



FALMOUTH TOWN COUNCIL

Agenda Planning & Licensing Committee

Date 03/02/2025
Time 18:00 -
Location Atherton Suite
Chair S. Eva
Attendees Clegg (Vice-Chair); G F Evans; Jewell; Robinson; Ross; Spargo and Young

Explanation Dear Councillor,
I hereby invite you to attend a meeting of the Planning & Licensing Committee to be held in the Atherton Suite on Monday 3rd February 2025 at 6.00pm for the purpose of transacting the following business.

The meeting will observe the requirements of the Council's commitment to the Civility and Respect Pledge. That is to treat councillors, employees, members of the public, representatives of partner organisations and volunteers with civility and respect in their roles. Behaviour breaching that commitment will not be tolerated.

Town Clerk

- 1 Apologies**
To receive and approve apologies for absence.
- 2 Interests**
To receive declarations of interests in respect of items on the agenda. Councillors are reminded to declare any dispensation granted.
- 3 Minutes**
To receive the minutes of the meetings of the Committee held on the 13th January 2025. (1-8)
- 4 Planning Applications**
(a) To receive a list of planning applications received from Cornwall Council and dealt with under the delegated procedure agreed in accordance with Minute 6/2474 of the meeting held on 3rd April 2000 (Appendix 1) and amended by minute P3017, together with a supplementary list of applications received since publication of the agenda. (9-12)

(b) To receive and consider a list of planning applications received from Cornwall Council, not dealt with under the above-mentioned procedure (Appendix II), together with a supplementary list of applications received since publication of the agenda. (13)

5 Planning Policy Consultation - Cornwall Interim Policy Position Statement

To consider response to Cornwall Councils Cornwall Interim Policy Position Statement consultation that closes on 21st February 2025 (linked). Further details can be found at the following weblink: [Cornwall Interim Policy Position Statement - Cornwall Council](#)

6 Appeal

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

APP/D0840/W/24/3356041 -PA24/01546 Chain Locker, Quay Street, Falmouth, TR11 3HH

Festoon lighting & associated festoon posts, new additional planters to perimeter & associated planting to provide natural screening to boundary, 3no. new 4 x 4m parasols/ jumbrellas, 8no. new millboard tables & gabion stools. Cornwall Council Decision: Refused.

To note the Appeal. (14-15)

APP/D0840/Y/24/3356042 - PA24/01547 Chain Locker, Quay Street, Falmouth, TR11 3HH

Listed building consent for Festoon lighting & associated festoon posts, new additional planters to perimeter & associated planting to provide natural screening to boundary, 3no. new 4 x 4m parasols/ jumbrellas, 8no. new millboard tables & gabion stools. Cornwall Council Decision: Refused.

To note the Appeal. (16-17)

7 Highways / Traffic Management / Road Safety

Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic

To note road closure on Waterloo Road and Road To Rear Of 1 To 15 Norfolk Road, Falmouth on 7th February 2025 (09:30 to 15:30 hours) for Sunbelt Rentals to carry out works.

To note road closure on Avenue Road, Falmouth on 10th February 2025 to 12th February 2025 (20:00 to 06:00 hours) for Sunbelt Rentals to carry out works.

To note road closure on Hulls Lane, Arwenack Avenue and Grovehill Crescent, Falmouth on 13th February 2025 to 14th February 2025 (20:00 to 05:00 hours) for Sunbelt Rentals to carry out works.

To note road closure on Castle Drive and Cliff Road, Falmouth on 16th March 2025 (09:30 to 13:30 hours) for Run Falmouth Half Marathon to be held.

To note road closure on Hill Head, Penryn, on 17th March 2025 to 21st March 2025 (19:00 to 07:00 hours) for South West Water to carry out works.

To note road closure on Trelawney Road, Falmouth on 17 March 2025 to 28th March 2025 (07:30 to 17:00 hours) for Cormac Solutions to carry out works.

To report any highways matters received since the publication of the agenda.

