

	<b>Minutes of the Planning &amp; Licensing Committee Meeting held on Wednesday 28 February at 6:00 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay.</b>	
	<p><b><u>Present</u></b> Cllr J Kenny (Chair), Cllr S Thomson (Vice Chair), Cllr J Bell, Cllr J Brook, Cllr S Hick</p> <p><b><u>Also attending</u></b> D McLeod, K McGoldrick &amp; J MacCreadie (Corporate Service). There were 9 Members of the public in attendance including Cornwall Cllr J Fitter.</p>	
<b>Minute Ref P166/24</b>	<p><b><u>Apologies</u></b> Cllr N Morris, Cllr K Larsen, Cllr M North, Cllr D Souray</p>	
<b>Minute Ref P167/24</b>	<p><b><u>Interests</u></b> None</p>	
<b>Minute Ref P168/24</b>	<p><b><u>Meeting Management Issues</u></b> None</p>	
<b>Minute Ref P169/24</b>	<p><b><u>Minutes</u></b> D McLeod apologised that the meeting minutes for 14 February were not quite ready and would have to be included on the agenda for the next meeting.</p>	
<b>Minute Ref P170/24</b>	<p><b><u>Matters Arising</u></b> None</p>	
<b>Minute Ref P171/24</b>	<p><b><u>Public Question Time</u></b> There were 9 Members of the public in attendance including x6 representatives from Vision 9/Boardmasters.</p>	
<b>Minute Ref P171/24 (1)</b>	<p>It was proposed by Cllr J Kenny, second by Cllr S Thomson and <b>RESOLVED unanimously to extend Public Question Time by an additional 10 minutes.</b></p>	

	<p>A representation was made by two of the Boardmasters/Vision 9 representatives in favour of Planning Application PA23/10287 (Agenda item 10.03).</p> <p>A member of the public made a representation objecting to the Boardmasters Planning Application PA23/10287 (Agenda item 10.03).</p> <p>Cllr J Fitter commented on the Boardmasters Planning Application: PA23/10287 (Agenda item 10.03).</p>	
<b>Minute Ref P171/24 (2)</b>	<p>It was proposed by Cllr J Kenny, second by Cllr S Thomson and <b>RESOLVED unanimously to bring forward agenda item 10.03 (PA23/10287) in order that decision be made before returning to the remaining agenda items.</b></p>	
	<p><b>Application 3</b> Whipsiderry</p>	
	<p><b>Reference</b> PA23/10287</p>	
	<p><b>Proposal</b> The annual use of land for the Boardmasters Festival with camping, habitat mitigation and ancillary uses and the construction of two additional pedestrian accessways together with works to widen three existing accessways (to include hedgerow removal).</p>	
	<p><b>Location</b> Trebelsue Farm TR8 4AN</p>	
	<p><b>Applicant</b> Mr Sam Watkins – Vision Nine Entertainment Group Limited</p>	
<b>Minute Ref P171/24 (3)</b>	<p><b>Decision</b> It was proposed by Cllr S Hick, second by Cllr J Kenny and <b>RESOLVED to SUPPORT</b> PA23/10287, subject to a satisfactory response from Highways to the Traffic Management Plan.</p> <p>Cllr J Brook voiced his concern at supporting the current application. The conversation continued.</p> <p>Cllr J Kenny <b>WITHDREW her decision to second the motion to support PA23/10287</b></p>	

*Cllr J Fitter left the meeting at 19:12hrs due to Colan Parish Council meeting.*

It was proposed by Cllr J Keny, second by Cllr J Brook and **RESOLVED to raise NO OBJECTION to PA23/10287**

**Comments**

**Prior to considering the current planning application, Cllrs were aware that a new LA03 Premises Licence for the Boardmasters Festival had recently been granted by the Licensing Authority, and that the legislative controls for the Festival (capacity, duration, licensable activities, regulated entertainment etc.) are chiefly described within that permission and by the Licensing Act 2003. In cases where competing/overlapping legislation is encountered, NPPF guidance advises against the duplication of conditions or controls where they suitably exist elsewhere. As these controls have already been agreed upon under Licensing legislation, it is the Town Council's understanding that the key planning issues associated with the current application are; the suitability of the land for the proposed use and; the permanency of the permission applied for (as opposed to the temporary permissions previously granted). Given the**

**ACTION -  
post NO  
OBJECTION  
on CC  
Planning  
Register**

successful history of the Festival on this site, Cllrs accepted that in broad terms it would be very difficult to demonstrate the site was not suitable for this land use. In terms of moving away from the previous temporary permissions, Cllrs were satisfied that "time-limiting" the permission would not make the site any more or less suitable for the intended (and established) land use. Cllrs noted that the mechanisms for addressing future problems or issues that may result from the event are contained within the controlling Licensing legislation. However, the Town Council still feels there is room for constructive comment.

