

PADSTOW TOWN COUNCIL

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6 March 2024

TO: MEMBERS OF THE PLANNING COMMITTEE

Councillors J O'Keefe (Chairman), R Higman (Vice Chairman), Mrs J Colwill, P Curgenvan, Mrs J Dawe and Mrs T Walter

Dear Member

All Members of the Committee are hereby summoned to attend a meeting of the **PLANNING COMMITTEE** at the **Council Offices, Station House, Station Road, Padstow** on **TUESDAY 12 MARCH 2024 at 7.15 pm or on the rising of the Highways, Roads and Transport Committee** for the purpose of considering and resolving upon the business to be transacted as set out hereunder.

Yours faithfully


Kathy Pemberton
Town Clerk

AGENDA

Public & Press are invited to attend

1. To receive **apologies for absence and announcements (if any)**
2. To receive **declarations of interest** relating to items on the agenda in accordance with Padstow Town Council's code of conduct.
3. **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.
4. **To agree the minutes** of the meeting held on **Tuesday 13 February 2024.** p1-3
5. **Planning**
 - i. **To advise of Cornwall Council planning decisions:**
 - a) **PA23/08578: Trerethan Farm, Padstow:** Revised proposal in respect of previously approved development PA21/10658 for proposed new restaurant incorporating farm shop at Trerethan Farm (removal of existing farm shop building and replacement of previously approved pop-up seasonal restaurant and café). **APPROVED** p4-5
 - b) **PA23/09641: Creddis Farm, High Lanes, Wadebridge:** Proposed partial demolition, conversion and extension of redundant agricultural building to form annexe land at Creddis Farm, landscaping, drainage and associated works. p.5-6

- REFUSED**
- c) **PA23/10302: Fentonluna House, Fentonluna Lane, Padstow:** Listed Building Consent for the retention of works previously undertaken without consent. p. 6.
APPROVED
- d) **PA23/10293: Trevoseen, Dobbin Road, Trevone, Padstow:** Demolition of attached garage and construction of single-storey extension to existing two-storey house. p. 6.
APPROVED
- e) **PA23/07807: Creddis Farm, High Lanes, Wadebridge:** Proposed replacement of the existing farmhouse and farm buildings with a new zero carbon farmhouse, shepherds hut, bothy and PV array. p. 6.-9
APPROVED
- f) **PA23/09982: 6 Moyle Road, Padstow, PL28 8DG:** Variation of Condition 2 (approved plans) of Application No: [PA21/11676](#) dated 2 March 2022 – Proposed rear extension, new front porch extension, front balcony and internal alterations plus addition of dormer window and single storey extension. Resubmission of PA20/06450. p. 9.
APPROVED
- g) **PA24/00606: 17 Barrys Lane, Padstow, PL28 8AU:** Non-material amendment to decision [PA21/05604](#) dated 19 November 2021 for an additional change to the rear courtyard, ground floor kitchen window: p. 9-10
APPROVED
- h) **PA22/00802: Land North East of Trevone Farm, Trevone Road, Padstow, PL28 8QJ:** Erection of an affordable dwelling and the provision of a new vehicular access at land North East of Trevone Farm: p. 10
APPROVED
- i) **PA24/00277: Link Road Car Park, Padstow, PL28 8DT:** Work to trees subject to a Tree Preservation Order (TPO), works include reduce T5 Ash to leave a 5 mere monolith stem. p. 11
APPROVED
- j) **PA23/10307: 7 Porthmissen Close, Trevone, Padstow, PL28 8FU:** Rear extension to the property to provide additional habitable living space. Adding dormer windows at first floor to allow natural light and ventilation to the rooms. p. 11.
APPROVED

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

- a) **PA24/00856: Rock View, Station Road, Padstow:** Proposed 6 unit residential development consisting of: Internal reconfiguration of existing house and addition of loft extension, 3No 2-storey terrace units fronting onto Dennis Road, 1No storey units partially buried. Proposal includes some demolition of existing outhouses and extension to existing house plus earthworks and regrading throughout site. p. 11-12
- b) **PA24/00683: Old Meadow, Dobbin Lane, Trevone, Padstow:** Small extension to the side of original house (annexe) creating extra living space for elderly relative. p. 12
- c) **PA24/01422: Prideaux Place, Tregirls Lane, Padstow:** Works to trees covered by a Tree Preservation Order (TPO): G1 Group of Laurel and Bay, pollard to approx. 1.5m to establish a hedge. G2 Group of three mature lime trees, remove trunk epicormic growth. T1 Sycamore, remove four limbs. T2 Lime, remove one limb and remove trunk epicormic growth. p. 12.

