

PADSTOW TOWN COUNCIL

Station House
Station Road
Padstow
Cornwall
PL28 8DA

Kathy Pemberton Town Clerk
Town Clerk
Email: enquiries@padstow-tc.gov.uk
Website: www.padstow-tc.gov.uk
Tel: 01841 532296



2 September 2020

TO: PLANNING COMMITTEE

Councillors: K Freeman (Chairman), M Evans, R Higman, J O'Keefe,
Mrs A E Symons and Mrs T Walter

Dear Member

I hereby give you notice that a meeting of the **Planning Committee** will be held ***remotely** on **Tuesday 8 September 2020 at 6.30 pm** for the purpose of considering and resolving upon the business to be transacted at the meeting as set out thereunder.

Yours faithfully

K E Pemberton

Kathy Pemberton
Town Clerk

Please note start time for this meeting

**Due to the current regulations in response to COVID-19 this will be a virtual meeting. If you wish to view the meeting or speak in the public participation section [NB: this is only on agenda items], please contact the Town Clerk by email to enquiries@padstow-tc.gov.uk or by phone on 01841 532 296, so you may leave a message and be contacted by a member of our team*

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 11 August 2020.** (pg's 1-2)
6. **Planning**
 - i. **To advise of Cornwall Council planning decisions:** (pg 3)
 - a) **PA19/10769 29 High Street Padstow PL28 8BB** – Construction of dormer window to rear roof slope and single storey rear extension.

APPROVED

- b) **PA19/10770 29 High Street Padstow PL28 8BB** – Listed building consent for construction of dormer window to rear roof slope and single storey rear extension, internal alterations to ground, first and attic floors including alterations to the attic staircase. **APPROVED**
- c) **PA20/04431 Beacon Cottage Crugmeer Padstow Cornwall PL28 8HN** - Porch, rear extensions and small lean-to log store. **APPROVED**
- d) **PA20/04612 Land West of Trelether Dennis Lane Padstow Cornwall PL28 8DP** – Construction of an agricultural storage shed. **APPROVED**
- e) **PA20/05500 PA20/05500 Prideaux Place Tregirls Lane Padstow PL28 8DP** - Fell 2 Sycamore trees to prevent damage to the nearby listed wall. **WITHDRAWN**

ii. The Town Council are consulted on planning applications as listed below. The Committee is asked to **consider the applications and agree a response to the Planning Authority (Cornwall Council)**. The applications and their plans can be viewed on the Online Planning Register at www.cornwall.gov.uk

(pg's 4-5)

- a) **PA20/03626 Waters Edge Office North Quay Padstow Cornwall PL28 8AF** – Amended plans/description - The installation of 2 air conditioning units and a shelf above them on the west elevation of Waters Edge.
- b) **PA20/06068 Gulland House Upper Dobbin Lane Trevone Padstow** – Revised design including reduction of ridge height and footprint of previously approved boat store of PA13/02461
- c) **PA20/06321 Kingsley House Trevone Road Trevone Padstow** – Conversion of ground floor shop area to form additional living accommodation including reconfiguration of entrance and general alterations.
- d) **PA20/06450 6 Moyle Road Padstow Cornwall PL28 8DG** – Proposed rear extension, new front porch extension, front balcony and internal alterations.
- e) **PA20/06585 Padstow Harbour Hotel (formerly The Metropole) Station Road, Padstow PL28 8DB** – Alterations and extensions to hotel to create new spa facility, external terracing, additional bedrooms and reconfigured car parking plus the addition of up to 10 new residential units on existing swimming pool suite without compliance with conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of Application Number PA19/05442 dated 3rd January 2020
- f) **PA20/06670 Land East of The Old Barn Trevethern Farm Padstow PL28 8LE**- Construction of replacement dwelling house and associated development (revised design following approval of application ref: PA11/03182)

7. To give consideration to **Cornwall Council Draft Marine and Estuarine European Sites Supplementary Planning Document Consultation.** (pg 16)

8. Planning Information

- i) To note update on **Planning Reform.**
- ii) To consider attendance to Cornwall Council Local Council **Planning Conferences 2020**
- iii) To give consideration to **Planning for the Future Government Consultation.**

(pg's 17-22 + separate cover)

9. To note **date of next meeting:** Tuesday 13 October 2020 at 6.30pm

PADSTOW TOWN COUNCIL

Minutes of the Planning Committee meeting held remotely on Tuesday 11 August 2020 commencing at 6.32 pm

Present: Councillors K Freeman (Chairman), M Evans, R Higman, J O'Keefe, Mrs A E Symons and Mrs T Walter

In attendance: Mrs K Pemberton (Town Clerk) and Mrs T Trestain (Support Officer and Minute Taker)

P2020/9 **Apologies:** There were no apologies for absence.

P2020/10 **Announcements:** There were no announcements.

P2020/11 **Declarations of Interest:** There were no declarations of interest.

P2020/12 **Public Participation:** There was no public participation.

P2020/13 **RESOLVED** that the **minutes** of the meeting held on **Tuesday 14 July 2020** be signed as a true record.

P2020/14 **Cornwall Councils reports** a) Planning Quarterly Enforcement Report 1 April 2020 – 30 June 2020 & b) Update on Cornwall Council Planning Committee Process were both noted.

