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| | Minutes of the Planning & Licensing Committee Extraordinary Meeting held on Thursday, 26 January 2023 at 18:02 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay. | |
| | <p><u>Present</u> Cllr J Kenny (Chair), Cllr N Morris (Vice Chair), Cllr M North, Cllr C Anderson, Cllr J Bell, Cllr J Brook</p> <p><u>Also attending</u> D McLeod & K McGoldrick (Corporate Service) There were three members of the public in attendance.</p> | |
| Minute Ref P018/23 | <u>Apologies</u> Cllr K Larsen, Cllr F Williamson, Cllr S Thomson, Cllr C Anderson | |
| Minute Ref P019/23 | <u>Interests</u> None | |
| Minute Ref P020/23 | <u>Meeting Management Issues</u> None | |
| Minute Ref P021/23 | <u>Minutes</u> <ul style="list-style-type: none"> i. 06 December 2022 ii. 20 December 2022 iii. 04 January 2023 | |
| Minute Ref P021/23 (1) | <p>It was proposed by Cllr J Kenny, second by Cllr M North and RESOLVED that the minutes of the meeting for 06 December 2022 were correctly recorded and that they be adopted and signed by the Chairman. Cllr N Morris abstained.</p> | |
| Minute Ref | <p>It was proposed by Cllr J Kenny, second by Cllr J Brook and</p> | |

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| P021/23 (2) | RESOLVED UNANIMOUSLY that the minutes of the meeting for 20 December were correctly recorded and that they be adopted and signed by the Chairman. | |
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| Minute Ref P021/23 (3) | It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED UNANIMOUSLY that the minutes of the meeting for 04 January were correctly recorded and that they be adopted and signed by the Chairman. | |
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| Minute Ref P022/23 | <u>Matters Arising</u> None | |
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| Minute Ref P023/23 | <u>Public Question Time</u> A representation was made in favour of planning application PA22/09180 (Agenda item 10.05) Application number 5. Representations were made in favour of planning applications PA22/11125 and PA22/11190 (Agenda items 10.03 & 10.08) | |
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| Minute Ref P023/23 (1) | It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to bring forward agenda item 10.5 (PA22/09180) in order that a decision be made before returning to Public Questions. | |
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| | Application 5 | Porth & Tretherras | |
| | Reference | PA22/09180 | |
| | Proposal | Alteration to roof and construction near extension. Plus, additional rear self-contained annexe. (Previous withdrawn PA22/05981) | |
| | Location | 22 Chester Road TR7 2RH | |
| | Applicant | Mr And Mrs Bellman | |

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| | Grid Ref | 182304 / 61898 | |
| Minute Ref P023/23 (2) | Decision | It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to raise NO OBJECTION to PA22/09180 | |
| | Comments | Members were satisfied the current proposals were now more in keeping with the character of the area and would have minimal impact on the residential amenity of neighbouring properties. Any permission granted should include the appropriate annexe condition. Confirmation is requested that emergency medical staff will have clear and unobstructed access to the rear of the property. | ACTION – post NO OBJECTION on CC planning register |

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| | Representations were made in favour of planning applications PA22/11125 and PA22/11190 (Agenda items 10.03 & 10.08) | | |
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| Minute Ref P023/23 (3) | It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to bring forward agenda items 10.03 & 10.08 (PA22/11125 & PA22/11190) in order that a decision be made before returning to the remaining agenda items. | | |
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| | Application 3 | Trenance | |
| | Reference | PA22/11125 | |
| | Proposal | Application for Permission in Principle for replacement of former hotel building with up to two town houses | |
| | Location | 23 Mount Wise TR7 2BQ | |
| | Applicant | Mr And Mrs Adam Berry | |
| | Grid Ref | 181227 / 61464 | |