6. To note date of next meeting: Tuesday 9 April 2024 at 7.00 pm

PADSTOW TOWN COUNCIL

Minutes of the Planning Committee meeting held on Tuesday 13 February 2024 at the Council Chamber, Station House, Station Road, Padstow at 7.00 pm

Present: Councillors J O’Keefe (Chairman), R Higman (Vice-Chairman),
P Curgenvan, Mrs J Dawe, Mrs J Colwill and Mrs T Walter

In Attendance: S Daly (Assistant Town Clerk/Assistant RFO), S Ford (Council
Support Officer, Minute Taker) and 1 member of the public.

P2023/75 Apologies and Announcements: i) No apologies were received.
ii) There were no announcements.

P2023/76 Declarations of interest: Councillor Higman declared an
interest in Item 5ii d) – Application PA23/09049: Granta, Trevone
Road, Trevone.

P2023/77 Public Participation:
Councillor Higman left the meeting.
One member of the public attended the meeting in opposition of
agenda item 5ii d) PA23/09049: Granta, Trevone Road, Trevone,
Padstow, PL28 8QX:

Comments included:

- Revised plans do not address the previous objections by Padstow Town Council, South West Water, local residents and Cornwall National Landscape;
- The revised plans should seek to address and improve. Revisions are very limited, still over-development of site;
- No revision to mass of revised plans and remains overbearing;
- No amendment to glazing, light spillage, intrusive dormers across neighbours;
- Revised plans still have two balconies which are now more open and overlooking neighbours;
- Out of street style;
- Anticipate noise nuisance from balconies;
- A total contrast to the existing dwelling;
- Consider will impact on surrounding landscape and its natural beauty;
- Accepts that the property will be updated but there has been a lack of regard for neighbours;
- Believe applicant continues to ignore expert advice and local opinion.

Councillor Higman returned to the meeting.

P2023/78 **RESOLVED** that the **Minutes** of the meetings held on **Tuesday 9 January 2024 and Tuesday 30 January 2024** be signed as a true record subject to the following amendment: Amendment to minutes of 9 January 2024: Councillor Mrs J Colwill was in attendance at the meeting.

P2023/79 **Planning**

i. The following Cornwall Council planning decisions were noted:

- a) **[PA23/07965](#): Padstow Holiday Park, Padstow, PL28 8LB**: Additional pitch for static caravan. **APPROVED**
- b) **[PA23/07755](#): Land Adjacent 18 Polpennic Drive, Padstow, PL28 8FL**: Construction of two storey single dwelling and garage. **WITHDRAWN**
- c) **[PA23/09623](#): New Build on Land West of 29 Grenville Road, Padstow, PL28 8EX**: Proposed side single storey extension. **APPROVED**
- d) **[PA23/09474](#): Lobcray Cottage, 24A Church Lane, Padstow, Cornwall, PL28 8AY**: Alterations to existing property and formation of improved parking area. **APPROVED**
- e) **[PA23/09289](#): 15 Treverbyn Road, Padstow, PL28 8DW**: Replacement dwelling. **APPROVED**
- f) **[PA23/07540](#): Quayside Cottage, Market Strand, Padstow, PL28 8AH**: Remove existing ground and first floor sash window, enlarge the openings and replace with bespoke joinery made bi-fold doors to match main restaurant elevations. Provide to the first floor doors a wrought iron balustrade to form Juliet balcony to match main restaurant first floor openings. **WITHDRAWN**

P2023/80 **ii RESOLVED to make the following planning application responses to the Planning Authority (Cornwall Council):**

- a) **[PA24/00277](#): Link Road Car Park, Padstow**: Works to trees subject to a Tree Preservation Order (TPO), works include reduce T5 Ash to leave a 5 metre monolith stem. **SUPPORTED**
- b) **[PA23/10302](#): Fentonluna House, Fentonluna Lane, Padstow**: Listed Building Consent for the retention of works previously undertaken without consent. **SUPPORTED**

- c) **[PA24/00606](#): 17 Barrys Lane, Padstow, PL28 8AU**: Non-material amendment to decision **[PA21/05604](#)** dated 19 November 2021 for an additional change to the rear courtyard, ground floor kitchen window.