Whilst it is understood the site layout is intended to be indicative, the use allocated to some of the land was questioned. Cllrs agreed the additional parking area to the north, intended to support reduced traffic congestion around Porth, can in no way be considered suitable for vehicular parking. The green slopes on this part of the site exhibit an overly steep gradient, making them quite unsuitable for safe parking, access, and egress, even in dry weather. It is felt applicant has failed to demonstrate how safe parking on such a steep, grassy slope can be achieved.

**From the comments posted on the CC Planning Register, Cllrs were aware that the LLFA considers it is the Environment Agency who should judge the potential Flood Risk but noted that the EA has yet to respond. The Town Council would therefore draw attention to the additional car parking areas to the north, south, and east, and the potential of this land use to result in soil damage (compaction), where the soil surface becomes sealed, reducing the vertical movement of water through the soil causing increased overland flow/surface runoff. Is it possible for an expert consultee to look closely at this potentially significant harm?**

**Regarding the Bio-Diversity Net Gain, some uncertainty exists as to the levels required for what the applicant describes as a 'temporary event' (although the permission applied for is not temporary). It is also unclear what measures will be put in place to maintain and monitor the ecological enhancements/habitat mitigations described in the Ecology Report. Will the ongoing management of these areas be secured by condition?**

**In conclusion, Cllrs are aware there are competing local views towards the Festival**

**– some objecting to the event, some in support. However, it is felt the permission applied for would not, in broad terms, appear to worsen the impact that already exists. That said, the public comments posted on the CC Planning Register do need to be addressed, not just ignored. Furthermore, the Town Council wishes to make it very clear that every year it receives a level of communication from unhappy residents highlighting various issues associated with the Festival, particularly with the management of toilet facilities on site. The Festival also draws a range of traders and promoters to the town who seem intent on carrying out their activities without having first secured the relevant permissions – such as consents permitting Street Trading or the Distribution of Free Printed Material. Currently, there appears to be limited scope for the Town Council to communicate its own concerns, or to reflect those expressed by residents, back to Cornwall Council and the event organisers. If the Festival is to achieve its much-stated goal of being 'a good neighbour to Newquay', this needs to change.**

<b>Minute Ref P172/24</b>	7:15pm – Cllr J Kenny sanctioned a short comfort break, during which time no business was conducted.	
	7:20pm – Cllr S Hick exited the meeting.	
	7:24pm - The meeting resumed with all remaining Members present.	
<b>Minute Ref P173/24</b>	<b><u>Active Consultations</u></b>	
	7.01 LA03 Consultation – Digital Age Verification.  It was noted to add this item to the next agenda.	<b>ACTION – D McLeod</b>
<b>Minute Ref P174/24</b>	<b><u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u></b>	
	None	
<b>Minute Ref P175/24</b>	<b><u>To discuss and make any decisions on previous Planning Applications</u></b>	
	None	
<b>Minute Ref P176/24</b>	<b><u>To consider Planning Applications and correspondence relating to Planning Applications</u></b>	
	<b>Application 1      Trenance</b>	
	<b>Reference</b> PA24/00267	
	<b>Proposal</b> Erection of three dwellings without compliance with Condition 2 and 6 of decision notice PA22/11190 dated 12/06/2023	
	<b>Location</b> Land South Of 23 Mount Wise TR7 2LU	
	<b>Applicant</b> Mr and Mrs Adamberry LSC	
<b>Minute Ref P176/24 (1)</b>	<b>Decision</b> It was proposed by Cllr S Thomson, second by Cllr J Kenny and <b>RESOLVED unanimously to raise NO OBJECTION to</b> PA24/00267	

	<b>Comments</b>	<b>Replacing the agreed sedum roof on the upper section with a 'liquid plastic flat roof membrane' is regretted – but as long as the sedum roof on the lower section remains, Cllrs agreed not to raise an objection to this amendment. Cllrs noted that the ecological details secured under Condition 5 had now been discharged.</b>	<b>ACTION - post NO OBJECTION on CC Planning Register</b>
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	<b>Application 2</b>	<b>Porth &amp; Tretherras</b>	
	<b>Reference</b>	PA24/00762	
	<b>Proposal</b>	Small single storey rear extension, room in roof extension and internal GF redesign.	
	<b>Location</b>	7 Manewas Way TR7 3AJ	
	<b>Applicant</b>	Mr Dean Gillingham	
<b>Minute Ref P176/24 (2)</b>	<b>Decision</b>	It was proposed by Cllr S Thomson, second by Cllr J Bell and <b>RESOLVED unanimously to OBJECT to</b> PA24/00762	
	<b>Comments</b>	<b>Cllrs supported the comments posted on the Planning Register by the Countryside Access Team, in their role as the Highway Authority for Public Rights of Way, whilst also noting there had also been local objections drawing attention to the potential loss of privacy that would result from the proposed works. When considering the rear facing dormer and the creation of new views at first floor level, Cllrs were concerned that there would be a noticeable loss of privacy</b>	<b>ACTION - post OBJECTION on CC Planning Register</b>



