

Cornwall Council

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Application number: PA20/11429

Agent:

Bartram Deakin Associates
Bartram Deakin Associates
Lisandra House
Fore Street
East Looe
Cornwall

PL13 1AD

Applicant:

Mr P Stephen Killigarth Manor
Killigarth
Looe
Cornwall
PL13 2JG

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 22 December 2020 and accompanying plan(s):

Description of Development: Construction of a dwelling and new driveway
(resubmission of application 05.00548/FUL
dated
14.02.06)

Location of Development: Land Adjacent Grange Cottage Summer Lane Pelynt
Cornwall PL13 2LP

Parish: Pelynt

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 18 March 2021 *Louise Wood* - Service Director Planning and Sustainable
Development

ACFULZ

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/11429

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 Prior to the first occupation of the dwelling hereby approved, the windows marked as obscure glazed on the south elevation of the dwelling (shown on drawings 22.23.3) shall be fitted with obscured glazing and retained as such thereafter.

Reason: In the interest of neighbour amenity, in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (adopted November 2016).

- 4 The leylandii hedge located on the western boundary of the site shall be retained at a minimum height of 3 metres to prevent overlooking to the garden of 14 Luffman Close from the first floor of the dwelling hereby approved.

In the event that the hedge dies or requires removal, a scheme of replacement planting shall be submitted within 1 month to the Local Planning Authority and agreed in writing. The scheme shall include species of replacement plants, planted height, location and density/spacing. Once the details are agreed, the measures shall be installed in the first planting season and retained as such thereafter. In the event that any plants or species die, they should be replaced with a similar species in the next planting season.

Reason: To protect the amenities of 14 Luffman Close, in accordance with policy 12 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (adopted November 2016).

- 5 No surface water shall drain from the site onto the public highway.

Reason: In the interest of highway safety, in accordance with policy 27 of the Cornwall Local Plan Strategic Policies 2010 - 2030 (adopted November 2016)

DATED: 18 March 2021 *Louise Wood* - Service Director Planning and Sustainable
Development

ACFULZ

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA20/11429

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Proposed 220.23.3 received 22/12/20
Proposed 220.23.2 received 22/12/20
Site/location Plan 11429-01 received 22/01/21

ANY ADDITIONAL INFORMATION:

- 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 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 .
- Any works taking place within highway limits would require separate consent/licence from the Streetworks Department (0300 1234 222 / streetworks@cornwall.gov.uk).

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: 18 March 2021 *Louise Wood* - Service Director Planning and Sustainable
Development

ACFULZ

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 or telephone 0300 1234 100.



Bartram Deakin Associates Bartram Deakin **Your ref:**
Associates

Lisandra House Fore Street
East Looe
Cornwall
PL13 1AD

My ref: PA20/11429 **Date:** 18 March
2021

Dear Sir/Madam

Construction of a dwelling and new driveway (resubmission of application 05.00548/FUL dated 14.02.06) Land Adjacent Grange Cottage Summer Lane Pelynt 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

George Shirley

Senior Development Officer
Planning and Sustainable Development Service
Tel: 01872327812

Planning and Sustainable Development Service
Cornwall Council

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