8 Decision List

To receive and note a list of recent planning decisions made by Cornwall Council.
(18-20)

9 Licensing

To report any licensing matters received since the publication of the agenda.

10 Any late received planning applications that the Chair Considers to be of Urgency

NB: The Local Government (Access to Information) Act 1985 prohibits the consideration of any items which have not appeared on the agenda for the meeting unless the Chairman is prepared to certify that a proposed item is 'urgent'. If urgent, the special circumstances which make it so, must be spelled out to the meeting and included in the minutes.

Decision Making Legal Advice (for noting)

Members have received training on the Code of Conduct, predetermination and bias and therefore, will be aware of their responsibility to determine planning applications on the basis of the information before them at the meeting. Members are reminded that the decision making role must be approached with an open mind as to the merits of the arguments for and against the application, which they must take into account before making a final decision at the meeting. Members are further advised that they must not predetermine, or be seen to have predetermined, the outcome of an application and that the information they receive at the meeting is therefore the basis on which they should make their decision.

FALMOUTH TOWN COUNCIL

Minutes of a Meeting of the Planning & Licensing Committee held on Monday 13th January 2025 in the Atherton Suite, The Old Post Office, Falmouth at 6.00 pm.

Present: Councillors D E Clegg, S D Eva, A J Jewell CC, J C Robinson, B M A Ross, J M Spargo and Z Young.

In Attendance: E Middleditch (Administration Officer)
H Attree (Administrative Assistant)

Also Attended: M Hormann (PA24/09407 – 7 Fenwick Road, Falmouth)

The Chair reminded attendees that the Council had committed to the Civility and Respect Pledge, that is to treat everyone participating in the meeting tonight with civility and respect in their roles. For us respect is treating others with dignity, recognizing boundaries, being non-judgmental and accepting of differences. Behaviour breaching that commitment will not be tolerated. In dealing with the business of the meeting we will adhere to our agenda and the processes set out in our Standing Orders. Please be aware that the meeting is a public one and there may be recordings of your participation.

P6288 **APOLOGIES**

None.

P6289 **INTERESTS AND DISPENSATIONS**

None.

P6290 **MINUTES**

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

RESOLVED that that the minutes of the Planning and Licensing Committee held on 16th December 2024 be approved as a correct record of the proceedings and signed by the Chair.

P6291 **PLANNING APPLICATIONS**

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

It was proposed by Councillor Eva, seconded by Councillor Clegg 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 list of planning applications not dealt with under the delegated procedure outlined above. The Chair reported in respect of those applications as appropriate.

It was proposed by Councillor Spargo, seconded by Councillor Jewell and

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

P6292 **APPEAL DECISION**

PA23/00419 - Construction of 2 dwellings - Land South Of Site 1A Golden Bank, Swanpool Road, Falmouth – Mr D Hughes, Above the Bay Ltd – Appeal Dismissed. No Costs claimed.

Members duly noted the Appeal decision.

P6293 **HIGHWAYS/TRAFFIC MANAGEMENT/ROAD SAFETY**

Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic

Members duly noted road closure on Waterloo Road, Falmouth on 7th February 2025 (9:30 to 15:00 hours) for Sunbelt Rentals to carry out works.

Members duly noted road closure on Avenue Road, Falmouth from 10th February 2025 to 12th February 2025 (22:00 to 06:00 hours) for Sunbelt Rentals to carry out works.

Members duly noted road closure on Hulls Lane, Arwenack Avenue and Grovehill Crescent, Falmouth from 13th February 2025 to 14th February 2025 (20:00 to 05:00 hours) for Sunbelt Rentals to carry out works.

Members duly noted road closure on Woodland and Swanpool Street, Falmouth from 17th February 2025 to 21st February 2025 (07:30 to 17:00 hours) for Cormac Solutions to carry out works.

Members duly noted road closure on Market Street, Church Street and Arwenack Street, Falmouth from 24th February 2025 to 21st March 2025 (24 hours) for Cormac Solutions to carry out works.

