

Cornwall Council

39 Penwinnick Road St Austell Cornwall PL25 5DR

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Application number: PA18/07319

Agent:

Mr Peter Scott - Newquay
The Old Rectory
St Enoder
Summercourt
Newquay
Cornwall
TR8 5DF

Applicant:

Mr Mark Williams
Unit 1 Dunmere Road,
Bodmin
PL312QN
Cornwall

Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2015

Grant of Conditional Planning Permission

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 6 August 2018 and accompanying plan(s):

Description of Development:	Demolition and removal of buildings and the construction of a new storage building including two ancillary offices to serve the builders yard
Location of Development:	Land West Of Penpillick Farm Penpell Row Penpillick Par Cornwall PL24 2RT
Parish:	Tywardreath And Par

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 29 March 2019

Louise Wood - Service Director Planning and Sustainable Development

CONDITIONS:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 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 3. No retail sales shall be undertaken from the application site.

Reason: For the avoidance of increased vehicular trips to the builders yard on the constrained local road network, in conjunction with the aims and intentions of Policy 27 of the Cornwall Local Plan .

- 4 The existing access on the eastern most corner of the application site shall be stopped up permanently within 3 calendar months of the decision notice being granted.

Reason: In the interest of promoting highway safety in accordance with Policy 27 Cornwall Local Plan.

- 5 The new building hereby permitted shall only be used for ancillary purposes to the use of the builders yard on the application site.

Reason: In the interest of promoting highway safety in accordance with Policy 27 Cornwall Local Plan.

- 6 No development shall commence until a scheme of landscaping on the south western boundary of the site has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall provide planting plans with written specifications including:

Details of all existing trees and hedgerows on the land, showing any to be retained and measures for their protection to be used in the course of development

Full schedule of plants

Details of the mix, size, distribution and density of all trees/shrubs/hedges

Cultivation proposals for the maintenance and management of the soft landscaping

DATED: 29 March 2019

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA18/07319

The protection measures proposed shall be completed in accordance with the approved scheme before the development hereby permitted commences and shall thereafter be retained until it is completed. Notice shall be given to the Local Planning Authority when the approved scheme has been completed.

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner. Notice shall be given to the Local Planning Authority when the approved scheme has been completed.

Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species as those originally planted.

Reason: In the interests of visual amenity and in accordance with the aims and intentions of Policy 23 of the Cornwall Local Plan 2016.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 29 March 2019

Louise Wood - Service Director Planning and
Sustainable Development

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Proposed 1476/2 received 05/08/18
Proposed 1476/3 received 05/08/18
Proposed 14762 A received 20/08/18

ANY ADDITIONAL INFORMATION:

- 36. This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. The existing floorspace is considered to fulfil the 'in-use' test set out in CIL Regulation 40, and so will be deducted during calculation of the chargeable amount.

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: 29 March 2019

Louise Wood - Service Director Planning and
Sustainable Development

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you must do so within 6 months of the date of this notice (or 12 weeks from the date of this notice in the case of householder appeals made in relation to applications submitted on or after 6 April 2009). Appeals must be made to the Planning Inspectorate using a form which can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <http://www.planningportal.co.uk> . A copy of the completed appeal form must also be submitted to the Council.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on Cornwall Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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 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.

If this approval is for the erection of new buildings please refer to the note below.

Registering addresses for new properties prior to commencement

You must apply officially to register the name of any new street or the address of any new property through Cornwall Council's Street Naming and Numbering process. You are required to submit an application form, plan and appropriate fee all details of which can be found on our website at <http://www.cornwall.gov.uk/streetnaming>. Developers are advised to contact Street Naming and Numbering at the earliest opportunity for street naming as the process involves consultation with the local Parish, Town or City Council and can take several months to complete. For any further assistance please contact addressmanagement@cornwall.gov.uk or telephone 0300 1234 100.

Mr Peter Scott - Newquay
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Your ref:

My ref: PA18/07319

Date: 29 March 2019

Dear Sir/Madam

**Demolition and removal of buildings and the construction of a new storage building including two ancillary offices to serve the builders yard
Land West Of Penpillick Farm Penpell Row Penpillick Par**

With reference to this planning application, I enclose the Decision Notice granting permission.

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 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)

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

Yours faithfully

Ellie Jolliffe

**Development Officer
Planning and Sustainable Development Service
Tel:**