



Redruth Civic Centre, Alma Place, Redruth, Cornwall TR15 2AT  
Tel No: 01209-210038 e-mail: admin@redruth-tc.gov.uk

**Town Mayor: Cllr R S Barnes**

**Town Clerk: C Caldwell**

See Distribution

*Our Reference:*  
RTC/420/3/Mtg  
*Date:*  
7<sup>th</sup> August 2024

Dear Councillor

**Meeting of the Planning Committee – Monday 12<sup>th</sup> August 2024**

You are summoned to attend a meeting of the Redruth Town Council Planning Committee to be held at Redruth Civic Centre, Alma Place on Monday 12<sup>th</sup> August 2024. Proceedings will commence promptly at 7pm.

The Agenda and associated papers are enclosed for your reference and information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Caldwell', followed by a long horizontal line.

Charlotte Caldwell  
Town Clerk

**Enclosure:**

1. Agenda and associated documentation

**Distribution:**

**Action:**

Cllr S Barnes  
Cllr H Biscoe  
Cllr A Biscoe  
Cllr B Craze  
Cllr K Grasso  
Cllr R Major  
Cllr I Thomas  
Cllr W Tremayne

**Information:**

All other Councillors  
Cornwall Council Members  
Press & Public

**REDRUTH TOWN COUNCIL**  
**MEETING OF THE PLANNING COMMITTEE – Monday 12<sup>th</sup> August 2024**

**AGENDA**

**PART I – PUBLIC SESSION**

1. To receive apologies for absence
2. Members to declare any disclosable pecuniary interests or non-registerable interests (including details thereof) in respect of any item(s) on this Agenda
3. Public participation session - to allow the public to put questions to the Council on any matters relating to this Agenda
4. To consider the planning applications (schedule attached)
5. To confirm the Minutes of the Meeting of the Planning Committee held on 8<sup>th</sup> July 2024 (Minutes attached)
6. Clerk's Report
7. To receive correspondence:
  - 7.1 Decision Notice Schedule
  - 7.2 Licensed Premises Schedule
  - 7.3 Pre-application Schedule
  - 7.4 Cornwall Council – Wheal Rose, Scorrier, Mining Remediation Update, July 2024
  - 7.5 Cornwall Council – Local Council Planning training event, 19<sup>th</sup> September 2024
  - 7.6 Cornwall Council – Notification of Appeal, PA23/08707, Land off Sandy Lane
  - 7.7 The Planning Inspectorate – Appeal Decision, PA23/00445, Hewden Hire Plant Limited, Mount Carbis Road
  - 7.8 Cormac – Consultation, Pedestrian Crossing Facilities, Southdowns/Southgate Street
8. To receive a brief presentation on the planning enforcement process

# REDRUTH TOWN COUNCIL PLANNING COMMITTEE

SUBMISSIONS FOR: Monday 12<sup>th</sup> August 2024

## LIST 1 (FOR APPROVAL EN-BLOC)

Ser No	Planning App No (All PA24/ unless otherwise stated)	Details	Ward	Reply
1	01160	<p>Ciao Bellissimo, 58 Fore Street</p> <p>Conversion of commercial and residential units to retain 2no. commercial units and provide 1no. dwelling and 2no. flats together with associated works including installation of solar panels</p> <p>For Blue Fox Developments Ltd</p>	North	<p>Supported for three flats, over three split levels, in an aged building, with these two provisos:</p> <p>(i) Cornwall Council instructs its own Fire and Rescue Service to carry out a full fire risk assessment to ensure safe escape routes for all residents;</p> <p>(ii) Cornwall Council Planning Department satisfies itself that sufficient utility space is provided for the treatment of waste and recycling</p>
2	04915	<p>Tregana, 14 Gilly Fields</p> <p>Works to trees subject to a Tree Preservation Order – removal of lower canopy (crown raise) and reduce spread of upper canopy of T1 (Sycamore)</p> <p>For Bowyer-Sopp 71 Clinton Road</p>	South	Supported
3	05221	<p>Notification of works to a tree in a Conservation Area namely crown reduce by 1 metre in height from 9m to 8m and reduce spread by 1.5m from 8m to 6.5m to one Copper Beech – T1</p> <p>For Burt</p>	South	Supported
4	05014	<p>Hillside House, Harris Mill</p> <p>Continued use of a portion of the building as a self-contained annexe</p> <p>For Mr R Richards</p>	North	Supported

