

PADSTOW TOWN COUNCIL - PLANNING COMMITTEE: TUESDAY 11 JUNE 2024

Agenda item 6i: 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) [PA24/00683](#): **Old Meadow, Dobbin Lane, Trevone, Padstow**: Single storey side extension.

Padstow Town Council: **SUPPORTED on the condition i) that occupation be only for members of family, not used for 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 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. PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION: Site/location Plan Location Plan received 20/02/24 Block Plan TQRQM24042133905693 received 20/02/24 Existing OMNWE 1A received 20/02/24 Proposed OMNWE 2A received 20/02/24 Existing OMSWE 1A received 20/02/24 Proposed OMSWE 2A received 20/02/24 Existing OMFP 1 received 20/02/24 Proposed OMFP2 A received 20/02/24.

- b) [PA23/03658](#): **The Annexe, Puffins, Trevone Road, Trevone, Padstow**: Change of use to annexe/holiday let, erection of first floor addition, including side and rear single storey flat roofed extensions, along with formation of new parking area.

Padstow Town Council: **i) SUPPORTED erection of first floor addition, including side and rear single storey flat roofed extensions, along with formation of new parking area; ii) NOT SUPPORTED change of use to annexe/ holiday let – use should be for occupation only for members of family, not used for paying guests and must remain annexe to original dwelling and not sold separately.**

Following Padstow Town Council's response, a 5-day protocol request was received from Cornwall Council. The Town Council's response on 7 May 2024 was "Agree to Disagree".

Cornwall Council: **APPROVED** with the following 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 The development hereby permitted shall only be occupied: i) By members of the family or non-paying guests of the occupiers of the dwelling known as "The Annexe Puffins Trevone Road Trevone Padstow Cornwall PL28 8QX" and shall not be used at any time as a separate residential unit of accommodation; or ii) as a holiday letting unit which shall be

used for holiday accommodation ancillary to the host dwelling known as " The Annexe Puffins Trevone Road Trevone Padstow Cornwall PL28 8QX " and for no other purpose, including any purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (or any order that amends or revokes and/or re-enacts that order). As a holiday let, the unit shall not be occupied by any one person for more than 28 days in any calendar year. The dwelling known as " The Annexe Puffins Trevone Road Trevone Padstow Cornwall PL28 8QX " and the letting unit shall be maintained as a single planning unit. The owner shall keep an up-to date written register of the details of all occupiers of the letting unit, including their names and main home addresses, and shall make it available for inspection by the Local Planning Authority at all reasonable times. Reason: The Local Planning Authority considers that the holiday letting unit hereby permitted would be inappropriate for occupation independent of the host dwelling, by virtue of the physical relationship between the two which would create inadequate levels of residential amenity for the occupiers of both, in accordance with the aims and intentions of Policies 5, 12 and 13 of the Cornwall Local Plan Strategic Policies 2010-2030.

4 The development hereby permitted shall be carried out in strict accordance with the recommendations, mitigation and enhancement as set out in preliminary visual assessment for bats and breeding birds undertaken by Western Ecology, ref. WOR- 4109, received 30 October 2023. The hedge proposed alongside the western boundary of the new parking area, as shown on approved drawings no. 22271/05, 22271/06, shall be planted in the first planting and seeding seasons following the occupation of the development hereby permitted. Any plants which within a period of five years from their implementation die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species as those originally planted. Reason: In the interests of protecting and minimising impacts on biodiversity, and to deliver environmental and biodiversity benefits in accordance with Policy 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

ANY ADDITIONAL INFORMATION:

- Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is no less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.
- The Council would strongly advise that you should not net trees and hedgerows on the development site either before or during construction to ensure the safeguarding of local wildlife and habitats. The Council would remind you that the active nests of all wild birds are protected under the Wildlife & Countryside Act 1981. All clearance, conversion and demolition work in association with the approved scheme should normally be carried out outside of the bird nesting season which runs from March to September inclusive. Note: If it is necessary for work to commence in the nesting season then a precommencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

- c) [PA24/02046](#): **Meriton, Dobbin Road, Trevone, Padstow**: Proposed demolition of existing dwelling and construction of replacement dwelling. Revised design to that previously approved under PA23/04928 approved 11 December 2023.