P6294 **DECISION LIST**

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

P6295 **LICENSING**

Pop Up Sites Tender: Gyllyngvase Coach Park, Falmouth

Members duly noted that from 20th December 2024 Cornwall Council will be seeking interest in new commercial concessions for traders and the following site is being tendered, on the open market, for traders who would like to rent a dedicated area of Council-owned land at Pop Up Site at Gyllyngvase Coach Park, Falmouth. The tenders will be for either 1 or 2 years and will commence on 5th April 2025. The aim of this scheme is to encourage more users to Cornwall Council's assets, provide

opportunities for new and existing businesses to trade without being tied into long-term leases and to raise funds to help protect and maintain Cornwall’s open spaces.

It was further noted and unanimously agreed that Falmouth is already over run with pop up sites and a further site would be detrimental to the environment. It was agreed that the Chair in consultation with the Town Clerk to write to Cornwall Council opposing the proposals.

P6296 **ANY LATE RECEIVED PLANNING APPLICATIONS THAT THE CHAIR CONSIDERS TO BE OF URGENCY**

None.

There being no further business the Chair declared the meeting closed at 6.30pm.

Signed: Dated:

APPENDIX I

- 1. Trescobeas and Budock** **PA24/08679** **Mr and Mrs Cox**
(Case Officer: Abbie Franklamd – Abbie.Franklin@cornwall.gov.uk)
Extend porch and reposition garage to include dormer (part retrospective).
1 The Nurseries, Falmouth.

Recommend approval.

- 2. Boslowick** **PA24/09349** **Dr Tom Tregenza**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)
Works to trees subject to a Tree Preservation Order, works include pruning on 4 of the 5 large oak trees (Quercus robur). Pruning is designed to remove small boughs (less than 20cm in diameter) that have signs of decay, or that are crossing other boughs and several of which are overhanging the road adjacent to Trefillian. Remove part of the bole from the main trunk of tree 04.
Trefillian, Swanpool, Falmouth.

Recommend approval as this application is for management works which should be carried out as best practice, namely removal of dead/diseased wood.

- 3. Arwenack** **PA24/09559** **Mr Warren Searle**
(Case Officer: Abbie Franklin – Abbie.Franklin@cornwall.gov.uk)
Change from two apartments to form one three storey house. Extension of ground floor cloakroom and living room; new side single storey porch; removal of external stair and existing porch; new gable end roof; new south facing dormer window and larger gable feature; replacement of street facing dormer window; replacement and additional windows; new double garage.
5 Sea View Road, Falmouth.

Recommend approval.

- 4. Penwerris** **PA24/09621** **Prof Mark Cropper**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)
Works to trees in a conservation area (CA), works include T1 Laurel - reduce the size of the tree to reduce windage and to improve its shape. T2 is a similar tree located on the other side of the garden - reduction in size.
Dolphin Place, Penwerris Terrace, Falmouth.

For Information Only.

APPENDIX II

- 1. Boslowick** **Miss Cahill**
PA24/09077
(Case Officer: Abbie Franklin – Abbie.Franklin@cornwall.gov.uk)
Proposed single storey extension.
110 Longfield, Falmouth.

Recommend approval.

- 2. Arwenack** **Mr and Mrs Naylor**
PA24/09407
(Case Officer: Abbie Franklin – Abbie.Franklin@cornwall.gov.uk)
Single storey rear kitchen extension, subtle layout alterations and a landscaped carport.
Kerensa, 7 Fenwick Road, Falmouth.

Recommend approval.

- 3. Penwerris** **Harry & Helena Scott & Cochran**
PA24/09478
(Case Officer: Abbie Franklin – Abbie.Franklin@cornwall.gov.uk)
Single storey extension and alterations.
8 Pendarves Road, Falmouth.

Recommend approval.

