

## **FALMOUTH TOWN COUNCIL**

Minutes of a Meeting of the Planning Committee held on Monday 9<sup>th</sup> April 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 C Morgan and R J O'Shea

Councillor A Parker also attended.

In Attendance: A M Williams (Town Clerk)  
Mrs V Rogers (Administration Officer)

### **P5367 APOLOGIES**

An apology for absence was received and approved from Councillor Coley (holiday).

### **P5368 INTERESTS**

None.

### **P5369 MINUTES**

It was proposed by Councillor Chappel seconded by Councillor O'Shea and

RESOLVED that the minutes of the meetings of the Committee held on 19<sup>th</sup> February 2018 and 12<sup>th</sup> March 2018 be approved as correct records of the proceedings and signed by the Chairman.

### **P5370 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 3<sup>rd</sup> April 2000 and amended by Minute P3017.

It was proposed by Councillor Bonney, seconded by Councillor Eva 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 Spargo and

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

Councillor Eva requested that it be noted that he voted against the recommendation to refuse PA18/01882.

### **P5371 NATIONAL PLANNING CONSULTATION**

The National Planning Consultation was duly noted.

**P5372 APPEAL DECISIONS**

Appeal 1: APP/D0840/W/17/3175849 – Land North of Pendennis Castle, off Castle Drive, Falmouth – Dismissed

Appeal 2: APP/D0840/W/17/3178389 – Former Falmouth Coachworks Ltd (Strongman's Yard), Penwerris Lane, Falmouth - Allowed

Members duly noted the Appeal Decisions.

**P5373 WITHDRAWN APPLICATIONS**

PA18/00874 – Listed building consent for erection of two additional dwellings H4 and H5 in hotel grounds adjacent to previous planning permission reference PA10/06309 at Penmere Manor Hotel, Mongleath Road, Falmouth

PA18/01011 – First floor extension and remodelling with a balcony on the south elevation at 8 Manor Close, Falmouth

PA18/01372 – building of permanent enclosed café structure next to existing permanent kitchen at Castle Beach, Cliff Road, Falmouth

Members duly noted the withdrawn applications.

**P5374 PLANNING ENFORCEMENT**

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

**P5375 HIGHWAYS/TRAFFIC MANAGEMENT/ROAD SAFETY**

Road Traffic Regulation Act 1984 S16A:Temporary Prohibition of Traffic Road on Florence Place, Falmouth from 18<sup>th</sup> April 2018 to 20<sup>th</sup> April 2018 (0930 to 1630 hours) for BT to carry out works to their apparatus.

Members duly noted the temporary road closure.

Highways Act 1980 – Section 278 – Development of Admiral Nelson, Falmouth (Land adjoining Bar Road)

Members duly noted the provisions of the Agreement.

Section 14 (1) of the Road Traffic Regulation Act 1984 (RTRA 184) Temporary Speed Restriction (Schedule No. 14) Order 2018 - Surface Dressing Works

Members duly noted the surface dressing schedule for 2018/19.

**P5376 DECISION NOTICES**

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

**P5377 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: .....

**APPENDIX I**  
**9<sup>TH</sup> APRIL 2018**

1. **Boslowick** PA18/01654 Mr B Oliver  
(Case Officer: Sarah Dyke. 01209 614297, [sarah.dyke@cornwall.gov.uk](mailto:sarah.dyke@cornwall.gov.uk))  
Convert garage into kitchen and replace flat roof with tiled monopitch.  
21 Mongleath Road, Falmouth

No objection.

2. **Smithick** PA18/02114 Dr Nina Khaira  
(Case Officer: Hayley Wray, 01872 224692 [hwwray@cornwall.gov.uk](mailto:hwwray@cornwall.gov.uk))  
Removal of Birch tree (T2) from garden.  
66 Marlborough Road, Falmouth

*For information only*

3. **Smithick** PA18/02301 Mr Andy Trendell  
(Case Officer: Sophie Rogers, 01872 224262, [SoRogers@cornwall.gov.uk](mailto:SoRogers@cornwall.gov.uk))  
Non-material amendment (no.2) for removal of the light turret, amendment to the position on the roof lights, the removal of the steel grille in front of the external door and changing the French doors on the lower ground floor to 2 windows (PA16/02329) Erection of a single two-bed detached dwelling  
Land adjacent 1 Fountain Cottages, Market Street, Falmouth

No objection.

