

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

In this report the Support Officer has provided a list of the decisions made by Cornwall Council since the last meeting, along with Padstow Town Council's consultee response to the application. Where Padstow Town Council submitted a specific comment in respect of an application, the Support Officer has checked the approval decision for any conditions relating to the comment and included these in the report below or provided details of the 5 day protocol information.

- a) **PA23/05516: 16 Cross Street, Padstow, PL28 8AT:** Non material amendment for application PA22/03099 (1 June 2022) for renovation, extensions including demolition of rear garage and stone outbuilding and associated works, namely the lowering of a portion of the roof line to create a flat roof at the proposed eaves level to the rear of the property where it adjoins 18 Cross Street. A change of material to dark grey coloured brick is also proposed for a localised part of the elevation. **SUPPORTED** by Padstow Town Council, **APPROVED 9 August 2023**
- b) **PA23/03124: 2 Ruthy's Lane, Padstow, PL28 8AZ:** Erect bi-folding metal gates in a traditional style to the driveway of the property. **SUPPORTED** by Padstow Town Council, provided compliance with Historic Environment's recommendations. **APPROVED 9 August 2023**, subject to the development permitted shall be carried out in strict accordance with the details contained within the Design and Access Statement, received 17 July 2023, and shall be retained as such thereafter. Reason: In the interest of the character and appearance of the listed building in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030.
- c) **PA23/04134: 2 Ruthy's Lane, Padstow, PL28 8AZ:** Listed building consent to effect bi-folding metal gates in a traditional style to the driveway of the property. **SUPPORTED** by Padstow Town Council, provided compliance with Historic Environment's recommendations. **APPROVED 9 August 2023**, subject to the development permitted shall be carried out in strict accordance with the details contained within the Design and Access Statement, received 17 July 2023, and shall be retained as such thereafter. Reason: In the interest of the character and appearance of the listed building in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030.
- d) **PA23/05456: 1 St Saviours Lane, Padstow, PL28 88D:** Works to trees in a Conservation Area for Oak (T1) – reduce. Pruning of branches over the garden of 1 St Saviours by 2-3m due to shading of the house. Oak (T2) – reduce. Pruning of branches over the garden of 1 St Saviours by 2-3m due to shading of the house. Oak (T3) – reduce. Pruning of branches over the garden of 1 St Saviours by 2-3m due to shading of the house. All works proposed to be carried out in winter months for optimal result. No comment was required by Padstow Town Council. **Cornwall Council decided not to make a Tree Preservation Order on the trees in the application and works approved to go ahead, 9 August 2023.**
- e) **PA23/00303: Granta, Trevone Road, Trevone, PL28 8QX:** Demolition of dwellinghouse and construction of new dwellinghouse with landscaping and parking. **NOT SUPPORTED** by Padstow Town Council, i) overlooking and unreasonable loss of privacy; ii) overshadowing and overbearing impact; iii) AONB officer's comments; and iv) out of character with street scene. **APPLICATION WITHDRAWN, dated 14 August 2023.**

- f) **PA23/06354: San Marcos, Upper Dobbin Lane, Padstow, PL28 8QR:** Non material amendment to application number PA22/01229 (14 June 2022) for first floor extension with some ground floor amendments, namely, changes to roof covering (slate instead of concrete tiles), first floor walls to be slate hung instead of horizontal boarding, and solar panel array to roof.

A request for an extension to the Council's arranged meeting on 12 September 2023 was declined. Cornwall Council responded that "Whilst comments from the Town Council are welcome, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) provision relating to a statutory consultation and publicity do not apply. Essentially the consultation letter is a notification of the proposed changes, but no formal response is required in these cases.

The original application ([PA22/01229](#)) was **SUPPORTED** by Padstow Town Council on 13 March 2022.

Following discussion with the Chairman of the Planning Committee, it was agreed that Padstow Town Council will not respond on this occasion due to timescale of deadline. **APPROVED 1 September 2023.**

- g) **PA23/04435: Waters Edge, North Quay, Padstow, PL28 8AF:** Replacement of existing steel frame balcony balustrades. Replacement of flat and sloping roof coverings, including rainwater goods and fascias. Repairs to quay walls. **SUPPORTED** by Padstow Town Council – as long as the conditions that Historic Environment Planning recommend imposing are adhered to. **APPROVED 4 September 2023** with the following conditions:

Notwithstanding the approved plans and prior to installation, the following shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in strict accordance with the approved details and/ or specification and retained as such thereafter. • Details for the proposed new balcony glazing and fixings • Details of the proposed roof slate and method of fixing, and details for the proposed rainwater goods system. Reason: To retain the character of the Conservation Area in accordance with Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and Section 16 of the National Planning Policy Framework 2021.

Prior to the commencement of any works to the quay wall a detailed specification and method statement for the repair, repointing and consolidation of the quay wall shall be submitted to the Local Planning Authority and approved in writing. Thereafter the works shall be carried out in strict accordance with the approved method statement and specification. Reason: To ensure the repair works to the quay wall are undertaken in a manner which safeguards the character and fabric of this historic structure and the special character of the Conservation Area in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan 2010 - 2030 and Section 16 of the National Planning Policy Framework 2021.

Agenda item 5ii: Applications to consider

On occasion Padstow Town Council is reconsulted on applications which have previously been discussed due to amended plans. Other times Council is asked to consider new applications which are linked to previous applications. To assist Committee in these circumstances, the Support Officer has included information that maybe helpful to the Committee, including Padstow Town Council's earlier comments.