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| Minute Ref P023/23 (4) | Decision | It was proposed by Cllr J Kenny, second by Cllr J Bell and RESOLVED to raise NO OBJECTION to PA22/11125 | |
| | Comments | Members noted the scheme had been reduced in response to the pre-application advice provided by the LPA in August. The principle of replacing the former hotel with up to two town houses was considered acceptable, with Members agreeing that the drawings submitted demonstrated an appropriate level of development for the site. However, concerns are raised at the current proposals for the rear of the existing hotel site; it seems likely that further amendments to PA22/11125 may be required in order to address potential access issues associated with the proposals described in application PA22/11190. | ACTION – post NO OBJECTION on CC planning register |

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| | Application 8 | Trenance | |
| | Reference | PA22/11190 | |
| | Proposal | Erection of three dwellings | |
| | Location | Land South Of 23 Mount Wise TR7 2LU | |
| | Applicant | Mrs Lisa Solly LSC | |
| | Grid Ref | 181241 / 61424 | |
| Minute Ref P023/23 (5) | Decision | It was proposed by Cllr J Brook, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/11190 | |
| | Comments | Members were unhappy with plans to use the rear lane as the sole means of accessing the proposed dwellings. Although the highways designation is not | ACTION – post OBJECTION on CC |

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| | <p>certain, Members felt that using the lane as a vehicular access route would be likely to have a negative impact on the existing pedestrian use associated with the school, onsite daycare provision and the Family Hub. The narrow width of the lane was seen to offer little opportunity for vehicles and pedestrians to pass each other safely. There are clear safety concerns that need to be addressed and Members would request that Highways are approached for their view. Although little detail about the external storage of rubbish and recycling has been provided, it is also felt that the lane would struggle to offer the level of access required for such collections. Newquay Neighbourhood Plan (NNP) policy H4, Parking for Residential Development, would require the provision of two parking spaces per dwelling, rather than the single space proposed. Whilst this may be considered a central and sustainable location, opportunities for on-street parking near the proposed dwellings are limited. In addition, it was noted that the pedestrian route to the bus stops along Mount Wise is far from direct. Members agreed with the comments made by the Police Architectural Liaison Officer regarding alternatives to Passive Infrared Sensor lighting. Members were concerned that the current layout would isolate the proposed dwellings and would fail to foster a wider sense of community interaction.</p> | planning register |
| Minute Ref P024/23 | <p><u>Active Consultations</u></p> <p>None</p> | |

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| Minute Ref P025/23 | <u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u> | |
| | Licensing Ref LI23_000119 i. LA03 Minor Variation – Walkabout, The Crescent TR7 1DS | |
| | <p>D McLeod explained that this item had originally been on the agenda for the meeting scheduled for 18 January 2022. As it had not been possible to secure an extension to the deadline Members were required to make their decision outside the meeting under para 7.6.8 of the Committee’s Terms of Reference.</p> <p>D McLeod reported that Members had unanimously agreed that No Representation be submitted.</p> | |
| Minute Ref P025/23 (1) | It was proposed by Cllr J Kenny, second by Cllr N Morris, and RESOLVED unanimously to ratify the above decision. | |
| Minute Ref P026/23 | <u>To discuss and make any decisions on previous Planning Applications</u> | |
| | Previous Planning Decisions: | |
| | i. PA22/02764 - 1 Beach Rd - courtesy email Members noted the Case Officer’s email. | |
| | ii. PA22/11238 NMA - Tidelines, 2 Pentire Ave TR7 1PA <p>D McLeod explained that this Non Material Amendment had originally been on the agenda for the meeting scheduled for 18 January 2022. Although the Committee’s concerns regarding the loss of parking had been resolved with the submission of updated plans, it had not been possible to secure an extension to the deadline the Chair and Vice Chair were asked to make a delegated decision on behalf of the Committee under para 7.6.7 of the Committee’s Terms of Reference.</p> <p>D McLeod reported that the Chair & Vice Chair had unanimously agreed to update the Committee’s original response (Objection) to No Objection.</p> | |

