announcements (if any):** For information only
- 3. To receive declarations of interest** relating to items on the agenda in accordance with Padstow Town Council's code of conduct.
- 4. Public Participation:** to receive submissions from members of the public relating to items on the agenda, in accordance with the Council's code of conduct & standing orders.
- 5. To agree the minutes** of the meetings held on **Tuesday 3 September 2019** (Pg 1-2)
- 6. Planning**
 - i. To advise of Cornwall Council planning decisions:** (Pg 3-5)
 - a) PA19/01765 Rustlings Trevone Road Trevone Padstow PL28 8QX** – Conversion of existing garage to bedroom including rear extension and alterations. **APPROVED**

- b) **PA19/03541 The Lawns Car Park New Street Padstow PL28 8EB** – Improved site entrance and redesign of existing car park. **APPROVED**
- c) **PA19/05684 28 Egerton Road Padstow Cornwall PL28 8DL** – Certificate of Lawfulness for existing development for conversion of rear conservatory to rear bedroom and associated works. **GRANTED**
- d) **PA19/05795 23 Egerton Road Padstow PL28 8DL** – Construction of single storey extensions and alterations to existing dwelling. **APPROVED**
- e) **PA19/05832 2-4 Duke Street Padstow Cornwall PL28 8AB** – Advertisement consent for wall mounted signs displaying company name and logo with fascia hanging sign. **APPROVED**
- f) **PA19/06986 Fernbank Trevone Road Trevone Padstow PL28 8QJ** – Non-Material amendment in respect of decision notice PA19/01611 (proposed alterations and extensions) – Alterations to doors and windows on side and rear elevations. **APPROVED**

ii. To discuss and decide on responses to the following planning applications:

- a) **PA19/07268 Seaview Cottage Dobbin Lane Trevone Padstow** – Construction of a self-contained annexe in the rear garden of main residence with the eventual purpose of assisted living accommodation for one of the owners.
- b) **PA19/07185 16 Glynn Road Padstow PL28 8EF** – Demolition of existing extensions and construction of new single storey extension.
- c) **PA19/07395 Prideaux Place Tregirls Lane Padstow PL28 8RP** – To remove all vegetation within 1.5m of listed wall to enable repairs. There is sufficient back growth beyond to mitigate the loss of trees and vegetation.
- d) **PA19/07405 27 Dennis Road Padstow PL28 8DF** – Erection of 3 bedroom detached dwelling following demolition of the existing dwelling and garage.
- e) **PA19/07407 Prideaux Place Tregirls Lane Padstow PL28 8RP** – To fell Ash tree heavily leaning over a public highway to reduce risk of injury to public in event to failure. Root system is very close to a wall giving more chance of failure in high winds. 1no Quercus petraea will be planted to mitigate the loss.
- f) **PA19/07418 Padstow Touring Park Padstow Cornwall PL28 8LE** – The change of use of land to site 2 residential lodges and 8 holiday lodges with associated infrastructure.
- g) **PA19/07454 5 Fentonluna Lane Padstow Cornwall PL28 8BA** – Extensions and associated alterations.
- h) **PA19/07473 11 Drake Road Padstow Cornwall PL28 8ES** – Conversion and extension of garage to form an annexe.
- i) **PA19/07531 Rest Harrow Trevone Road Trevone Padstow** – Conversion of caravan store and games room into annexe without compliance with Condition 2 of Decision Notice PA19/02269 dated 30 May 2019

- j) **PA19/07659 Rocky Bottom 23 Dennis Road Padstow PL28 8DE** – Erection of porch, rebuild and extend existing garage to accommodate kitchen/utility and store. Extension and renovation of existing single storey side/rear addition. Demolition of first floor rear dormer and erection of new dormers to rear and side elevation with associated building works.
- k) **PA19/07778 Fairhaven Dobbin Close Trevone Padstow** – Proposed extensions
- l) **PA19/07780 23 Sarahs View Padstow PL28 8DU** – Construction of balcony at first floor level to front of the property over existing ground floor.