Padstow Town Council: **SUPPORTED**

Cornwall Council: **APPROVED** subject to the following 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 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 Strategy Statement and Energy Summary Tool, prepared by Energy Access received 27 March 2024 and as shown on approved plan 23031/04C REV A received 14 May 2024. The agreed details shall be implemented with the construction of each 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.

4 The development hereby approved shall be designed and built to ensure all dwellings achieve the Climate Emergency DPD Policy SEC1 standard of 110 litres/person/day water efficiency prior to occupation. Reason: In the interests of improving water usage efficiency in accordance with Policy SEC 1 of the Climate Emergency DPD 2023.

5 The development hereby approved shall be carried out in accordance with the mitigation measures set out in the Results of Bat and Barn Owl and Further Bat Surveys and Lighting Statement prepared by Spalding Associates (Environmental) Ltd and received 20 July 2023 and 29 November 2023 respectively. Prior to the first occupation of the development hereby approved the bird box(es) and bee brick(s) shall be installed in accordance with the details set out on approved plan 23031/04C REV A received 14 May 2024 at a rate of one measure per dwelling and shall thereafter be maintained as such. Reason: To accord with policy G1(10) of the Climate Emergency Development Plan Document 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.

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan 23031/03A received 02/05/24 Existing 23031/05 received 27/03/24 Proposed 23031/04C REV A received 14/05/24.

- There may be circumstances where a European protected species is discovered on a development site after planning permission has already been granted. In such cases you are advised to contact the Secretary of State (Defra) who will determine applications for derogations in the form of a licence under regulation 44 of the 1994 Regulations. In determining such applications, the Secretary of State (Defra) will seek advice from the Local Planning Authority and Natural England on whether the Directives tests are met. This may occur if the species moves onto a site in the interim between grant of planning permission and start of works, or if the presence of the species was simply not known at the time of planning permission application. This may cause difficulties and delays for developers and stresses the need for sound ecological survey information on which to base decisions where it is suspected that European protected species may be present.

- Public Right of Way PROW Gold 532/2/1 CP must remain unobstructed at all times and the proposed development must not encroach onto this Public Right of Way. There are general obligations that the applicant should adhere to when their works are carried out either on or in close proximity to a Public Right of Way:

1. The Public Right of Way must remain open and available and free from obstructions at all times

2. No materials or equipment should be stored on the Public Right of Way
 3. There must be no reduction at any time to the available width of the Public Right of Way and in circumstances where development abuts or is close to the Public Right of Way, encroachment of development works onto the Public Right of Way should not occur
 4. Both during and following the completion of development, vehicle movements should not interfere with public use of the way nor endanger members of the public using the Right of Way. The safety of users is paramount and must be ensured at all times
 5. No additional barriers (e.g., gates) should be placed across the Public Right of Way. You must apply to Cornwall Council for permission to erect or alter any type of structure on or across a Public Right of Way
 6. Wildlife mitigation fencing must not be placed across the right of way
 7. No alteration can be made to the surface of a Public Right of Way without consent. Such works require separate authorisation and agreement from the Countryside Access Team at Cornwall Council. This includes work that disturbs the existing surface as well as work to improve a path, track or way by means of adding new material on top or replacing the existing surface
 8. The applicant should ensure they have private access rights to drive motor vehicles on Public Footpaths, Public Bridleways and Restricted Byways where there is presently no recorded public vehicular Right of Way
 9. If increased vehicular use both during and following the completion of development work results in damage to or deterioration of the surface of a Public Right of Way, for the Council reserves the right to take appropriate enforcement action
 10. If a Public Right of Way needs to be closed temporarily, a Temporary Traffic Regulation Order must be obtained
- The applicant's attention is drawn to the requirement under Building Regulations Approved Document Part S that parking spaces associated with new residential buildings are to have access to electric vehicle charge points. Where there are the same or more associated parking spaces than dwellings then the number of parking spaces with access to electric vehicle charge points should be equal to the number of dwellings. In this case access should be provided from one parking space for the new dwelling.

Agenda item 6ii: 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) **[PA24/02911](#): Land Adjacent Trerethern Farm, Padstow, PL28 8LE:** Proposed siting of a mobile home for an agricultural/horticultural worker.

The Applicant states (Design & Access Statement) the application is for the proposed siting of a mobile home for an agricultural/horticultural worker at Padstow Kitchen Garden, Trerethern Farm. The Applicant advises that, at present, the mobile home is occupying a site on another part of the holding. If approved by Cornwall Council, it will be moved to the proposed site adjacent to one of the polytunnels on the holding.