P2020/15 **Planning**

i. The following Cornwall Council planning decisions were noted:

a) PA20/03345 The Bryn Trevone Padstow PL28 8QY –
Demolition of existing static caravan within curtilage and replacement with single-storey garden studio. **APPROVED**

b) PA20/03949 Pentire Dobbin Lane Trevone Padstow PL28 8QP – Reserved Matters Application following Outline approval PA17/08592 (access, appearance, landscaping, layout and scale) **APPROVED**

c) PA20/04487 18 Grenville Road Padstow Cornwall PL28 8EX – Change of use from garage and workshop to granny annex **APPROVED**

ii. RESOLVED to make the following planning application responses to the Planning Authority (Cornwall Council):

a) PA20/00311 Pols Piece Flats and St Cadoc Dobbin Lane Trevone – Amended plans – Demolition of existing buildings Pols Piece/St Cadoc and erection of 4 no residential dwellings.

SUPPORTED; PROVIDED i) no overlooking issues and ii) design is in keeping with the area

b) PA20/05500 Prideaux Place Tregirls Lane Padstow PL28 8RP – Fell 2 Sycamore trees to prevent damage to the nearby listed wall.

SUPPORTED

c) PA20/05599 5 Porthilly View Padstow PL28 8DH – Amendment to approved scheme PA20/00099: Kitchen extension enlarged by 1m internally.

SUPPORTED

d) PA20/05681 Tremartyns Dennis Lane Padstow Cornwall – Demolition of dilapidated rear addition along with bay window. Erection of replacement rear single storey extension, front single storey extension, construction of first floor addition and first floor roof terrace with associated building works.

SUPPORTED

P2020/16

Date of Next Meeting: Tuesday 8 September 2020 at 6.30pm.

Meeting closed at 6.45 pm

PADSTOW TOWN COUNCIL - PLANNING COMMITTEE: 8 September 2020

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

- a) **PA19/10769 29 High Street Padstow PL28 8BB** – Construction of dormer window to rear roof slope and single storey rear extension.
Padstow Town Council = **SUPPORTED**
Cornwall Council = **APPROVED**
- b) **PA19/10770 29 High Street Padstow PL28 8BB** – Listed building consent for construction of dormer window to rear roof slope and single storey rear extension, internal alterations to ground, first and attic floors including alterations to the attic staircase
Padstow Town Council = **SUPPORTED, provided Conservation Officer satisfied**
Cornwall Council = **APPROVED**
- c) **PA20/04431 Beacon Cottage Crugmeer Padstow Cornwall PL28 8HN**
Porch, rear extensions and small lean-to log store.
Padstow Town Council = **SUPPORTED; provided Highways is satisfied, as porch will lead straight onto lane**
Cornwall Council = **APPROVED**
- d) **PA20/04612 Land West of Trelether Dennis lane Padstow Cornwall PL28 8DP** – Construction of an agricultural storage shed.
Padstow Town Council = **SUPPORTED**
Cornwall Council = **APPROVED**
- e) **PA20/05500 Prideaux Place Tregirls Lane Padstow PL28 8DP** - Fell 2 Sycamore trees to prevent damage to the nearby listed wall
Padstow Town Council = **SUPPORTED**
Cornwall Council = **WITHDRAWN**

PADSTOW TOWN COUNCIL -PLANNING COMMITTEE: 8 SEPTEMBER 2020

Agenda item 6 ii – A number of the applications being discussed on this occasion are amendments of previous applications. Therefore the Support Officer has included information below for the Committee regarding Padstow Town Council's earlier comments, to help them consider the changes.

Support Officer will send another report to Councillors regarding comments gathered on each application on the day of the meeting. Councillors are reminded that they can check comments that have been submitted to Cornwall Council the Online Planning Register at www.cornwall.gov.uk

- a) **PA20/03626 Waters Edge Office North Quay Padstow Cornwall PL28 8AF** – Amended plans/description - The installation of 2 air conditioning units and a shelf above them on the west elevation of Waters Edge.

Committee may recall this application was taken via Emergency Scheme of Delegation in June 2020 and Padstow Town Council comment was:
NOT SUPPORTED; Concern over noise/vibration issues

Please note one member also mentioned that there has been rock falls in the vicinity in the past.

