PADSTOW TOWN COUNCIL -PLANNING & HIGHWAYS COMMITTEE: TUESDAY 10 JUNE 2025

Agenda item 5ii – Comments gathered by Support Officer regarding applications being considered by the Planning and Highways Committee.

a) **PA25/03664: Land Adjacent 18 Polpennic Drive, Padstow**

Cornwall Councils Planning Officer
Contacted Planning Officer 4 June 2025 – No response received as of 9 June 2025.
Comments received to Padstow Town Council
Checked 9 June 2025, 3.15pm – No comments received
Public comments from Cornwall Council planning portal
Mr nigel hurn Comment submitted date: Tue 03 Jun 2025 Noted that as of todays date this planning application HAS NOT been posted "on-site" to allow public review/comment. Also that the original conditionally approved planning permission (pa24/07631) was given for a 2 bedroom bungalow which has now has morphed into a further request to build into the loft.....as expected.....to be effectively a 2 storey house! I do not object PROVIDED the following are included in any present or future planning permission. 1, Regarding the new north facing loft room/study. No further windows are to be added, now or in the future, in the properties North facing wall as it would violate my privacy by overlooking my entire property and provide a view directly into all my downstairs living areas i.e. lounge, kitchen, and dining areas, in addition too the whole of my outside space. It would not comply with Cornwall Council policy 12 and lead to the appropriate litigation on my part. 2, Property address. As previously stated, this property cannot and will not be allowed to be associated in any way with my property i.e. 18 Polpennic Drive. For example it WILL NOT be "18A". The property now has it's main entrance and driveway entering from "Trecerus Way" therefore it must reflect this in its official land registry/postal address. NB for reference there is a strip of land running parallel too, and between, my Southern boundary fence and the proposed properties Northern boundary with me, that is owned by Sanctuary Affordable Homes. Therefore there is a "no man's land" i.e. a third plot of land owned by a third party that separates my land from the proposed new property. 3, Pedestrian access to the property from Polpennic Drive. To avoid any confusion regarding the properties address I suggest that the proposed pedestrian access to the property from Polpennic Drive is removed so that it is self evident that it is NOT part of Polpennic Drive for delivery, post, visitor purposes etc. 4, Polpennic Drive, pavement boundary wall. The wall is solely owned by myself, up to and including where it meets my Southern boundary with the land owned by Sanctuary Affordable Homes. No alterations/damage/demolition of this wall, (or the section owned by Sanctuary), can take place. 5, S106 applying to the plot. This land is legally and contractually still subject to the S106 requirements of the

Sanctuary Affordable Homes planning permission that was given for their "Hawkers Reach" development which it forms a part of. Therefore I expect that the constraints within this will apply to the new property, as legally it does, and that both Sanctuary and Poltair will jointly levy the appropriate " Service charges" against it.....this being reflected in a modest but "matter of principle" reduction in our overall service charges, to be clear there will now be 72 properties on the land covered by the S106 not the original 71.

Consultee comments from Cornwall Council planning Portal
Checked 9 June 2025, 3.15pm – No comments received

b) **PA25/02554: 5 Moyle Road, Padstow, PL28 8DG**

Cornwall Councils Planning Officer
See Agenda Report for Planning Officer's comments which were provided at the time of re-consultation.
Comments received to Padstow Town Council
Mr and Mrs Bruster (Applicants) Comments submitted: 9 June 2025 Firstly we would wish you to know that as permanent residents of 5 Moyle Road, it has always been our intention to be good neighbours, and our architect has worked hard to come up with a design which gives us the space we need, modernises a not very cared for property (previously a holiday let) and works with difficulties we face from both of our neighbouring properties. These are: 1. Number 4 Moyle road (a second home) has a large contemporary design glass box extension which affords the house 100% views of our property. We have zero privacy as we are totally overlooked. 2. Number 6 Moyle road had planning permission for a large full roof-height extension blocking our views. Whilst this may not be a planning issue, there are covenants restricting people from blocking neighbours' views on this location. The owners have recently resubmitted plans although there has been no attempt (and we have been informed no intention) to lower the roof height or use a flat roof. This seems to be at odds with what we have been told to do by our planning officer. We have been asked by our planning officer to make our proposed extension a flat roof all the way along. This was in accordance with our 'neighbour' (non resident) at number 4's complaints about us impacting on his view. He had previously stated to us by email that he wouldn't object to our plans if we did this. We have complied with this and have also lowered the overall roof height to bring it in line with the current garage height and have resubmitted plans accordingly and the planning officer (Gemma Old) has stated she is satisfied with these changes. The extension as planned is low-level ie neither overbearing nor over-shadowing and takes up less than a quarter of our 423sq m garden plot so not over-sized. Our original application had a partially pitched roof which we agree may have been in keeping with other houses and the same as the proposed (and previously approved) plans for number 6 but as stated we have been told to change it to a flat roof which we have done. In fact the new plans may now be more in keeping with the contemporary design of number 4. As you will be aware, we also happen to be surrounded by houses which have been modernised and extended. Throughout the process we have tried very hard to reconcile everyone else's

