

FALMOUTH TOWN COUNCIL

Minutes of a Meeting of the Planning Committee held on Monday 8th January 2018 in the Council Chamber, Municipal Buildings, Falmouth at 6.00 pm.

Present: Councillors A J Jewell CC (Chair), J M Spargo (Vice-Chair),
R J Bonney, G G Chappel, S D Eva, M Morgan and RJ O'Shea

Councillor PA Minson also attended.

In Attendance: A M Williams (Town Clerk)
Mrs E Middleditch (Administration Officer)

P5328 APOLOGIES

None.

P5329 INTERESTS

None.

P5330 MINUTES

It was proposed by Councillor Chappel seconded by Councillor Bonney and

RESOLVED that the minutes of the meetings of the Committee held on 20th November 2017 and 11th December 2017 be approved as correct records of the proceedings and signed by the Chairman.

P5331 PLANNING APPLICATIONS

Members considered a revised list of planning applications which had been commented on by the Chairman and Vice-Chairman, under the delegated procedure agreed in accordance with Minute 6/2474 of the meeting held on the 3rd April 2000 and amended by Minute P3017.

It was proposed by Councillor Eva, seconded by Councillor Morgan and

RESOLVED that the observations set out in Appendix I, which forms part of these minutes be approved and adopted as the observations of the Town Council.

Members considered a revised list of planning applications not dealt with under the delegated procedure outlined above. The Chair and Town Clerk reported in respect of those applications as appropriate.

It was proposed by Councillor Eva, seconded by Councillor Chappel and

RESOLVED that the Town Council makes the observations set out in Appendix II which forms part of these minutes.

P5332 TOWN AND COUNTRY PLANNING (HEARINGS AND INQUIRIES PROCEDURES) (ENGLAND) (AMENDMENT) RULES 2009

APP/D0840/W/17/3175849 – PA15/10225 Full planning application for site remediation, demolition of existing structures and redevelopment to provide 35 residential units, a reception building, associated leisure facilities (including a swimming pool and tennis court), storage areas, underground parking, sea wall, new access arrangements, landscaping and associated infrastructure. Land North of Pendennis Castle, Castle Drive, Falmouth.

Members duly considered representation at the public hearing that will commence at 10.00am on 23rd January 2018 in the National Maritime Museum and

RESOLVED that the Council does not send a representative to the hearing.

P5333 APPEAL DECISION

APP/D0840/W/17/3177902 – Purpose built student hostel with a mixture of studio rooms/cluster rooms and town house rooms, associated amenities spaces and staff office – Land at Fish Strand Hill, Fish Strand Hill, Falmouth. Approved.

APP/D0840/W/17/3175637 – Redevelopment of the former Rosslyn Hotel site for 128 managed bed spaces, ancillary accommodation and associated works, landscaping and vehicular access. Rosslyn, 110 Kimberley Park Road, Falmouth. Approved.

Members duly noted the Appeal Decisions.

P5334 WITHDRAWN APPLICATIONS

PA17/08595 – Removal of condition 13 in respect of decision PA16/00703 dated 08.06.16 (Construction of new all-weather 3G sports pitches (including fencing, floodlighting, etc), new sports pavilion building (including educational and community functions), new/altered internal access roadways, new vehicle parking areas and associated external works). Falmouth Community School, Trescobeas Road, Falmouth.

PA17/10183 – Replacement dwelling. 5 Tresahar Road, Falmouth.

Members duly noted the withdrawn applications.

P5335 PLANNING ENFORCEMENT

Members duly noted the list of Cornwall Council enforcement cases previously circulated.

P5336 HIGHWAYS/TRAFFIC MANAGEMENT/ROAD SAFETY

Road Traffic Regulation Act 1984 S14: Temporary Prohibition of Traffic Road on Market Street from 8th January 2018 to 16th March 2018 (24 hours weekends included) for Western Power Distribution.

Road Traffic Regulation Act 1984 S14: Temporary Prohibition of Traffic Road on Footpath 26, Budock and Footpath 2, Falmouth from 12th January 2018 to 12th July 2018 (24 hours weekends included) for Midas Construction.

Members duly noted the temporary road closures.

STREET NAMING REQUEST

Members duly consider a request for street names and apartment block names for Taylor Wimpey development at Bickland Water Road and agreed on some recognition for former Councillors Candy Atherton and Di Merrett with suggestions to be forwarded to the Administration Officer and to seek input from Budock Parish Council.

P5337 REGISTER OF EUROPEAN SITES IN ENGLAND

Members duly noted that Falmouth Bay to St Austell Bay has been included in the Register of European Sites in England.

P5338 DECISION NOTICES

Members duly received and noted a list of recent planning decisions made by Cornwall Council.

P5339 ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE OF URGENCY

None.

There being no further business the Chairman declared the meeting closed at 6.55p.m.

Signed: Dated:

7. **Arwenack** **PA17/11733** **Neil Crudgington**
(Case Officer: Sarah Dyke. 01209 614297, sarah.dyke@cornwall.gov.uk)
Tree (1) coniferous leylandii – remove. Tree (2) bay tree – reduce the overall height from >10m by no more than 2m and thin out some of the branches.
Harmony, 4 Foxs Lane, Falmouth

For information only

8. **Smithick** **PA17/11738** **Mr & Mrs Mackenzie**
(Case Officer: Sophie Rogers, 01872 224262, SoRogers@cornwall.gov.uk)
Variation of condition 2 (approved plans condition) in respect of decision PA15/11242 dated 09.03.16 for alterations to single storey business premises.
43 Trelawney Road, Falmouth

No objection.

APPENDIX II
8TH JANUARY 2018

1. **Penwerris** **PA17/08542** **Mrs M Perks**
(Case Officer: Sarah Dyke, 01209 614297, sarah.dyke@cornwall.gov.uk)
Proposed balconies to rear.
6 Claremont Cottages, Falmouth

No objection as the screening to the balconies prevents overlooking issues.

2. **Smithick** **PA17/11590** **Mr Beetham**
(Case Officer: Sophie Rogers, 01872 224262, SoRogers@cornwall.gov.uk)
Installation of replacement illuminated and non-illuminated signs to the exterior of the building.
Cork and Bottle, Church Street, Falmouth

Refuse as the signage is not visually attractive and detracts from the listed building next door. The large lettering and banner do not preserve or enhance the character and appearance of the conservation area and setting of other listed buildings.

3. **Arwenack** **PA17/11714** **Mr Nigel Carpenter/Acorn Blue**
(Case Officer: Mark Ball, 01726 223495 mark.ball@cornwall.gov.uk)
Variation of condition 2 (approved plans) in respect of decision PA14/07349 dated 10/12/2014 (Creation of spa and wellness leisure resort (including a total of 73 residential apartments) utilising the site and remaining buildings associated with the former Falmouth Beach Hotel together with the current St Michaels Hotel. The proposal will comprise of the following elements:- erection of extensions and alterations to existing building to create resort reception, bistro, extended function suite and improved spa facilities (St Michaels Hotel building); erection of extension and alterations to existing building to create additional hotel bedrooms and improved health club facilities (Croft building); erection of new multi-use resort building providing 56 residential apartments, café/restaurant and 'village' shop and covered parking for 104 cars (The Liner); demolition of Captains House and Tremor buildings and erection of 14 residential apartment; demolition of The Cottage and erection of 3 residential apartments, erection of 4 x woodland lodges to provide additional hotel bedrooms with living space; demolition of Mermaid building and formation of pedestrian and vehicular access from Cliff Road; associated hard and soft landscaping).
St Michaels Hotel & Spa, 7 Stracey Road, Falmouth

No objection subject to construction access and building works to fall within set hours to ensure minimal disruption to neighbours. The Council recognise that the 'liner' design was an extant permission and was an improvement on the former 'flotilla' design and the prestigious building would enhance the area. The Town Council requests representation regarding the allocation of the Section 106 obligation funding.