4. **Smithick** PA18/02307 Mr Michael Babbs  
(Case Officer: Jennie Mason. 01872 224465, [jlmason@cornwall.gov.uk](mailto:jlmason@cornwall.gov.uk))  
Certificate of Lawfulness for the existing use of the property as 1no self contained flat (C3) and 6no bed-sits (C4).  
19 Albany Road, Falmouth

No objection as the applicant has evidenced the historical use.

5. **Arwenack** PA18/02379 Mr G Lea  
(Case Officer: Hayley Wray, 01872 224692 [hwwray@cornwall.gov.uk](mailto:hwwray@cornwall.gov.uk))  
Proposed alteration of greenhouse to create a shed and enlargement of this and existing garage.  
Boldmere, 13 Spernen Wyn Road, Falmouth

No objection.

6. **Smithick** PA18/02596 Mrs R Brown  
(Case Officer: Hayley Wray, 01872 224692 [hwwray@cornwall.gov.uk](mailto:hwwray@cornwall.gov.uk))  
Proposed detached garage.  
19 Norfolk Road, Falmouth

No objection.

7. **Penwerris** **PA18/02611** **Mr & Mrs Hyslop**  
**(Case Officer: Sarah Dyke. 01209 614297, [sarah.dyke@cornwall.gov.uk](mailto:sarah.dyke@cornwall.gov.uk))**  
Proposed front porch, utility room extension, addition of balconies to dormer window and extended decking (including water feature). Reduction in ground level below decking to provide additional parking.  
24 North Parade, Falmouth

No objection.

8. **Boslowick** **PA18/02692** **Mr Brian Bishop**  
**(Case Officer: Sarah Dyke. 01209 614297, [sarah.dyke@cornwall.gov.uk](mailto:sarah.dyke@cornwall.gov.uk))**  
Various Tree Works  
Land off Tremorvah Way, Tremorvah Way, Swanpool, Falmouth

No objection to the light pruning of T1 and T2. T3 and T4 require a full climbing inspection as there is evidence of woodpecker holes and the Council would prefer to see these left as standing monoliths for habitat value.

**APPENDIX II**  
**9<sup>TH</sup> APRIL 2018**

1. **Smithick** **PA17/09996** **Mrs Brown**  
(Case Officer: Sarah Dyke, 01209 614297, [sarah.dyke@cornwall.gov.uk](mailto:sarah.dyke@cornwall.gov.uk))  
Replacement of current rear ground floor extension and conservatory and formation of new ground and first floor extension with room in the roof including a balcony and Juliet balcony.  
3 Wellington Place, Falmouth
- Refuse as the previous concerns had not been addressed, the balcony is unneighbourly and the proposal is overdevelopment of the site.
2. **Smithick** **PA18/00921** **Mrs Pagin, Diamond Developments Investments, Sales & Lett**  
(Case Officer: Sophie Rogers, 01872 224262, [SoRogers@cornwall.gov.uk](mailto:SoRogers@cornwall.gov.uk))  
Revised design of previous approval PA16/06552 – Conversion and first floor extension of an existing garage to form dwelling.  
5 Dracaena Avenue, Falmouth
- Refuse as the design is inappropriate and not in keeping with the area.
3. **Arwenack** **PA18/01741** **Ms Sarah Hayes**  
(Case Officer: Sophie Rogers, 01872 224262, [SoRogers@cornwall.gov.uk](mailto:SoRogers@cornwall.gov.uk))  
Demolish single storey timber frame structure at side of house and replace with single storey annexe (amendment to PA17/01269 to enable the annexe to be let).  
65 Melvill Road, Falmouth
- Refuse as the design is inappropriate and not in keeping with the area.
4. **Peawerris** **PA18/01882** **Mr Paul Edgerley**  
(Case Officer: Sophie Rogers, 01872 224262, [SoRogers@cornwall.gov.uk](mailto:SoRogers@cornwall.gov.uk))  
Removal of condition 3 (occupancy restriction) in respect of decision PA02/0231/10/R (Replacement of existing garage with new garage and bed sitting room above).  
The Annexe, 11 Trevethan Road, Falmouth
- Refuse as the Committee felt that Condition 3 was still relevant and the facility is only suitable for ancillary domestic use and is not suitable for a long term let.
5. **Smithick** **PA18/02729** **Miss L McKeown**  
Case Officer: Hayley Wray, 01872 224692 [hwray@cornwall.gov.uk](mailto:hwray@cornwall.gov.uk))  
Domestic first floor side extension, rear ground floor kitchen extension, rear roof balcony and associated works.  
35 Budock Terrace, Falmouth
- Support. Due to the layout of the dwelling houses the Juliet balcony there is existing and mutual overlooking already present, therefore the addition of the Juliet balcony is not considered to cause significant levels of harm.
6. **Smithick** **PA18/02858** **Mr Adrian Roper**  
Case Officer: Hayley Wray, 01872 224692 [hwray@cornwall.gov.uk](mailto:hwray@cornwall.gov.uk))  
Kitchen extension and alterations.  
5 Florence Place, Falmouth
- Support subject to the approval of the Historic Officer.

