

PADSTOW TOWN COUNCIL - PLANNING COMMITTEE: 9 NOVEMBER 2021

Agenda item 5i: To advise of Cornwall Council planning decisions.

Support Officer provides list of decision that Cornwall Council have notified us of since the last meeting and provides Padstow Town Councils comments against Cornwall Council decision for the Committee to note. If Padstow Town Council submitted a specific comment to Cornwall Council, the Support Officer will check any approved decision to see if a condition relating to the comment is included and will include these in the report.

- a) **PA21/05118 Seaway Trevone Road Windmill Padstow Cornwall –**
Proposed extensions and alterations to Seaways including works to the main dwelling and conversion of existing garage to ancillary accommodation.
Padstow Town Council = **SUPPORTED on the condition that i) it is kept as part of the main residence for family use and not a separate holiday let, and ii) there are no overlooking issues.**
Cornwall Council = **APPROVED**

Couple of conditions with approval that are linked to the comments Padstow Town Council submitted, as below:

- 3 The annexe development hereby permitted shall **only** be occupied by members of the family or non-paying guests of the occupiers of the dwelling known as Seaway and shall not be used at any time as a separate residential unit of accommodation.

Reason: The Local Planning Authority consider that the proposed annexe would be inappropriate for occupation independent of the main dwelling by virtue of the physical relationship between the annexe and the main house which would create inadequate levels of residential amenity for the occupiers of both in accordance with Policies 12 and 13 of the Cornwall Local Plan 2016-2030.

- 4 Prior to the development hereby approved being brought into use a non-transparent screen of 1.8m in height shall be positioned along the side (south) elevation of the rear first floor terrace area and shall thereafter remain in situ and shall not be altered or removed without the express consent of the local planning authority. Reason: To protect the privacy of the neighbour at Calumet in accordance with Policy 12 of the Cornwall Local Plan 2016-2030.

- b) **PA21/05831 Padstow Touring Park Padstow PL28 8LE –** Retrospective application for the change of use of an area of land to site a kitchen shipping container, a storage container and a Tipi together with customer seating, ancillary to the caravan site.
Padstow Town Council = **SUPPORTED provided landscaped and shielded from view**
Cornwall Council = **APPROVED**

- c) **PA21/06338 Hill Rise Parkenhead Lane Trevone Padstow PL28 8QH –**
Removal of existing first floor addition and construction of new first floor addition including renovation of ground floor layout with associated building works and asphalt hardstanding for additional parking space.

Padstow Town Council = **SUPPORTED** subject to provision for obscure glazing to rear of property, to overcome the overlooking issues to Poll Brock
Cornwall Council = **APPROVED**

One condition of approval notice is:

Prior to the first occupation of the first floor extension hereby approved, the bedroom 3 first floor windows on the south east elevation shall be obscurely glazed and restricted to a maximum opening of 200mm, and shall remain as such thereafter. The top hung windows serving the en-suite and landing shall be obscurely glazed and remain as such thereafter.

Reason: In order to protect the privacy of neighbouring dwellings

- d) **PA21/07274 Land North West of Kingsley House Trevone Road Trevone** – Outline application for the demolition of existing garage/store accommodation and the construction of a single dwelling house and garage including access (all other matters reserved)
Padstow Town Council = **NOT SUPPORTED** i) access to the proposed site is across a very narrow track which will not be wide enough for any delivery of materials and vehicles that will need to be used to clear the site without causing significant damage either to the old Cornish stonewall on one side or neighbouring gardens/outbuildings on the other side; ii) there is no actual plan of exactly what is going to be built there; iii) it is within the AONB; iv) it is outside the building line; and v) there is restricted access to the lane.
Cornwall Council = **APPROVED**

5 day protocol was sent by Planning Officer and the Town Clerk in consultation with the Planning Chairman have delegated authority to respond. The response to the 5 day protocol was agree to disagree, however raise further points of:

- Query if a site visit has been undertaken to appreciate exactly how access will be overcome without causing significant disruption in the area which is very narrow.
- Understands that full plans will need to be submitted to Cornwall Council and wants to be reassured that the Town Council will be consulted before any firm decision is undertaken.