demands, at some cost to our own wishes. We have had 'feedback' from people who can't even see our house from their own property, and are non resident, had an aggressive and threatening (actually very upsetting) letter sent direct to us by a non-resident homeowner, and we now understand that the planning committee supported the plans submitted for number 6 when they are having a full height large extension built not dissimilar to our original plan (and which will affect our views) and yet did not support our plans.

The whole process has been very upsetting and frankly confusing. The guidance also seems to vary house to house as evidenced by what has been/will be built either side of us.

This email is sent purely in the spirit of trying to convey our ongoing struggle (and stress) and to seek your understanding and support before the forthcoming committee meeting. All we want to do is modernise a very dated and uncared for bungalow and create more living space. As previously stated, this is our only and permanent home.

With grateful thanks for your consideration.
Sharon and Steve Bruster

Public comments from Cornwall Council planning portal

Checked 9 June 2025 at 3.15pm:

Please Note: Public comments from the original application submission uploaded to the Cornwall Council Planning Portal by 23 April 2025 were previously included in the comments report issued on 23 April, prior to discussion at Full Council on 24 April. These comments have not been replicated in this report.

Please note the submission dates of the comments below:

Comments relating to the original application but submitted after the comments report for Full Council was issued on 23 April, are detailed below.

Also included below are public comments regarding the revised plans (revised plans being published on the Cornwall Council Planning Portal on 30 May 2025).

Dr Ruth Tapparo
Comment submitted date: **Thu 05 Jun 2025**
I am writing to submit a formal objection to the revised planning application PA25/02554 for the proposed development at 5 Moyle Road, Padstow.

While I acknowledge that the resubmission has been amended, it remains fundamentally flawed and constitutes an inappropriate overdevelopment of the site. My reasoning for objection are as follows:

1.Overdevelopment and Excessive Scale: The proposed extension remains excessively large and disproportionate for the site, resulting in overdevelopment. Specific concerns include:

· The proposed building elevation appears to rise by 1.5 metres, affecting multiple residences situated higher on the hillside.

· The development extends over 15 metres beyond the existing rear elevation, creating an overly deep footprint.

· The overall building footprint increases from 66 sqm to 195 sqm, representing an

almost 300% increase, with an associated loss of nearly 40% of green space.

This results in a cramped, over-intensified built form that fails to reflect the low-density character of Moyle Road.

2.Incompatibility with Local Character: Moyle Road is characterised by modest, well-proportioned dwellings that are sensitively integrated into the hillside setting. In contrast, the proposed design:

· Includes a 15m long flat-roofed rear extension that is disjointed and architecturally incongruous.

· Introduces a 1.5m increase in ridge height.

· Projects significantly beyond the established building line.

Unlike recent, respectful developments on the road, this proposal fails to integrate with the local vernacular or enhance the area's character. The current proposal lacks context-sensitive design that currently will not contribute positively to local distinctiveness.

3.Unacceptable Impact on Residential Amenity: The development would cause significant and unacceptable harm to the amenity of neighbouring properties through:

· An overbearing and enclosing built form along shared boundaries.

· An unsightly, raised 15m long flat roof structure, visually dominating the outlook for properties situated upslope.

· Elevated terraces and floor levels that facilitate overlooking into downhill residences, compromising privacy and enjoyment of their gardens and interiors.

Given that a greater number of neighbouring dwellings are located uphill, the adverse impact affects a larger portion of the community than any potential benefit to the applicant.

4. Environmental Impact: The proposal removes almost 40% of the existing green space, diminishing opportunities for biodiversity and affecting local habitats.

5.Breach of Restrictive Covenant: Despite earlier objections, the applicant has failed to address the restrictive covenant dated 25 March 1938 (Schedule 2, Clause 1), which prohibits any development that obstructs views or diminishes amenity due to unsightliness, excessive scale, or inappropriate siting. The current plans clearly violate this covenant through:

· The visual intrusion of an expansive flat roof structure.