- 7. **Cornwall Council Protocol for Local Councils:** To receive clarification on this matter and discuss and decide on way forward. (Pg6-9)
- 8. **To note date of next meeting:** Tuesday 12 November at 7.00 pm or on the rising of Highways, Roads and Transport Committee.

ii. RESOLVED to make the following responses to planning applications:

a) **PA19/05987 42 Church Street Padstow Cornwall PL28 8BG** Internal reconfiguration and a new dormer addition to the rear of the property.
SUPPORTED

b) **PA19/05988 42 Church Street Padstow Cornwall PL28 8BG** Listed Building Consent for internal reconfiguration and a new dormer addition to the rear of the property.

SUPPORTED provided Conservation Officer is satisfied.

c) **PA19/06775 8 Strand Street Padstow Cornwall PL28 8BU** – Listed Building Consent for proposed re-modelling and renovation works to Grade II listed cottage.

SUPPORTED provided Conservation Officer is satisfied.

d) **PA19/06849 19 Drake Road Padstow Cornwall PL28 8ES** – Erection of extension

SUPPORTED

e) **PA19/06986 Fernbank Trevone Road Trevone**

Padstow PL28 8QJ – Non-material amendment in respect of decision notice PA19/01611 (proposed alterations and extensions) – Alterations to doors and windows on side and rear elevations.

SUPPORTED

f) **PA19/07222 39 Dennis Road Padstow PL28 8DF** – Proposed extension and alterations to existing dwelling.

Noted comment from next door neighbour; SUPPORTED subject to effect of chimney on neighbouring property being addressed.

P2019/32

Cornwall Council, Local Council Planning Conferences

Dates: Members noted the planning conference dates and venues. CC would send further information on the workshops in due course however the Chairman read aloud the intended topics as obtained by the Support Officer. Members able to attend were asked to contact the Office. It was noted that if committee members were unable to attend a request for copies of the papers from the workshops would be requested.

P2019/33

Date of Next Meeting: Tuesday 8 October 2019 at 7.00 pm was noted.

Meeting closed at 7.17pm

PADSTOW TOWN COUNCIL

PLANNING COMMITTEE: 8 OCTOBER 2019

Agenda item 6i: To advise of Cornwall Council planning decisions

- a) **PA19/01765 Rustling Trevone Road Trevone Padstow PL28 8QX** – Conversion of existing garage to bedroom including rear extension and alterations.
Padstow Town Council = **NOT SUPPORTED;**
- i) Overbearing extension;**
 - ii) Overlooking issues;**
 - iii) Loss of light;**
 - iv) Out of character with area; and**
 - v) Over development of plot**
- Cornwall Council = **APPROVED**

The Planning Officer sent 5 day protocol, which Chairman (Cllr Freeman) agreed to disagree.

The Planning Officer report includes below sections:

'Policy 12 of the CLP requires that new development protects individuals and property from a) overlooking and unreasonable loss of privacy; and b) overshadowing and overbearing impacts; and c) unreasonable noise and disturbance.

The extension is single storey and projects to the rear of the building. The garden area of Rustlings is slightly lower than the neighbouring property to the north, known as Seaboard, and a hedgerow provides separation between the two properties. The hedgerow serves to restrict views from the proposed extension into the neighbouring garden and to add further assurance of privacy the applicant has agreed to fit this window with obscure glazing. This proposal will not introduce material overlooking harm between the properties. Given that the extension is single storey, its siting including that it is positioned to the northwest of the nearest neighbouring property (Seaboard), adverse impact regarding loss of light, overshadowing and is also considered to be limited. Furthermore, the siting, bulk and height of the extension combined with the existing boundary hedge already providing a barrier between the properties will ensure that overbearing impacts are not material. With regard to amenity space, the proposed extension sits comfortably within the site and there will be sufficient private outdoor amenity area available for the host property. This proposal will change existing views from windows of Seaboard across the application site but, overall, it is adjudged that it will not result with material harm to the occupiers of the neighbouring property in terms of unreasonable loss of privacy, overshadowing and overbearing impacts. With regard to the garage conversion, there are no concerns regarding adverse impact to residential amenity owing to the siting, design (including fenestrations) and existing boundary screening.

Policy 2(a) of the Cornwall Local Plan requires that development is high quality and demonstrates a cultural, physical and aesthetic understanding of its location. Additionally, Policy 12 seeks, inter alia, that new development is of an appropriate scale, density, layout, height and mass as to provide continuity to the existing built form of the area. This is supported in paragraph 127 of the NPPF which states that design should be visually attractive and add to the overall quality of the area.