Planning Officer did have further conversations with a Highways Officer following the above points being raised and the Planning Officer also confirmed the Town Council would be included in any formal application consultation.

Conditions with approval are on the following page:

- 1 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.

- 2 Details of the access, appearance, landscaping, layout and scale delete as appropriate, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and in accordance with the requirements of Articles 1, 2 and 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for approval of reserved matters must be made no later than the expiration of 3 years from the date of this decision and the development hereby approved shall commence no later than 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and in accordance with the requirements of Articles 1, 2 and 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4 The development hereby approved shall be constructed in accordance with enhancement and mitigation methods within the submitted ecological survey (Preliminary Ecological Appraisal, Land at Trevone, Cornwall, Bright Environment, 11th February 2021)

Reason: To enhance bio-diversity on site and in accordance with Policy 23 of the Cornwall Local Plan 2010-2030 and paragraph 174 of the National Planning Policy Framework 2021.

- e) **PA21/07305 Manleigh Dobbin Close Trevone Padstow Cornwall –**
Construction of 2 dwellings (amendment to permission PA20/03572) which was an amendment to permission PA15/04415.
Padstow Town Council = **NOT SUPPORTED i) overdevelopment of site, what was a modest little bungalow with an attractive garden being turned into 2 x 4 bedroom properties with very little garden; ii) parking for 4 cars seems not to be enough for 2 x 4 bedroom properties; iii) out of keeping with surrounding properties; iv) the height of the proposed properties is of concern especially the rooftop area which will cause a noise issue and neighbouring properties will lose privacy, and v) access to the area is only a made up road and not that wide so increased transport will cause obstructions for refuse lorry and any other delivery vehicles/emergency vehicles.**
Cornwall Council = **APPROVED**

5 day protocol was sent by Planning Officer and the Town Clerk in consultation with the Planning Chairman have delegated authority to respond. The response to the 5 day protocol was agree with the recommendation.

Planning Officer 5 day protocol included amended plans for the site. Below is a section from the Officers report:

In terms of design, concerns have been noted and replicated by officers. This has led to the reduction in height and the loss of the third storey. The proposal is now similar, in terms of design, to previous approvals and as such character impact is significantly limited. In respect to amenity, due to the design now being similar to those previously approved, which were deemed acceptable, it is not considered that additional material harm will result from this application. The slight re-angling/siting of the dwellings is not viewed to lead to material harm. 2 spaces are provided for each dwelling and this is viewed as being acceptable with no minimum requirement. Indeed, CC guidance includes a maximum.

f) **PA21/07307 2-4 Duke Street Padstow PL28 8AB** – Listed Building
Consent (retrospective) for the mounting of aircon condenser units to gable wall of property below parapet wall level
Padstow Town Council = **SUPPORTED as will not be visible from street level or interfere with surrounding area, noise levels shouldn't be a problem as nonresidential property adjoining. As long as it complies with Listed Building and Conservation Area Act 1990 and provided Conservation Officer is satisfied.**
Cornwall Council = **APPROVED**

g) **PA21/07477 Yawl Cottage 3 Hill Street Padstow PL28 8EB** –
Construction of a summerhouse.
Padstow Town Council = **NOT SUPPORTED i) size is overbearing; ii) concern with noise issue; iii) concern regarding the height compared to surrounding boundary walls; and iv) concern that roof colour is not in keeping with area.**
Cornwall Council = **APPROVED**

5 day protocol was sent by Planning Officer and the Town Clerk in consultation with the Planning Chairman have delegated authority to respond. The response to the 5 day protocol was agree to disagree.

Below are some sections from the Planning Officer report:

Initial proposals, which had been implemented on site included a mid-blue corrugated metal roof. This was considered to be out of keeping with the character of the area, emphasising the size of the building, and because of the colour it also negatively impacted on the residential amenity of the neighbouring properties.

