

Application number: PA10/07230

Agent:

Nicholas Clift & Associates
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Penzance
Cornwall
TR18 4EL

Applicant:

Mr P Mitchell
4 Nanspusker Road
Gwinear
Hayle
TR27 5JZ

**Town And Country Planning Act 1990 (As Amended)
Town And Country Planning (Development Management Procedure) (England)
Order 2010**

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 5 November 2010 and accompanying plan(s):

Description of Development: Construction of dwelling and associated works

Location of Development: Land Adj 13-15
Steamers Hill
Angarrack
Cornwall
TR27 5JB

Parish: Hayle

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.



Phil Mason
Head of Planning and Regeneration

DATED: 5 January 2011
IDOX/ACFULZ

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA10/07230

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 following approved plans:

2900/1 2900/2, 2900/3

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development hereby permitted shall not be commenced until surface water disposal works serving the development have been completed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These works shall not thereafter be altered or removed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid flooding and in the interests of water quality and the residential amenities of future occupiers and in accordance with the aims and intentions of policy 3 of the Cornwall Structure Plan 2004 and policy GD-4 of the Penwith Local Plan (2004).

- 4 All works, including ground clearance, levelling and excavation shall be carried out in accordance with the recommendations contained within British Standard BS 5837:2005 - Trees in relation to construction.

Reason: To ensure the protection of trees throughout the the duration of the proposed development works.

- 5 No development shall commence until details of the roof slates and method of fixing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve and or enhance the character of the adjacent Listed Building (Carwin Villa)



Phil Mason
Head of Planning and Regeneration

DATED: 5 January 2011



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REASON(S) FOR APPROVAL:

The principle of residential development at this site has already been established, the proposal thus accords with policy H-6 of the PLP (2004). The design of the proposed property is in-keeping with the character of the local built environment and would not significantly impact on the character or appearance of the grade II Listed Building to the immediate west of the site. The development thus accords with policies 1, 2 and 10 of the CSP (2004) with policies GD-1, GD-2, TV-1 and H-18 of the PLP (2004) and government guidance given in PPS1, 3 and 5. The site lies within a designated critical drainage catchment and a suitable planning condition has been included in the planning approval in order to ensure that off-site flood-risk is not increased as a consequence of the development; the proposal thus accords with policy 3 of the CSP (2004), policy GD-4 of the PLP (2004) and government guidance given in PPS25. There is adequate parking to serve the development and there are no objections to the proposal from the Highways Officer, the proposal thus accords with policy GD-5 of the PLP (2004). There are a number of large trees at the rear (north-west) of the site which are considered to be of high amenity value therefore a condition has been included to ensure that these are not damaged during the construction phase of the development as was also the case in the earlier (2009) approval.

RELEVANT PLANNING POLICIES:

- Cornwall Structure Plan 2004: 1, 2, 3, 10
- Penwith Local Plan 2004: GD-1, GD-2, GD-4, GD-5, H-6, H-18, TV-1, TV-4

- Planning Policy Statement 1: Delivering Sustainable Development
- Planning Policy Statement 1 Supplement: Planning and Climate Change
- Planning Policy Statement 3: Housing

- Planning Policy Statement 5: Planning and the historic environment
- Planning Policy Statement 25: Development and Flood Risk

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan 2900/1 received 05/11/10
Proposed 2900/2 received 05/11/10
Proposed 2900/3 received 05/11/10



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ANY ADDITIONAL INFORMATION:

- Critical Drainage Areas
B2-B3 - Development of 1- 3 dwellings
- Following the Building Regulations Drainage hierarchy, surface water should:-
 - i. Drain to a soakaway or infiltration system designed in accordance with the SUDS Manual - CIRIA C697, using a minimum of a 30-year return period storm. Where an FRA demonstrates that infiltration is not possible:-
 - ii. A sustainable drainage system should be provided discharging at a rate not exceeding 1.5 litres/second per dwelling, with attenuation provided up to the 30-year storm.
(Products exist that allow individual properties to restrict run-off to this rate, using private underground storage tanks. A discharge of 1.5 litres/second is typically achieved on the commercially available systems using a proprietary device on the outlet with an orifice of around 30mm. This is combined with a sediment trap and a filter to prevent blockage. Storage is provided on the property in an underground tank or crate system, operating with a maximum depth of water of approximately 500mm. The size of the tank will need to be based on the impermeable area draining to the system. It should be noted that due to the small orifice size these systems would remain in private ownership as they are unlikely to be adopted.)
- The design must take into account the appropriate allowance for increased rainfall from climate change, based on the lifetime of the development, the guidance in Annex B of PPS25 and the PPS25 Practice Guide. This is currently an increase in rainfall intensity of 30%.
- Safe and appropriate flow routes from blockage and exceedance of the drainage system must be evaluated. This must demonstrate no property flooding or increase in flood risk either offsite or to third parties. Version 2 January 2010, Drainage Guidance for Cornwall Council Page 13.



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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 using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

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.