It is not considered that the proposed development is out of character with the surrounding area. The proposed materials and pitched roof are in keeping with the host dwelling and

provide harmony with surrounding properties and it is noted that other extensions are visible in the surrounding area, including the neighbouring property to the north. Moreover, given the siting of the extension to the rear of the property, it is not considered that the extension works would be out of keeping to any meaningful extent to the character and nature of the streetscene or wider setting. It is also noted that surrounding development is varied, comprising a mix of detached and semi-detached bungalows and two storey dwellings so it is not considered that there is an overriding design style that dominates the area. The proposed extension is therefore considered acceptable and will be in keeping with surrounding development. The works associated with the conversion of the garage to accommodation is also considered acceptable and will be in keeping with the existing character and domestic appearance of the property.

The site is recognised as being within the Cornwall AONB. Paragraph 172 of the NPPF and Policy 23 of the CLP seek that great weight is given to conserving and enhancing landscape and scenic beauty in the AONB. Given that the proposal relates to a minor extension to an existing building in a residential area it is considered that the proposal will have negligible impact to the character and natural beauty of the AONB.

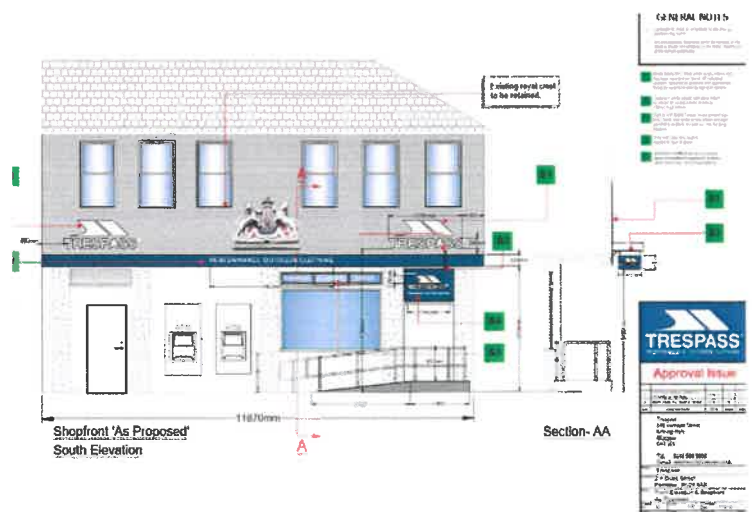
- b) **PA19/03541 The Lawn Car Park New Street Padstow PL28 8EB** – Improved site entrance and redesign of existing car park
Padstow Town Council = **SUPPORTED**
Cornwall Council = **APPROVED**

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Cornwall Council = **APPROVED**

- e) **PA19/05832 2-4 Duke Street Padstow Cornwall PL28 8AB** – Advertisement consent for wall mounted signs displaying company name and logo with fascia sign hanging sign.
Padstow Town Council = **SUPPORTED on the condition that the placement of the new sign is adjusted to accommodate the coat of arms in its current position.**
Cornwall Council = **APPROVED**

Plan on right is the approved plan



f) **PA19/06986 Fernbank Trevone Road Trevone Padstow PL28 8QJ** – Non-Material amendment in respect of decision notice PA19/01611 (Proposed alterations and extensions) – Alterations to doors and windows on side and rear elevations.

Padstow Town Council = **SUPPORTED**

Cornwall Council = **APPROVED**

PADSTOW TOWN COUNCIL

PLANNING COMMITTEE: 8 OCTOBER 2019

Agenda item 7 Cornwall Council Protocol for Local Councils

1. Introduction

- 1.1 The Chairman raised at the last Planning Committee meeting that clarification be sought on Cornwall Council Protocol for Local Councils. A copy of the protocol is appended to this report (appendix 1).
- 1.2 The main area where we asked for clarification was regrading what applications can go to CC Planning Committee and how this decision is determined. The Support Officer has spoken to Planning Officers and our Local Divisional Member on this matter.

