

Cornwall Council

Correspondence Address: Cornwall Council Planning, PO Box 676, Threemilestone, Truro, TR1 9EQ

Email: planning@cornwall.gov.uk

Tel: 0300 1234151

Web: www.cornwall.gov.uk



Application number: PA22/09254

Agent:

Purelight Architecture And Landscape
Purelight Architecture And Landscape
Prow Park
Treloggan
Newquay
Cornwall
TR7 1SZ

Applicant:

Keogh
Trenwith House
Commons Road
Cubert
TR8 5HW

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 13 October 2022 and accompanying plan(s):

Description of Development: Erection of a permanent sculpture depicting a surfer on a wave

Location of Development: Killacourt Field The Crescent Newquay Cornwall TR7 1DT

Parish: Newquay

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 9 February 2023

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

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 Within one year following the commencement of the proposed development, the surface water drainage system shall be installed and implemented in accordance with the details shown on approved drawing ref. 3001. B and EDS drainage statement ref. J-2823, received 12 January 2023. The system shall be managed and maintained for the lifetime of the development.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with Policy 26 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

DATED: 9 February 2023

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

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan SD-001.P1 received 13/10/22
Proposed PL-001.P2 received 12/01/23
Proposed 3001.B received 12/01/23
Proposed PROPOSALS FOR SUPPORT received 12/01/23
Proposed FOUNDATION BASE received 12/01/23
Proposed Addendum - Rev A January 2023 received 12/01/23

ANY ADDITIONAL INFORMATION:

- The applicants' attention is drawn to the recommendations of the Cornwall Mining Consultants reports. The slope stability appraisal (ref. TJG/SSA/G5688.REV1) states that 'on the understanding that the following recommendations are considered and adhered to, the proposal will not cause damage to the cliff faces in the vicinity and should not increase the susceptibility of the site to coastal erosion.'

It is the landowner's responsibility to ensure these recommendations are adhered to:

'The base plinth for the new statute structure should be:

- Of sufficient size and structural integrity to ensure it is not subject to movement caused as a result of structural load, or other load factors (e.g. wind), and
 - Installed within competent granular bearing stratum (subgrade), with sufficient bearing capacity to ensure the structure is not subject to bearing failure or excessive settlement. If possible, the structure should be founded within the bedrock or weathered bedrock horizons.
 - Consideration should be made for the need to ensure there is adequate surface water drainage in place to ensure the ground does not become locally saturated.'
- 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.

DATED: 9 February 2023

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

SCHEDULE ATTACHED TO APPLICATION & DECISION NO: PA22/09254

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.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 9 February 2023

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.



Purelight Architecture And Landscape
Purelight Architecture And Landscape
Prow Park
Treloggan
Newquay
Cornwall
TR7 1SZ

Your ref: Newquay Surf Statue
My ref: PA22/09254
Date: 9 February 2023

Dear Sir/Madam

**Erection of a permanent sculpture depicting a surfer on a wave
Killacourt Field The Crescent Newquay 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

Javier Herrador Del Arco

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

Development Management Service
Cornwall Council
Correspondence Address: Cornwall Council Planning, PO Box 676, Threemilestone, Truro, TR1 9EQ
planning@cornwall.gov.uk