4. **Arwenack** **PA17/11817** **Mrs Tracey Finch Secretary
Pennance House Committee**
(Case Officer: Kirsty Smith, 01209 614291, kirsty.smith2@cornwall.gov.uk)
Works to Monterey Cypress trees (T1 and T2).
Flat 7 Pennance House, 8 Sea View Road, Falmouth

The Council agreed the works should be determined by the Forestry Officer.

5. **Penwerris** **PA17/12224** **Mr R Percy**
(Case Officer: Hayley Wray, 01872 224692 hwray@cornwall.gov.uk)
Proposed garage and bin store. Sunroom built over existing store and construction of canopy above ground floor windows and door.
12 Erisey Terrace, Falmouth

No objection subject to materials in keeping with existing.

6. **Smithick** **PA17/12228** **Mr & Mrs M & K Richards**
(Case Officer: Sarah Dyke. 01209 614297, sarah.dyke@cornwall.gov.uk)
Proposed conversion of garage to library and extension to house.
Boscolla, Florence Plane, Falmouth

No objection.

TOWN AND COUNTRY PLANNING ACT 1971
FOR SUBMISSION TO THE COUNCIL ON 8TH JANUARY 2018

Mr Patrick Selman	Erection of a dwelling, Land Off Webber Street, Falmouth PA17/06253	Refused*
J D Wetherspoon PLC	Creation of roof level terrace and Beer Garden including addition of internal passenger lift. The Packet Station, The Moor, Falmouth PA17/06817	Refused*
Mr Gill West	Resubmission of lapsed approval (PA11/04965) for demolition of former dwelling shell and erection of 8 studio apartments within footprint of previous application. Land Rear of St Georges Arcade, St Georges Arcade, Falmouth PA17/07929	Approved*
Webb	Fell the group of Sycamores as the roots have been disturbed by the removal of the old garage located amongst them (see photos) the trees are poor specimens, felling and re planting is the better option, or allowing the re growth to form a new group of trees. Port Pendennis Marina, Adj Bar Road Car Park, Tinnars Walk, Port Pendennis, Falmouth PA17/09856	Refused*
Mr R Crane	Widening of front dormers and replacement front window. Flat 5, 2 Woodlane Crescent, Falmouth PA17/10538	Approved*
Mr & Mrs Sullivan	Replacement of existing roof with new roof with higher ridge and incorporating front and rear dormers and roof terrace. 11 Queen Anne Gardens, Falmouth PA17/10952	Approved*
Mr M Talbot	Erection of three storey side extension. 2 Fairfield Road, Falmouth PA17/07502	Approved
Mr Drew Muntz, Mr & Mrs John & Katchrine Harrall	Listed Building Consent for renovations and alterations at 2 and 4 New Street. 2 and 4 New Street, Falmouth PA17/08626	Approved

Jean Trevithick	Outline permission with some matters reserved (appearance, landscaping, layout and scale) for the erection of a new dwelling. Land to Rear of Trewilby, Bank Lane, Goldenbank, Falmouth PA17/08650	Approved
Mr & Mrs S Pound	The proposed demolition of the two existing dwellings and the erection of two replacement dwellings and a detached garage. Middle Point, Castle Drive, Falmouth PA17/08688	Approved
St Austell Brewery	Variation of condition 4 of decision PA16/08204 (Proposed alterations to external elevations and internal floor space, new external seating area, balconies at first floor level and erection of a kitchen store and a bin/barrel store) to allow balcony use until 22.00hrs. Chain Locker, Quay Street, Falmouth PA17/08731	Approved
Mr Justin West	Retrospective planning application for first floor decking, install in August 2015. Grace Cottage, 4 Arwenack Avenue, Falmouth PA17/08826	Approved
Mr Smith & Ms McLennan	Proposed extension to dwelling and amendments to shed. 10 Stratton Terrace, Falmouth PA17/08848	Approved
Mr C Howe	Siting of new modular units within the rear of the Falmouth sports Club to provide new gym facility (amendment to previously approved PA17/03172). Falmouth Club, Western Terrace, Falmouth	Approved
Mr P Lyden	Bedroom extension over existing garage. 40 Treverbyn Road, Falmouth PA17/09179	Approved
Mr Drew Muntz, Mr & Mrs John & Katherine Harrall	Renovations and alterations at 2 and 4 New Street 2 & 4 New Street, Falmouth PA17/09332	Approved
Mr Paul Harvey	Application for the erection of a dwelling and formation of a new access. Land East of 11 Boscawen Road, Boscawen Road, Falmouth PA17/09439	Approved

Mr Rob Cowley	Replacing rear conservatories with extension. Landscaping to include courtyard with extended deck. Weatherboard to exterior. 1A Claremont Terrace, Falmouth PA17/09523	Approved
Mr Riccardo Isnenghi	Install a kitchen ventilation system to include extraction canopy and ductwork and supply air/ductwork. 13 Arwenack Street, Falmouth PA17/09551	Approved
Mr Riccardo Isnenghi	Listed building consent to install a kitchen ventilation system to include extraction canopy and ductwork and supply air/ductwork. 13 Arwenack Street, Falmouth PA17/09552	Approved
Mr & Mrs A & C Hunter	Off road parking and associated alterations. 24 Kimberley Park Road, Falmouth PA17/09628	Approved
Mr J Kennedy	Demolition of existing garage and construction of new garage/storage with off-street parking for two cars. 35 Woodlane, Falmouth PA17/09707	Approved
Mr & Mrs John Baxter	Proposed redevelopment comprising replacement of existing dwelling with three self-contained apartments (submission of revised plans to comply with Dismissal notice dated 22.09.2017 on application number PA17/00252 and matters arising there from: in accordance with submitted plans EC100.01-05/06.15) River View, 93 North Parade, Falmouth PA17/09763	Refused
Mr & Mrs Lord	Non material amendment (1) to elevation material palette, squaring-off of side cantilever pods, adjust garage window, omit two roof-lights and two sun-tunnels per unit and flattening of car parking area with higher, terraced retaining wall to decision PA16/09074. Land to Rear of 3 Tresahar Road, Falmouth PA17/09774	Approved
Mrs Caroline Valles-Ortiz	T1 – 1 x large Sycamore – crown lift to 6m height (from base of tree) – to relieve excessive shading of dwelling an garden. 75 Queen Anne Gardens, Falmouth PA17/09939	Approved

Mr Jeremy Wallis	Non-material amendment (No.3) for architectural amendments to elevations reducing area of timber cladding and replacing with render, resulting in an amended appearance to the elevations of the building to (PA16/00703). Construction of new all-weather 3G sports pitches (including fencing, floodlighting, etc), new sports pavilion building (including educational and community functions), new/altered internal access roadways, new vehicle parking areas and associated external works. Falmouth School, Trescobeas Road, Falmouth PA17/09970	Approved
Mrs Marie Griffiths	Reduce the crown of Eucalyptus tree. 25 Bar Terrace, Falmouth PA17/10109	Approved
Mrs J Hoban	T1 Sycamore. Remove two lowest limbs (crown raise) to increase light into gardens of 19 and 21 and to remove overhanging branches in garden of 21. 19 Grovehill Drive, Falmouth PA17/10143	Refused
Mr G Mills	Crown reduction of a Beech. 12 Roscarraack Close, Falmouth PA17/10149	Approved
Mr & Mrs Merrifield	Demolition of existing garage and WC and erection of new 2 storey extension and front porch. 93 Trescobeas Road, Falmouth PA17/10161	Approved
Mr Ben White	Construction of a detached two storey three bedroom dwelling. Land West of 36 The Beacon, Jubilee Road, Falmouth PA17/10432	Approved
Mr Jason O'Connell	Reduction works to trees T2 and T3. 3 Stewart Court, Falmouth PA17/10515	Refused
Mr Daniel Sagin	Application for works to a Beech tree – crown lift to 6m from base of the tree. 7 Queen Anne Gardens, Falmouth PA17/10582	Approved
Mr & Mrs Michell	Conversion of existing garage with single storey extension to rear, construction of a porch and associated works. 7 Polmennor Road, Falmouth PA17/11150	Approved

Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: planning@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA17/06253

Agent:

Influence Planning (D Mitchell)
2nd Floor
7-9 Old Bridge Street
Truro
Cornwall
TR1 2AQ

Applicant:

Mr Patrick Selman
Stonebridge Loft
Bar Road
Falmouth
Cornwall
TR11 4BM

Town And Country Planning Act 1990 (as amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2015

Notice of Refusal of Planning Permission

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY REFUSES PERMISSION**, for the development proposed in the following application received on 3 July 2017 and accompanying plan(s), for the reasons set out on the attached schedule:

Description of Development: Erection of a dwelling

Location of Development: Land Off Webber Street
Webber Street
Falmouth
Cornwall

Parish: Falmouth

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 27 November 2017

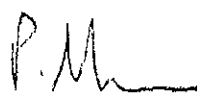
Phil Mason
Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/06253

REASONS:

- 1 The erection of a dwelling on this restricted site, with its limited amenity area and lack of parking provision, would represent a cramped form of development, and given its built form and elevated location would cause harm to the character and appearance of the Conservation Area, contrary to policies 2, 12, 13, and 24 of the Cornwall Local Plan Strategic Policies 2010-2030.
- 2 The means of access to the site is wholly inadequate to serve the proposed dwelling, given that the sole access is through a covered opeway and up a series of steps. Furthermore, there will be an unacceptable impact on neighbours given the intensification of the use of this access and from overlooking, contrary to policies 12 (2) and 27 of the Cornwall Local Plan Strategic Policies 2010-2030.
- 3 The applicants have failed to demonstrate that the development is appropriate for its location, taking into account ground conditions and land instability, which fails to improve the health and wellbeing of Cornwall's residents. The proposal is therefore contrary to policy 16(1) of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 120-121 of the National Planning Policy Framework 2012.

DATED: 27 November 2017


Phil Mason
Service Director Planning and Sustainable Development

RELEVANT PLANNING POLICIES:

Cornwall Local Plan Strategic Policies 2010-2030:

- 1 - Presumption in favour of sustainable development
- 2 - Spatial Strategy
- 2a - Key targets
- 3 - Role and function of places
- 12 - Design
- 13 - Development standards
- 16 - Health and wellbeing
- 21 - Best use of land and existing buildings
- 24 - Historic environment
- 26 - Flood risk management and coastal change
- 27 - Transport and accessibility

Falmouth Neighbourhood Development Plan (Pre-Submission Draft):

- DG 1 - Design in Housing Proposals
- DG 2 - Development Generally
- DG 3 - Design and Local Distinctiveness
- DG 4 - Design and Historic Environment
- DG 5 - Design in Conservation Areas

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Existing 1 received 03/07/17
Proposed 4 received 03/07/17
Proposed 5 received 03/07/17
Proposed 3 received 03/07/17
Proposed 2 Rev 1 received 08/09/17

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with this proposal. Members of the planning committee are not bound to accept the advice of officers. As officers advice has not been followed, reasonable planning grounds have been given for taking a contrary decision which is clearly set out in the reasons for refusal. The issues are so fundamental that it is not possible to negotiate a satisfactory way forward due to the harm that has been clearly identified within the reasons for refusal.



DATED: 27 November 2017

**Phil Mason
Service Director Planning and Sustainable Development**

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within 6 months of the date of this notice (or 12 weeks from the date of this notice in the case of householder appeals made in relation to applications submitted on or after 6 April 2009). Appeals must be made to the Planning Inspectorate using a form which can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/topic/planning-development/planning-permission-appeals/>. A copy of the completed appeal form must also be submitted to the Council.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on Cornwall Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

✓*



Development Management
Planning and Sustainable Development
Service

OFFICER REPORT – DELEGATED

Application number: PA17/06817	Expiry date: 9 October 2017
Received on: 19 July 2017	Neighbour expiry date: 8 September 2017
UPRN: 010014129304	Consultation expiry date: 1 December 2017
Legal agreement: N	Site notice posted: 24 August 2017
Departure:	Site notice expiry: 14 September 2017
Complies with Development Plan? Y/N If not, ensure you cover in the report how material considerations outweigh the plan?	
Is this decision contrary to local council recommendation?	

Applicant:	J D Wetherspoon PLC
Site Address:	The Packet Station 4 The Moor Falmouth TR11 3QA
Proposal:	Creation of Roof level Terrace and Beer Garden including addition of internal passenger lift
Application Type:	Full application

Consultee representations:

Public Protection Noise And Odour Planning Consultations (30 November 2017)
"I refer to your consultation regarding PA17/06817 - Creation of Roof level Terrace and Beer Garden including addition of internal passenger lift - The Packet Station, 4, The Moor, Falmouth TR11 3QA.

Proposed Plant

Having reviewed the submitted sound assessment ref: RK2310/17309/Rev 1I note that the assessment shows that the rating level of sound from the revised plant will comply with the requirements of Criterion 2 of the Development Sound Standard (DSS) however no penalty has been applied to the specific sound level to allow for the intermittency of the 24hr refrigeration/freezer units, as described in BS 4142:2014, adding this penalty would bring the predicted plant rating level at the nearest noise sensitive premises above that of the measured background particularly during the night time hours when people are most sensitive to noise.

People Noise from Terrace

In relation to the noise from patrons using the beer garden, the assessment of the predicted noise level of the patrons (Table 7, pg 9) against external sound guideline values (Criterion 1, DSS) indicates the potential for adverse effects at noise sensitive receptors although the report states otherwise.

In my experience Falmouth has a very busy & vibrant night time economy which is to a great degree fuelled by the large student population of the town, in my opinion the predicted usage scenarios for the terrace beer garden have been underestimated,

especially in the summer months, and the usage will be much more in turn producing higher sound levels.

The ambient noise levels in Table 8, pg 10 of the report are those with existing plant on (as shown in Table 1, pg 4), as this planning proposal seeks to replace the existing plant with much quieter alternatives these figures are redundant, as no daytime ambient levels were taken we must assume the levels with the existing plant switched off are representative of the ambient sound levels with the replacement plant. When the ambient noise levels in Table 8 are substituted with the amended figures the predicted sound level from customers using the terraced area exceeds these at every measurement position.

In addition to this, where Table 7 pg 9 of the report shows WHO Daytime Annoyance Criterion as 50dB it should be noted that guideline values should be 5 -10 dB lower for evenings (19:00-23:00) than for a 12 h daytime period even though WHO 1999 Guidelines state that no separate time base is given alone this is typically accepted. An evening guideline value of 45 dB LAeq,4hr has therefore been derived accordingly by this department and used in place of 50dB.

Nevertheless, for new developments the WHO 1999 guidance recommends that a lower value of 40 dB LAeq should be considered the maximum allowable sound pressure level for external areas, which most countries in Europe have adopted.

In my professional opinion and experience I have significant concerns regarding the use of the roof area as a terrace/beer garden. I believe that the noise levels produced by patrons will have an adverse impact on the health and quality of life of residents in the vicinity of the premises. It is therefore recommended that the identified adverse effects are a material consideration when determining the planning permission."

