

Cornwall Council

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Application number: PA23/08585

Applicant:

Mrs Sheridan Rosser
For and on behalf of Morwenstow Parish Council
Morwenstow Playing Fields, Morwenstow Community Centre
Shop
Morwenstow
Bude
Cornwall
EX23 9SL
UK

**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 20 October 2023 and accompanying plan(s):

Description of Development: Installation of an all-weather multi-use court surface with fencing and adjoining installation of a pump track with stone surface including a dedicated disabled parking space.

Location of Development: Community Centre Shop Morwenstow Bude Cornwall EX23 9SL

Parish: Morwenstow

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 19 February 2024

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

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA23/08585

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 use of the development hereby consented a Site Operation Management Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for:

- (i) the hours of operation and opening times for each component hereby consented;
- (ii) surveillance provision during both times of operation and after hours;
- (iii) maintenance and servicing arrangements for the site;
- (iv) provision for a code of conduct for users of the facility;
- (v) details of on-site notification and signs to be placed providing information on conduct and contact details to allow reporting of issues;
- (vi) any measures to control access to the development hereby approved;
- (vii) a scheme for provision and servicing of waste collection bins.

The site will not be open to the public outside the hours of 08.00 (8am) and 2100 (9pm) Monday to Friday inclusive; 08.00 (8am) and 1900 (7pm) Saturday, and; 1000 (10am) and 1800 (6pm) on Sundays/Bank Holidays. A record of openings will be kept up to date and available for inspection by the Local Planning Authority.

The use of the development shall accord with the approved Site Operation Management Statement.

Reason: In the interests of visual amenity, residential amenity, and health and wellbeing and in accordance with the aims and intentions of policies 2, 12, 13 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030.

- 4 Prior to the installation of any external lighting a scheme setting out the type, design, lux levels, timer details, and measures to control glare and overspill light from sports lighting, and measures to ensure sports lights are switched off when not in use, shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be retained and maintained thereafter in accordance with the approved details.

DATED: 19 February 2024

Louise Wood - Service Director Planning and
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Reason: In the interests of residential amenity, visual amenity, the wish to maintain dark skies, the protection of wildlife and their habitats and conserving the landscape and scenic beauty of the Area of Outstanding Natural Beauty through the provision of appropriate external lighting and in accordance with the aims and intentions of Policy 12 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

Informative: Any external lighting/ floodlighting installed in relation to this proposal shall be chosen, installed and thereafter maintained in order to follow ILE (Institute of Lighting Engineers) Guidance for intrusive light so as to not cause nuisance.

- 5 Prior to the first use of the development hereby approved full details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. Within the first planting season the landscaping and planting scheme shall be carried out in accordance with the approved details. The landscaping and planting scheme shall be retained and maintained thereafter in accordance with the approved details.

Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species as those originally planted.

Reason: In the interests of the visual and residential amenity and in accordance with Policies 12, 16 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

- 6 Prior to the installation of the materials to be used in the construction of the pump track hereby consented external surfaces and hard landscaping details shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of residential and visual amenity and the character and appearance of the area and in accordance with Policies 12, 13, 16 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 19 February 2024

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

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Proposed MULTI USE GAMES AREA EXAMPLE received 20/10/23
Proposed 5103/2/2/A FLOOR PLANS AND ELEVATIONS received 22/11/23
Mixed - Existing and Proposed 23/5103/2/1/D LOCATION AND SITE PLAN received 13/02/24

ANY ADDITIONAL INFORMATION:

- Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

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: 19 February 2024

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](http://www.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.

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For and on behalf of Morwenstow Parish
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Your ref: Enhancement to existing
facil...
My ref: PA23/08585
Date: 19 February 2024

Dear Sir/Madam

**Installation of an all-weather multi-use court surface with fencing and adjoining installation of a pump track with stone surface including a dedicated disabled parking space.
Community Centre Shop Morwenstow Bude**

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:

£145 (per request) for applications not falling within fee categories 6 or 7 (non-householder applications)

£43 (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

Paul Steen

**Senior Development Officer
Development Management Service
Tel: 01872 322222**

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