5	05228	<p>2A West Trevingey</p> <p>Application for a Lawful Development Certificate for an Existing for the erection of a building and its existing use as a dwellinghouse and existing use of land as its incidental and ancillary curtilage</p> <p>For Mr and Mrs K G and L M Eastman</p>	South	Supported
6	05317	<p>Redruth Print and Design, Silverfields, Chapel Street</p> <p>'Retention and completion of the proposed change of use of part of existing E(c)(iii) business use to residential use C3(a), part re-roofing of premises and external alterations' without compliance of condition 2 of decision PA22/01019 dated 28/04/2022</p> <p>For Charles Green, Charles Green Design</p>	North	Supported
7	05418	<p>2 Claremont Vean, Penders Lane</p> <p>Proposed single garage/storage to number 2 Claremont Vean</p> <p>For Remo Mancini</p>	North	Supported
8	04367	<p>114 Albany Road</p> <p>Two storey rear extension and new first floor window to northwest elevation</p> <p>For Mr Giles Asker, Harbour Housing Penventon Park Hotel, West End</p>	South	Supported
9	05633	<p>Works to trees subject to a Tree Preservation Order (TPO), works include remove dead wood T1, T5, T14, T21, T34, T36, T40, T41, T43. Crown lift T2, T3, T5, T6, T10, T11, T19. Fell T4, T13, T27, T28, T29, T31, T37, T42, T45, T26, T15, T30. Remove T8, T9, T17, T18, T20, T23, T24, T25, T38. Sever Ivy T7, T10, T11. Prune T32, T33. Remove epicormic growth T35, T16. Coppice T12. Remove two lowest limbs T22. Remove dead limb T44. Please see report.</p> <p>For Cornovia Tree Services Ltd Rosekenwyn, 5 Chapel Street</p>	North	Supported
10	05536	<p>Listed building consent for curved stair lift</p> <p>For Mr George Saint</p>	North	Supported

11	05538	<p>Trevarrack, West Trewirgie Road</p> <p>Application for works to trees subject to a Tree Preservation Order namely T1 Ash. Crown lift to height of 5m from lawn area; minor reduction (approx 1.5m) of branch extending to the south (as per photograph). T2 Sycamore. Crown lift single stem Sycamore to approx. 5m; remove epicormic growth. T3 Sycamore. As T2</p> <p>For Mr C Rowe</p>	South	Supported
12	05339	<p>Overflow Carpark, Krowji, West Park</p> <p>Installation of ground mounted photovoltaic array to the existing private overflow car park on the site</p> <p>For Elisa Harris, Krowji Ltd</p>	North	Supported
13	05078	<p>Lower Forge Farmhouse, Nancekuke</p> <p>Demolition of existing dwelling and construction of a new replacement energy-efficient dwelling and associated landscaping works</p> <p>For Mr &amp; Mrs Burley</p>	North	Supported

## LIST 2

<b>Ser No</b>	<b>Planning App No</b> <i>(All PA24/ unless otherwise stated)</i>	<b>Details</b>	<b>Ward</b>	<b>Reply</b>
14	04701 (Cllrs Craze & Grasso)	<p>Foxworth Stables, Sandy Lane</p> <p>Retention of residential caravan</p> <p>For Mrs Jennifer Williamson</p>	Central	
15	01847 (Cllr Major)	<p>Cornwall Animal Hospital, Treleigh Cottage, Treleigh</p> <p>Proposed plans to build a small house development of three detached and two semi-detached 2-bedroom houses</p> <p>For Mr Trevor Chalker, Cornwall Animal Trust</p>	North	



Redruth Civic Centre, Alma Place, Redruth, Cornwall TR15 2AT

Tel No: 01209-210038 e-mail: admin@redruth-tc.gov.uk

**Town Mayor: Cllr R S Barnes**

**Town Clerk: Ms C Caldwell**

Minutes of a Meeting of the Redruth Town Council held at Redruth Civic Centre, Alma Place,  
Redruth on Monday 8<sup>th</sup> July 2024

Present: Cllr H Biscoe Chairman  
Cllr S Barnes  
Cllr A Biscoe  
Cllr B Craze  
Cllr K Grasso  
Cllr R Major  
Cllr I Thomas

In attendance: Ms A Hunt Operations Officer  
Mrs J Pelham-Wales Administration Assistant  
M Halloway Work Experience Student

PART I – PUBLIC SESSION

**1586.1 To receive apologies for absence**

Apologies were received from Cllr Tremayne.

**1586.2 Members to declare any disclosable pecuniary interests or non-registerable interests (including details thereof) in respect of any item(s) on this Agenda**

None were declared.

**1586.3 Public participation session - to allow the public to put questions to the Council on any matters relating to this Agenda**

No members of the public were present.