TOWN AND COUNTRY PLANNING ACT 1971
FOR SUBMISSION TO THE COUNCIL ON 13th JANUARY 2025

Name of Applicant	Work, Location, App. Number	<u>Decision</u>
Dunford and Legassick	Alterations and extension to dwelling 33 Glasney Road, Falmouth. PA24/07157	Refused *
Mr and Mrs Doran	Create 1no. parking space in rear garden. 9 North Parade, Falmouth. PA24/07811	Approved*
Mr Mark Stevenson	Works to Trees covered by a Tree Preservation Order (TPO) - 2 Oaks - To fell. Birch - To fell. Fawkenner Close, Falmouth. PA24/08263	Part Approved / Part Refused*
Mr R House	Proposed New Build. Land To Rear Of 6 Kimberley Place, Falmouth. PA23/07126	Approved
Mr Kirran Bruce	Extend the current roof terrace to include the rest of the area available and install an industry standard steel fire escape stairs to the existing terrace. The Chintz, Old Brewery Yard, High Street, Falmouth. PA24/07414	Approved
Mr Michael Hurst	Application for a lawful development certificate for existing use class C4 – house in multiple occupation. 57 Budock Terrace, Falmouth. PA24/07692	Granted
Dr And Prof Hughes And Robison	Single-storey extension to replace existing extension, thermal improvements and alterations to the front dormer appearance. Removal of a block-work shed and creation of a studio in the garden, and other associated works. 14 Margaret Place, Falmouth. PA24/07979	Approved
Mr Sean O'Conaill	Demolition of existing outbuilding in rear garden, and replacement with new shed and parking space. 12 Florence Terrace, Falmouth PA24/08084	Approved
Mr Sean O'Conaill	Listed building consent for demolition of existing outbuilding in rear garden, and replacement with new shed and parking space. 12 Florence Place, Falmouth. PA24/08085	Approved
Mr And Mrs Tabor	Hip to Gable Loft Conversion with front dormer. 59 North Parade Falmouth PA24/08106	Refused
Mr Hall	Works to trees subject to a Tree Preservation Order (TPO), works include crown reduction of approx 1.5m to suitable points in line with BS3998 with nothing over	Approved

	40mm removed should allow more light into the under canopy whilst retaining a the trees presence in the area. Echoes, Swanpool. Falmouth. PA24/08386	
Mrs Maria Browne	Works to trees include Fell Eucalyptus trees (A), Group B reuced 30%, Group C reduce along fence, remove unhealthy stems (D&E), Crown raise beech (F), remove Conifer (G), remove ash (H), reduce cherry tree 30% (I), remove limbs from Ash (J) etc... Methodist Homes For The Aged Langholme Arwenack Avenue Falmouth PA24/08408	Decided not to make TPO
Mr Penhaligon	Works to trees subject to a Tree Preservation Order - T23 - Re-pollard Poplar to previous points, retain sap risers where possible, sever Ivy. G1- Reduce damaged lateral over garage roof by 3m where possible due to recent wind damage. Prune 0.5m clear of BT wires. Flat 1 Swanpool Gardens, Swanpool, Falmouth PA24/08430	Approved
Mr Joe Healey	Use of outdoor area for restaurant space; replacement of canopy with a zinc roof, to include a terrace for the two existing apartments; and upgrade of windows and doors to main cafe and apartments above the cafe, and conversion of first floor office to an en-suite bedroom' without compliance of Condition 2 of Decision Notice PA24/04113 dated 20.08.24. Gyllyngvase Beach Café, Cliff Road, Falmouth. PA24/08548	Approved
Mr Carey	Prior Approval for Solar PV installation of 199 x Solar Modules to Falmouth Golf Club House and Pro shop roof spaces. Falmouth Golf Club, Falmouth. PA24/08573	Prior approval not needed.
Mrs Jenny Sewell	Works to trees subject to a Tree Preservation Order (TPO), works include T1- Turkey Oak- reduce limbs away from conservatory giving 4-5m clearance & reduce large lateral limb over drive to reduce weight and remove significant rubbing branch T2 Holly- Reduce by approx 1-1.5m to maintain as shrub T3 Pittosporum- Reduce by approx 1.5m back old pruning wounds to maintain as hedge/shrub screen from road. The Hollies, Tresahar Road, Falmouth. PA24/08597	Approved
Cpt Gordon Kent	Works to trees in a Conservation Area for 2 x Golden Macnacarpus Trees - remove. Trees are becoming too large for the area they occupy, have been poorly crown lifted/pruned in the past and are not feasible to maintain in their current condition. Works should allow for more light and space, and the possibility of planting more suitable shrubs. Another tree of the same species will	Decided not to make a TPO

