From:	Sarah Williams (Building Control)
To:	Derek Jackson; Annette Buckingham; Building Control (CC)
Cc:	Elizabeth Gilbert; hello@musicabilityfoundation.uk; Cllr Jim McKenna; info@juliakerrison.com; Antony Morvan; Andrew Lewis; info@harbanredwood.com; Tim Boulton; Gary Wyatt
Subject:	RE: 251/4.02 BC24/00299/COTRG No.10 Parade Street Penzance - Regularization - Change of Use
Date:	16 December 2024 13:00:51
Attachments:	image002.png image003.png image004.png image005.png image006.png image007.png image009.png image010.png image011.png image013.png image014.png image015.png image016.png image017.png

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Information Classification: CONTROLLED

Good afternoon,

I confirm receipt of the email and two attachements.

Kind regards,

Sarah Williams BEng (Hons) C.Build.E MCABE **Group Leader**
Class 3 and 4 Registered Building Inspector
Cornwall Council Building Control - Regulatory Service

Email: sarah.williams@cornwall.gov.uk Tel: **0300 1234 151**

www.cornwall.gov.uk/buildingcontrol
Postal Address: Cornwall Council – Building Control, PO Box 676, Threemilestone, Truro, Cornwall TR4 9LD

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From: Derek Jackson <derekjackson@kohaarchitects.com>
Sent: Monday, December 16, 2024 11:38 AM
To: Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>; Building Control (CC) <buildingcontrol@cornwall.gov.uk>
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; hello@musicabilityfoundation.uk; Cllr Jim McKenna <cllr.jim.mckenna@cornwall.gov.uk>; info@juliakerrison.com; Antony Morvan <antonymorvan@kohaarchitects.com>; Andrew Lewis <andrewlewis@kohaarchitects.com>; info@harbanredwood.com; Tim Boulton <info@musicabilitycic.uk>; Gary Wyatt

<garywyatt@kohaarchitects.com>
Subject: 251/4.02 BC24/00299/COTRG No.10 Parade Street Penzance - Regularization - Change of Use

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Sarah & Annette,

Further to previous correspondence please find attached existing and proposed information submission for the above Regularisation Application.

Could you please confirm receipt of the information. Will Cornwall Council be providing a Plan check on the information in relation to this application? Could you also confirm which officer will be dealing with the application?

- Koha Dwg. No.s 251/200, /201, /202, /203, /205, /210 showing existing information
- Koha Dwg. No.s 251/300, /301, /302, /303, /305, /310, /350 showing proposed layout information
- Koha Dwg. No.s 251/400, /401, /500, /303, /501, showing proposed details, window and door schedules
- Koha Building Regulations Tracker Notes

Harban Redwood have been appointed as structural engineers for the project and will be inspecting the existing structure and providing a report and calculations as necessary to satisfy the change of use under AB A.

If you have any queries please do not hesitate to contact us.

Kind Regards,

Oll an gwella

Derek Jackson
Director/ RIBA Architect
for and on behalf of
Koha Architects Ltd.
www.kohaarchitects.com
T: 01326 567224
M: 0781 3602378
Tremough Innovation Centre,
Penryn Campus,
Penryn, Cornwall, TR10 9TA.

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From: Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>
Sent: 09 December 2024 09:22
To: Derek Jackson <derekjackson@kohaarchitects.com>; Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Gary Wyatt <garywyatt@kohaarchitects.com>; Antony Morvan <antonymorvan@kohaarchitects.com>; hello@musicabilityfoundation.uk; Cllr Jim McKenna <cllr.jim.mckenna@cornwall.gov.uk>; info@juliakerrison.com
Subject: RE: 251/4.02 No.10 Parade Street Penzance - Change of Use

Information Classification: CONTROLLED

Dear all

As previously informed in various emails – the change of use of the building requires the submitted Regularization application to the Council to rectify the unauthorised change, due to no submission of a Building Regulation application to either Cornwall Council or an Approved Inspector prior to the change.

This cannot be dealt with on an Initial Notice.

