

Cornwall Council

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Application number:

Agent:

Mr Bernard Toomey - Studio Charrette
Studio Charrette
51 Elizabeth House
Enterprize Way
Deptford
SE8 3PY

Applicant:

**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 condition set out on the attached schedule, for the development proposed in the following application received on 13 July 2022 and accompanying plan(s):

Description of Development: Householder application for the creation of a retaining wall and driveway.

Location of Development:

Parish: Fowey

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

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

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CONDITION:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

DATED: 20 September 2022

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.

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Block Plan EXISTINGBLOCKPLAN REV V 4 EXISTING BLOCK PLAN received 13/07/22
Mixed - Existing and Proposed ELEVATIONSANDSECTION REV V 4
EXISTING AND PROPOSED S received 13/07/22
Block Plan REV V 4 PROPOSED BLOCK PLAN received 13/07/22
Existing EXISTINGPLANS REV V4 EXISTING SITE PLAN received 13/07/22
Proposed PROPOSEDPLANS REV V4 PROPOSED SITE PLAN received 13/07/22
Site/location Plan SITELOCATIONPLAN REV V4 LOCATION PLAN received 13/07/22

In dealing with this application, the local planning authority have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising during the processing of this planning application in accordance with the National Planning Policy Framework. Actions taken may include but are not limited to:

Provision of pre-application advice through extensive guidance available on the Council's website

Discussions/negotiations ongoing with LPA throughout determination of planning application as necessary

Discussion regarding drafting of planning conditions as necessary

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

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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: 20 September 2022

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

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DATED: 20 September 2022

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 <https://www.gov.uk/appeal-planning-decision>.

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.