Historic Environment Planning West Majors (7 November 2017)

"By virtue of the proposed design and location of the extensions and design of the boundary treatment these proposals would harm the Falmouth Conservation Area and is contrary to policies NPPFP128 and 134 and Cornwall Local Plan policies 12 and 24 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

This building although it is not listed it is in a prominent location within the Falmouth Conservation Area and is post 1932 Art Deco building. The curves of the front, the spectacular staircase and panelling in the building all contribute to the architectural character.

The proposal is to change the roof which is functionally used for ventilation etc to a terrace to provide 174 covers. The alterations include;

- ' A single storey extension on the south west corner;
- ' Glass balustrading;
- ' New lift and signal storey extension;
- ' And other new boundaries.

It appears there is not Heritage Impact Assessment as required by NPPFP128 for these proposals. The design and access statement does not meet the requirements of NPPFP128. The HIA should inform the proposals.

It is noted that the proposed new staircase does not copy layout of ground and floor first which is a great shame but then as this is not a listed building its internal significance is less, but given the quality of this non designated heritage asset, the should be considered as this would reflect in the external glass box design on the roof.

The design of the glass extension should be rhombus shape to follow the design of the existing stair case. The doors to this glazed box should be frameless to echo the design philosophy of the extension. Detailed drawings of the construction would be required by condition to ensure a high quality of design.

Another concern is the proposed location of the lift inside the irregular shaped well of the steamer like designed staircase which detracts from the staircase. It would be usual in a HIA to consider options of locations, to provide a clear and convincing case for its proposed location. It is also noted that the proposed lift appears to be a steel lift, when a glazed lift, especially given the proposed glass single storey roof extension and the lift's location would be a more appropriate design.

It is proposed single storey extension in the south west corner to provide another extension to the existing staircase, when the lift could be located to the rear of this staircase and not detracting from the architecturally design spacious liner like staircase, and should be considered as one of the options in the HIA.

The design of the extension behind the front and side existing walls would be a difficult detail to waterproof without using lead or mastics and would be an area of left over space. It does not thoughtfully consider the adjoining property and it likely to become a damp microclimate, difficult to access and maintain. It is suggested that this design is re-designed to integrate with part of the existing structure and widening the front façade so the wall rises in line with the pier between the doors and window at ground floor level and then the pier between the windows at first floor level, for example. Again the design should have been informed by a HIA.

The propose increase in the walls of the roof are necessary for a variety of reasons including safety and to provide screening and acoustic treatment for neighbouring residents. It is indicated on the drawings from the front elevation is proposed to have glazed panels with metal fixings and post. However given the prominent and the contribution this building makes to the Falmouth Conservation Area, it is suggested an all glazed balustrade or some other high quality balustrading is proposed. This element is a very important detail which is an integral part of the application.

Raising the other walls of the building to comply with height of balustrading is again an important consideration for the architectural proportions of the building. There is no clear and convincing justification for timber boundary treatments.

This application should have been informed by a Heritage Impact Assessment carried out by an appropriate professional to understand the significance of the building and in particular its architectural character. This should lead to a scheme which respects the heritage asset, and develop a design would should at least preserve, if not enhance the Falmouth Conservation Area. A pre-application enquiry would have been useful and still useful in this particular case to minimise the level of harm and to ensure a good quality scheme."

Public Protection Noise And Odour Planning Consultations (30 August 2017)

"I refer to your consultation regarding PA17/06817 | Creation of Roof level Terrace and Beer Garden including addition of internal passenger lift | The Packet Station 4 The Moor Falmouth TR11 3QA. Until such time that sufficient information in the form of a sound assessment for the new/amended extract system has been submitted, Community Protection is unable to make a substantive consultation response. The sound assessment should be undertaken by a qualified and competent acoustician and should meet the requirements of the Cornwall Council Development Sound Standard.

Community Protection also has concerns regarding the levels of noise that will be created by the use of the roof terrace and the adverse effects of this on the health and wellbeing of noise sensitive receptors in the surrounding area, these concerns would be alleviated by restricting the use of the roof terrace to no later than 22:00hrs.

Kind regards

Michelle Cowie
Environmental Protection Officer"

Highway Development Management - Central (22 August 2017)
"I have no highways objection to this application.
RW"

Falmouth Town Council (12 September 2017)
"Support subject to no admissions to the roof terrace after 1030pm with the roof terrace to be closed by 11pm and subject to sound reduction board to be fitted at the rear of the terrace to reduce the impact of noise levels to residents at Mount Edgecombe Terrace."

Town Council Protocol

The town council were contacted with a five day protocol. Their response comments stated that they were able to support the refusal of the application.

Constraints and designations:

Annual Average Daily Traffic 5000-9999 Distance from Road: 50

2km Buffer to AONB Name: CORNWALL. Designation Date: Nov-59. Local
Section: SOUTH COAST - WESTERN

2km Buffer to AONB Name: CORNWALL. Designation Date: Nov-59. Local
Section: SOUTH COAST - CENTRAL

Article 4 Direction Order Reference: FALMOUTH. Name: Falmouth. Description: Development consisting of a change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (Houses in Multiple Occupation) of that Schedule being development comprised within Class L(b) of Part 3 (Changes of Use), Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and not being development within any other class.

Airfield Safeguarding Zone MOD Name: RNAS Culdrose. Restriction: All building, structure or works exceeding 91.4m in height above ground level. Consultee: Ministry of Defence

Airfield Safeguarding Zone MOD Name: RNAS Culdrose. Restriction: All developments that involve flying activities including gliding, micro-light aircraft and hang-gliding sites. Consultee: Ministry of Defence

Conservation Area Reference: . Name: FALMOUTH. Description: Conservation Area

Critical Drainage Area Critical Drainage Area Name: Falmouth and Penryn - Falmouth. CDA Type: Green

Meteorological Safeguarding Zone Location: Predannack Airfield. Criteria: Consultation required for any developments involving wind turbines

Meteorological Safeguarding Zone Location: Predannack Airfield. Criteria: Any building, structure or works exceeding 45.7m in height above ground level

Neighbourhood Development Plans Name: Falmouth. Status: Areas designated/Town Frameworks. Date Made:

Parish Parish Name: Falmouth

Primary Shopping Area Name: Falmouth. Inset Number: 07. Source: Cornwall Local Plan - 2016

Site Allocations Policy: . Location: Falmouth / Penryn. Type: Broad area. Allocation: This is a broad area around the town to highlight that it's covered by a Site Allocations DPD. Follow web link for policy details.

SSSI Impact Risk Zones All Consultations:

Infrastructure: Pipelines, pylons and overhead cables. Any transport proposal including road, rail and by water (excluding routine maintenance). Airports, helipads and other aviation proposals.

Wind and Solar Energy:

Minerals Oils Gas Extraction: Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.

Rural Non Residential:

Residential: Residential development of 25 units or more.

Rural Residential: Any residential development of 25 or more houses outside existing settlements/urban areas.

Air Pollution: Any industrial/agricultural development that could cause AIR POLLUTION (incl: industrial processes, pig & poultry units, slurry lagoons > 200m² & manure stores > 250t).

Combustion: General combustion processes >20MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.

Waste: Landfill. Incl: inert landfill, non-hazardous landfill, hazardous landfill.

Composting: Any composting proposal with more than 75000 tonnes maximum annual operational throughput. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.

Discharges:

Water Supply: Large infrastructure such as warehousing / industry where total net additional gross internal floorspace following development is 1,000m² or more.