SUPPORTED

Councillor Higman left the meeting.

- d) **[PA23/09049](#): Granta, Trevone Road, Trevone, Padstow, PL28 8QX**: Demolition and replacement of dwelling. **NOT SUPPORTED i) overbearing; ii) not in keeping with street scene; iii) loss of light; iv) inadequate parking.**

Councillor Higman returned to the meeting.

- e) **[PA23/08836](#): Plantation, North of Hill Street, Padstow**: Works to trees under a tree preservation order (TPO) namely: 26 (Sycamore) reduce canopy spread to south edge of path; 20/part of G2 (Ash) fell and 18 (Lime) remove the basal shoots.

SUPPORTED

- f) **[PA24/00765](#): The Clipper Restaurant, 4-6 Mill Square, Padstow**: Fascia and Awning and various signwriting and replacement neon sign.

SUPPORT Awning and signage at entrance to Clipper but do NOT SUPPORT signage on the actual building attached to the Clipper and neon sign.

P2023/81 iii Application Updates for information

Application update for information was noted, namely:

- a) **[PA23/01057](#): Land East of 1 Sarah's Meadow, Padstow, PL28 8LX**: Application for Permission in Principle for the construction of a dwelling. Outcome of Planning Inspectorate Appeal.

P2023/82 Date of Next Meeting: Tuesday 12 March 2024, 7.15pm, or on the rising of the Highways, Roads and Transport Committee.

Meeting closed at 7.32pm

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) **PA23/08578: Trerethan Farm, Padstow:** Revised proposal in respect of previously approved development PA21/10658 for proposed new restaurant incorporating farm shop at Trerethan Farm (removal of existing farm shop building and replacement of previously approved pop-up seasonal restaurant and café).

Padstow Town Council: **SUPPORTED**

Cornwall Council: **APPROVED** subject to the following conditions:

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.

The restaurant and retail element (noted as 'farm shop' on approved plan 1858 6) hereby approved shall be owned and operated in connection with the farm holding known as Trerethern Farm as identified by Plan 1858 3 and shall not be sold off separately from the holding. Reason: The site is in a rural location and is supported as a diversification activity to help support the farming enterprise in accordance with Policies 2 (3c) and 5 (1c) of the Cornwall Local Plan 2010-2030 and Policy PAD3 of the Padstow Parish Neighbourhood Plan 2018-2030. It must therefore remain part of this farming enterprise.

Retail sales to visiting members of the public for off-site consumption shall be limited to produce grown on Trerethern Farm as identified on plan 1858 3. Any item on display within the farm shop that is not grown/produced on Trerethern Farm shall be for on-site consumption only in connection with the restaurant and specifically there shall be no retail sales to visiting members of the public of these items for off-site consumption. Reason: The site is in a rural location where only the sale of produce grown on the farm can be supported as a diversification activity to help support the farming enterprise in accordance with Policies 2 (3c) and 5 (1c) of the Cornwall Local Plan 2010-2030 and Policy PAD3 of the Padstow Parish Neighbourhood Plan 2018-2030.

Prior to the development hereby approved being brought into use all infrastructure relating to the pop up restaurant as approved by decision PA20/01146 shall be removed from the land and no further pop up restaurants shall be undertaken on this site thereafter. Reason: In order to protect the character and appearance of the site within an Area of Outstanding Natural Beauty in accordance with Policy 23 of the Cornwall Local Plan 2010-2030 and Policy PAD1 of the Padstow Parish Neighbourhood Plan 2018-2030. SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA23/08578 YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES. DATED: 7 February 2024 Louise Wood - Service Director Planning and Housing (Chief Planner Officer) IDOX/ACFULZ

The restaurant and retail element (noted as 'farm shop' on approved plan 1858 6) hereby approved shall not operate before 1200hours and after 2300hours on any day. Reason: In the interests of residential amenity and in accordance with Policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030

The premises shall be used for class E (a) and E (b) use only and for no other purpose (including any other purpose within Class E; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or reenacting that Order with or without modification). Reason: To enable the Local Planning Authority to retain control over other uses that might harm the amenities of the area and to ensure that the development remains in accordance with development plan policies for this countryside location, and in accordance with policies 1, 2, 5, 12, 13, 23 and 27 of the Cornwall Local Plan 2010-2030, Policies PAD1 and PAD3 of the Padstow Parish Neighbourhood Plan 2018-2030 and guidance within the National Planning Policy Framework 2023 with particular regard to paragraphs 8, 55, 88, 89, 108, 109, 114, 180 and 182.