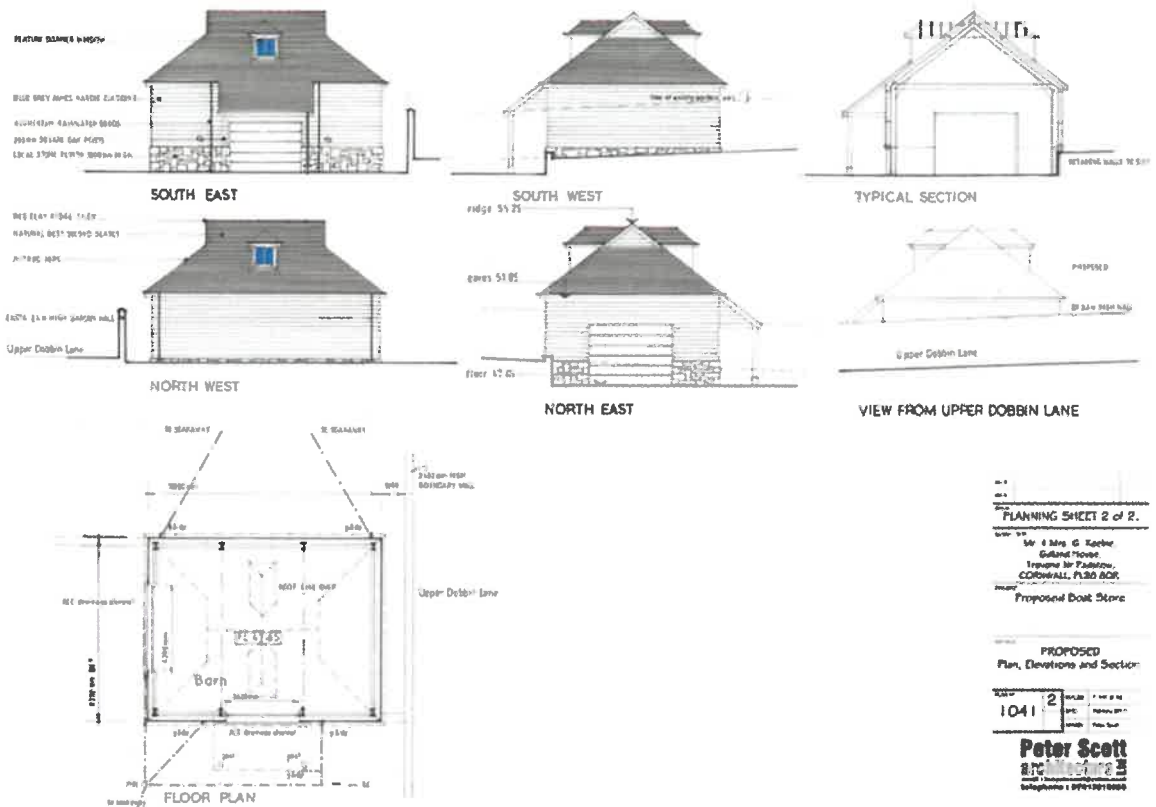
Since the above ESD decision, the Noise Report has been submitted and plans amended. The applicant has said the air conditioning system now involves two AC units and not one as originally proposed. The units remain on the wall above a bin store compound. Above them a shelf has been fitted to mitigate given the initial conclusions of the noise assessment.

Support Officer has checked with the Planning Officer and the Public Protection Team have also been re-consulted on the application following this amendment.

It has also been mentioned that the air conditioning unit were included on original application on change of use of the premises (PA20/01453 - Change of use from a shop to an office (Class B1 (a)) including the installation of an air conditioning unit on the west elevation of Waters Edge) which Padstow Town Council **SUPPORTED** – Within the minutes of the March meeting on PA20/01453 2 member of public spoken in support of the application and provided details including about the air conditioning unit.

- b) **PA20/06068– Gulland House Upper Dobbin Lane Trevone Padstow**
Revised design including reduction of ridge height and footprint of previously approved boat store PA13/02461

Padstow Town Council – **SUPPORTED PA13/02461** – Construction of detached barn to form boat store. Below plan is from PA13/02461 so Committee can see difference with new revised plan.



PLANNING SHEET 2 of 2.
 Mr & Mrs G. Kaylor
 Trevone in Padstow,
 CORNWALL, PL28 8DB.
 Proposed Boat Store

PROPOSED
 Plan, Elevations and Section

1041 2

Peter Scott
 Architects
 Telephone: 01904 201000

Applications

- c) **PA20/06321 Kingsley House Trevone**
- d) **PA20/06450 6 Moyle Road Padstow**

Support Officer cannot see that these have been discussed before.

- e) **PA20/06585 Padstow Harbour Hotel (formerly The Metropole) Station Road, Padstow PL28 8DB** – Alterations and extensions to hotel to create new spa facility, external terracing, additional bedrooms and reconfigured car parking plus the addition of up to 10 new residential units on existing swimming pool suite without compliance with conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of Application Number PA19/05442 dated 3rd January 2020

PA19/05442 Padstow Town Council - **SUPPORTED**; provided a **construction management plan and service management plan are in place for access from St Edmund’s Lane to Station Road and the access steps between the Seafood Restaurant and Harbour Hotel are maintained.**