· The excessive depth, height, and massing of the proposed extension.

Although enforcement of the covenant may be a civil matter, it underscores expectations for appropriate development and is relevant in assessing planning harm.

I respectfully request that Cornwall Council refuse this revised application in order to preserve the character, amenity, and planning integrity of Moyle Road and its surrounding environment.

Mr David Delaney-Hall
Comment submitted date: **Wed 04 Jun 2025**
I wish to object to the above proposed extension, as stated by many others it is simply out of scale and extends too far down the garden. With the change in levels the FFL of the proposed extension together with all the terraces appears to be approx 1.5m above the existing garden level. The proposed West elevation as presented to No 4 Moyle Road is very basic and there is no consideration of their outlook.

I think the applicant has been slightly deceitful in the areas stated at 115 sqm existing and 80 sqm extension. The 115 sqm includes the garage which is then converted to additional residential use and also includes an existing lower extension. I suspect the original house had a usable area of 66 sqm and therefore its very clear how excessive this proposed extension is.

In terms of architectural design there simply isn't any ! All that is proposed are flat roof boxes stuck out of the ground to the rear of the property with bulky terrace area stuck on the front.

I note from one supporting comment from no 6 Moyle Road they suggest this design is akin to our own property at 1 Moyle Road. As an chartered architect I would suggest nothing could be further than the truth, I actually designed our building, I considered the levels, I sunk the building in, I maintained the ridge heights I used traditional Cornish materials.

I am never against redevelopment I just want people to consider the environment and create good architecture.

I would suggest here there could be a link between the new and old and internal steps formed with the extension (minus the studio) sunked down, it could then all open up at ground level and make it a much more appropriate extension and also a much better relation for the occupiers and the external spaces.

I suggest this whole scheme needs to be completely redesigned or refused in its current proposal.

Mr LEE WOODALL
Comment submitted date: **Mon 02 Jun 2025**
Re: Formal Objection to Planning Application - 5 Moyle Road, Padstow

While I acknowledge that the applicants have amended elements of their original proposal, specifically in relation to roof design. I remain seriously concerned by the revised application. I am therefore submitting a formal objection to the proposed development at 5 Moyle Road, Padstow, on the following material planning grounds:

1. Overdevelopment of the Site
2. Incompatibility with Local Character
3. Unacceptable Impact on Residential Amenity
4. Poor Design Quality and Visual Integration
5. Breach of Legally Binding Restrictive Covenant

This objection is grounded in policies outlined in the Cornwall Local Plan: Strategic Policies 2010-2030, as well as national planning guidance in the National Planning Policy Framework (NPPF).

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1. Overdevelopment of the Site

The proposal constitutes a clear overdevelopment, contrary to Policy 2 (Spatial Strategy) and Policy 13 (Development Standards), which require that development be proportionate and appropriate to its setting.

The rear extension projects over 15 metres beyond the existing rear elevation, exceeding the full depth of the original building and occupying more than 50% of the plot and would therefore be considered overbearing.

This level of site coverage is disproportionate and inconsistent with the low-density character of Moyle Road, resulting in a built form that appears cramped and over-intensive. It fails to maintain the established pattern of spacious plots with meaningful private amenity space and therefore does not align with the spatial strategy for development in established residential areas.

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2. Incompatibility with Local Character

Policy 12 (Design) requires that development reflects the character and identity of its setting, particularly in terms of layout, scale, and massing. The proposed extension conflicts with this policy by introducing a structure that is out of scale with adjacent dwellings and disrupts the established rhythm of the street scene.

Moyle Road is typified by modest, well-proportioned homes set in generous plots. The proposed development's excessive bulk, depth, and dominance over the garden space result in a visual incongruity that erodes this established character. The form of development proposed is uncharacteristic and fails to respect the area's defining spatial and architectural qualities, contrary to Policy 12(a), (b), and (f).

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3. Unacceptable Impact on Residential Amenity

The proposed development will materially harm the amenity of neighbouring properties, contrary to Policy 13 (Development Standards), which requires that new development protect the health and amenity of future and existing occupants.

Specifically:
- The height and depth of the new dining and lounge areas-set close to boundary lines-would be unneighbourly, resulting in a sense of enclosure and overbearing impact on adjacent homes.
- The inclusion of windows facing neighbouring gardens introduces intrusive overlooking, undermining privacy and the enjoyment of external and internal spaces.
- The resulting loss of outlook and daylight contributes to an overall diminution of amenity not compatible with Policy 13 or paragraph 130(f) of the NPPF, which states that planning decisions should create places with a high standard of amenity for existing and future users.