Town Centre Boundary Name: Falmouth. Inset Number: 07. Source: Cornwall Local Plan - 2016

Wind Turbine Safeguarding Zone Classification: Any wind turbine 11metres to blade tip or taller, or has a rotor diameter of 2 metres or more. Consult: Ministry of Defence. Site: Cornwall

Wind Turbine Safeguarding Zone Classification: All wind turbine development.
Consult: NATS. Site: UK and Northern Ireland

Zones of Influence Natura 2000 Sites Site Name: Fal and Helford SAC. Buffer
Distance: 10000

Relevant policies, SPGs and Government guidance:

National Planning Policy Framework 2012

- o Achieving sustainable development
- o 7 - Requiring good design
- o 8 - Promoting healthy communities
- o 10 - Meeting the challenge of climate change, flooding and coastal change
- o 11 - Conserving and enhancing the natural environment
- o 12 - Conserving and enhancing the historic environment

Historic Environment good practice advice in planning - Note 3 The Setting of Heritage Assets March 2015

Cornwall Local Plan Strategic Policies 2010-2030

Policy 1 Presumption in favour of sustainable development

Policy 2 Spatial strategy

Policy 2a Key targets

Policy 3 Role and function of places

Policy 4 Shopping, services and community facilities

Policy 12 Design

Policy 13 Development standards

Policy 16 Health and wellbeing

Policy 21 Best use of land and existing buildings

Policy 23 Natural environment

Policy 24 Historic environment

Policy 26 Flood risk management and coastal change

Policy 28 Infrastructure

Falmouth Neighbourhood Development Plan - Presubmission document

Policy BE4 Enhancing and promoting the Moor

Policy CUL 2 Protection of existing venues

Policy DG2 Development generally

Policy DG3 Design and local distinctiveness

Policy DG4 Design and historic environment

Policy DG5 Design in conservation areas

Policy DG6 Impact on views and vistas

Cornwall Design Guide 2013

Section 1 - Importance of good design in a Cornish context

Section 2 - Design principles

Section 3 - Getting the design process right

Section 7 - Building design

Appraisal/key issues and conclusion:

Description of site and development:

The application site is a large and popular public house in the town of Falmouth, a town that accommodates a high number of tourists, locals and university student population. It is a highly accessible location with a bus stop outside the building and a train station in the town, along with ferries from the Prince of Wales Pier to St Mawes and Truro. The site is located within the town centre, in an area that is known as the 'Moor', where there are a range of shops, restaurants, cafes, a mechanics, takeaways, banks, estate agents, town hall, a library and an art centre. The building is designed with an artdeco design ethos that was permitted in 2008, which compliments the range of traditional buildings in the locality. Its flat roof design, with a capped parapet wall at the front extends above and below the ridge heights of the properties either side that are three stories with a pitched roofs, in contrast to the two generous levels of the public house. The area is covered by the Falmouth Conservation Area designation, and there are listed buildings on the moor.

At present the roof has no public access and is covered in plant material with netting above. There is a flat roofed upper level that provides a staired access to the main roof.

To the rear of the site there is a small beer garden that partially aligns the rear of the building in an enclave. Stepped pedestrian access provides access to a rear carpark, that is for deliveries and not customers. Neighbours prevail either side of the building in flats above shops (five flats to the east at 3 The Moor and one flat above 5 The Moor), and to the rear, of a flat above a funeral parlour and four houses at Mount Edgecombe Villas.

The proposal is for the replacement of plant material and a roof terrace with associated lift, stair cases and boundary treatments.

Public representations:

Two representations received stating the following comments -

Where is the extraction going to be - as at the moment it is on top of their roof

Noise issue - we do already have an issue with the noise

A good use of the roof area and looks well thought out.

My main concerns are the noise of the extraction fans which need to be well sound proofed.

Weatherspoons do not have music at present and as this is a residential area I would expect this to be prohibited in the future on the roof area.

Appraisal/key issues and conclusion

Economic development

The economic benefits of the proposal, that will support the existing business within an accessible town centre location that is covered by the town centre boundary and primary shopping area designations by providing enhanced customer facilities is a clear positive element of the proposal.

In this instance the positive economic benefits of the proposal are outweighed by the harm caused by the proposal that will be demonstrated in the report. It is considered

that this proposal therefore does not represent sustainable development in line with paragraph 7 of the NPPF and Policy 1 of the Cornwall Local Plan.

Design within its existing context

Given that the site is within Falmouth Conservation Area and is within the setting of several grade II listed buildings (Severn Stars public house, library and the lounge), the Local Planning Authority have a duty, under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving of a listed building or its setting and special attention to preserving or enhancing the character or appearance of a conservation area. Paragraphs 133 and 134 of the NPPF set out that when assessing the impact of a proposed development on a heritage asset it is the Local Planning Authorities responsibility to assess the level of harm of development on the asset(s), para 129 stipulates that development affecting the setting of a heritage asset would also need to be assessed and para 132 requires 'great weight to be given to the asset's conservation'.

Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 states that development proposals will be permitted where they sustain the cultural distinctiveness and significance of Cornwall's historic rural environment by protecting, conserving and where appropriate enhancing the significance of designated assets. The policy goes on to state that proposals will be expected to maintain the special character and appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal. Alongside this, Policy 12 of the Cornwall Local Plan states that proposals should promote local distinctiveness by being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its townscape setting and provide continuity with the existing built form and respect and work with the natural and historic environment. Paragraph 58 of the NPPF states that development should respond to local character and reflect the identity of local surroundings.

The draft Falmouth Neighbourhood Development Plan, holds a policy (Policy DG6) that relates to development that rises significantly above the average roof height and seeks to protect townscape views, which this proposal falls foul of. Policies DG4 and DG6 that relate to design and heritage aspects are also conflicted with.

The proposed introduction of a timber fence that ranges in height from 2.5metres and 2metre high and a glass structure on top of the staircase that is an irregular shape and does not reflect the rhombus projection that is present as a striking architectural feature on the front elevation, a steel lift and a rendered stairwell in a location that rises above the ridge height of the pitched roof of the neighbouring property at 3 The Moor fails to preserve or enhance the conservation area, as the new structures will appear as alien introductions to the roofscape that do not reflect the prevailing historic character of the area or design of the building.

Views of the building can be gained from the moor and the surrounding road and footpath network, which includes a well used walkway from Vernan Place to the southeast of the Moor, that provides a roofscape view of the building. This identified harm is considered to be less than substantial that is not outweighed by the benefits of the scheme.

Neighbourly issues

Concerns are raised with regard to noise generated from the proposal and general disturbance from the users of the roof terrace that is denoted to hold 174 covers, which is substantiated by the latest environmental protection comments. Whilst there is a small external area for customers at present, an agreed restriction on the timing for use until 10pm along with the submitted noise survey that puts forward data to show that there would be no harm to amenity, and a code of conduct for staff management of customers, the continual noise disruption which is all round 365 days a year, with both a background humdrum noise and sharp variations would be harmful to neighbour amenity (to the east there are two flats and three maisonettes at 3 The Moor and four flats at 2 the Moor ,to the west at 6A The Moor, Chyreen, and to the north 6a Quarry Hill and 1-4 Mount Edgecombe Villas) as all of these mentioned properties have either their garden or part of their accommodation within 35metres of the site.

Greatest concern is shown for 4 Mount Edgecombe Villas (closest point of the garden that is on two differing levels to the publically accessible terrace is 16.9metres, there is a small kitchen window in the galley style kitchen, a further ground floor window to the open plan dining room that's linked to the living room by double doors and two first floor windows one of which serves the stairway and the other serves a bedroom) and maisonettes/flats 1-5 at 3 The Moor (the building of which is a distance of 6.7metres from the publically accessible element of the proposal). The three maisonettes have open plan top floor kitchen, dining area and living rooms that are aided by two rooflights each on the facing roofslope, and one bedroom window (the main double room in contrast to the other single bedroom) and one bathroom window.