**1586.4 To consider the planning applications**

The planning applications were dealt with in accordance with the attached Annex A to these minutes.

**1586.5 To confirm the Minutes of the Meeting of the Planning Committee held on 10<sup>th</sup> June 2024**

1586.5.1 RESOLVED by Majority that the minutes of the Meeting of the Planning Committee held on 10<sup>th</sup> June 2024, be accepted as a true and accurate record of proceedings. [Proposed Cllr Barnes; Seconded Cllr Thomas]. Cllrs A Biscoe and H Biscoe abstained as they had not been present at the meeting.

**1586.6 Clerk's Report**

A report had been circulated prior to the meeting. The report was noted.

**1586.7 To receive correspondence:**

*1586.7.1 Decision Notice Schedule*

The schedule was noted.

*1586.7.2 Licensed Premises Schedule*

The schedule was noted.

*1586.7.3 Pre-application Schedule*

The schedule was noted.

*1586.7.4 Cornwall Council – PA24/04914; Belmont House, 24 Green Lane; Notification of works to a tree in a Conservation Area namely pollard to fence height to one Holm Oak*

The correspondence was noted.

*1586.7.5 The Planning Inspectorate – Appeal Decision; Land at Sandy Lane; Outline application for the erection of 5 house, along with the provision of a new access, parking and associated landscaping*

The correspondence was noted.

*1586.7.6 The Planning Inspectorate – Appeal Decision; The Flat, 1 West End; Removal of existing single glazed timber windows, replacing with white wood grained double glazed UPVC*

The correspondence was noted.

*1586.7.7 Cornwall Council – Highway dedication of Cardrew Industrial Estate*

The correspondence was noted.

*1586.7.8 Cornwall Council – Prior notification for proposed temporary recreational campsite (60 days)*

The correspondence was noted.

**1586.8 To receive a brief presentation on licensed premises applications**

As part of the commitment to providing ongoing guidance to the Planning Committee, the Operations Officer gave a presentation in relation to licensed premises applications.

Councillors were reminded that they were welcome to suggest topics for future presentations and should contact the Operations Officer if they had any questions in relation to Planning.

**Chair**

**REDRUTH TOWN COUNCIL - PLANNING SCHEDULE****ANNEX A**

All references for PA24/ unless otherwise stated.

**Meeting: Monday 8<sup>th</sup> July 2024**

<b>REF NO</b>	<b>CC REF</b>	<b>SITE</b>	<b>PROPOSAL</b>	<b>DECISION</b>
<b>LIST 1</b> Unanimously RESOLVED that Recommendations on List 1 are supported en bloc. [Proposed Cllr Thomas; Seconded Cllr Grasso]				
1	04189	40 Albany Road	Works to trees in a conservation area (CA), works include trimming of hedge and removal of ash limb overhanging neighbouring garden T1, Ash (suffering from chalara fraxinea)	Supported
2	04349	Land adjacent to River Barns, Old Portreath Road, Bridge	Proposed change of use of land as extension to caravan site including installation of static caravans without compliance with condition 2 of decision PA21/10308 dated 21.04.2022	Supported
3	04309	24 Cardrew Close	Construction of 1 house without compliance with Condition 2 of decision notice PA23/03913 dated 07.08.2023	Supported



4	03622	60 Town Farm	Single-storey rear extension	Supported
5	04236	38 Trelawney Avenue, Treskerby	Proposed single storey side extension and new entrance porch	Supported
6	04047	26 Green Lane	Application for a Lawful Development Certificate for an Existing Use of building as HMO, with dwelling retained	Supported
<b>LIST 2</b>				
7	04734	Melyn Grove House, 4 Melyn Grove, Harris Mill	Reserved Matters application for a single dwelling (details following outline consent PA22/01137 dated 12/05/2022) without compliance with condition 1 of decision notice PA22/08963 dated 16.03.2023	Unanimously <b>RESOLVED</b> not to support the application on the grounds of: (i) overdevelopment of the site; (ii) inadequate parking provision and (iii) that construction which has taken place to date does not appear to conform to approved plans. [Proposed Cllr A Biscoe; Seconded Cllr Barnes].