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| Minute Ref P026/23 (1) | It was proposed by Cllr J Kenny, second by Cllr N Morris, and RESOLVED unanimously to ratify the above decision, in line with para 7.6.7 of the Committee's Terms of Reference | | |
| | Five Day Protocol: | | |
| | Planning Ref | i. PA22/04790 - Ocean Reach 11 Esplanade Road | |
| | Six Cllrs responded to this Five-Day Protocol, with all Members wishing to MAINTAIN OBJECTION and disagree with the Officer's recommended to Approve the application. | | |
| | Planning Ref | ii. PA22/07570 – Lewennick Lodge TR7 1QD | |
| | Four Cllrs responded to this Five-Day Protocol, with all agreeing with the Officer's recommendation to Refuse the application. | | |
| | Planning Ref | iii. PA22/10446 – Eliot Hotel, Edgcumbe Ave | |
| | Four Cllrs responded to this Five-Day Protocol, with all agreeing to disagree with the Officer's recommendation to approve the application. | | |
| Minute Ref P026/23 (2) | It was proposed by Cllr J Kenny, second by Cllr N Morris, and RESOLVED unanimously to ratify the above decisions. | | |
| Minute Ref P027/23 | <u>To consider Planning Applications and correspondence relating to Planning Applications</u> | | |
| | Application 1 | Trenance | |
| | Reference | PA22/09803 | |
| | Proposal | Construction of summer house | |
| | Location | 25 Stret Caradoc TR7 1GE | |
| | Applicant | Mrs Sally Lawton | |
| | Grid Ref | 180551 / 61327 | |
| Minute Ref P027/23 (1) | Decision | It was proposed by Cllr N Morris, second by Cllr J Kenny and RESOLVED unanimously to SUPPORT PA22/09803 | |

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| | Comments | Members noted there would be no change to the existing street scene and agreed it was unlikely there would be any negative impact on the residential amenity of neighbouring properties. | ACTION – post SUPPORT on CC |
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| | Application 2 | Whipsiderry | |
| | Reference | PA22/11041 | |
| | Proposal | Proposed change of use of the annexe to a dwelling | |
| | Location | Roseville, Parkenbutts TR7 3HE | |
| | Applicant | Mr and Mrs D Grattan | |
| | Grid Ref | 183890 / 62381 | |
| Minute Ref P027/23 (2) | Decision | It was proposed by Cllr JK, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/11041. | |
| | Comments | Members noted the “complex planning history” for this property and agreed that, prior to any consideration being given to the proposed change of use, the Town Council would wish to see the ongoing issue of the dormer window resolved. The conclusions detailed in the Appeal Decision of 30 July 2015 (APP/D0840/W/15/3007940) regarding the appearance of the building (para 17) and the amenity space (para 14) are still considered relevant. | ACTION – post OBJECTION on CC planning register |

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| | Application 4 | Central & Pentire | |
| | Reference | PA22/11321 | |
| | Proposal | Extensions and alterations to dwelling | |

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| | Location | 101 Pentire Avenue TR7 1PF | |
| | Applicant | Mr & Mrs Mark and Petra Clohessy | |
| | Grid Ref | 178975 / 61404 | |
| Minute Ref P027/23 (3) | Decision | It was proposed by Cllr N Morris, second by Cllr J Brook and RESOLVED unanimously to raise NO OBJECTION to PA22/11321. | |
| | Comments | Members were aware of the previous permission for this property (PA16/11863) and agreed there were no overriding material considerations which justify an outright objection to the current proposals. However, following a visit to the application site, it was noted that the neighbouring property at no99 is showing unsightly discolouration that is thought to result from the render used. Newquay Neighbourhood Plan policy G3, Building for the Maritime Climate, seeks to ensure that visual decay related to the use of materials unsuited to the local conditions is avoided. Members agreed to raise No Objection to the proposed extensions and alterations, subject to confirmation that any rendered finishes would be of appropriate quality to withstand the maritime climate. | ACTION – post NO OBJECTION on CC planning register |

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| Minute Ref P027/23 (4) | 7:48pm It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to extend the meeting by up to 1 hour. |
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| | Application 6 | Trenance | |
| | Reference | PA22/11415 | |
| | Proposal | Single storey rear extension & internal alterations | |