Paragraph 123 of the NPPF enables assessment on noise during a planning application, it provides a framework to be able to protect neighbour amenity by preventing schemes that generate noise that would give rise to significant adverse impacts on health and quality of life. It also considers the use of conditions. It is however considered that whilst the agent has stated the roof terrace area would be shut at 10pm this is not sufficient to overcome the concerns, as the predominance of when the neighbouring properties would like to use their gardens (Mount Edgecombe Villas) or have their windows open for example on a weekend would be when customers would be likely to use the roof terrace, it would also be used in the morning when the neighbours are getting up, throughout the day and in the evening when they are relaxing, eating dinner and getting ready for/going to bed. It is reasoned that the proposal is in conflict with paragraph 123 of the NPPF. Furthermore paragraph 120 seeks to prevent unacceptable risks from pollution, of which noise is included within the umbrella of pollution in the Annex 2 Glossary.

The Cornwall local plan under two policies of 13 and 16 sets out how development should protect, and alleviate risk to people from unhealthy and polluted environments by avoiding or mitigating against harmful impacts and health risks such as noise pollution, which this proposal falls foul of.

The introduction of new plant material has not been sufficiently justified as in the supporting noise report 'no penalty has been applied to the specific sound level to allow for the intermittency of the 24hr refrigeration/freezer units' in a location that is not enclosed and that is closer to some neighbours. It is noted by the environmental health officer that adding this penalty would bring the predicted plant rating level at the nearest noise sensitive premises above that of the measured background

particularly during the night time hours when people are most sensitive to noise. This is considered to add weight to the concerns of the proposal.

Highway safety

There are no highway safety concerns with the proposal.

Flooding

There is no increase in floor area by the proposal, therefore the critical drainage designation that covers the site will not be affected. The area as existing is impervious.

SAC

The proposal will not increase recreational pressure on the Fal and Helford SAC.

Planning Balance: The proposal despite the economic benefits, no impacts upon the critical drainage zone and highway safety assurance is considered to harm neighbour amenity and cause less than substantial harm to the Falmouth Conservation Area and setting of listed buildings that is not outweighed by the public benefits of the scheme in conflict with the aims and intentions of Policies contained within Sections Achieving Sustainable Development, 7, 10 and 12 of the National Planning Policy Framework 2012, Policies 1, 2, 2a, 3, 12, 13, 16 and 24 of the Cornwall Local Plan - Strategic Policies 2010-2030.

Recommendation: Refusal

Recommendation:

REF

That this application be refused, for the following reason(s).

Reason(s) for Refusal:

- 1 The proposal would generate noise disturbance that is harmful to residential amenities of neighbours (including 4 Mount Edgecombe Villas and maisonettes/flats 1-5 at 3 The Moor) in conflict with the aims and intentions of paragraphs 7, 14, 17, 109, 120 and 123 in the National Planning Policy Framework 2012 and Policies 1, 13 and 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030.
- 2 The proposal, by the chosen height, siting and material of its boundary treatments, lift and glazed extension, stair extension would cause less than substantial harm to the Falmouth Conservation Area, including the setting of listed buildings, that is not outweighed by public benefits, in conflict with the aims and intentions of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 7, 14, 17, 58 and 132 in the National Planning Policy Framework 2012 and Policies 1, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Illustrative Purposes only ROOF VISUALISATION received 19/07/17
Existing PL03 received 19/07/17
Mixed - Existing and Proposed PL05 received 19/07/17
Proposed PL04 received 19/07/17
Site/location Plan PL01 received 14/08/17
Block Plan PL02 received 14/08/17
Proposed JDH-001TPS received 13/09/17
Mixed - Existing and Proposed PL06 received 13/09/17
Mixed - Existing and Proposed PL07 received 13/09/17
Mixed - Existing and Proposed PL08 received 13/09/17

Copies of decision notices and documents associated with the decision making process, where relevant, for the above applications can be found in the Council's on-line planning register using the following link and by entering the reference of the application you are interested in.

Link: <http://planning.cornwall.gov.uk/online-applications/>

Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: planning@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA17/07929

Agent:

CAD Architects Limited - Truro
CAD Architects Limited - Mr Mark Dawes
Courtleigh House
74-75 Lemon Street
Truro
TR1 2PN

Applicant:

Mr Gill West
Care of CAD Architects
Courtleigh House
74-75 Lemon Street
Truro
TR1 2PN

**Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2015**

Grant of Conditional Planning Permission

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY GRANTS CONDITIONAL PERMISSION**, subject to the conditions set out on the attached schedule, for the development proposed in the following application received on 18 August 2017 and accompanying plan(s):

Description of Development: Resubmission of lapsed approval (PA11/04965) for demolition of former dwelling shell and erection of 8 studio apartments within footprint of previous application

Location of Development: Land Rear Of St Georges Arcade
St Georges Arcade
Falmouth
Cornwall

Parish: Falmouth

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 20 November 2017

Phil Mason
Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

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).

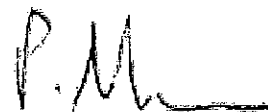
- 2 Before any of the development hereby permitted is brought into use, suitable parking spaces and turning facilities, as indicated on submitted drawing reference 1542.D.005 A, for use in conjunction therewith, shall be constructed in the positions indicated on the approved plan and the said parking and turning areas shall then be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure adequate parking and turning facilities off the adjoining highway in accordance with the aims and intentions of Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030.

- 3 The development hereby permitted shall not commence until a Construction Traffic Management Plan and programme of works has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size and type), vehicular routes, delivery hours and contractors arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of maintaining a safe and efficient highway network and in accordance with policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030.

- 4 Notwithstanding the surface material details shown on the submitted drawing referenced 1542.D.005 A, no development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved in the first planting season following the occupation of the building, or the completion of the development hereby approved, whichever is the sooner.



DATED: 20 November 2017

**Phil Mason
Service Director Planning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

The hard landscaping details shall include proposed finished ground levels or contours; means of enclosure; hard surfacing materials to include demarcation of the private and public areas within the layout, and minor artefacts and structures (e.g. refuse or other storage units) and full details of all external, lighting to be installed in relation to the external access and amenity areas, the platform lift and the lower parking courtyard areas

The soft landscape works details shall include planting plans, written specifications, schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate.

All hard and soft landscape works shall be carried out in full accordance with the approved details. Any trees or plants which within a period of five years from the completion of the development 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.

Reason: In the interests of visual and residential amenity and in accordance with policies 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030.

5 No development shall commence until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These details shall include confirmation of:

- The type, size, colour, texture and means of fixture of the natural slate to be used as the roof covering;
- The texture and colour of the horizontal boarded cladding to be used for the upper sections of the projecting elements and dormers;
- The final texture and colour of the external render;
- The designs, joinery details, material finish and means of opening of the windows and external doors;
- The design and detailing of the external metal balustrade and the Juliette style balcony enclosures;
- The natural stonework to be used as the facing to the lower terrace retaining wall, and the stone type, means of laying and bedding/pointing mortars.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



DATED: 20 November 2017

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**Phil Mason
ning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

The development shall then be carried out in accordance with the approved details and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character of this visually prominent new building which is in the Falmouth Conservation Area in accordance with policies 2, 12, and 24 of the Cornwall Local Plan Strategic Policies 2010-2030.

- 6 Before the development hereby permitted is commenced, details of measures to maintain and secure the stability of adjoining sites and enclosing boundary structures before, during and after the development, shall be submitted to and agreed in writing by the Local Planning Authority. The works on site shall then progress fully in accordance with these agreed measures unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this section of the Falmouth Conservation Area through retention of existing historic boundary structures and to ensure that there are no adverse impacts on adjacent properties, in accordance with policies 2, 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030.


- 7 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.

- 8 The development hereby permitted shall not be occupied until surface water disposal works serving the development have been completed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These works shall not thereafter be altered or removed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid flooding and in the interests of water quality and the residential amenities of future occupiers, given this is within the Critical Drainage Area, in accordance with policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



DATED: 20 November 2017

Service Director

Phil Mason


Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

- 9 Before the first occupation of Studio 6 hereby permitted the two rooflights on the North West elevation which serve the studio accommodation, shall be fitted with obscure glazing and fixed closed and the windows shall be permanently retained in that condition thereafter.