**Redruth Town Council**  
**Clerk's Report – Planning Committee**  
**Meeting Date: 12<sup>th</sup> August 2024**

Ser No	Item	Action	Response
NIL			

**Planning Committee**

**Meeting 12<sup>th</sup> August 2024**

**Decision Notice Schedule**

**All references for PA24 unless otherwise stated**

RTC REF	CC REF	SITE	PROPOSAL	RTC DECISION	CC DECISION
1584.5.1.4	02598	15 Coach Lane	Erection of garage and laying of hardstanding	Unanimously RESOLVED to support the application	Approved
1582.17.1.1	08622 (PA23)	11A Green Lane	Retention and completion of extension and conversion of existing shop to form residential apartment and associated works	Unanimously RESOLVED to support the application	Approved
1586.4.1.6	04047	26 Green Lane	Application for a Lawful Development Certificate for an Existing Use of building as HMO, with dwelling retained	Unanimously RESOLVED to support the application	Granted
1577.4.1.6 1584.5.1.2	02180	39 Treskerby	Conversion of garage to living accommodation, creation of upper floor bedroom accommodation and amendments to internal layout	RESOLVED by Majority to support the application RESOLVED by Majority to support the application	Approved
	04715	3 Hawthorn Close	Notification of larger home extension for proposed single storey rear extension partly replacing existing rear extension	Not consulted	Permitted Development
1584.5.1.5	03709	Land Rear of The Former London Inn, Fore Street	Erection of a terrace of six (2 bed) residential dwellings	RESOLVED by Majority not to support the application on the grounds of there being no access to the site for emergency vehicles	Refused
1584.5.1.3	03466	53 Treganoon Road, Mount Ambrose	Side extension, porch and alteration to garage roof	Unanimously RESOLVED to support the application	Approved

1586.4.1.1	04189	40 Albany Road	Works to trees in a conservation area (CA), works include trimming of hedge and removal of ash limb overhanging neighbouring garden T1 Ash (suffering from chalara fraxinea)	Unanimously <b>RESOLVED</b> to support the application	Decided not to make a TPO (TCA apps)
1582.17.1.3	02444	7 Green Lane	<b>Proposed conversion of lower ground floor to form a single bedroom residential apartment</b>	<b>Unanimously RESOLVED to support the application</b>	<b>Refused</b>
1582.17.1.4	02002	The Nook, Wheal Montague, North Country	<b>Erection of a detached dwelling with a double garage with a workshop above</b>	<b>Unanimously RESOLVED to support the application</b>	<b>Refused</b>
	04195	33 Fore Street	Submission of details to discharge Condition 3 Parts C and D in respect of Decision Notice PA21/11573 dated 27 <sup>th</sup> January 2022	Not consulted	s52/s106 and discharge of condition apps
1577.4.1.5	01906	Ground Floor Shop, Warmstar House, Chapel Street	Change of use from D1 to residential (C3) of the ground floor nursery to a single bedroom flat	<b>RESOLVED</b> by Majority to support the application	Withdrawn
1584.5.1.6	08436 (PA23)	WAAF Site, Cambrose	Proposed 22no. affordable bungalows	Unanimously <b>RESOLVED</b> not to support the application on the grounds that: (i) this is not a Sustainable Development and (ii) the proposals will have a negative impact on the flora and fauna; the natural environment and ecosystem and the Portreath - Devoran Mineral Tramway and its spur to Redruth	<b>Refused</b>
1586.4.1.5	04236	38 Trelawney Avenue, Treskerby	Proposed single storey side extension and new entrance porch	Unanimously <b>RESOLVED</b> to support the application	<b>Approved</b>

**REDRUTH TOWN COUNCIL PLANNING COMMITTEE**

**LICENSING SUBMISSIONS FOR:**

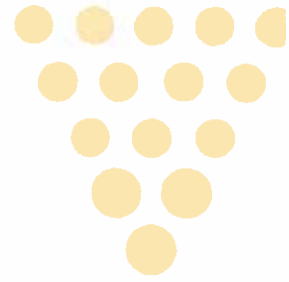
**Monday 12<sup>th</sup> August 2024**

<b>Ser No</b>	<b>License No</b> <i>(All LI24/ unless otherwise stated)</i>	<b>Details</b>
NIL		

**REDRUTH TOWN COUNCIL PLANNING COMMITTEE  
REQUESTS FOR PRE-APPLICATION ADVICE:**

**Monday 12<sup>th</sup> August 2024**

<b>Reference</b>	<b>Location</b>	<b>Details</b>
NIL		



Mining remediation update • July 2024

## Wheal Rose, Scorrier

We are pleased to inform you that our work to remediate the mining feature in Wheal Rose is progressing well. Our programme of works are currently on target for completion by 13 September.

### What works are taking place?

Now that the piles are installed, the next step is to excavate an area around them in order to set up the formwork and reinforcing steel for constructing the pile caps. The pile caps are effectively thick concrete slabs that will rest on top of the piles. This will distribute the load bearing and stabilise the foundation and concrete deck. We will then excavate the larger section in between the pile caps to formalise the reinforced deck.

