

County of Cornwall
KERRIER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1977.
Notice of Conditional Outline Permission for Development

To **Crownmark Developments Ltd.,**
(PER: Messrs. Bunyan & Lasbury Partnership, 25 King Street, TRURO, Cornwall)
of **Princes Street, TRURO, Cornwall.**

THE KERRIER DISTRICT COUNCIL, being the District Planning Authority, HEREBY GRANT permission under paragraph (2) of Article 5 of the Town and Country Planning General Development Order, 1977 on an outline application dated the **23rd** day of **March** **1984** for development of the land situate at **Well Lane, Constantine, namely, erection of eight (8) cottage style dwellings on land Grid Reference Number 7324-2924 (O.S. Map 1973 Revision) of the Parish of Constantine** -----

as shewn on the accompanying plan(s) SUBJECT to the following conditions:

1. The approval of the Council shall be obtained to the siting, design and external appearance of the proposed building(s), and to the means of access thereto, before any development is commenced.
2. Detailed plans and particulars in connection with all the matters referred to in the preceding condition shall be submitted to the Council for approval within 3 years from the date of this permission.
3. The development hereby permitted shall be carried out and completed in every respect in accordance with the detailed plans and particulars approved pursuant to the foregoing conditions.
4. The development hereby permitted shall be begun not later than whichever is the later of the following dates -
 - (i) the expiration of five years from the date of this permission, or
 - (ii) the expiration of two years from the final approval of the matters referred to in condition 1 or, in the case of approval on different dates, the final approval of the last such matter to be approved.
5. Before any development is commenced the approval of the Council shall be obtained to a scheme providing for the retention of existing trees (including hedgerow trees) on the site and/or the planting of new trees thereon; planting in accordance with such approved scheme shall be carried out within a period of 12 months from the substantial completion of the development for which consent is hereby given or such extended period as the Council may agree in writing; and existing trees comprised in such scheme shall, together with any new trees planted in accordance therewith, be maintained (if necessary by replacement) to the satisfaction of the Council.

for the following reasons:

/please see attached SCHEDULE

1. In accordance with the requirements of Article 5 of the Town and Country Planning General Development Order, 1977.
2. & 4. In accordance with the requirements of s.42 of the Town and Country Planning Act, 1971.
3. To ensure satisfactory development.
5. To ensure adequate provision for the preservation or planting of trees in connection with the development in accordance with the requirements of Section 59 of the Town and Country Planning Act, 1971.

/please see attached SCHEDULE

Your ATTENTION is drawn to the NOTES OVERLEAF.

Dated **9th** day of **September** 19**85**

Council Offices,
South Terrace,
Camborne.

District Planning Officer
~~Secretary to the Council~~

Dec. 6

NOTES

(1) This decision does not relieve the applicant of the obligation to obtain any necessary building regulation or other approval of the Kerrier District Council in whose area the land is situated and to comply with any general statutory provisions in force in the area.

(2) If the applicant is aggrieved by the decision of the district planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the district planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include section 70 and 77 of the Town and Country Planning Act, 1971).

(3) If permission to develop land is refused, or granted subject to conditions, whether by the district 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 the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.


(4) In certain circumstances, a claim may be made against the district planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act, 1971.

SCHEME OF CONDITIONS ATTACHED TO DECISION NOTICE NUMBER 2/06/84/00297/0

6. None of the buildings hereby permitted which front onto an estate road shall be occupied before the road works are completed (apart from final surfacing) to the satisfaction of the Local Planning Authority in such part of the estate road as is necessary to provide satisfactory access to that building from the nearest public highway.
7. The means of surface water drainage shall be to the satisfaction of the Local Planning Authority and such drainage system as approved shall be constructed prior to any dwelling on the estate being occupied.
8. A scheme for the highway improvements and road widening at the corner of Well Lane and Fore Street shall be submitted to and approved by the Local Planning Authority, and the necessary works carried out to the satisfaction of the Local Planning Authority, before any works are commenced on site.
9. In respect of Condition 8 above, full details of retaining walls, including cross-sections, together with details of replacement steps and new boundary walls shall be submitted to and approved by the Local Planning Authority.
10. One garage space shall be provided for each dwelling and such garage space as aforesaid shall be kept free from all development except for the erection of a garage.
11. The open front garden treatment shown on the plan attached hereto shall be maintained to the satisfaction of the Local Planning Authority and notwithstanding the provisions of the Town and Country Planning General Development Orders 1977-1981 no erection of fences, walls or buildings shall take place in this area over the height of nine (9) inches without the express consent of the Local Planning Authority.
12. All electricity and telephone lines shall be laid underground.
13. Notwithstanding the provisions of the Town and Country Planning General Development Orders 1977-1981 no development falling within Class I of Schedule 1 to the said Orders shall be carried out without the express consent of the Local Planning Authority.
14. The details to be submitted pursuant to Condition 2 of this Decision Notice shall make provision for the erection of "cottage-style" dwellings, finished in local materials to the satisfaction of the Local Planning Authority.
15. Within six (6) months of the date of this permission, details of a play area to be incorporated into the public open space area, including surface treatment and the equipment to be provided thereon, shall be submitted to and approved by the Local Planning Authority. The necessary work shall be carried out within six (6) months of the substantial completion of the estate development.

Dated this 9th day of September 1985

Council Offices,
The Willows,
Helston.


District Planning Officer

6. To ensure that the means of access to each building is satisfactory before it is occupied.
7. To ensure satisfactory drainage.
8. To ensure satisfactory access to the site and in the interests of highway safety.
- 9., 11. and 15. To ensure satisfactory development.
10. To ensure that each dwelling has a garage or space for a garage.
12. To enable the Local Planning Authority to retain control over development which might become injurious to the amenities of the area.
13. To protect the amenities of the area.
14. To ensure a satisfactory development and in the interests of visual amenity.

This consent is issued following the Agreement under Section 52 of the Town and Country Planning Act, 1971 entered into between Kerrier District Council and Crowmark Developments Limited and dated the twenty-eighth day of August, 1985.

Dated this 9th day of September 1985

Council Office,
The Willows,
Helston.

District Planning Officer