

# Cornwall Council

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**Application number:** PA20/05684

**Agent:**

Care And Company  
Care And Company  
Monument House  
58 Coinagehall Street  
Helston  
Cornwall  
TR13 8EW

**Applicant:**

Mr Bob Cowl  
Gwealmayowe Parc  
Falmouth Road  
Helston  
TR13 0PE

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

**Description of Development:** The conversion of three former agricultural barns to residential dwellings.

**Location of Development:** Wood Farm Redruth Road Wendron Helston Cornwall TR13 0PT

**Parish:** Wendron

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

**DATED: 12 October 2020**

*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 Before the development hereby permitted is first occupied, details of the proposed height, siting, appearance and construction of all boundary treatments (means of enclosure) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment (means of enclosure) shall be completed in accordance with the approved details prior to the first occupation of the development and notice shall be given to the Local Planning Authority when the approved scheme has been completed.

The boundary treatment (means of enclosure) shall not thereafter be altered or removed, other than by necessary replacement.

Reason: In the interests of visual and residential amenity and in accordance with the aims and intentions of policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 127 of the National Planning Policy Framework 2019.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no development within Classes A, B, C, D and E of Part 1 of Schedule 2 to the said Order shall be carried out without an express grant of planning permission, namely:

The enlargement, improvement or other alteration of the dwellinghouse;

The enlargement of the dwellinghouse consisting of an addition or alteration to its roof;

Any other alterations to the roof of the dwellinghouse;

The erection of construction of a porch outside any external door of the dwelling;

The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Reason: In the interests of the amenities of the occupiers of adjoining dwellings and visual amenities of the area, and in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030.

**DATED: 12 October 2020**

*Louise Wood* - Service Director Planning and Sustainable Development

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/05684**

- 5 With the exception of the window [and external door] openings shown on the approved drawings, no new openings shall be added to the elevations.

Reason: To protect the privacy of occupants of the proposed dwellings and I the interests of visual amenity for the area and in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 127 of the National Planning Policy Framework 2019.

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

**DATED: 12 October 2020**

*Louise Wood* - Service Director Planning and Sustainable Development

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

Site/location Plan 1146.01 received 08/07/20  
Existing 1146.02 received 08/07/20  
Existing 1146.03 received 08/07/20  
Existing 1146.04 received 08/07/20  
Existing 1146.05 received 08/07/20  
Existing 1146.06 received 08/07/20  
Existing 1146.07 received 08/07/20  
Existing 1146.08 received 08/07/20  
Existing 1146.09 received 08/07/20  
Existing 1146.10 received 08/07/20  
Block Plan 1146.11 received 08/07/20  
Proposed 1146.12 received 08/07/20  
Proposed 1146.13 received 08/07/20  
Proposed 1146.14 received 08/07/20  
Proposed 1146.15 received 08/07/20  
Proposed 1146.16 received 08/07/20  
Proposed 1146.17 received 08/07/20  
Proposed 1146.18 received 08/07/20  
Proposed 1146.19 received 08/07/20

**DATED: 12 October 2020**

*Louise Wood* - Service Director Planning and  
Sustainable Development

**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.
- Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate - relief must be claimed and approved before the development commences. This development must not commence until the following forms have been submitted to the Council: CIL Form 2: Assumption of Liability and Form 6: Commencement Notice, otherwise surcharges may be applied. Please contact [cil@cornwall.gov.uk](mailto:cil@cornwall.gov.uk) or the Infrastructure Team with any queries. There are further details on this process on the Council's website at [www.cornwall.gov.uk/cil](http://www.cornwall.gov.uk/cil).
- The developer(s) is encouraged to use sustainable building methods in the construction of the dwellings so that they are as energy-efficient as possible, in light of the Council's plan to tackle the climate emergency and help Cornwall cut its carbon footprint.

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 :

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**DATED: 12 October 2020**

*Louise Wood* - Service Director Planning and Sustainable Development

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/05684**

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

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Monument House  
58 Coinagehall Street  
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TR13 8EW

**Your ref:**

**My ref:** PA20/05684

**Date:** 12 October 2020

Dear Sir/Madam

**The conversion of three former agricultural barns to residential dwellings.  
Wood Farm Redruth Road Wendron Helston**

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

**Martin Jose**

**Senior Development Officer  
Planning and Sustainable Development Service  
Tel: 01209 614486**