7. **Smithick** **PA18/02859** **Mr Adrian Roper**  
**Case Officer: Hayley Wray, 01872 224692 [hwray@cornwall.gov.uk](mailto:hwray@cornwall.gov.uk)**  
Listed Building Consent application for kitchen extension and alterations.  
5 Florence Place, Falmouth

Support subject to the approval of the Historic Officer.

8. **Arwenack** **PA18/02664** **Mr & Mrs B Swalingham**  
**(Case Officer: Sarah Dyke. 01209 614297, [sarah.dyke@cornwall.gov.uk](mailto:sarah.dyke@cornwall.gov.uk))**  
Amendment to application PA16/03601 in respect of the inclusion of glazed panels above first floor balcony doors to east elevation and change from white to slate grey for the windows and doors.  
10 Boscawen Road, Falmouth

Support.

**TOWN AND COUNTRY PLANNING ACT 1971**  
**FOR SUBMISSION TO THE COUNCIL ON 9<sup>TH</sup> APRIL 2018**

Mr R Cadwallader	Removal of timber summer house/she, extension to rear of garage and addition of first floor for storage including Juliet balcony. 12 Boscawen Road, Falmouth PA17/08921	Approved*
Mrs Jane Brooks	Proposed construction of a dwelling house. Land at Penwerris Farm, Dracaena View, Falmouth PA17/10450	Approved*
Mrs Doreen Silver	Oak tree – minor pruning works comprising crown raising, selective thinning to lateral limb above shed and selected limb removal. 16 Church Way, Falmouth PA17/11647	Approved*
Mrs Julie Golton	Felling of Oak tree. 1 Prislow Close, Falmouth PA18/00120	Approved*
Sally Pine	Re-coppice T1 – 1 x Sycamore White Walls, Mongleath Road, Falmouth PA18/00146	Approved*
H & H Developments	Construction of 3 dwellings and associated works to include parking and access. Land Off Swanpool Road, Swanpool Road, Falmouth PA17/01673	Refused
Mrs Nicola Williamson	Change of use from C3 to C4. 4 Tresawna Terrace, Falmouth PA17/11033	Refused
Mrs Jeannette Nunn	Application for Change of Use from use class A1 (Hairdressers) on ground floor to use class C3 (Dwelling) to become an extension to existing dwelling on the first floor. 16A Fish Strand Hill, Falmouth PA17/11162	Approved
Mr & Mrs Stembridge	Proposed kitchen extension. Removal of pitched roof over boot room to form a parapet wall and upper roof terrace. Window and door alterations. Demolition of rear chimney. Conversion of garden room to annexe with new roof over. Internal alterations. Cressy House, 10 Park Terrace, Falmouth PA17/12057	Approved

