

Austin Architectural
Studio 5
Artist Terrace
Heartlands
Pool
Redruth
TR15 3FE

Your ref:

My ref:

Date:

PA21/00540/PREAPP

9 March 2021

Dear Sir/Madam

'Do I need' planning permission or building regulation consent enquiry

Reference Number PA21/00540/PREAPP

Proposal Do I Need Planning Permission for area of paving with shade sail canopy above for outdoor seating.

Location Red River Cafe Robinsons Shaft Dudnace Lane Pool

I refer to your enquiry received on 22 February 2021 concerning the above and would inform you that this letter is written on the basis of the information supplied with your enquiry and the submitted drawings.

I refer to your enquiry in respect of the above;

The property is a Grade II* listed building and its use is a cafe. The proposed replacement of the hard surface falls to be considered under Class E of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. As the building is Listed it would not constitute permitted development with reference to Clause E.1 (b) of Part 7 and as such this aspect of the proposal would require planning permission. Although it is noted that the sail shade would not be fixed to the building, it would appear, based on the information submitted, that the sail shade will be sited permanently and will be fixed to the ground. As such it constitutes operational development and therefore planning permission will be required for this aspect of the proposal too.

You can find out how to apply for planning permission via the following link;
<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-advice-and-guidance/application-forms-for-planning-with-guidance/>

It should be noted that the inclusion of information regarding application forms should not be taken to imply that planning permission would be granted.

I can also confirm that a Building Regulation application will be required for the proposed works. For further information about the Building Regulations and making an application go to www.cornwall.gov.uk/buildingcontrol or contact 01872 224792. Please note, the need for Building Regulations consent is separate from any Planning or Listed Building consent that may be required, as detailed above.

Page 2

Austin Architectural

9 March 2021

Community Infrastructure Levy – Important Notice:

Any development creating one or more dwellings, or which creates 100sqm or more of new floorspace (including change of use), could be liable to pay a Community Infrastructure Levy (CIL). This applies to:

- full and reserved matters planning permissions, and applications for Lawful development Certificates, granted on or after 1 January 2019; and
- development permitted by way of general consent (Prior Approvals) which commences on or after 1 January 2019.

Further information about what is required with any future submission regarding CIL, please refer to the Planning and Sustainable Development Validation Guide.

<https://www.cornwall.gov.uk/media/36357697/validation-guide-2019.pdf>

For more information on CIL and how it may affect your development, please visit the Council's website at www.cornwall.gov.uk/cil.

You should note that this letter does not constitute a formal Certificate of Lawfulness of a proposed development in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended). It is only an officer's opinion that is based upon the information available and is given without prejudice to any formal decision of the Council (as local planning authority). Should you require a formal determination of lawfulness you may apply on forms available from this office but a fee will be payable.

Yours faithfully

Hilary Gooch
Development Officer
Planning and Sustainable Development Service
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