	also be able to use the space to grow and maintain the character of the area. 14 Stracey Road, Falmouth. PA24/08661	
Mr Paul Rayment	Works to trees subject to a Tree Preservation Order. Works include the felling of two mature Sycamore trees that appear to be in an advanced state of decline. Thalassa 1 Stewart Court, Falmouth. PA24/08939	Approved
Mr Luck	Works to Trees within a Conservation Area (TCA) - Felling of Cypress tree T1. 17 Stratton Terrace, Falmouth. PA24/08958	Decided not to make a TPO
Madeline Foreman	Works to trees in a conservation area (CA), works include T1 - 1 x medium sized plum - reduce height to approx 3m, and reduce spread to 1m laterally to all aspects. 30 Dunstanville Terrace, Falmouth. PA24/09038	Decided not to make a TPO
Mr Leslie McCune	Works to trees in a CA – reduce and shape one copper beech (T1) and one holly (T2). St Annes, 5 North Parade, Falmouth A24/09047	Decided not to make a TPO
Elephant Walk Properties	Works to Tree within a Conservation Area (TCA) - The proposal is to carry our pruning works to 1 large Bay tree (T1) situated in the rear garden of 37 Woodlane. Flat 1, 37 Woodlane, Falmouth. PA24/09103	Decided not to make a TPO
Mr C Dawes	Non Material Amendment in relation to decision notice PA23/07320 dated 27.03.2024 for the addition of two roof lights. 1 Burley Court, New Street, Falmouth. PA24/09136	Approved

APPLICATION FOR CONSIDERATION

AT MEETING

3RD FEBRUARY 2025

APPENDIX I

- 1. Arwenack** **PA24/08974** **Mr Richard Milner**
(Case Officer: Mark Webb – Mark.Webb@cornwall.gov.uk)
Works to a tree subject to a Tree Preservation Order for Hornbeam (T1) - to prune tree, taking out any dead or damaged wood, and reduce as shown in accompanying photo. The tree grows at an angle and the proposed works are intended to prevent the tree becoming overly top-heavy and unsafe, as well as to reduce the proximity of branches growing towards the house.
61 Pengarth Rise, Falmouth.

Recommend refusal as the tree appears to be in a healthy condition with the lean caused by it being planted at the base of the wall and it has therefore grown in the direction of its light source and upon reaching the top of the wall it has straightened itself out. Furthermore the canopy pruning is excessive due to its distance from the house. The Council would be more minded to approve the removal of the very lowest limb and a much less vigorous reduction.
- 2. Arwenack** **PA25/09757** **Mr & Mrs David & Pat Lord**
(Case Officer: Helen Trebilcock – Helen.Trebilcock@cornwall.gov.uk)
Proposed garage replacement.
Falness, 4 Castle Drive, Falmouth.

Recommend Approval.
- 3. Boslowick** **PA24/09767** **Mrs Amelia White**
(Case Officer: Chloe.Britten@cornwall.gov.uk)
New proposed front porch.
Millefleurs House, Boslowick Road, Falmouth.

Recommend Approval.
- 4. Arwenack** **PA25/00025** **Mrs Bridget Turner**
(Case Officer: Mark Webb – Mark.Webb@cornwall.gov.uk)
Change of use from existing office space to two residential dwellings.
Street Record, Falmouth.

Recommend Approval.

