

Campaign to Protect Rural England

CPRE Cornwall - *Protecting Cornwall's Environment*

3, Bossiney Grange,
Bossiney,
Tintagel,
Cornwall.
PL34 0AX.

Mr P Mason,
Head of Planning and Regeneration,
C/O Mrs N Trethewey
Cornwall Council,
St Austell One Stop Shop
St Austell
Cornwall.
PL25 5DR

2nd March, 2010

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Planning Application 10/0095/LBC – South Pier and Lighthouse Pier, Penzance –Demolition of listed Wall

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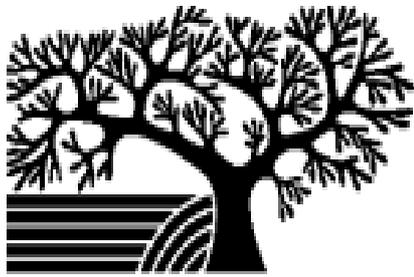
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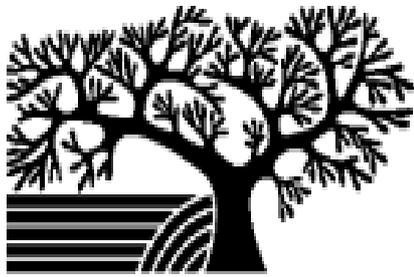
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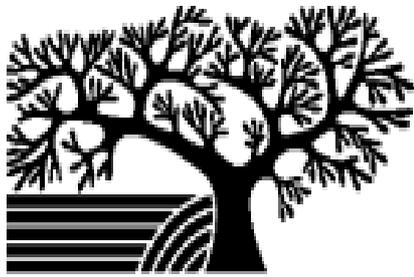
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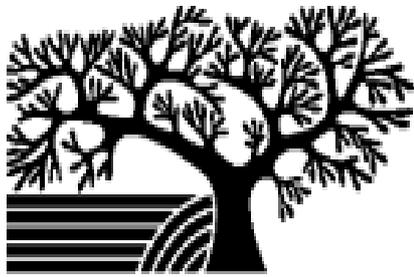
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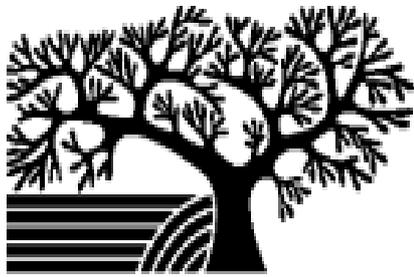
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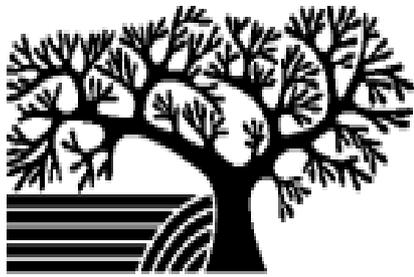
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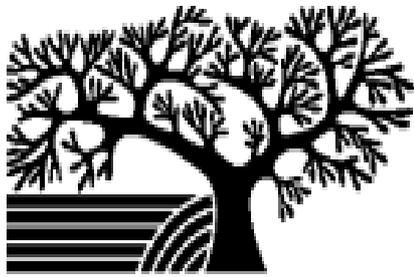
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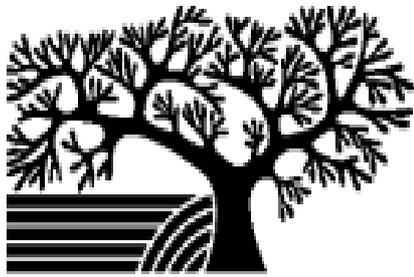
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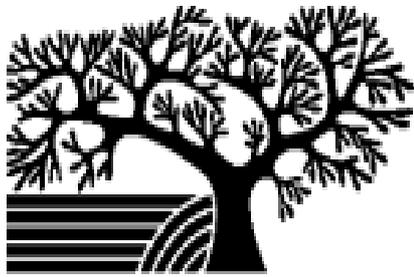
6. CPRE Cornwall objects to this proposal as it fails the advice of PPG15 and the detailed requirements of paragraph 3.19. It also objects to the proposal because:-

1. English Heritage advice remains effectively the same and there is no planning justification to set that advice aside and approve the proposal;
2. There is a suitable alternative proposal which does not involve the demolition of the listed walls;
3. The application was refused at the last meeting and there is nothing substantially new planning wise to justify a different decision being made; and
4. There is overwhelming local opposition to the proposal.

7. CPRE Cornwall also asks to be consulted on any further amendments, to be informed of the final decision on the proposal and the reason for that decision. I am happy to accept correspondence via e-mail to rwcprecornwall@btinternet.com

Yours sincerely

Richard Ward, DipTP MRTPI,
Planning and Development Manager,
CPRE Cornwall



Campaign to Protect Rural England

CPRE Cornwall - *Protecting Cornwall's Environment*

3, Bossiney Grange,
Bossiney,
Tintagel,
Cornwall.
PL34 0AX.

Mr P Mason,
Head of Planning and Regeneration,
C/O Mrs N Trethewey
Cornwall Council,
St Austell One Stop Shop
St Austell
Cornwall.
PL25 5DR

2nd March, 2010

Dear Mr Mason,

Planning Application 10/0095/LBC – South Pier and Lighthouse Pier, Penzance –Demolition of listed Wall

1. CPRE Cornwall is pleased to be able to submit to you the following representations aimed at assisting the LPA and Members when determining the above application. It requests that its contents are conveyed, in their entirety, to Members before the application is determined.
2. It is noted that the proposed works are described in response to the question 10 on the application form as one of demolition (in total or partial) of a listed building. The application description plays down the demolition but it is this part which is the most important element of the proposal and which requires the most thorough and comprehensive assessment to see if it is justified.
- 3 The Government advice on managing listed buildings is set out in Planning Policy Guidance Note 15 (PPG15). This includes advice on the demolition (in part or in total) of a listed building which is set out in paragraphs 3.16 to 3.19. The criteria in paragraph 3.19 against which demolition proposals have to be tested against are of paramount importance. The overriding presumption is that listed buildings will not be demolished.
4. From what CPRE Cornwall can see the applicant does not appear to have addressed the specific requirements of paragraph 3.19 of PPG15 in the application and statement. **This is a fundamental and serious omission and one which would in most cases have made the application invalid for registration in most if not all other Councils or LPAs.** In my professional view it renders the application incapable at present of determination, unless it is refused, as essential information has not been submitted by the applicant. If the application was to be approved without the requirements of paragraph 3.19 having been addressed in full, then any permission will, in my professional view, be open to a potential successful Judicial Review of the LPA's decision.

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Yours sincerely

Richard Ward, DipTP MRTPI,
Planning and Development Manager,
CPRE Cornwall