Mr & Mrs Farthing	Replacement dormer window plus 2 x new velux windows. Accommodation Trelawney Gust House, 6 Melvill Road, Falmouth PA17/12088	Approved
Mr Nick Offord	Application for removal and rebuilding of chimney and chimney breast. 1 Florence Terrace, Falmouth PA17/12203	Approved
Mr Nick Offord	Listed building consent application for removal and rebuilding of chimney and chimney breast. 1 Florence Terrace, Falmouth PA17/12204	Approved
Mr & Mrs Neil Pearson	Replacement dwelling. 5 Tresahar Road, Falmouth PA17/12215	Approved
Mr R Percy	Proposed garage and bin store. Sunroom built over existing store and construction of canopy above ground floor windows and door. 12 Erisey Terrace, Falmouth PA17/12224	Approved
Mr & Mrs D Stapleton	Demolition of existing garage and construction of new dwelling. Land to the Rear of 23 Penwerris Terrace, Falmouth PA17/12225	Approved
Mr Prendergast	Replace existing door to terrace with double glazed French doors. The Brig, 54 High Street, Falmouth PA18/00088	Approved
Miss F Ducker	Removal of sheds and the erection of a garage. The Sandy Duck, 12 Pennance Road, Falmouth PA18/00149	Approved
Mrs Alicia Sullivan	Fell T1 – 1 x Beech and replace with 1 x light standard downy birch. 11 Queen Anne Gardens, Falmouth PA18/00156	Refused
Mr Dewar	Conversion of garages to 2no. 1 bedroom flats (revision to previous approval under PA16/11350 for conversion to 1no. 2 bedroom flat). Penwerris Farm, Dracaena View, Falmouth PA18/00238	Approved
Mrs H Savage	Works to an English Oak 117 Boslowick Road, Falmouth PA18/00249	Approved



Nicola Garland	Crown reduce Beech (T1) 11 Roscarrack Close, Falmouth PA18/00355	Approved
Margaret de Jimenez	Crown reduce T1 – Eucalyptus. Quesada, 18 Berkeley Vale, Falmouth PA18/00420	Approved
Mr J Wells	Non material amendment to amend wording of condition 14 (materials) in respect of decision PA16/03586 (Appeal Ref APP/D0840/W/17/3175637) for redevelopment of the former Rosslyn Hotel for 117 managed bed spaces, ancillary accommodation and associated works, landscaping and vehicular access. Rosslyn, 110 Kimberley Park Road, Falmouth PA18/00487	Approved
Mr Ben Brown	Demolition of existing garage, and construction of a new two storey dwelling. 49 Shelburne Road, Falmouth PA18/00518	Approved
Mr N Hirst	To erect a white PVCU framed conservatory to the rear of the property. 46 Treverbyn Road, Falmouth PA18/00687	Approved
Mr & Mrs Dunstone	Erect Pvcu replacement /enlargement conservatory to rear of property. 75 Conway Road, Falmouth PA18/00965	Approved
Mr Steve Thomas	Alterations and extensions to dwelling. External works to gardens/terraces. Formation of double garage with terrace over (amendment to approval PA16/00991). 39 Castle Drive, Falmouth PA18/00969	Approved
Mr Jim Boyd	Build a garage in the rear garden with off street parking leading to the rear lane. 8 Polwhaveral Terrace, Falmouth PA18/00990	Approved
Mr Matt Philips	Listed Building Consent to take out existing steel beams supporting the granite paving stones and renew. Provide additional blockwork column and additional beams. Harbour Masters Office, 44 Arwenack Street, Falmouth PA18/01040	Approved
Mrs A Stribley	Alterations to existing garage to include new side extension plus rear conservatory. 2 Conway Road, Falmouth	Approved



# Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: [planninghouseholder@cornwall.gov.uk](mailto:planninghouseholder@cornwall.gov.uk)

Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA17/08921

**Agent:**

Seadogs CAD  
The Boathouse  
Commercial Road  
Penryn  
TR10 8AE

**Applicant:**

Mr R Cadwallader  
12 Boscawen Road  
Falmouth  
TR11 4EN

**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 20 September 2017 and accompanying plan(s):

**Description of Development:** Removal of timber summer house/shed, extension to rear of garage and addition of first floor for storage including Juliet balcony

**Location of Development:** 12 Boscawen Road  
Falmouth  
TR11 4EN

**Parish:** Falmouth

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 21 February 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/08921**

**CONDITIONS:**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 None of the window or external door openings in the development hereby permitted shall be enlarged and no new window or external door openings shall be added without the prior written consent of the Local Planning Authority.


Reason: To protect the privacy of occupants of neighbouring properties and in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 paragraph 17 of the National Planning Policy Framework.

- 4 Prior to the first occupation of the development hereby permitted, the two proposed windows to be installed on the south elevation of the development located above/next to the stairs hereby permitted shall have obscure glazing to at least Pilkington 5 standard and thereafter be retained as such.

Reason: To protect the privacy of occupants of neighbouring properties and in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 paragraph 17 of the National Planning Policy Framework.