The class E (a) retail element of the development hereby approved shall not exceed the floor area shown on plan 1858 6. Reason: To ensure that the retail element remains an ancillary use to the overall development to remain in accordance with development plan policies that control development in the countryside in accordance with Policies 1, 2, 5, 12, 13, 23 and 27 of the Cornwall Local Plan 2010-2030, Policies PAD1 and PAD3 of the Padstow Parish Neighbourhood Plan 2018-2030 and guidance within the National Planning Policy Framework 2023 with particular regard to paragraphs 8, 55, 88, 89, 108, 109, 114, 180 and 182.

Cornwall Council advises that developers should be made aware of their obligations regarding the public right of way, as follows: - the applicants should ensure that they have private access rights to drive on the public right of way; - the surface/width of the bridleway should not be altered - prior consent would be needed to do so; - no building materials must be stored on the right of way; - vehicle movements must be arranged so as not to interfere with the public's use of the way; - the safety of members of the public using the right of way must be ensured at all times; - no additional barriers (eg gates) are to be placed across the right of way; - there must be no diminution in the width of the right of way available for use by members of the public; - no damage or alteration must be caused to the surface of the right of way; and - wildlife mitigation fencing must not be placed across the right of way.

The applicant's attention is drawn to the requirement under Building Regulations Approved Document Part S that new non-residential developments must incorporate electric vehicle charging points.

- b) **PA23/09641: Creddis Farm, High Lanes, Wadebridge:** Proposed partial demolition, conversion and extension of redundant agricultural building to form annexe land at Creddis Farm, landscaping, drainage and associated works.

Padstow Town Council: **Supported on the condition that i) Public Protection Contaminated Land Planning Consultees conditions are included and implemented, ii) occupation be only for members of family, not used by paying guests; and iii) must remain annexe to original dwelling and not sold separately.**

Following receipt of a 5-day protocol from Cornwall Council received 30 January 2024, Padstow Town Council responded to "2: Agree with my recommendations".

Cornwall Council: **REFUSED** as below:

No special justification has been provided for a dwelling in the countryside, which is not considered to be annexe accommodation, and is considered to be beyond the realms of

conversion. The proposal causes conflict with the spatial strategy pursued under the development plan and causes landscape harm within the National Landscape. The proposal is contrary to the aims and objectives of Policies 1, 2, 3, 7, 9, 21 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030, paragraphs 8, 96, 108, 109, 116, 135, 180, 182 of the National Planning Policy Framework 2023, Policies C1 and G1 of the Climate Emergency Development Plan Document 2023 and Policies PD-P1, PD-P2, PD-P11 and PDP18 of the Cornwall Area of Outstanding Natural Beauty Management Plan 2022- 2027. The modest benefits of the proposal do not outweigh the landscape harm and conflict with the spatial strategy and does not amount to sustainable development.

- c) **PA23/10302: Fentonluna House, Fentonluna Lane, Padstow:** Listed Building Consent for the retention of works previously undertaken without consent.
Padstow Town Council: **SUPPORTED**
Cornwall Council: **APPROVED**

- d) **PA23/10293: Trevoseen, Dobbin Road, Trevone, Padstow:** Demolition of attached garage and construction of single-storey extension to existing two-storey house.
Padstow Town Council: **SUPPORTED on the condition i) that occupation be only for members of family, not used by paying guests; ii) must remain annexe to original dwelling and not sold separately.**
Cornwall Council: **APPROVED** with the following condition:

The development hereby permitted shall only be occupied by members of the family or non paying guests of the occupiers of the dwelling known as Trevoseen and shall not be used, sold or let at any time as a separate residential 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 Policy 12 of the Cornwall Local Plan Strategic Policies 2010- 2030 and section 12 of the National Planning Policy Framework 2023.