Best regards
Annette

Annette Buckingham MCabe
Senior Development Officer (Building Control)
Cornwall Council Building Control – Regulatory Service

Email: Annette.buckingham@cornwall.gov.uk Tel: 01872 32 22 22 (Ask for me by name)
For inspections, applications and general enquiries Tel: 01872 22 47 92

Postal Address: Cornwall Council – Building Control, PO Box 676, Threemilestone, Truro, Cornwall TR4 9LD buildingcontrol@cornwall.gov.uk 01872 22 47 92

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From: Derek Jackson <derekjackson@kohaarchitects.com>
Sent: Monday, November 25, 2024 3:29 PM
To: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Gary Wyatt <garywyatt@kohaarchitects.com>; Antony Morvan <antonymorvan@kohaarchitects.com>; hello@musicabilityfoundation.uk; Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; Cllr Jim McKenna <cllr.jim.mckenna@cornwall.gov.uk>; info@juliakerrison.com
Subject: 251/4.02 No.10 Parade Street Penzance - Change of Use
Importance: High

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Sarah,

Further to e-mail below we have now prepared a draft set of information for the proposed works to comply with the change of use. The previous architect Helen Brookes has also sent us all the information and details of the Regulatisation Application and as you say this was only Existing Drawings and no proposals.

Can we cancel the application No. BC24/00299/COTRG and submit the proposed works we have drafted under the Stroma Application No. BC23/01290/IN (as this application is essentially going to duplicate the same information)? If so is it possible for Musicability to get rebate so that they pay only for Cornwall Council Building Control hours to date as I understand the fee for Application No. BC24/00299/COTRG was based on an estimated number of hours work?

If necessary, we can send a copy of the same proposed building control change of use information to Cornwall Council Building Control in the first instance if this is required?

If you have any queries please do not hesitate to contact us.

Kind Regards,

Oll an gwella

Derek Jackson
Director/ RIBA Architect
for and on behalf of
Koha Architects Ltd.
www.kohaarchitects.com
T: 01326 567224
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Penryn, Cornwall, TR10 9TA.

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From: info@juliakerrison.com <info@juliakerrison.com>
Sent: 07 November 2024 14:03
To: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>; Derek Jackson <derekjackson@kohaarchitects.com>
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Gary Wyatt <garywyatt@kohaarchitects.com>; Antony Morvan <antonymorvan@kohaarchitects.com>; hello@musicabilityfoundation.uk; Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; Cllr Jim McKenna <cllr.jim.mckenna@cornwall.gov.uk>
Subject: Re: 251/2.01 No.10 Parade Street Penzance - Change of Use

Thanks for coming back so quickly Sarah, this is really helpful.

Many thanks,

Julia

From: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Sent: 07 November 2024 13:57:55
To: info@juliakerrison.com; Derek Jackson

Cc: Elizabeth Gilbert; Gary Wyatt; Antony Morvan; hello@musicabilityfoundation.uk; Annette Buckingham; Cllr Jim McKenna
Subject: RE: 251/2.01 No.10 Parade Street Penzance - Change of Use

Information Classification: CONTROLLED

Hi Julia,

You have two applications, BC24/00299/COTRG for the regularisation of the change of use to public building. £1575 (out of scope of VAT) has been paid. We are not able to share any copies of plans because they will be copyrighted to your original architect, although she can provide her consent to allow us to provide copies. We are able to show you or your architect the details on the file. We only appear to have copies of existing drawings and a Fire Safety Report carried out by Phil Berriman in April 2021.

You also have an Initial Notice submitted by a Registered Building Control Approver, Stroma Building Control BC23/01290/IN for internal alterations and general refurbishment. You will need to discuss how to proceed with that application with them. Much of the planned worked under this application may form part of the works required to regularise the change of use. We only hold the register of this works and have no further details on exactly what is included.

