

Cornwall Council

Correspondence Address: Cornwall Council Planning, PO Box 676, Threemilestone, Truro, TR1 9EQ

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Application number: PA22/03763

Agent:

Rowett Architecture
Rowett Architecture
8 Tregrehan Mills
St Austell
Cornwall
PL25 3TL

Applicant: Mr & Ms Danny and

Kathryn Ghale
61 Avondale Road,
Palmers Green
London
N13 4DX

Planning (Listed Building and Conservation Areas) Act 1990

Grant of Listed Building Consent

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 19 April 2022 and accompanying plan(s):

Description of Development: Complete refurbishment of the property both internally and externally.

Location of Development: 29 Polkirt Hill
Mevagissey
Cornwall
PL26 6UR

Parish: Mevagissey

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 3 February 2023

Louise Wood - Service Director Planning and
Housing (Chief Planner Officer)

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA22/03763

CONDITIONS:

- 1 The works/demolition hereby authorised shall be begun not later than three years from the date of this consent.

Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 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 The historic wallpapers shall be retained and conserved in strict accordance the Wallpaper Treatment Proposals set out in the Paint and Finishes report by Crick-smith dated 7th Sept 2022.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 4 The painted panel shall be reinstated in accordance with the proposed internal elevation drawing 210102 P10A A3L. Any cleaning or conservation works to the painted panel together with details for the ventilation and lighting of this feature shall be provided to and agreed in writing by the LPA prior to such works being carried out and the works carried in accordance with the approved details.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 5 The works shall be carried in strict accordance with the 'Schedule of works/repairs with method statement issue 02'.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 6 Prior to works to the ground floor fireplace in the proposed snug being undertaken joinery details shall be submitted to and agreed in writing by the LPA and the works carried in accordance with the approved details.

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Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 7 The development shall be carried out in strict accordance with the repair Option C in the approved 'Structural statement for proposed roof repairs ref. 3428'.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 8 Prior to installation details for the roof insulation shall be submitted and agreed in writing by the LPA and the works carried in accordance with the approved details.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 9 Prior to the removal of the external render a detailed specification to include method of removal, the new lime render details, the paint finish, and any surface decoration be agreed in writing by the LPA and the works carried in accordance with the approved specification.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 10 Prior to any such works being undertaken details of any upgrading for fire protection to include any works to doors and/or the staircase shall be submitted and agreed in writing by the LPA and the works carried in accordance with the approved details.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

- 11 Prior to installation details for the new heating system and any electrical upgrades shall be submitted and agreed in writing by the LPA and the works carried in accordance with the approved details

- 12 Any strengthening or upgrading of the rear timber framed wall, ground floor beam or joists shall be carried in accordance with details to be submitted and

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agreed in writing by the LPA and the works carried in accordance with the approved details.

Reason: To safeguard the special architectural character of this Listed Building and in accordance with The Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 194-208 of the National Planning Policy Framework 2021 and Policy 24 of the Cornwall Local Plan 2016-2030.

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PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan 210102 E01 A3L received 19/04/22
Proposed 210102 P07D A3L received 28/10/22
Proposed 210102 P01B A3L received 28/10/22
Proposed 210102 P03D A3L received 28/10/22
Proposed 210102 P02D A3L received 28/10/22
Proposed 210102 P06D A3L received 28/10/22
Proposed 210102 P05D A3L received 28/10/22
Proposed 210102 P10A A3L received 28/10/22
Proposed 210102 P03 REVF received 21/12/22

ANY ADDITIONAL INFORMATION:

- This development is not liable for CIL because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

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: 3 February 2023

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LISTED BUILDING NOTES

Attention is drawn to Section 8 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposals has been given to the Royal Commission on the Historical Monuments of England, National Monuments Record Centre, Kemble Drive, Swindon, Wiltshire, SN2 2GZ, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. **(Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Telephone: 0303 444 5000 or download from web site www.planning-inspectorate.gov.uk).**

Please Note:-If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries) (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

If listed building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any works which have been or would be permitted, he may serve on the council of the county borough, county district, or London borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Your attention is drawn to Sections 7 and 9 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, the effect of which is that it is a criminal offence to execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest without listed building consent. Further it is a criminal offence to fail to comply with any conditions attached to the consent.

PLEASE NOTE PERMISSION IS NOT LAWFUL UNTIL THE CONDITIONS ON YOUR DECISION NOTICE HAVE BEEN SUBMITTED TO AND APPROVED (COMPLIED WITH) IN WRITING BY THE LOCAL PLANNING AUTHORITY.

The decision notice is important but you must read it together with the application and any approved drawings or documents.

It is your responsibility to comply. Failure to comply with the items of an approval could mean that the work you carry out is unauthorised and at risk of enforcement action, which could have serious consequences.

Please read the decision notice carefully and ensure that you understand and comply with the requirement of any conditions. Also, you must comply precisely with any approved drawings or documents.

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

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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.

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Rowett Architecture
8 Tregrehan Mills
St Austell
Cornwall
PL25 3TL

Your ref: 29 Polkirt Hill, Mevagissey
My ref: PA22/03763
Date: 3 February 2023

Dear Sir/Madam

**Complete refurbishment of the property both internally and externally.
29 Polkirt Hill Mevagissey Cornwall PL26 6UR**

With reference to this planning application, I enclose the Council's decision letter concerning the above.

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://planningportal.co.uk/>.

Your attention is drawn to the recent change of 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)

No fee – for applications to discharge conditions relating to a Listed Building Consent.

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

Yours faithfully

Jack Bromley

**Development Officer
Development Management Service
Tel: 01872 322222**

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