- 5 The development hereby permitted shall only be used for domestic storage and the parking of vehicles incidental to the enjoyment of the dwellinghouse as such known as 12 Boscawen Road.

Reason: To accord with development plan policies under which a business use or separate unit of accommodation would not normally be permitted on the site because of the proximity of the existing dwelling and the residential amenities of the occupiers of existing adjoining properties in accordance with the aims and intentions of paragraph 17 of the National Planning Policy Framework.



**DATED: 21 February 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/08921**

- 6 Notwithstanding details shown on any approved plans, surface water run off from the development hereby permitted shall not drain to the sewer, but shall instead be disposed of via an infiltration system in accordance with infiltration guidance in BRE 365 or CIRIA 156 using a 10-year return period design standard

Reason: To ensure flood risk is not increased elsewhere in accordance with saved policy 26 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraph 99 of the National Planning Policy Framework.

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**



**DATED: 21 February 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/08921**

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

Proposed 1085-03B received 22/09/17  
Existing 1085 01A received 09/10/17  
Site/location Plan 1085-05 received 09/10/17  
Site/location Plan 1085-04 received 09/10/17

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 February 2018**

**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](http://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.



Seadogs CAD  
The Boathouse  
Commercial Road  
Penryn  
TR10 8AE

**Your ref:** 12 Boscawen Road  
**My ref:** PA17/08921  
**Date:** 21 February 2018

Dear Sir/Madam

**Removal of timber summer house/shed, extension to rear of garage and addition of first floor for storage including juliet balcony  
12 Boscawen Road Falmouth TR11 4EN**

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\\_england\\_en.pdf](http://ecab.planningportal.co.uk/uploads/appPDF/P0810Form027_england_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:

**£116 (per request)** for applications not falling within fee categories 6 or 7 (non-householder applications)

**£34 (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

**Sarah Dyke**

**Development Officer  
Planning and Sustainable Development Service  
Tel: 01209 614297**

Planning and Sustainable Development Service  
Cornwall Council  
Pydar House Pydar Street Truro Cornwall TR1 1XU  
[planninghouseholder@cornwall.gov.uk](mailto:planninghouseholder@cornwall.gov.uk)



# Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: [planning@cornwall.gov.uk](mailto:planning@cornwall.gov.uk)

Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA17/10450

**Agent:**

Situ8 Ltd  
Oravia House  
Trevarthian Road  
St Austell  
Cornwall  
PL25 4BH

**Applicant:**

Mrs Jane Brooks  
C/o The Agent

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

## **Grant of Conditional Planning Permission**

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**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 2 November 2017 and accompanying plan(s):

**Description of Development:** Proposed construction of a dwellinghouse

**Location of Development:** Land At Penwerris Farm  
Dracaena View  
Falmouth  
Cornwall

**Parish:** Falmouth

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 16 March 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/10450**

**CONDITIONS:**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the first occupation of the dwelling hereby permitted, the parking area shall be laid out and constructed in accordance with approved drawing no 17/013/PL02 Rev C, and the said area shall not thereafter be obstructed or used for any other purpose.

Reason: To ensure an adequate parking facility off the adjoining highway, and in accordance with the aims and intentions of Policy 13 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no development within Classes A, B, C and E of Part 1 of Schedule 2 to the said Order shall be carried out without an express grant of planning permission, namely:  
The enlargement, improvement or other alteration of the dwellinghouse;  
The enlargement of the dwellinghouse consisting of an addition or alteration to its roof;  
Any other alterations to the roof of the dwellinghouse;  
The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Reason: In the interests of the amenities of occupiers of both the dwelling hereby permitted as well as the neighbouring flats to the south-west, and in accordance with the aims and intentions of policies 12 and 13 of the Cornwall




**DATED: 16 March 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/10450**

Local Plan Strategic Policies 2010 - 2030, and paragraphs 17 and 58 of the National Planning Policy Framework 2012.