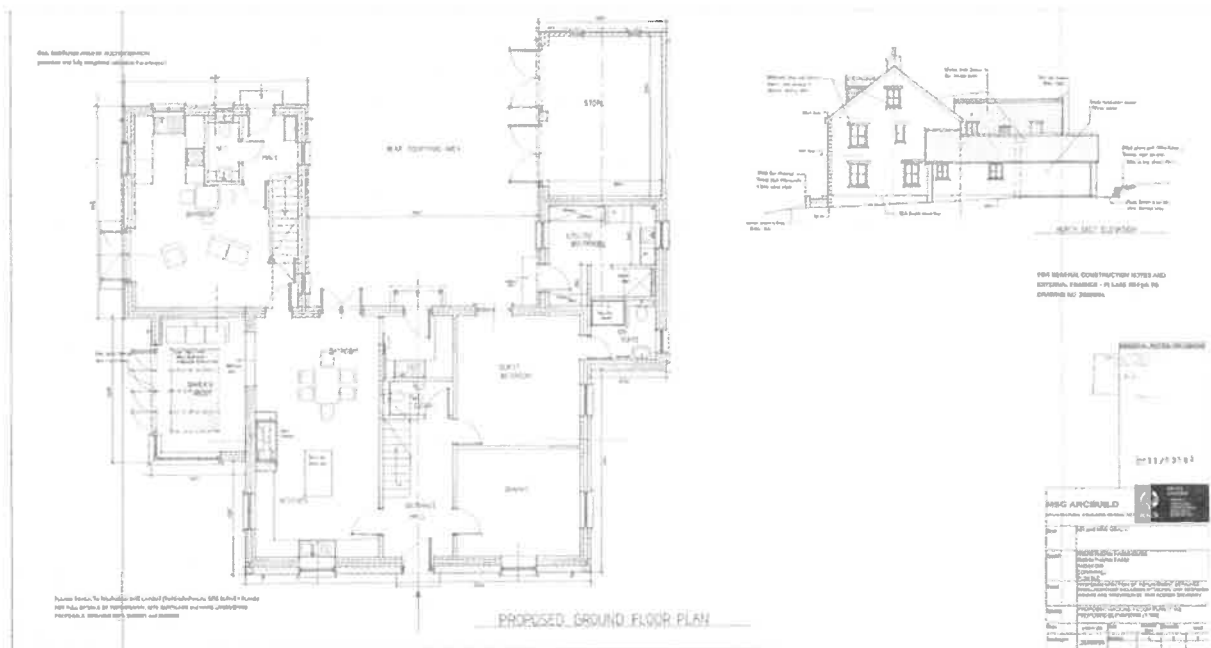
Appended to this report is the approval with conditions notice for PA19/05442.

In the applicants covering letter to PA20/06585 describes that *'this application is simply to allow the development to proceed in two phases,*

the hotel phase and the residential phase. no changes to the approved scheme are proposed. The proposed variation will allow the hotel element to proceed independently of the residential element and visa-versa.' Councils Support Officer has contacted the Planning Officer to check if this description covers the overview of the application and if there is anything else that should be drawn to Committees attentions.

f) PA20/06670 Land East of the barn Trevethern Farm Padstow PL28 8LE – Construction of replacement dwelling house and associated development (revised design following approval of application ref: PA11/03182)

May 2011 Padstow Town Council SUPPORTED PA11/03182, which was then APPROVED by Cornwall Council 3 June 2011.
Below is the approved PA11/03182 plan to help committee see the difference.



Cornwall Council

Chy Trewail Beacon Technology Park Bodmin Cornwall PL31 2FR
Email: planning@cornwall.gov.uk
Tel: 0300 1234151
Web: www.cornwall.gov.uk



Application number: PA19/05442

Agent:

Kay Elliott
Kay Elliott
5-7 Meadfoot Road
Torquay
TQ1 2JP

Applicant:

Mr Lee Jackson
c/o Agent

**Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2015**

Grant of Conditional Planning Permission

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY GRANTS CONDITIONAL PERMISSION**, subject to the conditions set out on the attached schedule, for the development proposed in the following application received on 24 June 2019 and accompanying plan(s):

Description of Development: Alterations and extensions to hotel to create new spa facility, external terracing, additional bedrooms and reconfigured car parking plus the addition of up to 10 new residential units on existing swimming pool site.

Location of Development: Hotel Metropole Station Road Padstow Cornwall PL28 8DB

Parish: Padstow

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 January 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

CONDITIONS:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No demolition; construction works including earth moving or associated vehicle movements which might be audible inside any adjacent dwelling shall be undertaken outside the hours of 0800 hrs (8am) to 1800 hrs (6pm) on Mondays to Fridays; 0800 hrs (8am) to 1300 hrs (1pm) on Saturdays, or at any time on Sundays or public holidays.

Reason: To protect the amenities of residents in the locality of the site in accordance with Policy 16(1) of the Cornwall Local Plan.

- 4 Prior to commencement of development on the site subject of this permission, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
(v) measures to control the emission of dust and dirt during construction;
(vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;

Reason: To ensure that the development is undertaken in a manner which reduces any potential impact upon the residential amenities currently enjoyed by existing residents and businesses, and in accordance with the aims and intentions of paragraph 180 of the National Planning Policy Framework (February 2019) and in accordance with saved policy 16 of the Cornwall Local Plan.

- 5 The development subject of this permission shall ensure that the existing 'cut through' pedestrian route connecting St Edmund's Lane and Station Road that

DATED: 3 January 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

passes through the red line site, is maintained throughout the development process. Any temporary obstruction(s) or temporary closure(s) of this route that are deemed necessary for health and safety reasons only through the construction period, shall be kept to a minimum; and advance signage(s) / notice(s) for any temporary diversion of the route that may be deemed necessary, shall be put in place ahead of the works necessary to complete the development and enable this route to remain open and available for public use thereafter.

Reason: To ensure that permeability through the site that is currently enjoyed, is maintained to accord with the policy objectives contained within Policies 12 and 27 of the Cornwall Local Plan 2010-2030.

- 6 No development including works to trees within the site shall take place until a schedule of site supervision and monitoring of the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. This schedule shall set out the detailed methodology for contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist having regard to the Arboricultural assessment & method statement dated 4th December 2019; Tree Removals Plan (ref 18307-BT5-a) and Tree protection plan (18307-BT5-b). The development including works to trees / protection of trees shall thereafter proceed in accordance with the written approval issued under this condition.