- e) **PA23/07807: Creddis Farm, High Lanes, Wadebridge:** Proposed replacement of the existing farmhouse and farm buildings with a new zero carbon farmhouse, shepherds hut, bothy and PV array.
Padstow Town Council: **SUPPORTED**
Cornwall Council: **APPROVED** with the following conditions:

The bothy hereby permitted shall only be occupied by members of the family or non-paying guests of the occupiers of the dwelling known as Creddis Farm and shall not be sold, let or used at any time as a separate residential unit of accommodation. Reason: The Local Planning Authority consider that the proposed bothy is in a countryside location that would otherwise be considered unacceptable for the creation of new independent residential dwellings contrary to policies 1, 2, 3, 7, 9, 12, 13, 21 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

The shepherds hut hereby permitted shall only be occupied by members of the family or non-paying guests of the occupiers of the dwelling known as Creddis Farm and shall not be sold, let or used at any time as a separate residential unit of accommodation. Reason: The Local Planning Authority consider that the proposed shepherds hut is in a countryside location that would otherwise be considered unacceptable for the creation

of new independent residential dwellings contrary to policies 1, 2, 3, 7, 9, 12, 13, 21 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

The development hereby approved shall be constructed in accordance with the recommendations within Chapter 7 of the submitted ecological survey 'Cornwall Environmental Consultants Ltd - Ecological Impact Assessment dated 23 January 2024.' Reason: To protect against and enhance protected species and in accordance with policy 23 of the Cornwall Local Plan 2010-2030 and section 15 of the National Planning Policy Framework 2023.

The development hereby permitted shall be carried out in accordance with the energy and water efficiency measures and renewable energy provision detailed in the approved Energy Statement, prepared by Sustainable Construction Services received 12 October 2023. The agreed details shall be implemented with the construction of the dwelling and thereafter retained and maintained. Reason: To secure the sustainable energy and construction details in accordance with Policy SEC1 of the Climate Emergency DPD 2023.

Prior to the construction of the dwelling hereby approved, a scheme for the incorporation of bat boxes and bird boxes and bee bricks at a minimum rate of one measure per dwelling shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the location and specific details of each feature. The approved features shall be installed prior to the occupation of the dwelling to which they relate and shall thereafter be retained and maintained as such. Reason: To accord with policy G1-10 of the Climate Emergency Development Plan Document 2023 and policies 1, 2 and 23 of the Cornwall Local Plan Strategic Policies 2020- 2030 and paragraphs 8 and 180 of the National Planning Policy Framework 2023.

No development, other than demolition of any buildings or structures, shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Land contamination risk management (LCRM), (or equivalent British Standard and Land contamination risk management if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include: a survey of the extent, scale and nature of contamination; the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments. Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2023 with specific reference to paragraphs 180, 189, 190 and 191 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016. A pre-commencement condition is required in this case because it is essential to establish before any works takes place the nature and extent of any ground contamination in order to safeguard the health of workers taking part in the development of the site and to ensure the appropriate design and subsequent safe occupation of the development.

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk

assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2023 with specific reference to paragraphs 180, 189, 190 and 191 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016. A pre-commencement condition is required in this case because it is essential to establish before any works takes place the nature and extent of any ground contamination in order to safeguard the health of workers taking part in the development of the site and to ensure the appropriate design and subsequent safe occupation of the development.

The approved remediation scheme in condition (2) shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner that demonstrates the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority before the development [or relevant phase of development] is occupied. Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2023 with specific reference to paragraphs 180, 189, 190 and 191 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016.

Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported in writing immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development [or relevant phase of development] is resumed or continued. Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2023 with specific reference to paragraphs 180, 189, 190 and 191 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016.

Prior to the occupation of the dwelling hereby approved the existing dwelling shown within the red line shall be demolished. Reason: The Local Planning Authority consider that the application site is in a countryside location that would otherwise be considered unacceptable for the creation of a new independent dwelling in addition to the retention of the existing dwelling contrary to policies 1, 2, 3, 7, 9, 12, 13, 21 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

No development, demolition or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to bats has been obtained for the proposed work. It is an offence to deliberately capture, kill, disturb or injure EPS or to damage or destroy their breeding sites or resting places. This planning permission does not provide consent to undertake works that require an EPS licence. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Developers/ contractors will need to take further advice from Natural England on the need for a European Protected Species Licence to undertake works within the law. You can apply via; European protected species: apply for a mitigation licence (A12) - GOV.UK (www.gov.uk) Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

- f) **PA23/09982: 6 Moyle Road, Padstow, PL28 8DG:** Variation of Condition 2 (approved plans) of Application No: [PA21/11676](#) dated 2 March 2022 – Proposed rear extension, new front porch extension, front balcony and internal alterations plus addition of dormer window and single storey extension. Resubmission of PA20/06450.