Previous applications for Trerethern Farm relate to a proposed restaurant, café and farm shop and include:

Application [PA19/01088](#) – Padstow Town Council **SUPPORTED** and was **APPROVED** by Cornwall Council on 15 April 2018; [PA20/01146](#) – Padstow Town Council **SUPPORTED subject to Government restrictions due to Covid19 being lifted** and **APPROVED** by Cornwall Council on 22 April 2020; [PA21/10658](#) – Padstow Town Council **SUPPORTED** and **APPROVED** by Cornwall Council on 21 February 2022

The most recent application for Trerethern Farm was [PA23/08578](#): Revised proposal in respect of previously approved development PA21/10658 for proposed new restaurant incorporating farm shop at Trerethern Farm (removal of existing farm shop building and replacement of previously approved pop-up seasonal restaurant and cafe). Padstow Town Council **SUPPORTED** this application and Cornwall Council **APPROVED** on 7 February 2024 with 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 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.
- 4 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.
- 5 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.
- 6 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

7 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.

8 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) **PA24/02657: Padstow Touring Park, Padstow, PL28 8LE**: Change of use of land from agriculture to siting of 10No static caravans and associated infrastructure (including internal roads, parking and bases).

The application states that the static caravans being applied for will be for holiday use.

Previous applications for this address include:

PA22/05137: Variation of Condition 1 of Application No. E1/2005/00666 dated 29th April 2005 (Lifting of condition 3 on decision notice 83/1311 to allow all year holiday use) to allow for the stationing of an additional 30no. lodges (static caravans)

Padstow Town Council: **SUPPORTED**

Cornwall Council: **APPROVED** with the following conditions:

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 The 30 lodges 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 permanent residential accommodation would not normally be permitted on the site in accordance with the aims and intentions of policies 2, 2a, 3 and 7 of the Cornwall Local Plan Strategic Policies 2010-2030.

3 The static caravan/lodge holiday units hereby approved shall be sited as indicated on approved proposed block plan 2110-PS-1000; limited in size to and fulfill the criteria of a caravan as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968; and shall comprise of no more than 30 units. Reason: For the avoidance of doubt, in the interest of the visual amenities of the area in accordance with policies 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

4 Notwithstanding condition 3 which was lifted by planning permission 2005/00666 and the allowance of an additional 30 no. static caravans to condition 2 (in addition to the 26no. which were subject to planning permission ref: PA20/08959 and 38no. subject to planning permission ref: PA21/08909), the remaining condition(s) contained in Decision Notice 83/1311 dated 25/02/1985 shall continue to apply insofar as the same are still capable of taking effect. Reason: For the ongoing operation of the site as a whole in accordance with policy 5 of the Cornwall Local Plan Strategic Policies 2010-2030.

PA21/08909 Variation of Condition 1 of Application No. E1/2005/00666 dated 29th April 2005 (Lifting of condition 3 on decision notice 83/1311 to allow all year holiday use) to allow for the siting of 38no. lodges.

Padstow Town Council: **SUPPORTED**

Cornwall Council: **APPROVED** with the following conditions:

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 The 38 lodges 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 permanent residential accommodation would not normally be permitted on the site in accordance with the aims and intentions of policies 2, 2a, 3 and 7 of the Cornwall Local Plan Strategic Policies 2010-2030.

3 The static caravan/lodge holiday units hereby approved shall be sited as indicated on approved proposed block plan 4579-310A; limited in size to and fulfil the criteria of a

caravan as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968; and shall comprise of no more than 38 units. Reason: For the avoidance of doubt, in the interest of the visual amenities of the area in accordance with policies 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

PA20/08959: Variation of Condition 1 of Planning Application No. E1/2005/00666 to allow for the siting of 26no. static caravans

Padstow Town Council: **SUPPORTED**

Cornwall Council: **APPROVED** with the following 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 The 26 static caravans 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 permanent residential accommodation would not normally be permitted on the site in accordance with the aims and intentions of policies 2, 2a, 3 and 7 of the Cornwall Local Plan Strategic Policies 2010-2030.

4 Notwithstanding condition 3 which was lifted by planning permission 2005/00666 and the allowance of 26 no. static caravans to condition 2 as opposed to none, the remaining condition(s) contained in Decision Notice 83/1311 dated 25/02/1985 shall continue to apply insofar as the same are still capable of taking effect. Reason: For the ongoing operation of the site as a whole in accordance with policy 5 of the Cornwall Local Plan Strategic Policies 2010-2030.

