

Cornwall Council

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Application number: PA25/06619

Agent:

Mr Roy Austin
Austin Architecture & Design Ltd
1 Penhalls Drive
Playing Place
Truro
Cornwall
TR3 6GW

Applicant:

Mr Andrew Moyle-Browning
Treloweth Community Centre
Moorfield Road
Pool
Cornwall
TR15 3QB

**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 2 September 2025 and accompanying plan(s):

Description of Development: Extension and alterations to Treloweth Community Hall to provide additional staff facilities and offices

Location of Development: Carn Brea Parish Council Treloweth Community Centre Moorfield Road Pool Redruth Cornwall

Parish: Carn Brea

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

DATED: 26 February 2026

Louise Wood - Service Director Planning and Housing (Chief Planning 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 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development

has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, policy NE5 of the Carn Brea Neighbourhood Plan 2024-2030, policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 and Policy G2 of the Climate Emergency Development Plan Document 2023.

- 4 The proposed surface water drainage systems shall be in accordance with the principles set out in EDS Consulting Surface Water Drainage Strategy Ref J-4223 (22/01/2026) and Design Drawing Ref J-4223-3001 Rev B (22/01/2026).

Implementation of the surface water drainage systems approved by this permission shall not be commenced until details of a scheme for the provision of surface water management has been submitted to and been approved by the Local Planning Authority. The details shall include:

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1. Details of the final drainage scheme including calculations and layout.
2. A Construction Phase Surface Water Management Plan.
3. A Construction Quality Control Plan.
4. A timetable of construction.
5. A plan for the future management and maintenance, including responsibilities of the drainage systems and overland flow routes. The plan must include a schedule of maintenance.

The Developer must inform the Local Planning Authority of any variation from the details provided and agree these in writing before such variations are undertaken.

The surface water drainage systems shall fully manage surface water flows resulting from the developed site up to the 1 in 100-year peak rainfall event plus a minimum allowance of 50% for the impacts of climate change. Flows discharged from the site will be no greater than 1 l/sec for all rainfall events.

The approved scheme shall be implemented in accordance with the timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details 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 the aims and intentions of policy CC2 of the Carn Brea Neighbourhood Plan 2024-2030, policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030, policy CC3 of the Climate Emergency Development Plan Document 2023, paragraphs 161 and 181 and of the National Planning Policy Framework 2024 and paragraphs 5.8.8 and 6.4.9 of the Cornwall Design Guide 2021.

- 5 Within one month of the development hereby approved being first brought into use, the use of the land as a temporary car park and access as shown on drawing number 22-192-PL03 rev C shall cease, all materials shall be removed from the land and the land shall be restored to its condition before the development took place.

Reason: In the interests of retaining good quality open space, in accordance with the aims and intentions of policies 1, 13 and 25 of the Cornwall Local Plan Strategic Policies 2010-2030, policies C1 and G1 of the Climate Emergency Development Plan Document and paragraphs 8, 103 and 104 of the National Planning Policy Framework 2024.

- 6 **IMPORTANT - Biodiversity Net Gain Statutory Condition**
The development granted by this notice must not begin unless:

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- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and**
- (b) the planning authority has approved the plan, or**
- (c) the development is exempt from the biodiversity gain condition**

Details about how to comply with this statutory condition and when development is exempt from it are set out below within the notes.

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PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Existing 22-192-L received 02/09/25
Existing 22-192-EX02 received 15/09/25
Existing 22-192-EX01 received 02/09/25
Proposed 22-192-PL03 C received 02/09/25
Proposed 22-192-PL02 C received 15/09/25
Proposed 22-192-PL01 D received 02/09/25

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ANY ADDITIONAL INFORMATION:

- Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the Cornwall CIL Charging Schedule gives this type of development a zero rate. Confirmation of no CIL liability will be sent to the applicant, and any other person who has an interest in the land, under separate cover. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.
- PLEASE NOTE: This planning permission is subject to mandatory biodiversity net gain (BNG). Further approval of a Biodiversity Gain Plan, pursuant to the requirements of the General Biodiversity Gain Condition, is required before any development can lawfully commence.