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**



**DATED: 16 March 2018**

**Service Director**

**Phil Mason**  
**Planning and Sustainable Development**

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

Illustrative Purposes only 17/013/PL03 B received 15/03/18  
Proposed 17/013/PL02 C received 15/03/18  
Proposed 17/013/PL01 B received 15/03/18  
Site/location Plan 2017/LOC received 17/11/17

In dealing with this application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application, on this occasion this has included :

Discussions/negotiations ongoing with LPA throughout determination of planning application  
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: 16 March 2018**

**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/pics](http://www.planningportal.co.uk/pics). 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 <http://www.cornwall.gov.uk/streetnaming>. For any further assistance please contact [addressmanagement@cornwall.gov.uk](mailto:addressmanagement@cornwall.gov.uk) or telephone 0300 1234 100.

Situ8 Ltd  
Oravia House  
Trevarthian Road  
St Austell  
Cornwall  
PL25 4BH

**Your ref:** Penwerris Farm  
**My ref:** PA17/10450  
**Date:** 16 March 2018

Dear Sir/Madam

**Proposed construction of a dwellinghouse  
Land At Penwerris Farm Dracaena View 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](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:

**£116 (per request)** for applications not falling within fee categories 6 or 7 (non-householder applications)

**£34 (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

**Adam Carlyon**

**Senior Development Officer  
Planning and Sustainable Development Service  
Tel: 01209 614019**

# Cornwall Council

Pydar House Pydar Street Truro Cornwall TR1 1XU

Email: [planninghouseholder@cornwall.gov.uk](mailto:planninghouseholder@cornwall.gov.uk)

Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA17/11647

**Applicant:**

Mrs Doreen Silver  
16 Church Way  
Falmouth  
Cornwall  
TR11 4SG

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

## **Notice of Consent for the Felling, Topping or Lopping of Trees and Woodlands**

**CORNWALL COUNCIL**, being the Local Planning Authority, **HEREBY CONSENTS** to the works proposed in the following application received on 6 December 2017 and accompanying plan(s):

**Description of Development:** Oak tree - minor pruning works comprising crown raising, selective thinning to lateral limb above shed and selected limb removal

**Location of Development:** 16 Church Way  
Falmouth  
Cornwall  
TR11 4SG

**Parish:** Falmouth

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 14 March 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/11647**

**CONDITIONS:**

- 1 The tree work hereby granted consent shall be completed before the expiration of two years from the date of this consent.

Reason: To ensure that consented works remain consistent with current best practice and to protect public amenity.

- 2 The extent of the approved work to the Oak tree shall be restricted to that shown on the annotated photographs submitted by the Forestry Officer on 24 January 2018, which are defined as:

Crown raise to approx. 3m over neighbours garden.  
remove defective limb growing towards shed  
remove low branches toward road as shown in image  
thin by 40% regrowth from previous pruning over shed

Reason: To define the terms of which the consent is granted and in accordance with good arboricultural practice and visual amenity.

- 3 All work granted by this consent shall be implemented in accordance with good arboricultural practice as specified by BS 3998 - Recommendations for Tree Work.

Reason: In the interests of good arboricultural practice and public amenity.



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

**DATED: 14 March 2018**

**Service Director Planning and Sustainable**  
**Development**



**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA17/11647**

**ANY ADDITIONAL INFORMATION:**

- Alongside the approved work it is recommended that ivy and deadwood is removed from the tree along with falling detritus
- Care should be taken during any felling operation or surgery works to trees, to avoid damage or disturbance to birds during the nesting season. In Cornwall this can typically be from February to August, with many species producing second to third broods in appropriate habitat. Under the terms of the Wildlife and Countryside Act 1981 (As Amended in 1986 and 1991) Part 1 (1), it is an offence intentionally to take, damage or destroy any wild birds or its nest while being built or in use, or to take or destroy its eggs or chicks.

It is also an offence to kill, injure or take a bat or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. Under the Habitat Regulations it is an offence to damage or destroy a breeding site or resting place of any bat.

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

Proposed RAISE OVER NEIGHBOURS received 24/01/18  
Proposed REMOVE DEFECTIVE LIMB received 24/01/18  
Proposed REMOVE LOW BRANCHES TOWARDS ROAD received 24/01/18  
Proposed THIN BY 40% REGROWTH received 24/01/18



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

**DATED: 14 March 2018**

## 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 [www.planningportal.co.uk/pcs](http://www.planningportal.co.uk/pcs) A copy of the completed appeal form must also be submitted to the Council.