5 The static caravan/lodge holiday units hereby approved shall be sited as indicated on approved proposed block plan 4481-410 and limited in size to and fulfill the criteria of a caravan as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 Reason: For the avoidance of doubt, in the interest of the visual amenities of the area in accordance with policies 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

PA19/07418: The change the use of land to site 2 residential lodges and 8 holiday lodges with associated infrastructure

Padstow Town Council: **SUPPORTED; provided no increase in permanent residential accommodation and highways satisfied**

Cornwall Council: **APPROVED** with the following 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 Prior to the siting of the units hereby approved a plan shall be submitted to the Local Planning Authority which will indicate the site layout for the ten units of accommodation as well as specifying up to two units to be used for residential purposes associated with the caravan park. The site shall thereafter be retained as per the approved plan in perpetuity unless subsequently agreed in writing with the Local Planning Authority' Reason: To ensure the correct number of residential units are created on site to accord with development plan housing policies under which additional permanent residential accommodation would not normally be permitted on the site in accordance with the aims and intentions of policies 2, 2a, 3 and 7 of the Cornwall Local Plan Strategic Policies 2010-2030.

4 The 8 units of holiday accommodation 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 permanent residential accommodation would not normally be permitted on the site in accordance with the aims and intentions of policies 2, 2a, 3 and 7 of the Cornwall Local Plan Strategic Policies 2010-2030.

5 The occupation of the two residential units shall be limited to a person solely or mainly employed, or last employed, at Padstow Touring Park or a widow or widower of such a person, or any resident dependants. Reason: The creation of a separate unit of accommodation in this rural location would be undesirable and conflict with the aims and intentions of policy 7 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 79 of the National Planning Policy Framework 2012.

- c) **[PA24/03835](#): Land Adjacent 4-6 St Edmunds Lane, Padstow:** Change of use/ conversion of St Edmunds Garage to six units of holiday accommodation at first floor level and provision of housekeeping store.

There have been no previous applications for the Garage at this address.

Previous applications submitted for 4-6 St Edmunds Lane, Padstow include:

In August 2023 ([PA23/06865](#)): Planning and Conservation Area Consent for the formation of an undergarden store – for bins, laundry and general storage.

Padstow Town Council: **SUPPORTED: Subject to i) acceptable results of noise and odour reports, ii) Acceptable comments from Historical Environment Team**

Cornwall Council: **APPROVED** with the following 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 The development hereby approved shall be carried out in accordance with the recommendations and safeguarding measures set out in the Structural Appraisal, prepared by The Home Engineers, and received 22 November 2023 and approved drawings TH-ENG23-SW-091-01, TH-ENG23-SW-091-02 and THENG23-SW-091-03 REV A to ensure that the historic random rubble retaining wall fronting St Edmunds Lane is adequately protected during the works. Reason: To ensure the excavation and retaining works are undertaken in a manner which safeguards the character and fabric of the historic rubble retaining wall and the special character of the Padstow Conservation Area in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan 2010 - 2030.

4 Notwithstanding the approved plans, prior to their installation details of the following shall be submitted to and approved in writing by the Local Planning Authority: • Joinery details of the new timber louvres and louvre doors (with cross sections at 1:2 scale and elevation at 1:5 • A photograph of a pointed stone sample panel • Details for the new vertical AC vent • Details of any new railings The development shall be carried out in accordance with the approved details and retained as such thereafter. Reason: To retain the special character of the Padstow Conservation Area and nearby listed building known as Puffin House in accordance with Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and Sections 66 and 72 of the National Planning Policy Framework 2023.

5 A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

D) The archaeological recording condition will normally only be discharged when ALL elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed. Reason: To ensure that provision is made to record finds of archaeological/historic interest in accordance with the aims and intentions of paragraph 205 of the National Planning Policy Framework 2023, and Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030. A pre-commencement condition is necessary due to the need to ensure a programme and methodology of site investigation and recording of archaeological features is undertaken before other

physical works commence on site, and to properly comply with the requirements of paragraph 205 of the National Planning Policy Framework 2023.