Reason: To ensure that appropriate schedule of site supervision and monitoring of the arboricultural protection measures to protect trees that are to be retained on this site, are set out in accordance with Policy 23 of the Cornwall Local Plan 2010-2030.

- 7 Upon completion of the development, the final detailed schedule of site supervision and monitoring of the arboricultural protection measures including the detailed methodology for contemporaneous supervision and monitoring of the tree protection which has taken place throughout construction by a suitably qualified and pre-appointed tree specialist, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate schedule of site supervision and monitoring of the arboricultural protection measures to protect trees that are to be retained on this site, are set out in accordance with Policy 23 of the Cornwall Local Plan 2010-2030.

- 8 The development subject of this permission shall not be brought into use until written details/plan showing the service delivery management arrangements for the site as a whole, have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be used in the future

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 January 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

management of the development and maintained as such to the satisfaction of the Local Planning Authority.

Reason: To ensure that service delivery management minimises nuisance to nearby residents to accord with Policy 16 of the Cornwall Local Plan 2010-2030.

- 9 No development subject of this permission shall be commenced, until sample materials for all new external walls, roofing, windows; balustrade railings; boundaries; and hard surfacing finishes through the development, have been submitted to and approved in writing by the Local Planning Authority. The approved external materials shall thereafter be used for the construction and completion of the development.

Reason: To ensure that the development is of high quality within the Padstow Conservation Area in accordance with Policies 12 and 24 of the Cornwall Local Plan 2010-2030.

- 10 The detailed landscaping scheme contained within submitted drawing 18307-BT5c shall be completed before occupation of the first dwelling or first use of the accommodation within the Hotel, subject of this permission or within the first planting season thereafter, whichever is the earliest. Any planting that dies or is vandalised shall be replaced with the same or similar species within the next planting season. All planting will be maintained for a period of five years.

Reason: To ensure that all external areas of the development subject of this permission provide high quality landscaping and are maintained in a condition satisfactory to the Local Planning Authority in accordance with Policy 12 of the Cornwall Local Plan 2010-2030.

- 11 The development hereby approved shall not be occupied or first brought into use until the 'Mitigation, compensation and enhancement' contained within Section 4 the submitted Ecological Impact Assessment by ead ecology dated June 2019, including details and specification set out in Figure4: Ecological Constraints and Opportunities Plan; and Figure 6: Bat and bird box plan; are fully implemented on site as part of the completed scheme. The detailed components of the 'Mitigation, compensation and enhancement' shall be retained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development provides a suitable level of mitigation, compensation and enhancement to accord with Policy 23 of the Cornwall Local Plan 2010-2030.

- 12 No development approved by this permission shall be commenced until the following details are submitted to and approved in writing by the Local Planning Authority:

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 January 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

1. Details of the final drainage schemes including calculations and layout;
2. Confirmation from South West Water Ltd that the foul & surface water network has sufficient capacity to cater for this development;
3. A Construction Surface Water Management Plan;
4. A Construction Quality Control Plan;
5. A timetable of construction;
6. Confirmation of who will maintain the drainage systems and a plan for the future maintenance and management, including responsibilities for the drainage systems and overland flow routes.

The foul and surface water drainage systems shall be in accordance with the principles set out in the CASE Consultants Flood Risk Assessment and Drainage Strategy dated 21st June 2019.

The Developer must inform the Local Planning Authority of any variation from the details provided and agree these in writing before such variations are undertaken.

The surface water drainage systems shall fully manage surface water flows resulting from the developed site up to the 1 in 100 year peak rainfall event plus a minimum allowance of 40% for the impact of climate change.

Flows discharged from the site will be no greater than 3 l/sec for all rainfall events.

The approved scheme (foul and surface water drainage) shall be implemented in accordance with the timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of the development.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with Policy 26 of the Cornwall Local Plan 2010-2030.

- 13 The development hereby approved shall not be occupied or first brought into use until the means of access, parking and turning areas hereby approved have been carried out and completed in accordance with Hydrock Transport Statement (Appendices H and I) Dwg 10047-HYD-XX-XX-DR-TP-0121-P03 'Residential Access, Car Park Upgrade, Proposed Surfacing, Levels and Signage'; Dwg 10047-HYD-XX-XX-DR-TP-0104 P02 'Site Access General Arrangement' and Dwg 4322(12)00-02 'Masterplan'. The means of access, parking and turning areas shall thereafter be retained for that purpose only.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 January 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

Reason: To ensure that the means of access, parking and turning areas for this development are maintained for that purpose at all times in accordance with Policies 12, 13 and 27 of the Cornwall Local Plan 2010-2030.

- 14 The submitted Travel Plan incorporated within the Transport Statement dated 6 November 2019 (Doc Reference 10047-HYD-XX-XX-RP-TP-4001) shall be implemented before first occupation of the development subject of this permission and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure that all users of this development have access to travel information that provides choice of transport, and encourages modal shift away from sole use of private cars, in accordance with Policy 27 of the Cornwall Local Plan 2010-2030.

- 15 The development subject of this approval shall not be occupied or brought into use until refuse and recycling facilities contained with the scheme subject of this approval shall be made available.

Reason: To ensure that adequate refuse and recycling facilities are made available and brought into use to accord with Development Standards Policy 13 of the Cornwall Local Plan 2010-2030.