5. Arwenack [PA25/00092](#) **Mr Martin Rowe**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)

Works to trees in a conservation area (CA), works include prune 4 trees: T1 - an Oak in the middle of the rear lawn T2 - a Holm Oak in the SW corner of the rear garden T3 - a Laurel growing adjacent to and intermingled with the crown of T2 T4 - a Leylandii growing closely adjacent to T2 and T3.

11 Boscawen Road, Falmouth.

For Information Only.

6. Boslowick [PA25/00231](#) **David Floyd Turners Parks Group**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)

Works to trees subject to a Tree Preservation Order - (30) Oak - lowest branches lift above phone/power lines, 5.5 m high, (31) Oak - lowest large branch growing over hone roof, remove, cut back to main stem, (32) Oak - reduce limbs 1.5 - 2m growing towards gardens and (33) Oak - lift crown to 5.5 and reduce lateral growth 2m over road.

Twinbrook Park, Goldenbank, Falmouth.

Recommend approval as the lower branches are already being damaged by high vehicles.

7. Boslowick [PA25/00238](#) **Mrs Moira Mottram**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)

Works to trees subject to a Tree Preservation Order - crown raise T1 (Turkey Oak) to approximately 4.5m height and reduce the extensive crown in southern quadrant only from 13m to 9.5m.

12 Trenoweth Road, Falmouth.

Recommend Refusal as this Oak tree is one of the finest examples of its kind in Falmouth. A reduction of 3.5m in the direction of 12 Trenoweth Road is excessive and would have a negative impact on the trees appearance. The Council would be more minded to approve a less vigorous reduction including removal of ivy growing in the tree which may help increase light levels.

8. Arwenack [PA25/00286](#) **Bruce Pike**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)

Works to Tree within a Conservation Area (TCA) - T1 - Large canary palm - Remove all foliage.

First Floor Flat 36-37 Church Street, Falmouth.

For Information Only.

9. Arwenack [PA25/0326](#) **Mr Mark Bolt**
(Case Officer: Chloe Britten – Chloe.Britten@cornwall.gov.uk)

Listed building consent for removal of staircase linking the first floor to the loft room and replacement with a lighter structure, also enabling the re-opening of an existing doorway to the first floor front reception room.
19 Wodehouse Terrace, Falmouth.

Recommend Approval.

10. Arwenack [PA25/00511](#) **Mr Chris Bally**
(Case Officer: Abbie Franklin – Abbie.Franklin@cornwall.gov.uk)

Works to trees in a conservation area (CA), works include Fell 4no. Ash trees, with Ash Dieback in areas adjacent to car park, road and footpath.
Land North Of Pendennis Castle, Castle Drive, Falmouth.

For Information Only.

APPENDIX II

- 1. Arwenack** **PA25/00019** **Mr W Choudhry**
(Case Officer: **Abbie Franklin – Abbie.Franklin@cornwall.gov.uk**)
Construction of ground and first floor extensions and alterations.
Shirena, Minnie Place, Falmouth.
- 2. Penwerris** **PA24/09593** **Mr Richard Liebowitz**
(Case Officer: **Mark Webb – Mark.Webb@cornwall.gov.uk**)
Proposed construction of loft conversion with raised ridge height, dormer window additions to front and rear of property, replacement roof and associated works.
13 Erisey Terrace, Falmouth.
- 3. Arwenack** **PA24/09524** **Ms Judith Goodchild**
(Case Officer: **Mark Webb – Mark.Webb@cornwall.gov.uk**)
Change of use from hostel to residential dwelling.
Accommodation, 9 Gyllyngvase Terrace, Falmouth.
- 4. Arwenack** **PA25/00183** **Kevin Lavery**
(Case Officer: **Mark Webb – Mark.Webb@cornwall.gov.uk**)
Listed building consent for the replacement of the rotten, first floor projecting bay window.
1 Florence Place, Falmouth.