Padstow Town Council: **SUPPORTED provided no overlooking issues**
Cornwall Council: **APPROVED** with the following conditions:

The proposal shall be commenced within the initial time limit of the original consent for PA21/11676 which expires 02 March 2025. 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).

The development hereby permitted shall be carried out in accordance with the plans approved as part of PA21/11676 as amended by approved drawing PL01 REV H and PL02 REV J received on the 07 December 2023. Reason: For the avoidance of doubt and in the interests of proper planning.

With the exception of the window and external door openings shown on approved drawing no PL02 REV J, no new openings shall be added to the east, south or west elevations. Reason: To protect the privacy of occupants of the dwellings known as 1, 2 and 3 Porthilly View and 5 Moyle Road respectively; and in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 17 of the National Planning Policy Framework 2023.

Before the first use of the extension hereby permitted, the dormer window on the east elevation shall be fitted with obscure glazing, as shown on approved drawing PL02 REV J, and shall be permanently retained in that condition thereafter. Reason: To protect the privacy of the occupants of the dwellings known as 1 and 2 Porthilly View and in accordance with Policy 12 of the Cornwall Local Plan 2016 and paragraph 17 of the National Planning Policy Framework 2023.

- g) **PA24/00606: 17 Barrys Lane, Padstow, PL28 8AU:** Non-material amendment to decision [PA21/05604](#) dated 19 November 2021 for an additional change to the rear courtyard, ground floor kitchen window
Padstow Town Council: **SUPPORTED**
Cornwall Council: **APPROVED** with the following conditions:

The plan(s) listed below are those approved. The development must be undertaken in accordance with approved plans on the original application except where amended by

those below. No substitution should be made without the prior consent from the local planning authority. Failure to adhere to the details of the approved plans or to comply with the conditions on the original planning permission constitutes a contravention of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.

Proposed BL_121 REV E received 24/01/24 Proposed BL_110 REV A received 30/01/24
Site/location Plan BL_001 received 24/01/24.

This permission is granted for the following reason(s): The proposed amendment to approved application PA21/05604 as per the submitted plans is considered to constitute a non-material amendment as set out within Section 96A of the Town and Country Planning Act 1990 and as such a new planning application is not required.

Please note that this is not a decision under building regulations and separate consent may be required.

- h) **PA22/00802: Land North East of Trevone Farm, Trevone Road, Padstow, PL28 8QJ:** Erection of an affordable dwelling and the provision of a new vehicular access at land North East of Trevone Farm:

Padstow Town Council: **SUPPORTED as long as it remains a private residence**
Cornwall Council: **APPROVED** with the following conditions:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no development within Classes A, B, C, D and E of Part 1 of Schedule 2 to the said Order shall be carried out without an express grant of planning permission, namely: The enlargement, improvement or other alteration of the dwellinghouse; The enlargement of the dwellinghouse consisting of an addition or alteration to its roof; Any other alterations to the roof of the dwellinghouse; The erection or construction of a porch outside any external door of a dwellinghouse; The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure. Reason: To retain control over the size of the dwelling to ensure it remains within the limitations of an affordable home in accordance with policy 8 of the Cornwall Local Plan Strategic Policies 2010-2030.

The development hereby permitted shall not commence until the installation of a system for the disposal of surface water on the site has been completed in accordance with the details which shall first have been submitted to and approved in writing by the Local Planning Authority. The details shall include a programme for maintaining the system. The system shall be retained and maintained thereafter in accordance with the approved details. Reason: To avoid flooding and in the interests of water quality and the residential amenities of future occupiers, in accordance with the aims and intentions of policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030.

A pre commencement condition is required as the site is within an area susceptible to surface water flooding and the development has potential to increase this risk without suitable surface water management within the site.

This new property is also subject to a S106 agreement.

