

Cornwall Council

Correspondence Address: Cornwall Council Planning, PO Box 676, Threemilestone, Truro, TR1 9EQ

Email: planning@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA20/00919

Agent:

Eireann Hassett
TBS Cornwall Planning
112 Krowji
West Park
Redruth
TR15 3AJ

Applicant:

Ms L Zeat-Kane
Please refer to agent

**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 3 February 2020 and accompanying plan(s):

Description of Development: Development of three dwellings

Location of Development: Land North Of 6 Manor Road Carharrack Cornwall TR16 5SD

Parish: Carharrack

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 11 September 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/00919

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 The development hereby permitted shall not be occupied until the access to the site has been provided in accordance with approved plan reference ZKHAL280120. Thereafter there shall be no obstruction above the height of 600mm placed within the identified visibility splay.

Reason: In order to ensure safe and satisfactory access can be provided, in accordance with policy 27 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraph 108 of the National Planning Policy Framework 2019.

- 4 The development hereby permitted shall not proceed beyond the construction of the ground floor slab until the installation of a system for the disposal of surface water on the site has been completed in accordance with the details which shall first have been submitted to and approved in writing by the Local Planning Authority. The details shall include a programme for maintaining the system. The system shall be retained and maintained thereafter in accordance with the approved details.

Reason: To avoid impacts from surface water flooding and in the interests of water quality and the residential amenities of future and adjacent occupiers, in accordance with the aims and intentions of policy 26 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraph 127 of the National Planning Policy Framework 2019.

- 5 The development hereby permitted shall be undertaken in accordance with the details on approved plan reference ZKPS040920, with boundary treatments (means of enclosure) completed prior to the first occupation of the development. All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation of the first building approved of the completion of the development, whichever is the sooner.

The site shall thereafter be retained in accordance with the approved details. 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

DATED: 11 September 2020

Louise Wood - Service Director Planning and Sustainable Development

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/00919

replaced in the next planting season with others of a similar size and species as those originally planted.

Reason: In the interests of visual amenities, offering screening to the development and maintaining the character of the area, as well as offering ecological mitigation; in accordance with policies 12, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 127, 170, 175 and 192 of the National Planning Policy Framework 2019.

- 6 The development shall proceed in accordance with the recommendations within Section 5.2 of the submitted Preliminary Ecological Appraisal, relating to "Land off 5 Manor Road," prepared by Cornwall Environmental Consultants and dated 22 June 2020.

Reason: In the interests of ecology and ensuring impacts to protected species and habitats are mitigated, in accordance with policy 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 170 and 175 of the National Planning Policy Framework 2019.

- 7 No external lighting shall be installed within the site unless full details of such lighting have first been submitted to and approved in writing by the Local Planning Authority. The lighting thereafter should accord with the approved details.

Reason: In order to avoid impacts to commuting or foraging bats and other local wildlife and in the interests of visual and residential amenities, in accordance with policies 12 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 127, 170 and 175 of the National Planning Policy Framework 2019.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 11 September 2020

Louise Wood - Service Director Planning and Sustainable Development

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Proposed ZKPS040920 received 08/09/20
Existing ZKES280120 received 03/02/20
Proposed ZKHAL280120 received 03/02/20
Proposed ZEAT-KANE0120SE290120 received 03/02/20
Proposed ZEAT-KANE0120APF210120 received 03/02/20
Proposed ZEAT-KANE0120LPF200120 received 03/02/20
Proposed ZEAT-KANE0120PF220120 received 03/02/20
Proposed ZEAT-KANE0120APEM210120 received 03/02/20
Proposed ZEAT-KANE0120LPEM200120 received 03/02/20
Proposed ZEAT-KANE0120PEM220120 received 03/02/20
Site/location Plan ZKL280120 received 03/02/20
Proposed ZKSSA280120 received 03/02/20

ANY ADDITIONAL INFORMATION:

- Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cornwall CIL Charging Schedule gives this type of development a zero rate. Confirmation of no CIL liability will be sent to the applicant, and any other person who has an interest in the land, under separate cover. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.

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: 11 September 2020

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.

Please Note:- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are on [GOV.UK](http://www.gov.uk).

(<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

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.

Eireann Hassett
TBS Cornwall Planning
112 Krowji
West Park
Redruth
TR15 3AJ

Your ref: ZEAT-KANE Full application
SU...
My ref: PA20/00919
Date: 11 September 2020

Dear Sir/Madam

**Development of three dwellings
Land North Of 6 Manor Road Carharrack Cornwall**

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

James Moseley

**Senior Development Officer
Planning and Sustainable Development Service
Tel: 01209 614004**