Kind regards,

Sarah Williams BEng (Hons) C.Build.E MCABE **Group Leader**
Class 3 and 4 Registered Building Inspector
Cornwall Council Building Control - Regulatory Service

Email: sarah.williams@cornwall.gov.uk Tel: **0300 1234 151**

www.cornwall.gov.uk/buildingcontrol
Postal Address: Cornwall Council – Building Control, PO Box 676, Threemilestone, Truro, Cornwall TR4 9LD

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From: info@juliakerrison.com <info@juliakerrison.com>
Sent: Thursday, November 7, 2024 1:33 PM
To: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>; Derek Jackson

<derekjackson@kohaarchitects.com>
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Gary Wyatt <garywyatt@kohaarchitects.com>; Antony Morvan <antonymorvan@kohaarchitects.com>; hello@musicabilityfoundation.uk; Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; Cllr Jim McKenna <cllr.jim.mckenna@cornwall.gov.uk>
Subject: Re: 251/2.01 No.10 Parade Street Penzance - Change of Use

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Dear Sarah, thank you very much for coming back to us and explaining the situation. We are meeting with our architects tomorrow to try and find a way forward with this, but in the meantime are you able to send us the original Building Control application we put in and confirm that payment was received for it? This was submitted by our former architect Helen Brooks and we have not seen a copy; it would be very helpful to be able to share it with our current architects if this is possible.

Many thanks,

Julia Kerrison

on behalf of MusicAbility Foundation

From: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Sent: 07 November 2024 10:24:34
To: Derek Jackson
Cc: Elizabeth Gilbert; Gary Wyatt; Antony Morvan; hello@musicabilityfoundation.uk; info@juliakerrison.com; Annette Buckingham
Subject: RE: 251/2.01 No.10 Parade Street Penzance - Change of Use

Information Classification: CONTROLLED

Good morning,

Thank you for your email and confirmation of the use of the building. We have reviewed the information provided and are still of the opinion that the use of the building falls within the definition of “public building” under the Building Regulations. All of the uses noted, with the exception of admin, would be classified as mentioned.

Whilst I appreciate that this raises significant issues with the continued use, and legalising, the change of use of the building, it remains the duty of the client, principal

designer and principal contractors to ensure that the Building Regulations are met. As Registered Building Inspectors, we are legally unable to provide design advice on how the requirements can be met but I would caution that any public building use causes the change of use. If you were to try to use a section of the building in this way, it would need to be separated from the existing office use in accordance with the Building Regulations.

Kind regards,

Sarah Williams BEng (Hons) C.Build.E MCABE **Group Leader**
Class 3 and 4 Registered Building Inspector
Cornwall Council Building Control - Regulatory Service

Email: sarah.williams@cornwall.gov.uk Tel: **0300 1234 151**

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Postal Address: Cornwall Council – Building Control, PO Box 676, Threemilestone, Truro, Cornwall TR4 9LD

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From: Derek Jackson <derekjackson@kohaarchitects.com>
Sent: Wednesday, October 30, 2024 5:44 PM
To: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>; Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; Building Control (CC) <buildingcontrol@cornwall.gov.uk>
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Gary Wyatt <garywyatt@kohaarchitects.com>; Antony Morvan <antonymorvan@kohaarchitects.com>; hello@musicabilityfoundation.uk; info@juliakerrison.com
Subject: 251/2.01 No.10 Parade Street Penzance - Change of Use
Importance: High

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Sarah /Annette

Further to the correspondence below please find attached statement from Musicability CIC confirming the current uses on site. Please note that the activities in the building are recreational and therapy uses.

Could you please confirm which if any of these uses constitute a material alteration under Building Regulations where the building would be classed as a "public building".

Musicability can then limit the building use if/as necessary to those activities that do not

constitute a material alteration under Building Regulations . A Building Regulation application would then be submitted for any adaptions to allow for additional uses that do require Building Regulations approval.

Let us know if you need any further information or if you have any queries please do not hesitate to contact us.

Kind Regards,

Oll an gwella

Derek Jackson
Director/ RIBA Architect
for and on behalf of
Koha Architects Ltd.
www.kohaarchitects.com
T: 01326 567224
M: 0781 3602378
Tremough Innovation Centre,
Penryn Campus,
Penryn, Cornwall, TR10 9TA.