To complete the project, we will reinstate the drainage and kerbing before resurfacing the carriageway.

### Use of tramway as an alternative diversion

To ensure everyone's safety, we have decided to implement a full closure of the tramway. Despite our rigorous efforts to address misuse of the tramway through increased signage, these measures have unfortunately been ignored. We must convey the importance of safety and thank you for your cooperation and understanding with this decision.

### Getting in touch

If you have any further questions regarding the works, please email

[enquiries@cornwallhighways.co.uk](mailto:enquiries@cornwallhighways.co.uk)

If there is an issue which is a threat to public safety, please telephone **0300 1234 222** (24-hour service) giving details of the location.



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## Abigail Hunt

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**From:** Charlotte Caldwell  
**Sent:** 11 July 2024 12:05  
**To:** Abigail Hunt  
**Subject:** FW: Local Council Planning training event - 19 September 2024 - 4.00-5.30 pm

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**From:** [REDACTED] **On Behalf Of** positiveplanning  
**Sent:** Wednesday, July 10, 2024 3:47 PM  
**Cc:** positiveplanning <[positiveplanning@cornwall.gov.uk](mailto:positiveplanning@cornwall.gov.uk)>  
**Subject:** Local Council Planning training event - 19 September 2024 - 4.00-5.30 pm

Information Classification: CONTROLLED

Dear clerks/chairs/local councillors

We would like to invite all local councils to join us for our next Local Council training session on **Thurs 19 September 2024, 4.00-5.30 pm:**

4.00-4.45 Development Management: Processes and procedures update, Area Teams news (DM Group Leaders)

4.45-5.30 Enforcement and Compliance 2024 (Jon Drew and Alan Mason, Planning Enforcement Group Leaders)

Join our Development Management Group Leaders and Principals for an update on planning processes and procedures plus a chance to hear the latest from each of our Planning Area Teams. The Cornwall Planning Partnership helped highlight some topics of interest and they include updates on Class Q and Class R (converting agricultural buildings) and annexes. Then Jon Drew and Alan Mason, Planning Enforcement Group Leaders, will be providing the latest training on Enforcement and Compliance.

This will be an online event via Teams and the link to join is below:

**Microsoft Teams** [Need help?](#)

**[Join the meeting](#)** Meeting ID: 398 301 692 744 Passcode: GmkhTA

**Dial-in by phone** [+44 20 7660 8305](tel:+442076608305), [998243959#](tel:+44207660998243959) United Kingdom, London Phone conference ID: 998 243 959#

This email provides the joining link – there is no need to book and places are not limited for each council. **Clerks/Chairs - Please share this email with your local councillors so they can attend if they wish.** If you have any questions about the event, please email [positiveplanning@cornwall.gov.uk](mailto:positiveplanning@cornwall.gov.uk)

The presentations from this event will be made available afterwards on our [Local Council Planning Training](#) webpage.

Save the date! We are aware that we had to postpone our Planning Policy training event due to a clash with the General Election. A new date has been set for this one – more details coming soon, but advance note for the date is: 7 November, 4.00-6.00 pm



Kind regards

██████████ | Senior Development Officer (Specialist)

Cornwall Council | Planning and Housing Service

██████████ Tel: 01872 322222 (and say my name) Mobile: ██████████

[www.cornwall.gov.uk](http://www.cornwall.gov.uk) 'Onen hag oll'

Please note that I work part-time. My normal working days are Tuesdays, Wednesdays, Thursdays.

To keep up-to-date with changes in Planning, please check [Planning and Building Control - Cornwall Council](#) and [What's new in planning - Cornwall Council](#)

Please let us know if you need any particular assistance from us, such as facilities to help mobility, vision or hearing, or information in a different format.

Please consider the environment. Do you really need to print this email?

This e-mail and attachments are intended for above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone; please e-mail us immediately at [enquiries@cornwall.gov.uk](mailto:enquiries@cornwall.gov.uk). Please note that this e-mail may be subject to recording and/or monitoring in accordance with the relevant legislation and may need to be disclosed under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Security Warning: It is the responsibility of the recipient to ensure that this e-mail and any attachments are virus free. The Authority will not accept liability for any damage caused by a virus.