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| | Location | 1 Penina Avenue TR7 2LE | |
| | Applicant | Mr & Mrs David & Jan Stokes | |
| | Grid Ref | 181744 / 60605 | |
| Minute Ref P027/23 (5) | Decision | It was proposed by Cllr M North, second by Cllr J Bell and RESOLVED unanimously to raise NO OBJECTION to PA22/11415. | |
| | Comments | Members recalled the previous application for this address (PA22/02032) which had been refused following concerns around overlooking and a loss of privacy to neighbouring properties. Members agreed the current proposals for single-storey rear extension were more suitable for the location and unlikely to have a negative impact on the residential amenity of neighbouring properties. However, it was felt that building right up to the boundary may lead to difficulties if maintenance access were required in the future. Members noted that roof lights were being added to the southeast and northwest elevations, but it is understood the current proposals do not include conversion of the loft space into a habitable area. | ACTION – post NO OBJECTION on CC planning register |

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| | Application 7 | Central & Pentire | |
| | Reference | PA22/11343 | |
| | Proposal | Add a balcony to the existing flat roof of which currently has no sort of safety measure to prevent falling. | |
| | Location | 5A Fore Street TR7 1HB | |
| | Applicant | Mr Chris Armstrong | |
| | Grid Ref | 180814 / 61688 | |

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| Minute Ref P027/23 (6) | Decision | It was proposed by Cllr J Brook, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/11343. Cllr John Bell abstained. | |
| | Comments | Members were uncertain why there would be a doorway located on the east facing elevation of the existing pitched roof and would request confirmation from the Case Officer that the doorway has been previously approved by the LPA. Whilst the need for safety is recognised, Members were curious as to whether the flat roof area had been intended as a balcony and whether it had been constructed to a specification appropriate for such use. Concerns were raised that creating a balcony on the existing flat roof area would allow views back towards the rear of other Fore St properties, resulting in a loss of privacy to immediate neighbours. | ACTION – post OBJECTION on CC planning register |

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| | Applications 9 & 10 | Central & Pentire | |
| | Reference | PA22/11259 & PA22/11258 | |
| | Proposal | Listed Building Consent & Planning Application: Installation of photovoltaic panels within hotel grounds | |
| | Location | Headland Hotel, Headland Road TR7 1EW | |
| | Applicant | Mr Richard Palmer – The Headland Hotel | |
| | Grid Ref | 180090 / 62416 | |
| Minute Ref P027/23 (7) | Decision | It was proposed by Cllr J Kenny, second by Cllr J Brook and RESOLVED to raise NO OBJECTION to PA22/11259 & PA22/11254 | |
| | Comments | Members fully applaud the intention to reduce the carbon footprint of the Hotel through investment in renewable energy | ACTION – post NO OBJECTION |

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| | <p>sources. However, whilst the visual impact on the listed asset may be limited, concerns exist that the installation of the proposed PV array may cause harm to the wider, locally valued landscape. Public comments have drawn attention to some inconsistencies within the application documents, and Members agreed that whilst there is a lack of detail on the height of the low-profile framing system, then there will be some uncertainty as to the level of visual impact likely to result. Newquay Neighbourhood Plan (NNP) policy LE4, Protection of Views and Vistas, seeks to preserve the beauty of the town's valued landscapes and, given the importance of the location, a visual impact assessment appropriate to the size and scale of the proposal should be provided. In addition, Members would encourage further investigation of measures that could break up the visual bulk of the array to make it less intrusive on the landscape. Concerns also exist that the public would be able to access the array and, if this were the case, there needs to be some consideration of how this could be safely managed/prevented.</p> | on CC planning register |
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| Application 11 | Porth & Tretherras | |
| Reference | PA22/11184 | |
| Proposal | Demolition of Existing Building and Construction of Residential Apartments & Associated Works | |
| Location | Kallacliff 12 Lusty Glaze Road TR7 3AD | |
| Applicant | Mrs E Hall | |
| Grid Ref | 182454 / 62402 | |