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From: Antony Morvan <antonymorvan@kohaarchitects.com>
Sent: 21 October 2024 10:50
To: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>; info@juliakerrison.com; Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; hello@musicabilityfoundation.uk
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Gary Wyatt <garywyatt@kohaarchitects.com>; Derek Jackson <derekjackson@kohaarchitects.com>
Subject: RE: 10 Parade Street Penzance
Importance: High

Hi Sarah,

Thank you for your email,

Can you please clarify the highlighted sentence below?

Kind Regards,

Oll an gwella

Antony Morvan BA(Hons) ACIAT
Senior Associate Architectural Technologist
Koha Architects Ltd.

T: 01326 567223

www.kohaarchitects.com

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From: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Sent: 21 October 2024 10:10
To: info@juliakerrison.com; Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; antonymorvan@kohaarchitects.com; hello@musicabilityfoundation.uk
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>
Subject: RE: 10 Parade Street Penzance

Information Classification: CONFIDENTIAL

Good morning,

Just to confirm we have Koha down as architect on the application. This isn't granted, there is a duty for us to be notified. Attached is an earlier email explaining the situation.

In relation to Stroma, the works under the Initial Notice overlap the works required under the change of use. This will complicate resolving issues, you need to start with the works required under the change of use before you move to any other proposed works covered by Stroma.

Kind regards,

Sarah Williams BEng (Hons) C.Build.E MCABE **Group Leader**
Class 3 and 4 Registered Building Inspector
Cornwall Council Building Control - Regulatory Service

Email: sarah.williams@cornwall.gov.uk Tel: **0300 1234 151**

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---

From: info@juliakerrison.com <info@juliakerrison.com>
Sent: Friday, October 18, 2024 11:09 AM
To: Annette Buckingham <Annette.Buckingham@cornwall.gov.uk>; antonymorvan@kohaarchitects.com; hello@musicabilityfoundation.uk
Cc: Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>; Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Subject: Re: BC24/00299/COTRG 10 Parade Street Penzance

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Dear Annette, thanks so much for getting back to us on this. Just to clarify, Koha Architects have put in the Change of Architect request with the Local Authority so hopefully that will be granted ASAP. Our urgent issue is with the Change of Use; I believe that our architects have been advised that they cannot speak to STROMA or begin their works for the Town Deal project until this has been granted, and we were advised months ago following your visit that it should go through within a few days. We aree very concerned that this hasn't happened yet, as we can't progress with the project and are in danger of losing our funding altogether if we delay much longer. Would you be able to advise us on when this can be done, and if we are able to do anything to speed up the process? I am happy to meet with you if this would help?

Many thanks again,

Julia

<annette.buckingham@cornwall.gov.uk>
Sent: Friday, October 18, 2024 9:11 AM
To: Antony Morvan <antonymorvan@kohaarchitects.com>; Tim Boulton <hello@musicabilityfoundation.uk>; Elizabeth Gilbert <liz.gilbert@cornwall.gov.uk>
Cc: Sarah Williams (Building Control) <Sarah.Williams@cornwall.gov.uk>
Subject: BC24/00299/COTRG 10 Parade Street Penzance

Information Classification: CONTROLLED

Dear all

With regard to the above Regularization application for the Musicability Centre and seeking further advice from my Manager, the situation re the change of use remains as detailed in various emails from my Manager, Sarah Williams, at the beginning of the year.

Although no building works have been carried out to date, it is the use of the building that has changed. It has been confirmed in previous correspondence that the building is being used for musicability, which is a change of use of the building from previous.

When a change of use occurs, the requirements of Regulation 6 (Requirements relating to material change of use – Building Regulations 2010) shall be carried out as is necessary to ensure the building complies.

I am unaware of the correspondence, I presume with Admin, re the change of architect.

I hope this helps to clarify the situation with regard to the requirements to regularize the change of use of the building.

Best regards
Annette

Annette Buckingham MCabe
Senior Development Officer (Building Control)
Cornwall Council Building Control – Regulatory Service

Email: Annette.buckingham@cornwall.gov.uk Tel: 01872 32 22 22 (Ask for me by name)
For inspections, applications and general enquiries Tel: 01872 22 47 92

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