- a) **PA23/06383: 24 Rainyfields, Padstow, PL28 8EZ:** Side extension, garage conversion and creation of annexe – **to add dormer to side elevation.**

Resubmission of application [PA21/01472](#) – this previous application was SUPPORTED by the Town Council on 31 March 2021, APPROVED by Cornwall Council on 15 April 2021.

- b) **PA23/06326: 4 Moyle Road, Padstow, Cornwall, PL28 8DG:** Demolition of existing conservatory, to be replaced with new flat roof ground floor extension.

Previous application [PA23/00690](#) submitted for the demolition of a garage, replace with new ground floor extension, internal alteration works, replacement roof covering and proposed addition of photovoltaic panes on the south elevation SUPPORTED by the Town Council on 15 February 2023 and approved by Cornwall Council on 27 March 2023.

- c) **PA23/06216: Aston Scott Ltd, 20 Middle Street, Padstow, PL28 8EP:** Advertisement consent for 1 halo illuminated fascia sign and 1 low level wall sign. No earlier application has been submitted for this address.

- d) **PA23/05616: 31 High Street, Padstow, PL28 8BB:** Extension to rear of cottage.

Previous application ([PA19/10773](#)) to extend rear elevation to dwelling and formation of two dormer windows to front and rear roof slopes SUPPORTED by Padstow Town Council on 12 February 2020, on the condition that the Conservation Officer was satisfied. This application was WITHDRAWN (no withdrawal date stated).

- e) **PA23/05617: 31 High Street, Padstow, PL28 8BB:** Listed Building Consent for extension to rear of cottage.

Previous application ([PA19/10774](#)) to extend rear elevation to dwelling and formation of two dormer windows to front and rear roof slopes SUPPORTED by Padstow Town Council on 12 February 2020, on the condition that the Conservation Officer was satisfied. This application was WITHDRAWN (no withdrawal date stated).

- f) **PA23/06741: The Clipper Restaurant, 4-6 Mill Square, Padstow, PL28 8AE:** Replacement of existing restaurant glazed frontage with new glazed frontage with parapet planter above to receive new signage.

No similar application previously submitted.

- g) **PA23/06012: Treverbyn Guest House, Station Road, Padstow, PL28 8DA:** Change of use from a guest house to a single residential dwelling.

No similar application previously submitted.

- h) **PA23/06865: 4-6 St Edmunds Lane Padstow Cornwall PL28 8BZ:** Planning and Conservation Area Consent for the formation of an undergarden store – for bins, laundry and general stores.

No similar application previously submitted.

- i) **PA23/06912: 2 Sarahs Lane Padstow Cornwall PL28 8EN** – Single storey extension.

No similar application previously submitted.

Agenda Item 5iii: 5-day protocol

Details of 5-day protocol received and response made

PA23/05074: 4 Lodenek Avenue, Padstow: Two storey side extension incorporating a new utility, dining room and within the roof space over a repositioned larger ensuite bathroom for the master bedroom. Padstow Town Council **SUPPORTED** this application on 12 July 2023.

Members of the Planning Committee were forwarded details of the 5-day protocol and response by email on 25 August 2023 for information.

5-Day Protocol received on 14 August 2023 from Cornwall Council Development Officer, advising: "...following careful consideration of all the material planning considerations, in this instance I feel that it is appropriate to recommend refusal of the application. Under these circumstances, please can you confirm that on this occasion we may agree to disagree? If I do not hear from you within the next 5 working days, I will assume that this is the case.

The reasons why I am recommending refusal are:

This application follows a previous refusal, reference PA23/00670. Despite the option of free pre-application advice available following a refusal/withdrawal this was not undertaken and the above revised scheme was submitted. The revised scheme reduces the ridge and eaves heights from that of the previous refusal, the proposal still retains first floor accommodation but this is to be built into the proposed roofslope. The previous application was refused due to the impact on the neighbour at no 2, these neighbours are in a more unique situation in comparison to most properties as they sit at a right angle to each other so extensions are going to have a greater impact. The revised scheme, whilst reduced in height, is still felt to have a significantly harmful and unacceptable impact on the adjoining neighbour and the reasons for refusal on the previous application remain for this revised scheme. I have included the previous reason below. I have also attached a photo taken from within the garden of no 2 which demonstrates how they will be impacted, they have also objected to the scheme.

'The proposed development through its scale, massing and proximity to the neighbouring property would represent an overbearing and oppressive structure that would also result in a loss of light and would thereby unacceptably erode the enjoyment and utility of the garden land of no.2 Lodenek Avenue. The development therefore conflicts with policy 12 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraph 130 of the National Planning Policy Framework 2021.'

At the Planning Committee meeting on 12 July 2023, Councillor O'Keefe had declared an interest on this application and Councillor Higman chaired this item at the meeting.

Councillor Higman responded to the 5-day protocol, his comments supported by the Town Clerk advising "The applicants are in their primary residence and are trying to improve their property, whereas No 2 Lodenek Avenue is a rental property and I feel we should try to help residents where possible as other residents in Lodenek Avenue have been allowed to extend their properties. I request that the application is determined by Cornwall Council Planning Committee (which the Planning Officer will then discuss with the Divisional Member who may or may not disagree with our view)"

In accordance with the Town Council's Planning Procedure (5) it is important for a representative from the Town Council to attend and speak at the Cornwall Council Planning Committee meetings so that the committee can fully understand the Town Council's reasons for proposing a decision which is contrary to that of the Case Officer.

Committee to nominate a representative to attend and speak at the Cornwall Council Planning Committee

The Town Council Planning Committee will be updated as to Cornwall Council's response and proposed date for their Planning Committee meeting, once received.

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 by viewing the Cornwall Council Online Planning Register at www.cornwall.gov.uk.