Falmouth Town Council
Town Clerk
Falmouth Town Council
Municipal Buildings
The Moor
Falmouth
TR11 2RT

Your ref:
My ref: PA24/01546
Date: 16 January 2025

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:	APP/D0840/W/24/3356041
Cornwall Council ref:	PA24/01546
Appeal start date:	9 January 2025
Proposal:	Festoon lighting & associated festoon posts, new additional planters to perimeter & associated planting to provide natural screening to boundary, 3no. new 4 x 4m parasols/ jumbrellas, 8no. new millboard tables & gabion stools.
Location:	Chain Locker, Quay Street, Falmouth, Cornwall, TR11 3HH
Appellant:	St Austell Brewery
Cornwall Council decision:	REFUSED

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, Linda Hutton, Room 3/P, Temple Quay House, 2
The Square, Bristol, BS1 6PN.**

All representations must be received by 13 February 2025. 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 This application for the new seating, planters, and festoon lighting erodes and harms the historic setting of the listed buildings/structures, failing to conserve or enhance the significance of the listed buildings and the design is unsympathetic to the character of the Falmouth Conservation Area. No overriding public benefits have been identified for the proposal. The development is therefore contrary to policies 2, 12, and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 adopted November 2016, paragraphs 200, 203, 205, 206, and 208 of the National Planning Policy Framework December 2023, policies DG3, DG6, and DG7 of the Falmouth Neighbourhood Development Plan 2021 - 2030, and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Yours faithfully,

Tazmin Burr

Development Technical Officer (Appeals)

Development Management Service

Tel: 01872 322222

Email: planningappeals@cornwall.gov.uk



Falmouth Town Council
Town Clerk
Falmouth Town Council
Municipal Buildings
The Moor
Falmouth
TR11 2RT

Your ref:
My ref: PA24/01547
Date: 16 January 2025

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:	APP/D0840/Y/24/3356042
Cornwall Council ref:	PA24/01547
Appeal start date:	9 January 2025
Proposal:	Listed building consent for Festoon lighting & associated festoon posts, new additional planters to perimeter & associated planting to provide natural screening to boundary, 3no. new 4 x 4m parasols/ jumbrellas, 8no. new millboard tables & gabion stools.
Location:	Chain Locker, Quay Street, Falmouth, Cornwall, TR11 3HH
Appellant:	St Austell Brewery
Cornwall Council decision:	REFUSED

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, Linda Hutton, Room 3/P, Temple Quay House, 2
The Square, Bristol, BS1 6PN.**

All representations must be received by 13 February 2025. 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 This application for the new seating, planters, and festoon lighting erodes and harms the historic setting of the listed buildings/structures, failing to conserve or enhance the significance of the listed structure and in the absence of an overriding public benefit of the scheme the balance is not acceptable. The development is therefore contrary to policies 12 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 adopted November 2016, paragraphs 200, 203, 205, 206, and 208 of the National Planning Policy Framework December 2023, and policy DG6 of the Falmouth Neighbourhood Development Plan 2021 - 2030 and The Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Yours faithfully,

Tazmin Burr

**Development Technical Officer (Appeals)
Development Management Service**

Tel: 01872 322222

Email: planningappeals@cornwall.gov.uk

TOWN AND COUNTRY PLANNING ACT 1971

FOR SUBMISSION TO THE COUNCIL ON 3RD FEBRUARY 2025

Name of Applicant	Work, Location, App. Number	Decision
Mr Mike Jeffs	Submission of details to discharge Conditions 4, 6 and 8 in respect of Decision Notice PA21/04472 allowed on Appeal APP/D0840/W/22/3292448 dated 27.02.23. Market Quay, Market Street, Falmouth. PA24/0453	Discharge of conditions, not all conditions agreed*
Justin Paull	Change of use from flats to a single dwelling, and first floor glazed balcony extension over flat roof where existing approved extension has not yet been constructed. 16A Tredynas Road, Falmouth PA24/07045	Withdrawn*
Katy Senior	Submission of details to discharge Conditions 3, 4 and 5 of Decision Notice PA24/01687 dated 05/07/2024. Tregenver Adult Learning Facility, Tregenver Road, Falmouth. PA24/07210	Discharged*
Ian Lancaster and Alison Turner	Pre-application advice for the renovation and extension to existing property, including associated external and landscaping works. The Beach House, Boscawen Road, Falmouth. PA24/00786/PREAPP	Closed – Advice Given
Mr Tim Brettell	Works to trees subject to a Tree Preservation Order (TPO), works include T1-Oak- Fell to reduce the risk of damage to property or persons. This tree is within close proximity and leaning towards the building. Replant a tree of the same species as shown on the sketch plan. MSB Fitness Ltd, 2 Falmouth Business Park, Bickland Water Road, Falmouth. PA24/08945	Approved*
Mr and Mrs Richard and Louise Collett	Application for Technical Details Consent (TDC) following Permission in Principle approval PA24/00852 dated 11.03.2024 Land Rear of Chy Avallen, 69 Trescobeas Road, Tremanor Way, Falmouth. PA24/08963	Granted*
Mr David Hounsell	Side rear extension and associated refurbishment works. 11 Erisey Terrace, Falmouth. PA24/08221	Approved
Hannah Julian	Proposed residential dwelling. Land South of 6 Ashfield Villas, Falmouth. PA24/08387	Approved

Mrs Winslade	Application for the proposed construction of a single storey dwelling in the existing curtilage of Carberry House. St Ruan, Tresahar Road, Falmouth PA24/08526	Approved
Ms Davidson	Proposed permanent stationing of a modified former shipping container to provide indoor seating area for existing cafe to replace existing open-sided, covered seating area and extension of existing raised external decking access. Castle Beach, Cliff Road, Falmouth. PA24/08761	Approved
Alice Sommerlad	Retention and installation of cast iron railings, granite setts and gates to secure the cellar area along with the renovation and re-roofing of the nearby buildings including the old butcher's shop, storage building and WC. Beerwolf Books, 3 Bells Court, Market Street, Falmouth. PA24/08769	Approved
Alice Sommerlad	Change of use of part of the land to be used for outdoor space in conjunction with the public house at Beerwolf Books (retrospective application). Beerwolf Books, 3 Bells Court, Market Street, Falmouth. PA24/08854	Approved
Mr Giles Easingwood	Application for a lawful development certificate for proposed conversion of 2no. first floor one bedroom flats into 1no. two bedroom flat by creating access through an internal adjoining wall. Trelawney And Treffry, Greenbank House, 3 Stratton Terrace, Falmouth. PA24/09000	Granted (CAADs, PIPs and LUs only)
Mrs Doughty	Works to trees in a conservation area (CA), works include (insert proposed works as details on the application form) G1- This hedge consists of mainly escalonia- remove to enable replanting. Maskee House, 4 Spernen Wyn Road, Falmouth. PA24/09192	Decided not to make TPO
Dr Tom Tregenza	Works to trees subject to a Tree Preservation Order, works include pruning on 4 of the 5 large oak trees (Quercus robur). Pruning is designed to remove small boughs (less than 20cm in diameter) that have signs of decay, or that are crossing other boughs and several of which are overhanging the road adjacent to Trefilian. Remove part of the bole from the main trunk of tree 04. Trefillan, Swanpool, Falmouth. PA24/09349	Approved

Prof Mark Cropper	Works to trees in a conservation area, including Laurel, reduce its size and windage and to improve its shape. Dolphin Place, Penwerris Terrace, Falmouth. PA24/09621	Decided not to make TPO
Mr M Hawksley	Non-material amendment in relation to decision notice PA24/00095 dated 27.02.2024 for change of roof material from lead to EPDM. Stonedge, Budock Terrace, Falmouth. PA24/09657	Approved
Katy Senior	Submission of details to discharge Condition numbers 3, 4 and 5 in respect of Decision Notice PA24/01688 dated 05/07/24. Tregenver Adult Learning Facility, Tregenver Road, Falmouth. PA25/00063	Discharged