General Biodiversity Gain Condition

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that every planning permission granted in England, unless exempt, is deemed to have been granted subject to the condition (the "General Biodiversity Gain Condition") that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the Biodiversity Gain Plan.

The relevant planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, is Cornwall Council.

Detailed guidance on the process and requirements for discharging the general biodiversity gain condition can be found on the council's website.
<https://www.cornwall.gov.uk/planning-and-building-control/planning-advice-and-guidance/biodiversity-net-gain-bng/>

IMPORTANT

Commencing development which is subject to the General Biodiversity Gain Condition without an approved Biodiversity Gain Plan is unlawful and may result in your development becoming subject to planning enforcement action.

Exemptions and Transitional Commencement Arrangements

If the development does not fall into at least one of the following exempt categories, a Biodiversity Gain Plan must be submitted and approved before the development can lawfully commence:

1. The application for planning permission was made before 12 February 2024.

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2. The planning permission is for retrospective development (within the meaning of section 73A of the Town and Country Planning Act 1990 - planning permission for development already carried out).

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and:

- i) The original planning permission¹ to which the section 73 planning permission relates was granted before 12 February 2024; or
- ii) The application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for one (or more) of the following:

a) Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) The application for planning permission was made before 2 April 2024; or
- ii) Planning permission is granted which has effect before 2 April 2024; or
- iii) Planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission¹ to which the section 73 permission relates was exempt by virtue of (i) or (ii).

b) Development below the de minimis threshold, meaning development which:

- i) does not impact an on-site priority habitat (a habitat specified in the list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of on-site area habitat and less than 5 metres in length of on-site linear habitat where those habitats have a value greater than zero (as defined in the statutory metric).

c) Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development.

d) Self and Custom Build Development, meaning development which:

- i) Consists of no more than 9 dwellings;
- ii) Is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

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e) Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

1 "original planning permission" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable Habitat

If the on-site habitat includes irreplaceable habitat, within the meaning of The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, there are additional requirements for the content and approval of the Biodiversity Gain Plan.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve the Biodiversity Gain Plan if satisfied that the adverse effect of the development on irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact, which does not include the use of biodiversity credits.

Section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i Do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii In the case of planning permission for a development where all or any part of the on-site habitat is irreplaceable habitat, the conditions do not change the effect of the development on the biodiversity of that on-site habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

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Biodiversity Net Gain - Phased Development

Should planning permission be granted for phased development (within the meaning of paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990), the modifications in respect of the General Biodiversity Gain Condition, which are set out in Part 2 of The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024, apply. These modifications are that Biodiversity Gain Plans are required to be submitted to, and approved by, the planning authority in two stages: the Overall Gain Plan before any development can commence, and the Phase Gain Plan before each phase of development can commence.

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 or telephone 0300 1234 100.

Mr Roy Austin
Austin Architecture & Design Ltd
1 Penhalls Drive
Playing Place
Truro
Cornwall
TR3 6GW

Your ref: 22-192 CARN BREA PARISH
My ref: PA25/06619
Date: 26 February 2026

Dear Sir/Madam

**Extension and alterations to Treloweth Community Hall to provide additional staff facilities and offices
Carn Brea Parish Council Treloweth Community Centre Moorfield Road
Pool**

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. Discharge of condition requests can be submitted via the Planning Portal <https://www.planningportal.co.uk/applications>.

There is a statutory fee per request. You may wish to take the opportunity to submit details to discharge more than one condition per request. Information regarding statutory fees can be found here: <https://www.cornwall.gov.uk/planning-and-building-control/fees-and-additional-services/planning-fees/>.

Please note we do not accept requests via email. We are also unable to accept samples. If a sample is required, please provide as much information as possible along with a photograph. Should a Planning Case Officer wish to see a sample they will be in contact with you.

Yours faithfully

Katie Lever

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

Development Management Service
Cornwall Council
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