

PLANNING

a) Applications

124/21 Application: PA21/11044

Proposal: Demolition of existing dwelling and replacement with new 4 bedroom house and 2- bedroom residential annexe.

Location: 21, Carrallack Terrace, St. Just

125/21 Application: PA21/11217

Proposal: Outline Planning Permission with all matters reserved: Demolition of 4 garages and construction of a 2- bedroom bungalow with parking,

Location: Pans Teg, Calartha Road, Pendeen

126/21 Application: PA21/11804

Proposal: Non-material amendment (NMA1) for change in external material finish to rear external 1st floor walls to Decision PA20/04709.

Location: 12, Boscaswell Village, Pendeen.

127/21 Application: PA21/11457

Proposal: Construction of earth bank slurry lagoon to meet new Nitrate Vulnerable Zone storage requirements.

Location: Leswidden Farm, St. Just.

128/21 Application: PA21/11515

Proposal: Single storey rear extension.

Location: 2, Old Coastguard Houses, Bosorne Street, St. Just.

129/21 Application: PA21/11378

Proposal: Installation of two timber Juliette balcony doors with 1100mm glazed privacy screen.

Location: Corner Barn, Access track to Cruder Meadow, Lower Boscaswell, Pendeen.

130/21 Application: PA21/07192

Proposal: Two parking spaces on front garden.

Location: Chynoweth, Chapel Terrace, Trewellard, Pendeen.

b) Decisions

Application: PA21/03912

Proposal: Construction of two storey extension and Change of Use from agricultural (yard) to domestic property.

Location: Land N.W of Nanquidno Cottage, Nanquidno, St. Just **Approval** (T. Cl. No Objection)

Application: PA21/09342

Proposal: Replacement Ground Floor porch, pitched roof with First Floor balcony extension.

Location: Leswidden Barn, Leswidden, St. Just. **Approval** (T. Cl. No Objection).

Application: PA21/03457

Proposal: Construction of extensions and internal alterations to Clubhouse.

Location: Cape Cornwall Golf and Country Club, Road between Cape Cornwall Street and Upper Praze, St. Just. **Approval** (T. Cl. Recommended the application went to Committee for consideration but this was denied and Cornwall Council then made the final decision).

- c) **Appeals** None
- d) **Enforcements** None
- e) **Protocol**

Local Council Protocol: PA21/09335 – Conversion of existing building to form one dwelling – Land and buildings at Enys Cottages, Pendeen, Penzance TR19 7ED

Thank you for the Town Council response to the above proposal which I have set out below.

No Objection

Principle:

Pre application advice was previously provided under planning reference PA20/00622/PREAPP for 'conversion and first floor extension of existing building to form two dwellings.

The pre application response advised that for the proposal to comply with the aims and intentions set out within Policy 7 of the Cornwall Local Plan 2010-2030 (CLP) the existing building should be a suitably constructed redundant, disused or historic building that is considered appropriate to retain and would lead to an enhancement to the immediate setting.

A full application was subsequently submitted and later withdrawn under planning reference PA21/05830 for 'conversion of existing building to form two dwellings.

The scale of the scheme was reduced however the key issues were not overcome. The existing building is not considered appropriate to retain and the conversion of the building would not lead to an enhancement to the immediate setting. In addition, no structural report was submitted nor was any evidence to demonstrate that the building is a suitably constructed redundant or disused building. The proposed development would result in a larger and more substantial building which would not constitute a conversion.

The current proposal now seeks planning permission for 'conversion of existing building to form one dwelling'.

The scale of the scheme has been further reduced however the key issues have still not been overcome. The existing building is not considered appropriate to retain and the conversion of the building would not lead to an enhancement to the immediate setting.

Character of the area:

Policy AD5 of the emerging St Just-in-Penwith Parish Neighbourhood Plan 2021-2030 (NDP) sets out the following:

Where the re-use of a derelict, redundant or disused, historic or listed building for residential, business or other use is proposed, the developer must commission a Historic Building Recording (HBR) in advance of any significant alterations and demonstrate by means of a Heritage Statement/Heritage Impact Assessment or equivalent that:

1. The proposal represents the only economically viable means by which the historic building can be preserved (where its loss through ongoing deteriorations would otherwise be inevitable), and
2. Re-use would secure the preservation of the building and retain its historic integrity
3. The proposal as a whole (including the provision of infrastructure such as new or upgraded access) would have either a neutral or positive impact on its setting.