- i) **PA24/00277: Link Road Car Park, Padstow, PL28 8DT:** Work to trees subject to a Tree Preservation Order (TPO), works include reduce T5 Ash to leave a 5 mere monolith stem.
Padstow Town Council: **SUPPORTED**
Cornwall Council: **APPROVED** with the following conditions:

All work granted by this consent shall be implemented in accordance with good arboricultural practice as specified by BS 3998:2010 - Recommendations - Tree Work.
Reason: In the interests of good arboricultural practice and public amenity.

In the planting season following the removal of the Ash hereby permitted one light standard Quercus robur (Pedunculate Oak) shall be planted in accordance with the details submitted in the Tree Report dated 28th December 2023. The replacement tree shall be retained and if it is removed, becomes seriously damaged or diseased or dies within 5 years of planting, it shall be replaced with a tree of the same species and stock size, at the same location. Reason: in the interests of good arboricultural practice and public amenity.

- j) **PA23/10307: 7 Porthmissen Close, Trevone, Padstow, PL28 8FU:** Rear extension to the property to provide additional habitable living space. Adding dormer windows at first floor to allow natural light and ventilation to the rooms.
Padstow Town Council: **SUPPORTED subject to approval from the Housing Association**
Cornwall Council: **APPROVED**

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) **PA24/00856: Rock View, Station Road, Padstow:** Proposed 6-unit residential development consisting of: Internal reconfiguration of existing house and addition of loft extension, 3No 2-storey terrace units fronting onto Dennis Road, 1No storey units partially buried. Proposal includes some demolition of existing outhouses and extension to existing house plus earthworks and regrading throughout site.

An application for development of this site was previously submitted in 2023 - [PA23/05779](#) a proposed 9-unit residential development consisting of conversion of existing house into two apartments, plus rear two storey extension forming additional two units, 3No three storey terrace units fronting onto Dennis Road, 2No storey units partially buried. Proposal includes some demolition of existing outhouses and extension to existing house, plus earthworks and regrading throughout site. This application was **NOT SUPPORTED** by Padstow Town Council: **i) Principal Residence requirement as per Padstow Parish NDP PAD11; ii) Overdevelopment of site; iii) Out of keeping with street scene; iv) Does not appear to be a mix of housing to reflect housing needs; v) No confirmation that affordable housing will be included; v) Parking issues.**

This application was **WITHDRAWN**.

In addition to this application, planning permission for the erection of a three bed dwelling on land to the West of Rock View was **SUPPORTED** by the Town Council,

subject being in keeping with the surrounding area and **APPROVED** by Cornwall Council in July 2017 ([PA19/03229](#)).

- b) **PA24/00683: Old Meadow, Dobbin Lane, Trevone, Padstow:** Small extension to the side of original house (annexe) creating extra living space for elderly relative.

There have been no previous planning applications for this address.

PA23/08697: Certificate of lawfulness for the proposed development of a proposed side extension to be used as additional living space was REFUSED by Cornwall Council on 22 January 2024 on the basis of the documentation provided, the Local Planning Authority considers that the proposed side extension, at Old Meadow Dobbin Lane Trevone Padstow Cornwall PL28 8QP would require planning permission as the works do not fall within the limitations and restrictions of Permitted Development as set out under Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This is because the site is within the Carnewas to Stepper Point Cornwall National Landscape (AONB), article 2(3) land, and the development would extend beyond a wall which forms the principal elevation of the original dwellinghouse A.1(e)(i), as well as a wall forming a side elevation A.2(b) and would include the cladding of the extension A.2(a).

Planning Permission has now been sought with the above application submission of PA23/00683.

- c) **PA24/01422: Prideaux Place, Tregirls Lane, Padstow:** Works to trees covered by a Tree Preservation Order (TPO): G1 Group of Laurel and Bay, pollard to approx. 1.5m to establish a hedge. G2 Group of three mature lime trees, remove trunk epicormic growth. T1 Sycamore, remove four limbs. T2 Lime, remove one limb and remove trunk epicormic growth.

There have been a number of previous applications for works to trees covered by a Tree Preservation Order at this address. Padstow Town Council have previously **SUPPORTED** all applications. In instances where trees are removed, the Town Council **SUPPORTED providing the Tree Inspection Officer is supportive and any replanting is using native species to the area.**

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.