Redruth Town Council  
Clerk To Redruth Town Council  
The Chambers  
Penryn Street  
Redruth  
TR15 2SP



Your ref:  
My ref: PA23/08707  
Date: 30 July 2024

Dear Sir/Madam,

**Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009**

I am writing to let you know that an appeal has been made to the Ministry of Housing, Communities and Local Government in respect of the following planning application:

MHCLG ref:	<b>APP/D0840/W/24/3345397</b>
Cornwall Council ref:	<b>PA23/08707</b>
Appeal start date:	<b>23 July 2024</b>
Proposal:	<b>Formation of vehicular access.</b>
Location:	<b>Land Off Sandy Lane, Sandy Lane, Redruth, Cornwall, TR15 2DW</b>
Appellant:	<b>Pete And Rosemarie Turner</b>
Cornwall Council decision:	<b>REFUSED</b>

The appeal is to be decided on the basis of an exchange of written statements by the parties and a site visit by an Inspector.

You may view the documents relating to this case online at <http://planning.cornwall.gov.uk/online-applications> or at the Council offices during normal working hours.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant (unless they are expressly confidential). These will be considered by the Inspector when determining the appeal.

**If you wish to make further comments, or modify/withdraw your previous representation, you can do so online using the Planning Inspectorate website at: <https://acp.planninginspectorate.gov.uk>.**

**If you do not have access to the internet, you can send your comments to: The Planning Inspectorate, Jasmine Rogers, Room 3P Kite Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN.**

All representations must be received by 27 August 2024. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. All representations must quote the MHCLG appeal reference.

Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to a third party, please ensure that you have the permission to do so. More detailed information about data protection and privacy matters is available on the Planning Inspectorate Web Site.

You can get a copy of The Planning Inspectorate's booklet, "Guide to taking part in planning appeals" free of charge from this office or from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>

The Council's reasons for refusing permission for this development are as follows:

- 1 The proposed development would result in the destruction of a section of Cornish hedge that fronts the A393 and laying of hardstanding at the proposed new entrance to the field. Unjustified by any overriding benefits, the proposed development would result in environmental harm through the adverse impact on an ecological corridor and the contribution to the incremental erosion of the locally distinctive character and appearance of the landscape, which in this location forms an important part of the pleasant rural setting to the settlement of Redruth. It is therefore considered that the proposal would conflict with the aims and intentions of policies 1, 2, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030, policy C1 of the Climate Emergency Development Plan Document 2023, paragraphs 8, 135 and 180 of the National Planning Policy Framework 2023 and section 3 of the Cornwall Design Guide 2021.

Should you require any further information in connection with this appeal, please contact me.

Yours faithfully,

  
**Development Technical Officer (Appeals)**

**Development Management Service**

Tel: 01872 322222

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



## Appeal Decision

Site visit made on 6 June 2024

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 July 2024

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**Appeal Ref: APP/D0840/W/23/3336105**

**Hewden Hire Plant Limited, Mount Carbis Road, Redruth, Cornwall  
TR15 2QQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
  - The appeal is made by Mr James Taylor against the decision of Cornwall Council.
  - The application Ref is PA23/00445.
  - The development proposed is the conversion of the current office block into one 3 bedroomed house and the conversion of the current "main" workshops into three 2 bedroomed bungalows.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) permits the change of use of a building and any land in its curtilage from a use falling within Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses). For development to be permitted it must satisfy the limitations set out at paragraph MA.1 and the conditions at MA.2.
3. The Council has not referenced any development plan policies within its first reason for refusal. However, for the avoidance of doubt, I have not decided this appeal on the basis of the duty in s38(6) of the Planning and Compulsory Purchase Act 2004. Paragraph W of Part 3 sets out the procedure for prior approvals and requires the local planning authority to take into account any representations made to them as a result of consultation, and to have regard to the National Planning Policy Framework (the Framework). I have considered the appeal on the same basis.

### Main Issues

4. The main issues are whether prior approval should be granted for the proposed development with particular regard to: (i) whether or not the proposed development would result in a material change to the external appearance of the buildings; and (ii) whether or not the buildings fell within one of the specified uses under Class E for a continuous period of at least 2 years prior to the date of the application for prior approval.

## **Reasons**

### *External Appearance*

5. In order to facilitate the proposed change of use, the approved plans identify that changes would be required to the east facing elevation of the workshop building. These changes would involve the removal of a series of large double doors and their replacement with smaller domestic doors and the addition of two new windows.
6. Part 3, Class MA of the GPDO does not provide the ability to make changes to a building that would materially affect its external appearance. In my view, the combination of works proposed as part of this scheme would represent a material change given that the east facing elevation of the workshop would look markedly different to its current appearance.
7. As such, a proposal of this nature would require planning permission and I therefore have no option but to conclude that it would not meet the requirements set out under the GPDO legislation.
8. I note that the Council has provided some analysis of the potential impact on the living conditions of future occupiers if these external changes were not made. However, I provide no comment on that issue given that I am only required to come to a decision based on the proposal that is before me.