Following negotiations an amendment to the proposals has been secured, and the roof material will be altered to use natural slate to match the surrounding properties.

The footprint of the proposed summerhouse, for use incidental to the enjoyment of the dwelling, is less than 50% of the curtilage and would if not for its height and location within 2m of the site boundaries, fall within permitted development rights. The building, following the change in roofing material to natural slate uses materials sympathetic to the existing dwelling and opens to the garden via folding sliding doors.

Consideration has been given to levels of noise arising from the proposed development. In this instance, it is not felt that the building, for use incidental to the enjoyment of the dwellinghouse, will lead to unreasonable levels of noise, as the garden can already be used to entertain guests and though the enclosure of the space will enable it to be used in more weathers it is not considered the levels will be unreasonable given the built-up area within which the site is located.

- h) **PA21/07531 5 Sarahs View Padstow PL28 8DU** – Construction of a porch and alterations to dwelling including insertion of a roof dormer.
Padstow Town Council = **SUPPORTED (revised plans)**
provided neighbour is satisfied with porch.
Cornwall Council = **APPROVED**

- i) **PA21/08001 5 Alan Road Padstow Cornwall PL28 8DS** – Solid panel extension to the rear of the property.
Padstow Town Council = **SUPPORTED**
Cornwall Council = **APPROVED**

- j) **PA21/08563 25 Treverbyn Road Padstow PL28 8DN** – Extension to dwelling and associated works.
Padstow Town Council = **SUPPORTED but have concern with vehicle access to rear and cliff stability**
Cornwall Council = **APPROVED**

- k) **PA21/08651 Padstow Petrol Station Treceus Industrial Estate Padstow** – Installation of two rapid electric vehicle charging stations within two existing parking spaces along with associated equipment. This application will replace the existing (PA18/02484).
Padstow Town Council = **SUPPORTED**
Cornwall Council = **APPROVED**

PADSTOW TOWN COUNCIL - PLANNING COMMITTEE: 12 OCTOBER 2021

Agenda item 5ii: Applications to consider

Sometimes applications being discussed, have been reconsulted due to amended plans or are linked to 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 application.

The Support Officer will send another report to Councillors regarding comments gathered on applications being discussed. Councillors are reminded that they can check comments that have been submitted to Cornwall Council Online Planning Register at www.cornwall.gov.uk

- a) PA21/08623 St Martins Dobbin Lane Trevone Padstow – Support Officer has no further information.
- b) PA21/09085 29 Grenville Road Padstow PL28 8EX – Support Officer has no further information.
- c) PA21/09406 Tregella Place Caravan and Camping Tregella Lane St Merryn Padstow - Retrospective planning for improvements to, and extension of, caravan park to replace toilet block with new laundry building, construct mower/equipment store, improvement and extension of access track and site mobile home unit to accommodate warden and office.

This is a resubmission of PA11/07819 as conditions 8,9 & 11 have not been completed. For Committee reference the previous application:
PA11/07819 Tregella Place Caravan and Camplng Tregella Lane St Merryn Padstow - Improvements to and extension of caravan park to replace toilet block with new toilet and laundry building, construct mower/equipment store, improvement and extension of access track and site mobile home unit to accommodate warden and office (resubmission of PA11/00793 refused 23/06/11)

Padstow Town Council – SUPPORTED PA11/07819 previously and Cornwall Council APPROVED with Conditions as noted below:

- 1 The development hereby permitted shall be begun before the expiration of three 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 undertaken in accordance with the drawings hereby approved, namely drawings 1786/01E; 1786/02A; 1786/03; 1786/04J; 1786/06; 1786/07 and 1786/07A.

Reason: To ensure that the development is undertaken in accordance with the approved details in the interests of good planning.

- 3 The total number of caravans permitted on site at any one time shall not exceed 30. Reason: In order to safeguard the character of the surrounding area in accordance with Saved Policies DVS1 and ENV1 of the North Cornwall District Local Plan 1999 and Saved Policy 2 of the Cornwall Structure Plan 2004.
- 4 The development hereby permitted shall not be brought into use except from April to October in each year.