- 16 The external lighting details for the development subject of this permission shall be carried out in accordance with the recommendations and dwgs entitled: 'Proposed External Lighting Layout Ground Floor'; 'Proposed External Lighting Layout Lower Ground Floor' and 'Proposed External Lighting Layout Apartments'; contained within submitted Hydrock 'External Lighting Report' dated 19th June 2019.

Reason: To ensure that a sympathetic external lighting strategy is implemented as part of this development situated within the Padstow Conservation Area, to accord with Policy 2(1) and 12 of the Cornwall Local Plan 2010-2030.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 January 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan 4322(10)00 received 24/06/19
Block Plan 4322(12)01-01 received 06/12/19
Submitted Plan 4322(12)00-02 received 06/12/19
Submitted Plan 4322(32)01-02 received 06/12/19
Submitted Plan 4322(32)02-03 received 06/12/19
Submitted Plan 4322(42)01-01 received 06/11/19
Submitted Plan 4322(32)03-02 received 09/12/19
Submitted Plan 4322(32)05-02 received 09/12/19
Submitted Plan 4322(32)04-02 received 09/12/19
Submitted Plan 4322-50 - 01 received 09/12/19
Submitted Plan 4322(22)01-05 received 06/11/19
Submitted Plan 4322(22)02-03 received 24/06/19
Submitted Plan 18307-BT5b TPP received 06/12/19
Submitted Plan 18307-BT5a Tree Removal received 06/12/19
Submitted Plan 18307-BT5c Landscaping Strategy received 06/12/19

DATED: 3 January 2020

Louise Wood - Service Director Planning and
Sustainable Development

ACFULZ

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

ANY ADDITIONAL INFORMATION:

- The applicant is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

Please find enclosed a plan showing the approximate location of a public 600mm sewer in the vicinity. Please note that no development will be permitted within 3.5 metres of the sewer, and ground cover should not be substantially altered.

Should the development encroach on the 3.5 metre easement, the sewer will need to be diverted at the expense of the applicant.

Please click here to view the table of distances of buildings/structures from a public sewer.

Further information regarding the options to divert a public sewer can be found on our website via the link below:

www.southwestwater.co.uk/developer-services/sewer-services-and-connections/diversion-of-public-sewers/

Should you require any further information, please contact the Planning Team via email: DeveloperServicesPlanning@southwestwater.co.uk.

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

Foul Sewerage Services

South West Water is able to provide foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

The applicant can apply to South West Water for clarification of the point of connection for either clean potable water services and/or foul sewerage services. For more information and to download the application form, please visit our website: www.southwestwater.co.uk/developers

- The applicant is advised that any works taking place to, from or on the public highway will require additional consent of the Streetworks Team. This includes all traffic management measures required, as appropriate.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

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Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA19/05442

- The applicant is advised that pedestrian access from St Edmund's Lane to Station Road and the access steps between the Seafood Restaurant and the Hotel must be maintained throughout the duration of the construction process and after development is completed as expressly desired by Padstow Town Council. Any demolition or construction works that affect either route shall seek to limit temporary obstruction and maintain safe routes for pedestrians.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 January 2020

Louise Wood - Service Director Planning and
Sustainable Development

PADSTOW TOWN COUNCIL -PLANNING COMMITTEE: 8 SEPTEMBER 2020

Agenda item 7. To give consideration to Cornwall Council Draft Marine and Estuarine European Sites Supplementary Planning Document Consultation.

Cornwall Council has informed us of the Draft Marine and Estuarine European Sites Supplementary Planning Document Consultation which is running until 5pm 21 September 2020

The SPD (Supplementary Planning Document) is linked to Policy 22 of the Cornwall Local Plan. Plans and policies must not harm the special features of a European site. Habitats Regulations Assessment of the Local Plan concluded that there could be harm to some European Sites in Cornwall due to increased recreation as there will be more people living in Cornwall and so numbers of people using the sites are likely to go up. The SPD sets out a strategic approach to the provision of mitigation and monitoring for increased recreational impacts on designated sites, with a programme of measures and a scale of contributions from development. This makes it easier for developers to make sure that their proposals will not harm a European Site and means that we can use the contributions to help protect the sites.

Copies of the document can be downloaded from <https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/planning-policy-guidance/european-sites-mitigation-spd/>

Further consultation will be available - once the final Marine European Sites SPD consultation is finalised a revised combined version of the SPD will be produced, this will incorporate both the Marine and Terrestrial SPD. This document will then be published for a six week period where comments can be made. For information Cornwall Council consulted on the Terrestrial European Sites Supplementary Planning Document back in the Summer 2017, Padstow Town Council considered this in June 2017 and resolved not to respond.

Would Committee like to respond to this round of consultation?

PADSTOW TOWN COUNCIL -PLANNING COMMITTEE: 8 SEPTEMBER 2020

Agenda item 8. Planning Information

i) To note update on **Planning Reform.**

Councillors will recall 14 July Planning Committee meeting there was an item on the agenda which provided Cornwall Councils briefing note on the Government Business and Planning Bill changes and it was mentioned that further changes were expected. Since this the Government has also released three sets of regulations on 21 July regarding:

- Permitted development rights to allow additional stories on houses
- Permitted development rights allowing certain buildings to be demolished and rebuild vacant and redundant purpose built flats and commercial buildings if they are rebuilt as homes.
- Changes to the 'Use Class Order' to create flexible town centre uses.

