

# Cornwall Council

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**Application number:** PA21/02523

**Agent:**

Poynton Bradbury Wynter Cole Ltd  
Atlantic Studio  
Trelyon Avenue  
St Ives  
TR26 2AD

**Applicant:**

Aaron Jones  
Pydar House 3B  
Pydar Street  
Truro  
TR1 1XU

**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 9 March 2021 and accompanying plan(s):

**Description of Development:** Provision of small work space units and shared spaces with administration support within modular units

**Location of Development:** Liskeard Cattle Market 1 - 2 Fairpark Road Liskeard  
Cornwall PL14 4BA

**Parish:** Liskeard

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

**DATED: 28 June 2021**

*Louise Wood* - Service Director Planning and  
Sustainable Development

**CONDITIONS:**

- 1 The buildings hereby permitted shall be removed and the land restored on or before 10 years of the date of this permission in accordance with a scheme of work (including an implementation programme) that has been submitted to and approved in writing by the Local Planning Authority within 12 months of this decision.

Reason: To enable the Local Planning Authority to retain control over the development and due to the temporary nature of the development and its impact on the character and appearance of the Conservation Area in accordance with policies 12 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 adopted November 2016

- 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 No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Environment Agency's Land contamination risk management (LCRM)(or equivalent British Standard and Land contamination risk management if replaced, and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) the potential risks to:
  - ' human health;
  - ' property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - ' adjoining land;
  - ' ground waters and surface waters;
  - ' ecological systems; and
  - ' archaeological sites and ancient monuments.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2019 with specific reference to paragraphs 170, 178, 179 and 180 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016.

**DATED: 28 June 2021**

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A pre-commencement condition is required in this case because it is essential to establish before any works takes place the nature and extent of any ground contamination in order to safeguard the health of workers taking part in the development of the site and to ensure the appropriate design and subsequent safe occupation of the development.

- 4 No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2019 with specific reference to paragraphs 170, 178, 179 and 180 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 ' 2030, Adopted November 2016.

A pre-commencement condition is required in this case because it is essential to establish before any works takes place the nature and extent of any ground contamination in order to safeguard the health of workers taking part in the development of the site and to ensure the appropriate design and subsequent safe occupation of the development.

- 5 The approved remediation scheme in condition (4) shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2019 with specific reference

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to paragraphs paragraphs 170, 178, 179 and 180 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 ' 2030, Adopted November 2016.

- 6 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported in writing immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2019 with specific reference to paragraphs 170, 178, 179 and 180 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 ' 2030, Adopted November 2016.

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

Site/location Plan 3767-PBWC-00-00-DR-A-1000 P3 received 26/03/21  
Block Plan 3767 - PBW - 00 - 00 - DR - A - 1100 REV P2 received 09/03/21  
Parking Layout 3767-PBWC-00-00-DR-A-2200 REV P2 received 09/03/21  
Proposed 3767 - PBW - 00 - 00 - DR - A - 3050 REV P2 received 09/03/21  
Proposed 3767 - PBWC - 00 - 00 - DR - A - 1200 REV P2 received 09/03/21

**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 development of building(s) for which planning permission is granted for a limited period.

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.

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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 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](mailto:addressmanagement@cornwall.gov.uk) or telephone 0300 1234 100.

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**Your ref:** 3767 - Liskeard CLLD  
**My ref:** PA21/02523  
**Date:** 28 June 2021

Dear Sir/Madam

**Provision of small work space units and shared spaces with administration support within modular units  
Liskeard Cattle Market 1 - 2 Fairpark Road Liskeard 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

**Jonathan Luker**

**Senior Development Officer  
Planning and Sustainable Development Service  
Tel: 01579 341453 Mob 07738 293987**