# Cornwall Council

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Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA18/00120

**Applicant:**

Mrs Julie Golton  
1 Prislow Close  
Falmouth  
Cornwall  
TR11 4PG

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

## **Notice of Consent for the Felling, Topping or Lopping of Trees and Woodlands**

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**CORNWALL COUNCIL**, being the Local Planning Authority, **HEREBY CONSENTS** to the works proposed in the following application received on 4 January 2018 and accompanying plan(s):

**Description of Development:** Felling of Oak tree

**Location of Development:** 1 Prislow Close  
Falmouth  
Cornwall  
TR11 4PG

**Parish:** Falmouth

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 8 February 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA18/00120**

**CONDITIONS:**

- 1 The tree work hereby granted consent shall be completed before the expiration of two years from the date of this consent.

Reason: To ensure that consented works remain consistent with current best practice and to protect public amenity.

- 2 All work granted by this consent shall be implemented in accordance with good arboricultural practice as specified by BS 3998 - Recommendations for Tree Work.

Reason: In the interests of good arboricultural practice and public amenity.

- 3 Within one year of the felling of the tree hereby permitted, one 1.75 - 2.00 metre high feathered whip Birch tree shall be planted within two metres of the stump of the felled tree. The replacement tree shall be retained and if it is removed, becomes seriously damaged or diseased or dies within 5 years of planting, it shall be replaced with the same species and specification.

Reason: In the interests of visual and residential amenity and in accordance with the aims and intentions of paragraphs 17 and 58 of the National Planning Policy Framework 2012.



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

**DATED: 8 February 2018**

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA18/00120**

**ANY ADDITIONAL INFORMATION:**

- Care should be taken during any felling operation or surgery works to trees, to avoid damage or disturbance to birds during the nesting season. In Cornwall this can typically be from February to August, with many species producing second to third broods in appropriate habitat. Under the terms of the Wildlife and Countryside Act 1981 (As Amended in 1986 and 1991) Part 1 (1), it is an offence intentionally to take, damage or destroy any wild birds or its nest while being built or in use, or to take or destroy its eggs or chicks.

It is also an offence to kill, injure or take a bat or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. Under the Habitat Regulations it is an offence to damage or destroy a breeding site or resting place of any bat.

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**



**DATED: 8 February 2018**

**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 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 [www.planningportal.co.uk/pcs](http://www.planningportal.co.uk/pcs). A copy of the completed appeal form must also be submitted to the Council.

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Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



Application number: PA18/00146

**Agent:**

Expertrees Ltd  
1 St Peters Way  
Porthleven  
TR13 9AX

**Applicant:**

Sally Pine  
White Walls, Mongleath Road  
Falmouth  
TR11 4PN

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

## **Notice of Consent for the Felling, Topping or Lopping of Trees and Woodlands**

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**CORNWALL COUNCIL**, being the Local Planning Authority, **HEREBY CONSENTS** to the works proposed in the following application received on 6 January 2018 and accompanying plan(s):

**Description of Development:** Re-coppice T1 - 1 x Sycamore

**Location of Development:** White Walls  
Mongleath Road  
Falmouth  
Cornwall  
TR11 4PN

**Parish:** Falmouth

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 6 March 2018**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA18/00146**

**CONDITIONS:**

- 1 The tree work hereby granted consent shall be completed before the expiration of two years from the date of this consent.

Reason: To ensure that consented works remain consistent with current best practice and to protect public amenity.

- 2 All work granted by this consent shall be implemented in accordance with good arboricultural practice as specified by BS 3998 - Recommendations for Tree Work.

Reason: In the interests of good arboricultural practice and public amenity.

**ANY ADDITIONAL INFORMATION:**

- Care should be taken during any felling operation or surgery works to trees, to avoid damage or disturbance to birds during the nesting season. In Cornwall this can typically be from February to August, with many species producing second to third broods in appropriate habitat. Under the terms of the Wildlife and Countryside Act 1981 (As Amended in 1986 and 1991) Part 1 (1), it is an offence intentionally to take, damage or destroy any wild birds or its nest while being built or in use, or to take or destroy its eggs or chicks.

It is also an offence to kill, injure or take a bat or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. Under the Habitat Regulations it is an offence to damage or destroy a breeding site or resting place of any bat.



**DATED: 6 March 2018**

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



**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA18/00146**

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**



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

**DATED: 6 March 2018**

## 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 [www.planningportal.co.uk/pis](http://www.planningportal.co.uk/pis). A copy of the completed appeal form must also be submitted to the Council.