

# 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: PA22/01317

Agent:  
RLT Architects - Mr Dilwyn Lloyd  
RLT Built Environment Ltd  
The Old Stables  
Chyandour Lane  
Penzance  
Cornwall  
TR18 3LP

Applicant:  
Mr G Knights  
Chypons Residential Home  
Clifton Hill  
Newlyn  
Penzance  
Cornwall  
TR18 5BU

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 9 February 2022 and accompanying plan(s):

Description of Development: Construction of extension to provide 2 new residential care suites maintaining existing total number of existing bed spaces

Location of Development: Chypons Residential Home Clifton Hill Newlyn Penzance Cornwall TR18 5BU

Parish: Penzance

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 1 February 2023

**Louise Wood** - Service Director Planning and Housing (Chief Planner Officer)

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 Within one year of the felling of the tree hereby permitted, one Acer Platanoides 'Crimson King'. Bare root 150cm + shall be planted within 23m of the stump of the felled tree in accordance with the details shown on the submitted Tree Planting plan, drawing number '2628 D15'. The replacement tree shall be retained and if it is removed, becomes seriously damaged or diseased or dies within 5 years of planting, it shall be replaced with a tree of the same species and stock size, at the same location.

Reason: In the interests of public amenity.

- 4  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 flooding and in the interests of water quality and the residential amenities of future occupiers, in accordance with the aims and intentions of Policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 166 of the National Planning Policy Framework 2021.

A pre-commencement condition is necessary because the site is within a Critical Drainage Area and therefore surface water drainage needs to be managed to ensure that flood risk is not increased.

- 5 Prior to the occupation of the development hereby permitted, the louvred privacy screens shall be installed in accordance with the details shown on drawing number 2628 D03 REV B and the document titled PRIVACY LOUVRES and retained as such thereafter.

DATED: 1 February 2023

*Louise Wood* - Service Director Planning and Housing (Chief Planner Officer)

Reason: To protect the privacy of the dwellings along Clifton Terrace and in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 130 of the National Planning Policy Framework 2021.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 1 February 2023

*Louise Wood* - Service Director Planning and  
Housing (Chief Planner Officer)

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan EX01 received 11/02/22  
Proposed 2628 COL1 received 09/12/22  
Proposed 2628 D03 REV B received 09/12/22  
Proposed 2628 D02 REV A received 09/12/22  
Block Plan 2628 D01 REV A received 09/12/22  
Proposed TREE PLANTING PLAN received 27/01/23

ANY ADDITIONAL INFORMATION:

- The developer(s) is encouraged to use low carbon, sustainable and best practice building methods in the construction of the buildings to ensure 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. All proposals should fully consider and develop opportunities for nature recovery and the provision of good quality green infrastructure for people and nature in their proposals in line with the policies of the Climate Emergency DPD and the Cornwall Design Guide.
- 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 will 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).

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: 1 February 2023

***Louise Wood*** - Service Director Planning and  
Housing (Chief Planner Officer)

## 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.](#)

(<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.



RLT Architects - Mr Dilwyn Lloyd  
RLT Built Environment Ltd  
The Old Stables  
Chyandour Lane  
Penzance  
Cornwall  
TR18 3LP

Your ref:  
My ref: PA22/01317  
Date: 1 February 2023

Dear Sir/Madam

Construction of extension to provide 2 new residential care suites maintaining existing total number of existing bed spaces  
Chypons Residential Home Clifton Hill Newlyn Penzance

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

Senior Development Officer  
Development Management Service  
[REDACTED]

Development Management Service  
Cornwall Council

Correspondence Address: Cornwall Council Planning, PO Box 676, Threemilestone, Truro, TR1 9EQ  
planning@cornwall.gov.uk