

# 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:** PA22/04733

**Agent:** Smart Bluefrog Ltd  
Trenoweth Manor Farm  
St Columb  
Cornwall  
TR9 6EW

**Applicant:** Mr & Mrs Bawden  
Ryeland  
Trevenna Cross  
St Mawgan  
TR8 4HB

**Town And Country Planning Act 1990 (As Amended)  
Town And Country Planning (Development Management Procedure) (England)  
Order 2015**

## **Grant of Outline 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 19 May 2022 and accompanying plan(s):

**Description of Development:** Outline Planning Permission with all matters reserved for the Construction of two dwellings

**Location of Development:** Ryeland  
Trevenna Cross  
St Mawgan  
Newquay  
Cornwall  
TR8 4HB

**Parish:** Mawgan-in-Pydar

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

**DATED: 24 October 2022**

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

**SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA22/04733**

**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 Details of the access, appearance, landscaping, layout and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and in accordance with the requirements of Articles 1, 2 and 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for approval of reserved matters must be made no later than the expiration of 3 years from the date of this decision and the development hereby approved shall commence no later than 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and in accordance with the requirements of Articles 1, 2 and 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4 Notwithstanding the provisions within The Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any order that revokes and re-enacts, vehicular access to the site shall only be achieved via the existing access that adjoins the highway to the West of Ryeland. No additional access points shall be created along the southern boundary of the site.

Reason: To prevent against unsuitable access onto the site and to preserve character of the area and the distinctive qualities of the Area of Landscape Value in accordance with Policy 14 of the Restormel Local Plan 2001, Policy 23 and 27 of the Cornwall Local Plan 2010-2030 and Paragraph 130 and 174 of the National Planning Policy Framework 2021.

- 5 Notwithstanding the landscaping details to be approved subject to Condition 2 of this approval, prior to commencement of the development hereby permitted details to protect, enhance and manage the hedgerow along the southern

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boundary of the application site, which fronts the highway, shall be submitted to and approved in writing by the Local planning authority. The development shall thereafter be undertaken in accordance with said approved details.

Reason: To protect against the visual amenities of the area and the distinctive qualities of the Area of Landscape Value in accordance with Policy 14 of the Restormel Local Plan 2001, Policy 23 and 27 of the Cornwall Local Plan 2010-2030 and Paragraph 130 and 174 of the National Planning Policy Framework 2021.

**DATED: 24 October 2022**

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IDOX/ACOUTZ

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

Illustrative Purposes only 2224/PL01 A received 27/09/22  
Block Plan 2 received 22/06/22  
Site/location Plan 1 received 22/06/22

**ANY ADDITIONAL INFORMATION:**

- Please note that the proposed development set out in this application will be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of the liability will be calculated when the related reserved matters application is determined. Further information about CIL is available at [www.cornwall.gov.uk/cil](http://www.cornwall.gov.uk/cil).

**DATED: 24 October 2022**

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IDOX/ACOUTZ

## 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 [www.planningportal.co.uk/pcs](http://www.planningportal.co.uk/pcs). 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](mailto: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) (<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.