2. Cornwall Council Protocol For Local Councils

- 2.1 On the protocol flowchart Local Councils (i.e. Parish & Town Councils) can opt to 'Request the application be decided by CC Planning Committee' the next stage is for the 'Head of Service (or his nominated officer) will exercise their discretion on whether or not the application goes to the planning committee after first discussing the matter with the Divisional Member.' At this point we need to draw our attention to Pg2 of the protocol and we have been advised the following:
- 2.2 As advised by a Planning Officer the top section marked as 'major and minor application types' can proceed to CC Planning Committee on request of the Local Divisional Member.
- 2.3 The bottom section marked 'other application types' don't usually go to CC planning committee unless exceptional cases. As you will see the protocol words this as '*can be called to the planning committee by the Head of Service or nominated officer,*' however we have now been informed that these would have to be exceptional cases.
- 2.4 Our support officer asked for clarification on what determines an exceptional case (as per 2.3) they advised as follows '*Every case is different and determined on its own merits. It could perhaps be a case that has generated a significant amount of interest or one where there are obvious community interests involved.*'
- 2.5 To make the process clearer the support officer has suggested to the Planning Officer that on the initial consultation notice letter an additional line should be included that states the application type/category, therefore we can look at pg2 of the protocol to see what route the application could possibly take. However, the support officer has not head back from the planning officer on this.

- 2.6 Our Local Divisional Member agrees that it needs to be clearer which applications can be taken forward to CC Planning Committee so that public expectations are not raised. If we all understand and its clear from the start which application do not usually go to CC Planning Committee then this can also be made clear to public.