Cornwall Council's Policy team produced two briefing notes in July 2020 as appended (Appendix 1 New permitted development rights and Appendix 2 use Class Order Change)

ii) To consider attendance to Cornwall Council Local Council **Planning Conferences 2020**

Cornwall Council's Local Council Planning Conferences are being offered as an online events this year, spread over three dates 22 September, 21 October and 26 November 2020.

The Conference on 22 September includes

- Planning and Development service key issues and update
- Infilling and rounding off revisited
- Responding to the Government's Planning for the Future Consultation.

The Session will be via Microsoft teams and will start at 4.30pm and end by 6.30pm. They are asking that Local Councils to nominate two delegates plus one reserve for the event. The places are reserved on first come first serve, therefore we have contacted Cornwall Council and reserved (2 places and 1 reserve) and informed them we would contact them after this Planning Committee meeting to provided attendees names.

The sessions in October and November will include:

- News from the Portfolio Holder for Planning Culture and Economy
- An introduction to Building Control
- Cornwall Design Review Panel explained
- Trees and development
- An introduction to the Cornwall and West Devon Mining Landscape World Heritage Site
- Pre-application discussions – the benefits
- Community Governance Review update
- New Permitted Development rights – the enforcement perspective

iii) To give consideration to **Planning for the Future Government Consultation.**

The Government has also published the 'Planning for the Future' consultation paper. The consultation sets out proposal for reforms to the planning system with the aim of streamlining and modernising the planning process, bringing a new focus to design and sustainability, improving the system of developer contributions for infrastructure, and ensuring that land is available for development where it is needed. The consultation closes on 29 October.

A copy of the white paper: Planning for the future has been sent separately to the Planning Committee members.

All Consultation documents can be found online at:

<https://www.gov.uk/government/consultations/planning-for-the-future>

As the consultation does not close until 29 October, it is felt, if Committee agree, that best approach could be for 2 members of the Planning Committee to attend Cornwall Councils Local Council Planning Conference on 22 September (as per item 8ii) and then feed back into the next planning Committee meeting due on 13 October, so that Committee can consider this Planning for the Future Consultation further.

Ways to reply to the consultation is via an online survey or via email. The Councils Support Officer has emailed the Consultation Team to see if they are able to send us a copy of the questions which are on the online survey so Committee can respond inline with these questions. However, we are waiting a response.

Whilst we are awaiting a response of the above members can look over the document and thoughts could be emailed into the Council office so that these can be collated to help the discussion at the next Planning Committee meeting. If the Support Officer receives the questions before the next meeting, they can be emailed on to Committee members.

Recommendations

Committee to put forward attendees to the Local Council Planning Conference 22 September from 4.30pm (maximum 2 places and 1 reserve) to then feed back into next Planning Committee meeting.

Any comments from Planning Committee members on the Planning for the Future Consultation to be emailed into the Council Offices by 1st October so they can be collated for the next meeting.

Permitted Development Rights

The Government have also set out new Permitted Development Rights¹ while these have been said to give planning 'freedom' some commentators believe that the changes are likely to have so many restrictions the impact will be limited. There are two key rights are; building upwards and demolition and rebuild as residential. The two new Permitted Development Rights are set out below.

In June 2020 the Government announced a new right which enables upward extensions to create new homes and living space. Purpose-built blocks of flats of three storeys or more can be extended upwards by up to two additional storeys (with a height restriction of 30m).

Now, a second phase of permitted development rights allows up to two additional storeys to be built on free standing blocks (with a height restriction of 30m) and on terraced buildings, of two or more buildings, in certain commercial uses.

Two additional storeys will also be allowed on existing houses to create new self-contained homes or additional living space (with a height restriction of 18m). Single storey homes will be able to add one additional storey. This new right is subject to conditions such as not in a Conservation Area, built before 1948 or after 2018 and a number of prior approvals are required such as external appearance and impact on the amenity of neighbours.

The other permitted development right allows vacant and redundant free-standing commercial and light industrial buildings, and residential blocks of flats, to be demolished and replaced with new residential units, whilst allowing up to two additional storeys to be added (with a height restriction of 18m). Again, there are conditions and prior approvals which would need to be sought. The conditions include that the building is not located within a Conservation Area, it was built before 1989, is under 1,000 square metres, less than 18m high and has been vacant for six months. Prior approval must be sought for a range of issues including transport, highways, flooding, design, external appearance, impact on neighbours' amenity and impact on local businesses through loss of commercial space.

The prior approval fees for these new rights are being considered by Parliament, but proposals set these at £334 per new dwelling up to 50 units, and a fixed fee of £16,525 plus £100 for each dwelling in excess of 50.

¹ <https://www.legislation.gov.uk/uksi/2020/755/made>



Briefing note

Changes to the Use Class Order July 2020

July 2020 V1

Introduction

The Government has announced a number of changes to the planning system designed to boost the vitality of town centres, enable economic recovery and provide housing. This briefing note sets out the key changes and some considerations.

New Use Class Order

The Use Class Order groups different uses of land and buildings into use classes. A change of use within a single use class is not considered to be development and therefore does not require planning permission.

The *Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020¹* made on 20th July 2020 which takes effect from 1st September 2020 makes important changes to the Use Class Order.