### *Previous use of buildings*

9. The main parties appear to disagree on matters related to the use of the buildings in the two year period immediately prior to the application for prior approval. It is unfortunate that the Council's officer report does not include the relevant site history. The appellant has provided several lease agreements; however, these do not cover the required full two-year time period.
10. If I had been minded to allow the appeal then it is likely that I would have needed to explore this issue further as it seems to me on the balance of probability that it could have been resolved successfully. Nevertheless, as it stands, I have no substantive evidence before me to confirm that the requirement set out in paragraph MA.1(b) has been met. I therefore conclude that the proposed development does not satisfy the legislation in this regard.

## **Other Matters**

11. The absence of a mechanism to secure the provision of financial contributions to mitigate the recreational impact of the development on the Fal and Helford Special Area of Conservation formed a further reason for refusal. However, as I am dismissing the appeal, I am not required to consider this matter further.

## **Conclusion**

12. For the reasons given above the appeal is dismissed.

*C Butcher*

INSPECTOR



**Your ref:**

**My ref:** Infra23-019

**Date:** 18.07.24

Dear Sir/Madam

## **Pedestrian Crossing Facilities – Southdowns/Southgate St, Redruth**

Cormac Solutions Ltd on behalf of Cornwall Council is inviting comments on a proposal to construct numerous pedestrian facilities around the signalised junction at Southgate Steet/Falmouth Road.

The works include the construction of a new pedestrian central refuge on Southgate St as well and widening the footway on three arms of the signalised junction. The new crossing island will provide pedestrians with a safer method of crossing the road. Currently pedestrians are required to cross, often between parked vehicles, this wide stretch of road with two lanes. The new refuge will provide pedestrians with the option to cross one lane at a time, decreasing crossing time while improving safety.

The reduced road width and raised table crossing point on the approach into Albany Cl provides a gateway into the more residential area and help reduce speeds and remind drivers they are entering a residential area. The raised table crossing also provides a crossing point at the same level as existing footway.

Please see attached plan for details.

If you have any comments to make on the proposals, I would be grateful to receive them no later than:

**Thursday 8<sup>th</sup> August 2024**



PART OF THE  
CORSERV GROUP  
A CORNWALL  
COUNCIL COMPANY

To respond to this consultation, you can either:

1. Use Cornwall Council's Consultation finder, an on-line facility for viewing and responding to traffic consultations. This can be accessed by visiting [www.cornwall.gov.uk/TrafficConsult](http://www.cornwall.gov.uk/TrafficConsult). Once registered you will be able to submit responses to this and other current traffic consultations.
2. E-mail Infrastructure Design at [traffic@cormacltd.co.uk](mailto:traffic@cormacltd.co.uk), quoting the scheme name and reference, and indicating your support or objection to the proposals.
3. Respond in writing using the attached Consultation Response Form, indicating your support or objection to the proposals. Please return the form to the address shown at the foot of the form.

If you wish to discuss any aspect of this scheme, please do not hesitate to contact me.

Yours sincerely,



Engineer (Project Manager)  
Infrastructure Design  
[traffic@cormacltd.co.uk](mailto:traffic@cormacltd.co.uk)