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| Minute Ref P027/23 (8) | Decision | It was proposed by Cllr J Kenny, second by Cllr J Brook and RESOLVED unanimously to OBJECT to PA22/11184. | |
| | Comments | <p>Members were uncertain if the proposals included an intention to achieve the mandatory 10% biodiversity gain, as set out in the Environment Act 2021. Concerns are raised that the provision of amenity space on the site is inadequate. Concerns are raised that the provision of off-street parking falls below the levels required under Newquay Neighbourhood Plan (NNP) policy H4, Parking for Residential Development. As per comments returned against previous proposals for this site, Policy E3 of the NNP (Support the Visitor Economy) seeks to maintain the stock of quality tourist accommodation available in the town. As such, the Kallacliff is seen as a valuable contributor to the town's tourist economy. Policy E1 (Safeguarding Existing Employment Sites) seeks to support continued business use in preference to converting sites or properties over to residential housing. In cases where continued commercial use is no longer viable. Given that time has passed, and economic circumstances have changed since evidence around market interest/demand for the hotel use was last submitted, Members agreed more up-to-date information should be provided to justify the further loss to the accommodation stock serving the town's tourist economy.</p> | ACTION – post OBJECTION on CC planning register |
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| | Application 12 | Porth & Tretherras | |
| | Reference | PA22/10857 | |
| | Proposal | Change of use of 4 flats in the main building to form 1 residential dwelling, with minor amendments to openings | |
| | Location | 36 Lewarne Road TR7 3JT | |
| | Applicant | Mr Phillip Paskin | |
| | Grid Ref | 183231 / 62652 | |
| Minute Ref P027/23 (9) | Decision | It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to SUPPORT to PA22/10857. | |
| | Comments | Members were unaware of any harm to the character of the area or impact on the residential amenity of neighbouring properties that would result from this proposed change of use. | ACTION – post SUPPORT on CC planning register |
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| | Application 13 | Porth & Tretherras | |
| | Reference | PA22/00222 | |
| | Proposal | Non-material amendment in relation to decision notice PA22/06802 dated 19/10/2022 to retain existing dormer and proposed new balcony | |
| | Location | 33 Well Way TR7 3LS | |
| | Applicant | Mr Phillip Paskin | |
| | Grid Ref | 183231 / 62652 | |
| Minute Ref P027/23 (10) | Decision | It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to SUPPORT to PA22/00222. | |

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| | Comments | Members agreed the retention of the existing dormer would be an improvement to the existing permission. | ACTION – post SUPPORT on CC planning register |
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| Minute Ref P028/23 | <u>Terms of Reference and Risk Assessment Update</u> | |
| | None. | |

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| Minute Ref P029/23 | <u>Reports and any associated Recommendations from Working Parties</u> | |
| | <p>i. Community Governance Review Working Party No updates</p> | |
| | <p>ii. Newquay Neighbourhood Plan No updates</p> <p>a) Recommendation: Consider arranging a Current Tree Audit (inviting help from members of the public to conduct the audit)</p> <p>Item a) to be added to the 31st March 2023 agenda.</p> | |
| | <p>iii. Parking</p> <p>a) Car Park Charges Consultation</p> <p>Cllr J Kenny that this consultation has been moved to March 2023.</p> | |

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| Minute Ref P030/23 | <u>Financial Statement</u> | |
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| Minute Ref | <u>Other Correspondence</u> | |
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| P031/23 | <p>i. Appeal Notification - Leans Field - Drive-In Cinema Members noted.</p> <p>i. Ocean Housing - Intention to sell 49 Cross Close TR7 3LD (including comment from Cllr J Fitter) Members noted.</p> <p>iii Climate Emergency DPD - publication of Inspector's report Members noted.</p> | |
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| Minute Ref P032/23 | <u>Items for information and discussion only</u> | |
| | <p>i. Cornwall Council – Weekly List of planning applications Members noted.</p> | |

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| Minute Ref P033/23 | <p><u>Date and time of next meeting</u> The next Planning & Licensing Committee meeting will take place on Wednesday 31 January 2023 at 6:00pm in the Council Chamber, Municipal Offices, Marcus Hill, Newquay TR7 1AF.</p> <p>The Chair thanked Members for their attendance and exited the meeting at 9.02pm</p> <p>Signed.....</p> <p>Date..... Chair Cllr J Kenny</p> | |
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