Reason: To protect the privacy of the occupants of the dwellings known as 16 and 16A Fish Strand Hill, Falmouth, in accordance with Policy 12 (2) of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 17 of the National Planning Policy Framework 2012.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



DATED: 20 November 2017

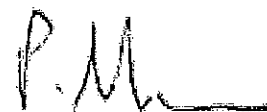
Phil Mason

Service Director for Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Proposed 1542.D.001 received 21/08/17
Proposed 1542.D.100 received 21/08/17
Existing 1542.D.002 B received 27/09/17
Proposed 1542.D.005 A received 27/09/17
Proposed 1542.D.030 received 21/08/17



DATED: 20 November 2017

**Phil Mason
Service Director Planning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

ANY ADDITIONAL INFORMATION:

- It appears unlikely that the proposed development would have any direct affect upon the Public Right of Way. Notwithstanding, the text below should be included as an Advice Note appended to any planning consent to ensure that the applicant is aware of their obligations as follows: This is the Advisory Note:
 - o No building materials must be stored on the right of way
 - o Vehicle movements must be arranged so as not to interfere with the public use of the way
 - o 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
 - o The safety of members of the public using the right of way must be ensured at all times
 - o No additional barriers (e.g. gates) are to be placed across the right of way
 - o There must be no reduction of the available width of the right of way for use by members of the public
 - o No damage or alteration must be caused to the surface of the right of way
 - o Wildlife mitigation fencing must not be placed across the right of way.

If the Council's policies and guidelines are not heeded we will take such action as may be necessary including direct enforcement action and prosecution. The Council has a statutory duty to ensure Public Rights of Way (PROW) are open at all times and members of the public are not inconvenienced in their use of PROW where development work has taken place.

It appears unlikely that the proposed development would have a direct affect upon a public right of way. It does, however, appear that a public right of way will be used as access to the development site both during the works and after its completion. The text below should be included as an Advice Note appended to any planning consent to ensure that the applicant is aware of their obligations as follows:

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



DATED: 20 November 2017

**Phil Mason
Service Director Planning and Sustainable Development**

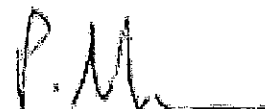
SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/07929

It is noted that access to the site during construction works and after the completion of the permitted development is by means of a Public Path (Footpath, Bridleway or Restricted Byway). The applicant must ensure that they have a right to drive a private motor propelled vehicle (MPV) over any path, track or way that supports a Public Path. A person that drives an MPV along a path, track or way that supports a Public Path without lawful authority may commit an offence under the Road Traffic Act 1984 Section 31. Lawful authority can only be granted by the owner of the land. In addition it is not uncommon for occupiers of properties where access is by means of a path, track or way that supports a Public Path to desire to improve the surface of that way so as to facilitate use by Motor Vehicles. Such works may not require to be authorized by the grant of planning consent, but occupiers will also need to ensure that they have the consent of the owner of the land for the works. Occupiers are also required to obtain the consent of the Council as highway authority for any work that they undertake which affects the surface of the path, track or way. This include work that disturbs the existing surface as well as work to improve a path, track or way by means of placing new material on top of the existing surface.

It is noted that the proposed development has new construction that abuts or is close to the boundaries of the public right of way as currently mapped by Ordnance Survey. The text below should be included as an Advice Note appended to any planning consent to ensure that the applicant is aware of their obligations as follows:

Council as highway authority reminds the applicant that Planning Consent for the development hereby permitted has been granted on the basis of the submitted plans that are referred to above in this Notice. It is considered that these submitted drawings indicate that the construction of the permitted development should not have any injurious impact upon the adjacent right of way provided that the permitted development is carried out as shown in the approved drawings. If subsequent inspections of the development site reveal that construction has been carried out that is not in accordance to the approved drawings and that such works have caused a diminution in the width or extent of the adjacent highway then the authority has powers under the Highways Act 1980 to secure the removal of obstructions and to restore the full extent and surface of the highway.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



DATED: 20 November 2017

Phil Mason

Service Director Planning and Sustainable Development

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within 6 months of the date of this notice (or 12 weeks from the date of this notice in the case of householder appeals made in relation to applications submitted on or after 6 April 2009). Appeals must be made to the Planning Inspectorate using a form which can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.co.uk/pcs. A copy of the completed appeal form must also be submitted to the Council.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on Cornwall Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice.

If this approval is for the erection of new buildings please refer to the note below.

Registering addresses for new properties prior to commencement

You must apply officially to register the name of any new street or the address of any new property through Cornwall Council's Street Naming and Numbering process. You are required to submit an application form, plan and appropriate fee all details of which can be found on our website at www.cornwall.gov.uk/degault.aspx?page=10863. For any further assistance please contact addressmanagement@cornwall.gov.uk or telephone 0300 1234 100.



CAD Architects Limited - Truro
CAD Architects Limited - Mr Mark Dawes
Courtleigh House
74-75 Lemon Street
Truro
TR1 2PN

Your ref: 1542 Demolish existing shell
...
My ref: PA17/07929
Date: 20 November 2017

Dear Sir/Madam

**Resubmission of lapsed approval (PA11/04965) for demolition of former dwelling shell and erection of 8 studio apartments within footprint of previous application
Land Rear Of St Georges Arcade St Georges Arcade Falmouth Cornwall**

With reference to this planning application, I enclose the Decision Notice granting permission.

If conditions have been included that must be complied with before the commencement of the development, e.g. "No development shall commence before", and this is not done, the development cannot be validly commenced even if it is within the time limit set by Condition.

If details are required I look forward to receiving them. Application forms can be found on http://ecab.planningportal.co.uk/uploads/appPDF/P0810Form027_english_en.pdf. Your attention is drawn to the fees to discharge planning conditions under The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012:

£97 (per request) for applications not falling within fee categories 6 or 7 (non-householder applications)

£28 (per request) where the request relates to an application for works to an existing dwelling, or within the curtilage of such, falling within fee categories 6 or 7 (householder applications only)

You may wish to take the opportunity to submit details to discharge more than one condition per request.

Yours faithfully

Laura Potts

**Principal Development Officer
Planning and Sustainable Development Service
Tel: 01872 224342**

Planning and Sustainable Development Service
Cornwall Council
Pydar House Pydar Street Truro Cornwall TR1 1XU
planning@cornwall.gov.uk

Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: planninghouseholder@cornwall.gov.uk

Tel: 0300 1234 151

Web: www.cornwall.gov.uk



Application number: PA17/09856

Agent:

Truro Tree Services
Plynts House
Old Falmouth Road
Truro
TR1 2HN

Applicant:

Webb
Domestic Mooring Port Pendennis
Port Pendennis
FALMOUTH
TR11 3YL

**Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Trees) Regulations 1999**

Notice of Refusal for the Felling, Topping or Lopping of Trees and Woodlands

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY REFUSES CONSENT** for the works proposed in the following application received on 17 October 2017 and accompanying plan(s), for the reason set out on the attached schedule:

Description of Development: Fell the group of Sycamores as the roots have been disturbed by the removal of the old garage located amongst them (see photos) the trees are poor specimens, felling and re planting is the better option, or allowing the re growth to form a new group of trees

Location of Development: Port Pendennis Marina
Adj Bar Road Car Park
Tinnars Walk
Port Pendennis
Falmouth
Cornwall
TR11 3XZ

Parish: Falmouth

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 8 December 2017

**Phil Mason
Service Director Planning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/09856

REASON:

The proposed loss of the group of Sycamores would have a significant detrimental impact upon amenity value and the character of the area, where they provide an important green buffer in an urban setting. It is the opinion of the Local Planning Authority that the proposed works are not justified by the reasoning given in the application.