A new class (E Commercial, business and service) has been created. There will be no more class 'A'; A1 (retail shop), A2 (professional services) and A3 (restaurant) will all move to a new Class E along with B1 (offices, Research and development and light industrial) and medical/health uses. Parts A and D are entirely revoked (putting an end to use Classes A1, A2, A3, A4 and A5 and Classes D1 and D2). This means an existing office could be turned into a restaurant or nursery without requiring planning consent.

Some uses such as drinking establishments (A4) and hot food takeaways (A5) will become 'sui generis' (i.e. not falling within any particular use class) meaning that planning consent would be required for a change of use.

Two new Use Classes have been created; F1 (learning and non-residential institutions) which includes education, place of worship and public halls; and F2 (local community) which includes uses such as shops selling essential goods where there is no other facility within 1km, halls for principal use of the local community and leisure facilities.

It is important to note that residential (Class C), general industrial (Class B2) and storage and distribution (Class B8) remain unchanged.

¹<https://www.legislation.gov.uk/uksi/2020/757/made>

The planning and development consultancy Lichfields have produced a useful summary guide highlighting these changes <https://lichfields.uk/media/6020/guide-to-changes-to-the-use-classes-order-in-england-july-2020.pdf>

Guidance on these changes is anticipated when the regulations come into force in September.

Planning Considerations

The changes have two clear aims; to better reflect the increasingly diverse range of uses found on the high street and in town centres and to allow businesses greater flexibility to adapt and diversify to meet changing demands. It is the Government's hope that these changes, bringing these uses together and allowing movement between them, will give businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities.

The current Use Class Order has struggled to keep pace with changing retail trends and behaviours, the amendments will provide greater flexibility and opportunities by enabling the adaptation of uses to respond to market trends and will change the way that town centres evolve.

The new Class E is intended to allow a mix of uses to reflect changing retail and business models. It enables different parts of a building to have different uses thus creating flexible spaces, allowing innovative use with the aim of revitalising the high street. Many commentators are hailing this new class as a step forward and game-changer for our towns, bringing the Use Class Order into the 21st Century. Others have noted potential ambiguity in the wording, in particular highlighting that some uses which were Class A1 have been omitted from the new Class E (hairdressers for example). There is discussion that these might fall within "any other services which it is appropriate to provide in a commercial business or service locality" but this would considerably widen the scope of Class E to include uses that might have previously been considered 'sui generis' (for example nail bars). Also differentiating between a restaurant (Class E from September) and a drinking establishment with expanded food provision (sui generis from September) will be open to interpretation.

As the new Use Class Order makes no reference to spatial considerations it also applies to 'out of centre' locations where changes of use within Class E will no longer require planning permission. This may have unintended consequences for example a large, 'out of town' office or industrial unit could convert to a shop, café or restaurant without the need for planning approval or indeed an assessment of the impact on the town centre or application of the sequential test. One commentator has noted that allowing retail uses to occupy out of town buildings appears to run counter to the objective of maintaining and enhancing town centres and harm the very high streets it is aiming to protect. Instead it would be reliant on the retail market rejecting 'out of town' development formats and locations in the future.

The new Class F2 recognises the importance of small local shops which provide for the essential needs of a community, as they are outside the scope of Class E their loss to other uses is somewhat protected. Equally learning, non-residential and community facilities are also within the new Class F and again offered some protection.

It is worth noting that former A4 (drinking establishments) and A5 (hot food takeaway) use classes are now listed as 'sui generis' in recognition that changes to and from these uses often give rise to important local considerations which need management. This aims to avoid the proliferation of hot food takeaways and protect community public houses. As 'sui generis' these uses (along with cinemas, concert, dance and bingo halls) require planning permission for any change. However, as these changes do not take effect until September 2020 there is a period within which somebody wishing to make a change of use could do so without the need for planning permission.

Policies in Local Plans which aim to protect retail units and shop frontages are likely to become redundant and there will be implications for plan-making in the future. Indeed, our Local Plan policies 4 and 5 contain elements that will become redundant. In particular, Policy 4 Shopping, Services and Community Facilities contains some clauses that will be superseded by the changes to the Use Class Order; for example clause 3 relating to changes of use from Class A1 to A2, A3, A4 and A5 as these are now either within the new Class E where no permission is required or 'sui generis' where permission would be needed. Also consideration should be given to the new Use Class Order when applying policy 4.2 "permitting Use Class A within town centre primary shopping areas" as some of the uses now fall within different Use Classes. Interestingly policy 4.4 is strengthened by the changes as this clause recognises the contribution of local community facilities and shops to providing essential services.

The Use Class changes will also result in less control over the mix of uses within our town centres, there will be no consideration of the public benefit, any potential impacts and harm and is irrespective of size and location. This may well cause concern for local communities as often different uses have different planning considerations. A shift from retail as the key attraction is most likely and our decisions and strategies/policies will need to reflect these changes. Policy 4 has a definite retail focus including supporting the retail hierarchy and setting retail floorspace capacity targets which will all need careful consideration once these Use Class changes come into force in September 2020.

How these changes play out in practice remains to be seen. The sheer breadth of new Class E uses could lead to high streets made up of a single use as that is the most profitable for landowners/landlords. This may lead to new planning permissions within town centres being conditioned in an effort to retain control of development. In practice these changes are only constrained by the market, it is interesting to note that whilst there is flexibility in planning terms this may not be translated to flexibility in leases, restrictive covenants etc.