



**TOWN AND COUNTRY PLANNING ACT 1990  
AND GENERAL DEVELOPMENT ORDER 1995**

**NOTICE OF GRANT OF  
PLANNING PERMISSION**

Alan Leather Associates  
45 Charlestown Road  
Charlestown  
St. Austell  
PL25 3NJ

St Austell Garden Centre  
Boscundle  
St Austell  
PL25 3RJ

**Application Number :** 09/00681  
**Application Type :** Full Planning Major  
**Proposal :** Replacement covered accommodation with building for retail sales with display area, staff rooms, management offices, wc and refreshment area.  
**Location :** St Austell Garden Centre, Boscundle, St. Austell, PL25 3RH  
**Date Received :** 22 May, 2009

The Council as the Local Planning Authority hereby gives notice of its decision to GRANT PERMISSION for the development specified above and as shown on the submitted plans.

Reasons for Approval

The goods being offered by the enhanced garden centre do not impact upon the retail offer of the town centre and will enhance the shopping experience for customers. The proposal represents an improvement to the retail offer currently being provided by the garden centre and provides an opportunity for future appropriate expansion if required. The design and layout of the proposed development is proportionate and sensitive to its environs. Improvements to access and egress arrangements and to the capacity for car parking will provide the safe and convenient use of the highway.

Conditions

1. The development hereby permitted shall be begun within three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Before any of the development hereby permitted is brought into use, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and the measures proposed in the approved document fully implemented.

Reason : To provide and encourage the use of alternative transport modes to the private car and to comply with Policy 28 of the Cornwall County Structure Plan 2004.

3. Before any of the development hereby permitted is commenced, details of access, turning and loading areas, suitable car parking spaces and secure cycle storage facilities, shall be submitted to and approved in writing by the Local Planning Authority. Before any of the development hereby permitted is brought into use, it shall be constructed, drained, suitably surfaced and thereafter retained. The said parking spaces and cycle facilities shall not thereafter be obstructed or used for any other purpose.

Reason: To ensure adequate parking and cycle facilities off the adjoining highway to comply with Policy 28 of the Cornwall County Structure Plan 2004.

4. Before any of the development hereby permitted is commenced, a scheme of highway works to increase the standing area for motor vehicles within the right hand turn lane on the A390, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and subsequently retained.

Reason: To prevent the obstruction on the public highway of traffic waiting to turn right into the development and to comply with Policy 28 of the Cornwall County Structure Plan 2004.

5. The development hereby permitted shall be retained in a single ownership and the restaurant use shall only operate ancillary to the operation of the garden centre.

Reason: To minimise trip generation and impact on the local highway network, to comply with saved Policy 28 of the Cornwall County Structure Plan 2004.

6. No category goods, other than those specified in the Retail Assessment Data Sheet in Appendix A of the Design and Access Statement excluding the category titled Garden Power Tools, shall be sold, displayed or offered for sale on the site or at such floor space volumes and areas as therein identified.

Reason: To protect the retail offer of St Austell Town Centre and to comply with Policy 14 of the Cornwall Structure Plan 2004 and Policy 58 of the Restormel Local Plan 2001.

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); planted areas and trees.

Reason: To ensure the submission of satisfactory landscaping proposals and to comply with Policy 51 of the Restormel Local Plan 2001.

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason: To ensure the satisfactory completion of the landscaping work and to comply with Policy 51 of the Restormel Local Plan 2001.

9. Notwithstanding details agreed on the approved plans, prior to the commencement of development details of all materials to be used in the external surfaces of the buildings, doors and windows, the detailing of rendered features and the scheme and palate of colours to be used, shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full and subsequently retained.

Reason: To safeguard the appearance of the building, to enhance the visual amenity of the Conservation Areas and to comply with Policy 51 of the Restormel Local Plan 2001.

10. Before the development hereby permitted in commenced, details of a scheme for lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In interest of satisfactory development and to comply with Policy 51 of the Restormel Local Plan 2001.

11. Before the development hereby permitted is commenced, a scheme for the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure the formation of satisfactory boundaries to the site and to comply with Policy 51 of the Restormel Local Plan 2001.

12. Before the development hereby permitted in commenced, details of a scheme for the provision of surface water management shall be submitted to and approved in writing by the Local Planning Authority. The details shall include :-

- a) details of the drainage during the construction phase;
- b) details of the final drainage scheme;
- c) provision for exceedance pathways and overland flow routes;
- d) a timetable of construction;
- e) a construction quality control procedure;
- f) a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site, it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

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 during and after development and to comply with Policy 110 of the Restormel Local Plan 2001.

13. The development hereby permitted shall only be carried out in accordance with the approved plans and documents including Flood Risk Assessment (FRA) (April 2009/ J-2792 / H2OK), e-mail from H2OK dated 23/11/2009, drawings 3000B Rev. A and DS1384, and the mitigation measures detailed within the FRA:

- a) Limiting the surface water run-off generated in accordance with the drainage guidance for Cornwall.

Condition 13 contd...

b) Provision of flood flow routes in accordance with drawings DS1384 and 3000B  
Rev. B

Reason: To ensure safe management of flood water on the site and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in compliance with Policy 110 of the Restormel Local Plan 2001.

**Dated : - 8 / 12 / 09**

**Signed :**



**Authorised Officer**

**IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED**