



Planning and Sustainable Development

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www.cornwall.gov.uk

Application for Planning Permission for relevant demolition of an unlisted building in a conservation area

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Front boundary wall - onto North Street, Marazion.

Applicant Details

Name/Company

Title

Mr

First name

Samuel

Surname

de Frates

Company Name

Address

Address line 1

4 Dovehouse Close

Address line 2

Address line 3

Town/City

Brackley

County

Northamptonshire

Country

United Kingdom

Postcode

NN13 7HJ

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Description of Proposed Works

Please describe the proposed works

Permission is requested to lower the boundary wall facing onto the road from 2 metres to 1.1 metres.

The top of the wall will have a rounded finish to help with rain dispersal and will match the surrounding walls. We would also like to fill-in the serving hatch hole/window so that the wall height can then be stepped down closer to the lower front wall height and improve the stability at the corner of the wall.

No other changes will be made to the wall - the length (and therefore the entrance gap) and width will remain the same.

Has the work already been started without consent?

Yes

No

Explanation for Proposed Demolition Work

Why is it necessary to demolish all or part of the building(s) and/or structure(s)?

The wall has been assessed by a structural surveyer who concluded that it could rapidly become dangerous. Please see below details from the survey conducted by the Structural Engineer, Eur.Ing. K.J.Rolleston B.Tech.(Hons),.C.Eng.,M.I.C., The Gables, Church Road, Lelant, Cornwall, TR26 3LA.

The Beachwalk Retreat - structural assessment of leaning wall.

I visited the property on 17/8/23, inspected and measured the wall carefully and now make the following observations.

The wall is made from random local stone with an earth hearting. This is not a robust form of construction and due to the inevitable cracks that have appeared over time, plants have been able to gain a foothold and the wall has suffered from vegetation growth with the roots penetrating the hearting and enlarging the cracks in many places. This has allowed further water penetration and plant growth. Most of the plant growth had been removed at the time of

my visit but the damage to the wall had not been repaired so there is still an ongoing water penetration problem.

The wall shows a significant lean towards the road along almost the whole length of the wall which appears to originate with movement of the foundation (if any exists) rather than as a distortion within the wall itself. My calculations show that the current lean is 80% of the amount that would cause the wall to fall due to its own weight alone (currently 117 mm at the top with a theoretical stability limit of 146 mm). The point of collapse is likely to be a lower angle of lean than this however, due to the wall's construction type and the vegetation damage. This could stress the outer lower section of the wall locally beyond its capacity and cause a local failure which would trigger a section to fall. To this must be added wind loads and potential minor accidental loads from vehicles. The situation is exacerbated by the fact that the more the wall leans, the greater the forces become which are causing the lean, so the rate of change of the lean will increase.

My conclusion therefore is that whilst the wall is not currently a "dangerous structure" which would attract a notice from the local authority Building Regulation body, it could rapidly develop into one, so measures should be taken in the fairly short term to remediate the problem. I can see no way of recovering the existing structure so the initial step must be one of demolition. By "fairly short term" I mean before the bad winter weather sets in.

Re your suggestion to remove an upper portion of the wall, this is certainly a possibility if allowed by Planning. The highest the wall could be at its current angle of lean to maintain an adequate factor of safety, including wind loading, is 1.1 metres. This is also the standard height for pedestrian balustrading.

Related Proposals

Are there any current applications, previous proposals or demolitions for the site?

Yes

No

Neighbour and Community Consultation

Have you consulted your neighbours or the local community about the proposal?

Yes

No

If Yes, please provide details

We have informed and have received approval from five of our neighbours opposite (Bosvyghan, North Street, Marazion, TR17 0EE and Alexandra Cottage, North Street, Marazion, TR17 0EE), either side (Rose Cottage, North Street, Marazion, Cornwall, TR17 0ED, Penhale Cottate, North Street, Marazion, Cornwall, TR17 0ED) and to the rear (1 Rosehill, Marazion, TR17 0HB). Only requirements are that the capping is rounded to match adjacent walls and that the entrance gap is not widened - both requirements will be fulfilled.

One neighbour to the rear corner (2 Beacon Road, MARAZION Cornwall TR17 0HF) does not support the proposal, as lowering the wall by 90cm will mean that the house (which is modern compared with neighbouring properties), will be more visible. Acknowledging this feedback, we propose to construct a fence similar to that at Rose Cottage (image included in the attached) so that the house less visible.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
 No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

The Applicant

The Agent

Title

Mr

First Name

Samuel

Surname

de Frates

Declaration Date

24/10/2023

Declaration made

Declaration

I/We hereby apply for Demolition in a conservation area as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Samuel de Frates

Date

03/11/2023

Amendments Summary

2 additional neighbour consultations added.