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan SITE LOCATION received 17/10/17

ADDITIONAL INFORMATION:

- It is recommended that the applicant re inspects the trees next summer due to evidence of new responsive growth as the trees acclimatise to their newly disturbed rooting environment.

Should the applicant wish to remove dead-wood from the trees they may decide to apply to carry out this work subject to an exception notice application which has first been submitted to the Local Planning Authority. The trees would further benefit from deep mulching with well-rotted wood chip mulch.



DATED: 8 December 2017

**Phil Mason
Service Director Planning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/09856

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse consent to carry out the proposed works, or to grant consent subject to conditions, they may by notice served within 28 days of receipt of this notice, appeal to the Secretary of State (under the provisions of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Trees) Regulations 1999 and 2008). The Secretary of State has power to allow a longer period for the giving of notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. Appeals must be made to the Planning Inspectorate using a form which can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/topic/planning-development/planning-permission-appeals/> A copy of the completed appeal form must also be submitted to the Council.



DATED: 8 December 2017

Phil Mason
Service Director Planning and Sustainable Development

Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: planninghouseholder@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA17/10538

Agent:

RTP Surveyors (Falmouth)
RTP Surveyors (Falmouth)
12 Arwenack Street
Falmouth
Cornwall
TR11 3JD

Applicant:

Mr R Crane
Flat 1
2 Woodlane Crescent
Falmouth
Cornwall
TR11 4QS

Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2015

Grant of Conditional Planning Permission

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY GRANTS CONDITIONAL PERMISSION**, subject to the conditions set out on the attached schedule, for the development proposed in the following application received on 6 November 2017 and accompanying plan(s):

Description of Development: Widening of front dormers and replacement front window

Location of Development: Flat 5
2 Woodlane Crescent
Falmouth
Cornwall
TR11 4QS

Parish: Falmouth

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 21 December 2017

Phil Mason
Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/10538


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.



DATED: 21 December 2017

**Phil Mason
Service Director Planning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/10538

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan 170637-01 received 06/11/17
Existing 170637-02 received 06/11/17
Proposed 170637-03 A received 14/12/17

In dealing with this application, the local planning authority have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising during the processing of this planning application in accordance with the National Planning Policy Framework. Actions taken may include but are not limited to:


Provision of pre-application advice through extensive guidance available on the Council's website

Discussions/negotiations ongoing with LPA throughout determination of planning application as necessary

Discussion regarding drafting of planning conditions as necessary

Dedicated phone number of the case officer for the applicant/agent

Close liaison with the Town and Parish Councils in accordance with the protocol



DATED: 21 December 2017

**Phil Mason
Service Director Planning and Sustainable Development**

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within 6 months of the date of this notice (or 12 weeks from the date of this notice in the case of householder appeals made in relation to applications submitted on or after 6 April 2009). Appeals must be made to the Planning Inspectorate using a form which can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.co.uk/pcs . A copy of the completed appeal form must also be submitted to the Council.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on Cornwall Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice.



RTP Surveyors (Falmouth)
RTP Surveyors (Falmouth)
12 Arwenack Street
Falmouth
Cornwall
TR11 3JD

Your ref: Flat 5, 2 woodlane crescent
My ref: PA17/10538
Date: 21 December 2017

Dear Sir/Madam

**Widening of front dormers and replacement front window
Flat 5 2 Woodlane Crescent Falmouth Cornwall**

With reference to this planning application, I enclose the Decision Notice granting permission.

If conditions have been included that must be complied with before the commencement of the development, e.g. "No development shall commence before ...", and this is not done, the development cannot be validly commenced even if it is within the time limit set by Condition.

If details are required I look forward to receiving them. Application forms can be found on http://ecab.planningportal.co.uk/uploads/appPDF/P0810Form027_english_en.pdf. Your attention is drawn to the fees to discharge planning conditions under The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012:

£97 (per request) for applications not falling within fee categories 6 or 7 (non-householder applications)

£28 (per request) where the request relates to an application for works to an existing dwelling, or within the curtilage of such, falling within fee categories 6 or 7 (householder applications only)

You may wish to take the opportunity to submit details to discharge more than one condition per request.

Yours faithfully

Hayley Wray

**Development Officer
Planning and Sustainable Development Service
Tel: 01872 224692**

Planning and Sustainable Development Service
Cornwall Council
Pydar House Pydar Street Truro Cornwall TR1 1XU
planninghouseholder@cornwall.gov.uk

Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: planninghouseholder@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA17/10952

Agent:

Mike Leggett Building Plans
Mike Leggett Building Plans
The Springs
Harrowbeer Lane
Yelverton
PL20 6EA

Applicant:

Mr And Mrs Sullivan
11 Queen Anne Gardens
Falmouth
Cornwall
TR11 4SW

**Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2015**

Grant of Conditional Planning Permission

CORNWALL COUNCIL, being the Local Planning Authority, **HEREBY GRANTS CONDITIONAL PERMISSION**, subject to the conditions set out on the attached schedule, for the development proposed in the following application received on 17 November 2017 and accompanying plan(s):

Description of Development: Replacement of existing roof with new roof with higher ridge and incorporating front and rear dormers and roof terrace

Location of Development: 11 Queen Anne Gardens
Falmouth
TR11 4SW

Parish: Falmouth

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 20 December 2017

**Phil Mason
Service Director Planning and Sustainable Development**

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/10952

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.



DATED: 20 December 2017


**Phil Mason
Service Director Planning and Sustainable Development**

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Existing 1 OF 2 received 17/11/17
Proposed 2 OF 2 received 17/11/17
Site/location Plan L01 received 17/11/17
Block Plan B02 received 17/11/17

In dealing with this application, the local planning authority have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising during the processing of this planning application in accordance with the National Planning Policy Framework. Actions taken may include but are not limited to:

Provision of pre-application advice through extensive guidance available on the Council's website
Discussions/negotiations ongoing with LPA throughout determination of planning application as necessary
Discussion regarding drafting of planning conditions as necessary
Dedicated phone number of the case officer for the applicant/agent
Close liaison with the Town and Parish Councils in accordance with the protocol



DATED: 20 December 2017

**Phil Mason
Service Director Planning and Sustainable Development**

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within 6 months of the date of this notice (or 12 weeks from the date of this notice in the case of householder appeals made in relation to applications submitted on or after 6 April 2009). Appeals must be made to the Planning Inspectorate using a form which can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.co.uk/pis. A copy of the completed appeal form must also be submitted to the Council.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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In these circumstances, the owner may serve a purchase notice on Cornwall Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice.

Mike Leggett Building Plans
Mike Leggett Building Plans
The Springs
Harrowbeer Lane
Yelverton
PL20 6EA

Your ref: 11 Queen Anne Gardens
My ref: PA17/10952
Date: 20 December 2017

Dear Sir/Madam

**Replacement of existing roof with new roof with higher ridge and incorporating front and rear dormers and roof terrace
11 Queen Anne Gardens Falmouth TR11 4SW**

With reference to this planning application, I enclose the Decision Notice granting permission.

If conditions have been included that must be complied with before the commencement of the development, e.g. "No development shall commence before ...", and this is not done, the development cannot be validly commenced even if it is within the time limit set by Condition.

If details are required I look forward to receiving them. Application forms can be found on http://ecab.planningportal.co.uk/uploads/appPDF/P0810Form027_english_en.pdf. Your attention is drawn to the fees to discharge planning conditions under The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012:

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£28 (per request) where the request relates to an application for works to an existing dwelling, or within the curtilage of such, falling within fee categories 6 or 7 (householder applications only)

You may wish to take the opportunity to submit details to discharge more than one condition per request.

Yours faithfully

Hayley Wray

**Development Officer
Planning and Sustainable Development Service
Tel: 01872 224692**