6 Prior to the first occupation of the letting rooms hereby approved the bat and bird boxes shall be installed in accordance with the details indicated on approved plan 2022-17. STORE. P1.A, received on 18 October 2023 and shall thereafter be maintained as such. Reason: To ensure the proposal accords with Policy G1(10) of the Climate Emergency Development Plan Document and Policies 1, 2 and 23 of the Cornwall Local Plan Strategic Policies 2020- 2030 and paragraphs 8 and 174 of the National Planning Policy Framework 2023.

7 During any construction works associated with the development hereby approved the protection measures as set out on the 'Puffin House Protection Plan' prepared by Peter Wonnacott - Planning, received 18 October 2023 shall be installed. Reason: To safeguard the fabric of the grade II listed building known as Puffin House during construction in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan 2010 - 2030.

In October 2023, [PA23/06893](#): Erection of an extension to form two additional letting rooms and addition of solar panels.

Padstow Town Council: **SUPPORTED: Subject to i) any considerations given from the Heritage Statement, Arboriculture Statement and Ecological Appraisal being taken into account; and ii) suitable vehicular access to St Edmunds House**

Cornwall Council: **APPROVED** with the following 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 Notwithstanding the approved plans, prior to their installation details of the following shall be submitted to and approved in writing by the Local Planning Authority: • Details for all new windows and doors (with cross sections at 1:2 scale and elevation at 1:5 • A photograph of a pointed stone sample panel • Details of the slate to be used on the roofs and as vertical cladding including coursing and method of fixing • Details and specification of the solar panels (colour to match as closely as possible to the roof covering) The development shall be carried out in accordance with the approved details and retained as such thereafter. Reason: To retain the special character of the Padstow Conservation Area in accordance with Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and Sections 66 and 72 of the National Planning Policy Framework 2023.

4 Prior to the installation of a system for the disposal of surface water, details of this system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the details agreed prior to first occupation of the development hereby approved. 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 ensure the development is served by a satisfactory means of surface water disposal and to avoid flooding, in the interests of water quality and the residential amenities of future occupiers and the need to address

climate in accordance with the aims and intentions of Policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and Policy CC4 of the Climate Emergency DPD 2023

5 A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions, and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

D) The archaeological recording condition will normally only be discharged when ALL elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed. Reason: To ensure that provision is made to record finds of archaeological/historic interest in accordance with the aims and intentions of paragraph 205 of the National Planning Policy Framework 2023, and Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030.

A pre-commencement condition is necessary due to the need to ensure a programme and methodology of site investigation and recording of archaeological features is undertaken before other physical works commence on site, and to properly comply with the requirements of paragraph 205 of the National Planning Policy Framework 2023.

6 Prior to the first occupation of the letting rooms hereby approved the bat and bird boxes shall be installed in accordance with the details indicated on approved plan 2022-17.P2.E, received on 11 December 2023 and shall thereafter be maintained as such. Reason: To ensure the proposal accords with Policy G1(10) of the Climate Emergency Development Plan Document and Policies 1, 2 and 23 of the Cornwall Local Plan Strategic Policies 2020- 2030 and paragraphs 8 and 174 of the National Planning Policy Framework 2023.

7 Notwithstanding the approved plans, and prior to first use of the letting rooms hereby approved, details of the fixed internal louvres to the lower half of the north facing windows to the first floor bedroom shall be submitted to and approved in writing by the Local Planning Authority. The louvres shall be installed in accordance with the approved details prior to first use of the letting rooms and retained as such thereafter. Reason: To avoid overlooking, in the interests of residential amenities of adjoining occupiers and with regards to Policy 12 of the Cornwall Local Plan and paragraph 130 of the National Planning Policy Framework 2023.

8 The letting rooms hereby approved shall only be occupied as part of a C1 use operating from the site and for no other purpose including Class C3 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 and re-enacting that Order, with or without modification. The accommodation hereby approved shall not be occupied as a person's sole, or main place of residence. The owner/occupier shall maintain an up-to-date register of the names of any occupier of the accommodation and their main home address and shall make this information available at all reasonable times to the Local Planning Authority. Reason: To ensure that tourism accommodation is retained as a continuation of the established tourism business on this site to accord with Policy 5 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and that the Local Planning Authority consider the letting rooms hereby approved would be inappropriate for permanent residential accommodation by virtue of their size in conflict with the aims and intentions of Policy 13 of the Cornwall Local Plan Strategic Policies 2010-2030 and that without a permanent residence condition they would be in conflict with PAD11 of the Padstow Parish Neighbourhood Plan 2018-2030.

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.