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4. Poor Design Quality and Visual Integration

The proposal lacks architectural coherence and fails to positively contribute to local character, in breach of Policy 12 (Design) and NPPF Section 12 (Achieving well-designed places).

Key concerns include:
- The use of an extensive flat-roofed form and heavy massing results in a visually bulky and unsympathetic appearance that contrasts sharply with the pitched-roof vernacular of the surrounding dwellings.

- The design fails to integrate with the existing built form and does not reflect the proportions, detailing, or articulation of neighbouring buildings.
- The scheme would set a harmful precedent for future developments that do not adhere to the contextual requirements of the area.

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5. Breach of Restrictive Covenant

The land remains subject to a legally binding restrictive covenant dated 25 March 1938. Specifically, Schedule 2, Clause 1 prohibits developments that obstruct views or diminish the amenity of neighbouring properties due to excessive scale, unsightliness, or inappropriate siting.
The proposed development clearly breaches these conditions:
- Its excessive height and bulk obstruct existing sightlines and reduce the visual and environmental amenity of surrounding homes, including my own.
- This legal constraint reinforces the unacceptability of the proposed scheme, both in planning and civil terms.

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6. Conclusion

While I would support a modest, well-designed extension consistent with the scale and form of others nearby-such as those at 4 Moyle Road or 9 Egerton Road-the current proposal represents a substantial and unjustified intensification of the site.

In summary, the proposal:
- Conflicts with Policies 2, 12, and 13 of the Cornwall Local Plan;
- Contravenes core design and amenity principles of the NPPF;
- Represents a significant breach of a restrictive covenant; and
- Poses a tangible threat to the character, quality, and coherence of Moyle Road.

I therefore respectfully request that Cornwall Council refuse this application in its current form.

2 June 2025

Mr Raymond Brown
Comment submitted date: Sun 27 Apr 2025
We are the owners and residents of 6 Moyle Road and would like to register our full support for application PA25/02554.

We feel that the proposed development is very much in keeping with, and is comparable in size to, the other extensions that have been carried out around the estate. 4 Porthilly View, 1 Moyle Road, and 5 Porthilly View are prime examples of this.

The design of the new extension also enhances the privacy, not only to us but for other properties lower down, from the overlooking of properties located on Egerton Road and higher up whilst not interrupting their views.

The caveat on the titles for these properties states that there is to be no loss of amenity which can be interpreted as both loss of views and also a loss of privacy/overlooking from developments. Some developments in the estate have clearly breached these conditions however as this caveat is not relevant when considering planning applications, it is not appropriate to raise this in this forum.

Mr. and Mrs. Bruster are permanent residents of Moyle Road and also work from home. This extension would give them valuable space to enable them to utilise the

property to its fullest extent and take into consideration the needs of modern day living.

Regards,

Lisa Davenport and Ray Brown
6 Moyle Road

Mr david vooght
Comment submitted date: Thu 24 Apr 2025
I am writing to object to the planning application for 5 Moyle rd.
I believe the design will have an impact on surrounding buildings and adversely affect the local environment.
The design is huge in comparison with the existing building and will be a very imposing structure.
This estate consists of modest buildings set into the hillside.
This design stands out and will dominate and overbear its neighbours
The design ignores a covenant on this and surrounding properties to prevent exactly this type of development. In that it diminishes the amenity of its neighbours.
I would suggest that the applicant modifies their design to consider its effects on surrounding properties, for example:-
Reduce the length of the building in the southerly direction.
Build into the hillside, not out from it at its highest point.
Use a roof design that respects the amenity value of neighbours, possibly a flat or even a flat "green" roof.
In conclusion I hope that a more respectful and less imposing building can be agreed.
Yours sincerely
David Vooght

Consultee comments from Cornwall Council planning Portal
Note: Consultee Comments submitted at the time of the original application have not been included here as these were included in the previous Comments Agenda report as part of the original consultation (Full Council 24 April 2025). *Checked 9 June 2025 at 3.15pm - No further consultee comments have been submitted*

c) **PA25/01589: 7 Hill Street, Padstow, PL28 8EB:**

Cornwall Councils Planning Officer
Contacted Planning Officer 4 June 2025 – No comments received as at 9 June 2025.
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