Policy MD9 of the Cornwall AONB Management Plan 2016-2021 requires that any necessary development in or within the setting on the AONB will be high quality sustainable development that (in summary): is appropriately located, of an appropriate scale and addresses landscape sensitivity; is compatible with the distinctive character of the location described by the Landscape Character Assessment; promotes the conservation of historic environment as a whole and in particular ensuring that development is designed to respect quality of place in the use of distinctive local building styles and materials, and finally protecting trees and other important landscape features and semi natural habitats in order that they can contribute to the conservation and natural beauty of the protected landscape.

Policy 23 of the CLP reinforces the need to protect Cornwall's open countryside from inappropriate development, and where possible, enhance the natural environment. It is stated in Policy 23 that great weight should be given to conserving the landscape and scenic beauty within or affecting the setting of the AONB. Proposals must conserve and enhance the landscape character and natural beauty of the AONB and provide only for an identified local need and be appropriately located to address the AONB's sensitivity and capacity. Development within Heritage Coasts should maintain the character and distinctive landscape qualities of such areas.

Correspondingly, paragraph 174 of the National Planning Policy Framework 2021 (NPPF) requires planning decisions to contribute and enhance the natural and local environment by recognising the intrinsic character and

beauty of the countryside. Paragraph 176 of the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

In regard to the World Heritage Site, Policy 24 of the CLP advises that development proposals will be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their setting.

Therefore, the key issues in assessing the impact of the proposal on the character of the area are, whether the proposed development would conserve and enhance the landscape character and natural beauty of the AONB and Heritage Coast and protect, conserve and where appropriate enhance the significance of designated and non-designated assets and their setting.

Please see attached the objection that we have received from the Cornwall AONB Unit and below the comments that we have received from the World Heritage Site Office.

'Thank you for consulting the Cornish Mining World Heritage Site Office. We have reviewed the submitted information and note that this is a revised scheme to that proposed under withdrawn application PA21/05830. As before we do not consider the proposed development will impact on a specific attribute that expresses the Outstanding Universal Value of the World Heritage Site.

Notwithstanding the above, the WHS Office notes that the site is adjacent to the cottages and coastguard station that would be regarded as non-designated heritage assets and that the proposed development will have an impact upon this grouping.

Again, it is suggested that the LPA may wish to seek advice from its own Historic Environment Planning team as to the potential impacts of this development upon the cottages and the coastguard station as non-designated heritage assets as they are highly visible components within this landscape and make a valuable contribution to its sense of time depth.

While no further comment is deemed necessary in this instance, it should be noted that World Heritage Sites are designated by the United Nations, Educational, Scientific and Cultural Organization (UNESCO) as places of significance to the whole of humanity. This puts the Cornish Mining World Heritage Site on a par with international treasures such as the Taj Mahal, the Pyramids, Stonehenge, and the Great Wall of China. Harm to any attributes of Outstanding Universal Value (international significance) within the World Heritage Site risks the loss of this status for the entire designated property across Cornwall and west Devon.'

The proposed development fails to conserve and enhance the landscape character and natural beauty of the AONB and Heritage Coast and fails to protect, conserve and where appropriate enhance the significance of the non-designated heritage assets.

In accordance with paragraph 202 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

The proposed development would alter the current setting of Enys Cottages and the Old Watchtower and the modest contribution to the housing stock and small economic gain through the construction of the dwelling are not considered benefits that outweigh this identified harm with particular regard to paragraph 202 of the NPPF.

The proposal conflicts with the aims and intentions set out within Policies AD3, AD4 and AD5 of the St Just-in-Penwith NDP, Policy MD9 of the Cornwall AONB Management Plan 2016-2021, Policies 1, 7, 12, 23 and 24 of the CLP and paragraphs 8, 130, 174, 176 and Section 16 of the NPPF.

In light of the above, I intend to recommend the application for refusal.

I would respectfully request that your Council consider the following options as set out within the Protocol for Local Councils:

1. Agree with my recommendation
2. Agree to disagree
3. Having made strong planning reasons to maintain your original position on the proposal against my recommendation, it is requested that the application is determined by the Planning Committee. (Due to the current pandemic, planning committees can be viewed and accessed remotely. Further information can be found on our website at [Webcasts - Cornwall Council](#))

Please tell me which option you wish to choose within 5 working days from the date of this communication. It may not always be appropriate to take an application to Committee if the planning position is so clear-cut that it would not be right to make a different decision to the one being recommended. In these rare circumstances we will consult the Divisional Member and explain out reasoning when making the planning decision.

If I do not hear from you within 5 working days, a delegated decision will be issued in accordance with my recommendation. If our recommendation changes for any reason we will notify you so that you may reconsider your own position.