

# Cornwall Council

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

Email: [planning@cornwall.gov.uk](mailto:planning@cornwall.gov.uk)

Tel: 0300 1234151

Web: [www.cornwall.gov.uk](http://www.cornwall.gov.uk)



**Application number:** PA20/06063

**Agent:**

Ben White Architecture  
Ben White Architecture  
Mr Nathan Marshman Harris  
Rafters  
Trispen  
Truro  
TR4 9BA

**Applicant:**

Johansen And Jeeves  
Brook Cottage  
Tredinnick  
Newmill  
Penzance  
TR20 8XU

**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 21 July 2020 and accompanying plan(s):

**Description of Development:** Demolition of poor quality extensions and replacement with new rear extension, renovation of piggeries and remodelling of garage/workshop. Track access to western residential boundary.

**Location of Development:** Brook Cottage Access Track To Brook Cottage Tredinnick Newmill TR20 8XU

**Parish:** Zennor

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 15 February 2021**

*Louise Wood* - Service Director Planning and Sustainable Development

**CONDITIONS:**

- 1 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.

- 2 The outbuildings marked as 'Oak Barn', 'Store' and 'Home Office' hereby permitted, as indicated on the submitted Site Layout Plan, drawing number '20026.3.0010A', received 8th January 2021, shall only be used for purposes incidental to the enjoyment of the occupants of the dwelling as such known as 'Brook Cottage' as such.

Reason: To safeguard the amenities of the area and to enable the Local Planning Authority to retain effective control of the use of the building in accordance with Policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 and Paragraph 127 of the National Planning Policy Framework 2019.

**DATED: 15 February 2021**

*Louise Wood* - Service Director Planning and Sustainable Development

**PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:**

Proposed 20026.3.0010A received 08/01/21  
Block Plan 20026.3.0002C received 08/01/21  
Site/location Plan 20026.3.0001C received 08/01/21  
Proposed 20026.3.0015 received 08/09/20  
Proposed 20026.3.0016 received 08/09/20  
Proposed 20026.3.0011 received 08/09/20  
Proposed 20026.3.0012 received 08/09/20  
Proposed 20026.3.0013 received 08/09/20  
Proposed 20026.3.0014 received 08/09/20

**ANY ADDITIONAL INFORMATION:**

- Cornwall Council advises that developers should be made aware of their obligations regarding the public right of way, as follows:
  - the applicants should ensure that they have private access rights to drive on the public right of way;
  - the surface/width of the bridleway should not be altered - prior consent would be needed to do so;
  - no building materials must be stored on the right of way;
  - vehicle movements must be arranged so as not to interfere with the public's use of the way;
  - the safety of members of the public using the right of way must be ensured at all times;
  - no additional barriers (eg gates) are to be placed across the right of way;
  - there must be no diminution in the width of the right of way available for use by members of the public;
  - no damage or alteration must be caused to the surface of the right of way; and
  - wildlife mitigation fencing must not be placed across the right of way.
- The developer(s) is encouraged to use sustainable building methods for the development hereby permitted so that it is as energy-efficient as possible, in light of the Council's plan to tackle the climate emergency and help Cornwall cut its carbon footprint.
- Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

**DATED: 15 February 2021**

*Louise Wood* - Service Director Planning and Sustainable Development

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/06063**

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.

**YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.**

**DATED: 15 February 2021**

*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](mailto:addressmanagement@cornwall.gov.uk) or telephone 0300 1234 100.

Ben White Architecture  
Ben White Architecture  
Mr Nathan Marshman Harris  
Rafters  
Trispen  
Truro  
TR4 9BA

**Your ref:** 20026 - BROOK COTTAGE  
**My ref:** PA20/06063  
**Date:** 15 February 2021

Dear Sir/Madam

**Demolition of poor quality extensions and replacement with new rear extension, renovation of piggeries and remodelling of garage/workshop. Track access to western residential boundary.  
Brook Cottage Access Track To Brook Cottage Tredinnick Newmill**

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

**Katie Mosley**

**Development Officer  
Planning and Sustainable Development Service  
Tel: 01209 614167**