Reason: In order to safeguard the character of the surrounding area in accordance with Saved Policies DVS1 and ENV1 of the North Cornwall District Local Plan 1999 and Saved Policy 2 of the Cornwall Structure Plan 2004.
- 5 The site shall not be used for the storage of caravans, including the Wardens mobile accommodation, when the development hereby permitted is not in use during the months of September to March in any year.

Reason: In order to safeguard the character of the surrounding area in accordance with Saved Policies DVS1 and ENV1 of the North Cornwall District Local Plan 1999 and Saved Policy 2 of the Cornwall Structure Plan 2004.
- 6 The Wardens mobile accommodation unit shall be used only to provide accommodation for an on-site warden/manager in association with the development hereby permitted.

Reason: In order to promote the efficiency and growth of an established holiday use in accordance with Saved Policies ECN13, ECN14 of the North Cornwall District Local Plan 1999 and Saved Policy 13 of the Cornwall Structure Plan 2004.
- 7 With the exception of the wardens unit, the development hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person/s sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of each individual unit on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To accord with development plan housing policies under which continuously occupied caravans would not normally be permitted on the site and the accommodation, by reason of its construction and/or design, is unsuitable for continuous occupation and in accordance with the aims and intentions of Saved Policy 13 of the Cornwall Structure Plan 2004.
- 8 This development shall not commence until full details of linear tree planting along the southern and eastern boundaries of the application site, as shown on application drawing 1786/04J, and boundary treatment along the western boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include planting plans; written specifications; schedules of plants noting species, plant sizes and proposed numbers/ densities where appropriate; implementation and retention plan. The scheme shall be fully implemented in accordance with the approved details before the use commences and retained thereafter unless varied by prior written approval of the local planning authority.

Reason: To screen views of the development in the interests of safeguarding the character of the surrounding area and for ecological benefit in accordance with the aims and intentions of saved Policy 2 of the Cornwall Structure Plan 2004 and saved Policy DVS1 of the North Cornwall Local Plan 1999. Informative: Boundary treatment along the eastern boundary of the site should be designed to provide a barrier between the development hereby permitted and the stream to the nearby south.

- 9 Prior to the commencement of the development, an adequate scheme for the protection of residential properties from noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented in accordance with the approved details before the use commences and retained thereafter unless varied by prior written approval of the local planning authority.

Reason: In order to protect the residential amenities of the locality in accordance with Saved Policy DVS3 of the North Cornwall District Local Plan 1999. Advice Note: The noise management plan should address how noise from guests will be controlled, for example no music after 10pm, signage and notice given to guests on arrival.

- 10 No grounds maintenance machinery shall be operated on the premises before 9am or after 5pm on any weekday, before 9am or after 1pm on any Saturday; nor at any time on Sundays, Bank Holidays or Public Holidays.

Reason: In order to protect the residential amenities of the locality in accordance with Saved Policy DVS3 of the North Cornwall District Local Plan 1999.

- 11 Prior to the commencement of the development, an adequate scheme to provide for a visibility sight line from the south of the access point hereby approved shall be submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented in accordance with the approved details before the use commences and retained thereafter unless varied by prior written approval of the local planning authority.

Reason: In the interests of maintaining a safe and efficient highway network in the area in accordance with saved Policy 28 of the Cornwall Structure Plan 2004 and saved policy DVS5 of the North Cornwall District Local Plan 1999.

- d) PA21/09609 27 Netherton Road Padstow PL28 8EG – Support Officer has no further information.
- e) PA21/10381 5 Luson Close Padstow PL28 8GB – Support Officer has no further information.
- f) PA21/10658 Trerethern Farm Padstow PL28 8LE - Proposed new restaurant incorporating farm shop (removal of existing farm shop building and replacement of previously approved pop-up seasonal restaurant and café)

For information previous temporary pop-up restaurant and café has been Supported by Padstow Town Council, for both application 2020 (PA20/01146) and 2019 (PA19/01088).