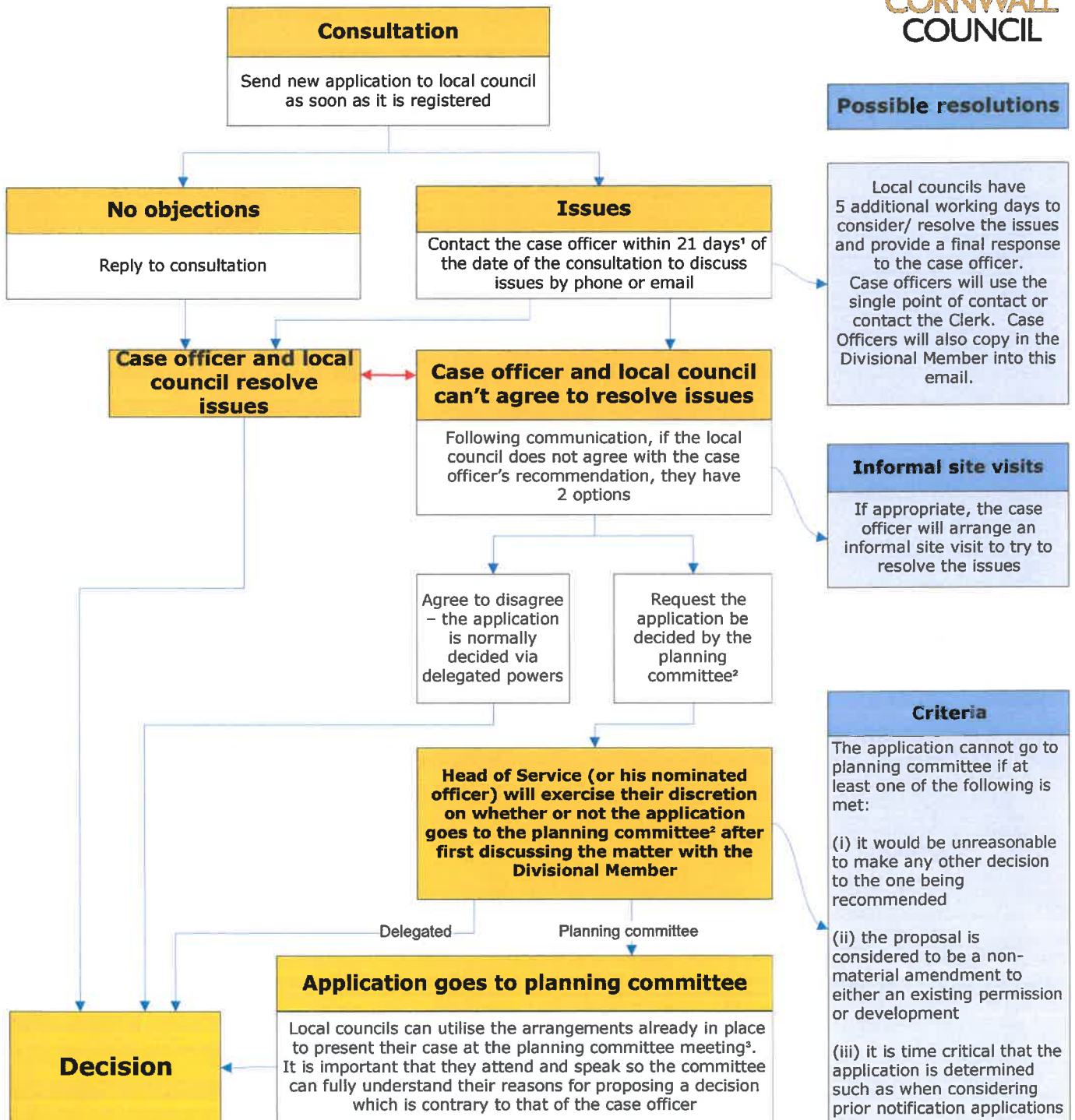
3. Consideration by Committee

- 3.1 In light of the above would Committee like to write to Cornwall Council, Cornwall Planning Partnership and copy in Local Divisional Member (who has supported this proposal) and suggest the idea as per 2.5 that the consultation notice letters should include this information.

4. Anecdotal information

- 4.1 The office has looked back at the pass 12 months (August to August)
- 73 Applications were given determination from Cornwall Council, which Padstow Town Council commented on.
 - 66 Of these Padstow Town Council agreed with the decision of Cornwall Council
 - 7 Applications the Planning Officer was looking to recommend a different decision to Padstow Town Councils comments
- 4.2 Out of these 7 that the Planning Officer wanted to recommend differently to Padstow Town Council, we found:
- 6 The Planning Chairman ended up opting for agree to disagree after receiving the comments from the Planning Officer
 - 1 Cornwall Council did not contact Padstow Town Council before issuing a determination, this was a non-material amendment.
- 4.3 An interesting point to note was that 5 of the 7 (where there was a difference in opinions) resulted in having conditions imposed on the approval, these conditions picked up on *some* of the points Padstow Town Council had raised as concerns.

PROTOCOL FOR LOCAL COUNCILS



Notes

¹21 days is the statutory time period - if an extension of time is required, the request and response must be in writing (or email) and is likely to be acceptable unless a decision is imminent.

²See page 2 for further information.

³Any written supporting statements must be submitted at least 3 working days before the committee meeting.

If a case officer is on leave or sick, contact your 'friendly link officer' who will be able to find out who is dealing with the application in the case officer's absence.

PROTOCOL FOR LOCAL COUNCILS

The objective of the Local Council and Member Protocols is to encourage dialogue and make sound planning decisions locally

Constitution [Responsibility for Functions]

This states that a Local Member can request any application falling under the 'Major' or 'Minor' category to be taken to a planning committee for consideration, so long as it is in writing/email and that sound planning, policy and other area reasons have been provided setting out why committee consideration is necessary.

Major and minor application types are:

New dwellings
Offices / research and development / light industry
General industry / storage / warehousing
Retail distribution and servicing
Gypsy and Traveller pitches
All other large scale major developments
All other small scale major developments
All other minor developments

Other application types are (and can be called to the planning committee by the Head of Service or his nominated officer):

Minerals Processing (ie ancillary mineral operations defined under the GPDO)
Change of use (no significant building or engineering work involved)
Householder developments
Included in householder developments are extensions, conservatories, loft conversions, dormer windows, alterations, garages, car ports or outbuildings, swimming pools, walls, fences, domestic vehicular accesses, including footway crossovers, porches and satellite dishes.
Advertisements
Listed building consents to alter / extend
Listed building consents to demolish
Conservation area consents
Certificates of lawful developments
Notifications (where no planning application is required)
Discharge of planning conditions
Non-material amendments
Works to trees in a conservation area
Works to trees covered by a Tree Preservation Order

If you would like this information
in another format please contact:

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