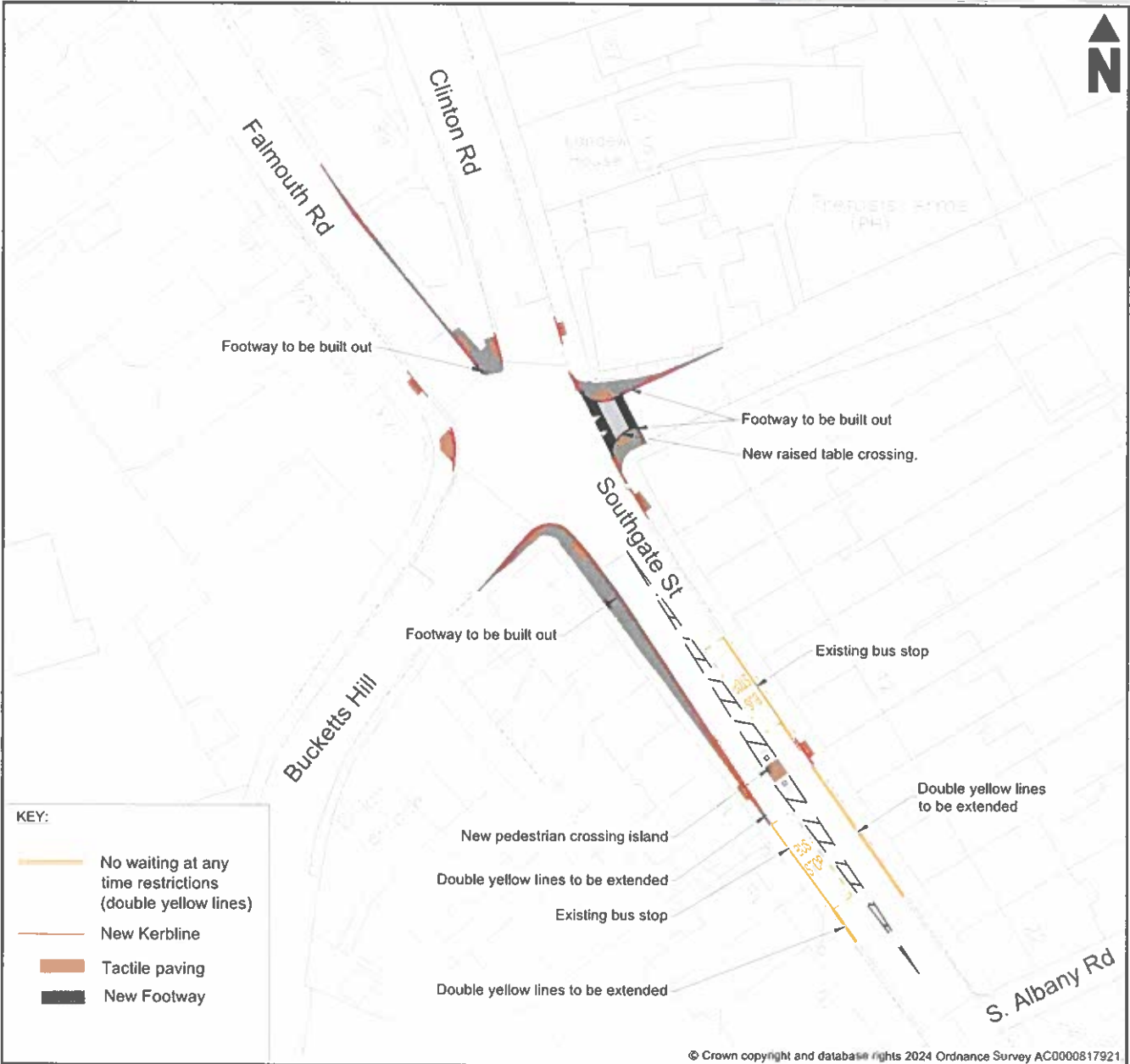


# PROPOSAL

CORMAC Consultancy,  
on behalf of Cornwall Council, is inviting comment on the following proposal  
**Pedestrian Crossing Facilities**  
**Southgate Street, Redruth**



Date	Originator	Document ref.
17/07/2024	IBW	INFRA23-019_SN_001



To respond, please send any comments or objections, specifying the grounds on which they are made, via email or in writing to:  
**Infrastructure Design Group, CORMAC Consultancy,  
Radnor Road, Scorrier, Redruth, TR16 5EH.**

Alternatively, please scan the QR Code to respond online using the Consultation Finder service or visit:

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

**To arrive no later than: 08/08/2024**

\*QR Code\* is a registered trademark of DENSO WAVE INCORPORATED.



Copies of the draft proposals and plans are available for public inspection during normal office hours at:

**New County Hall, Treyew Road, Truro TR1 3AY**

Please contact us using the details below to obtain further information.

Telephone: **01872 327 281**  
Email: **[traffic@cormacltd.co.uk](mailto:traffic@cormacltd.co.uk)**

**Please quote reference: [infra23-019\\_SN\\_001](#)**

Privacy Notice  
CORMAC Solutions Ltd requests personal information when you respond to this consultation for the purposes of collating feedback and/or responding to any comments received. This information is destroyed within 12 weeks of the scheme's completion, although you may request this earlier by contacting us. If you choose not to provide an address or other personal information, or withdraw these before the scheme's completion, we regret that we may be unable to consider your response in regards to a particular aspect of the scheme. In line with the GDPR you can find further details on how CORMAC may use any information you supply, how we maintain the security of your data and your rights in regard to the information we hold about you on our web-site: <https://www.corsevtd.co.uk/privacy-and-cookie-policy/>

Please note that it may also be necessary to include any information you provide in publicly available documents or to disclose it to third parties under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Please contact the below if you have any concerns or queries regarding the processing of your information.

Data Protection Officer, CORSEV Ltd, Western Group Centre, Radnor Road, Scorrier, Redruth, Cornwall, TR16 5EH