		<p>to adjacent properties to 39 and 41 Arundel Way.</p> <p>Neighbourhood Plan policies D2 - Scale and location of development – and H2 - Development in Sensitive Landscape Areas – both refer back to the Character Study (appendix 5), which in this case is Cell 23: Porth Veor. Given the absence of similar roof extension along Manewas Way, Cllrs were unconvinced that the proposed works would “...retain a locally distinctive character in the use of materials, scale, rhythm, architectural form and detail...” described as an essential Key Design Principle for the Porth Veor Estate.</p>	
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	<b>Application 4</b>	<b>Central &amp; Pentire</b>	
	<b>Reference</b>	PA24/00941	
	<b>Proposal</b>	Non-material amendment to decision PA14/02884 dated 28.11.2014 to amend the use of the area to the front of the property to off-road parking with new cross-over formed (part retrospective).	
	<b>Location</b>	5-7 Lowen Brae, Springfield Road TR7 1RT	
	<b>Applicant</b>	Mr R Hamilton	
<b>Minute Ref P176/24 (3)</b>	<b>Decision</b>	It was proposed by Cllr S Thomson, second by Cllr J Brook and <b>RESOLVED unanimously to OBJECT to</b> PA24/00941	
	<b>Comments</b>	<b>Cllrs fully agreed with the comments from the Highways Development Management</b>	<b>ACTION - post OBJECTION</b>

		team regarding the risk to safety that would result from the proposed off-road parking space.	on CC Planning Register
	<b>Application 5</b>	<b>Porth &amp; Tretherras</b>	
	<b>Reference</b>	PA24/01012	
	<b>Proposal</b>	Removal/Variation of Condition 5 (timber cladding) of Application No. PA23/02484 dated 6 <sup>th</sup> July 2023 (Extensions and modifications to existing dwelling (revised scheme following PA22/03181))	
	<b>Location</b>	28 Lusty Glaze Road TR7 3AE	
	<b>Applicant</b>	Mr C Chesser	
<b>Minute Ref P176/24 (4)</b>	<b>Decision</b>	It was proposed by Cllr S Thomson, second by Cllr J Brook and <b>RESOLVED unanimously to OBJECT to</b> PA24/01012	
	<b>Comments</b>	<p><b>Whilst Cllrs noted the applicant's concerns around maintenance, it is understood that Larch is a highly suitable cladding material that offers a significant standard of durability in itself. With this in mind, the argument that leaving the timber untreated would significantly increase ongoing maintenance costs/work was felt to carry little weight.</b></p> <p><b>Neighbourhood Plan policy H2 - Development in Sensitive Landscape Areas – refers back to the Character Study (appendix 5) Porth Veor Estate (Character Cell 23), which draws attention to the importance of the views of the built edge of</b></p>	<b>ACTION - post OBJECT on CC Planning Register</b>

**the settlement that face onto the coast and their importance to the character and attractiveness of the town. Having considered the two previous applications for this address, Cllrs know this to be quite a prominent site and were sympathetic to the Case Officer's stated reasons for applying Condition 5 to PA23/02484.**

<b>Minute Ref P176/24 (5)</b>	20:00pm It was proposed by Cllr J Kenny, second by Cllr S Thomson and <b>RESOLVED unanimously to extend the meeting by up to 60 minutes.</b>
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	<b>Application 6</b>	<b>Whipsiderry</b>	
	<b>Reference</b>	PA24/00470	
	<b>Proposal</b>	Listed Building Consent for Change of Use from annexe to dwelling and removal of front boundary wall	
	<b>Location</b>	Hope Cottage, Stanways Road TR7 3HF	
	<b>Applicant</b>	Mrs Caroline Short-Hurst	
<b>Minute Ref P176/24 (6)</b>	<b>Decision</b>	It was proposed by Cllr S Thomson, second by Cllr J Kenny and <b>RESOLVED unanimously to OBJECT to PA24/00470</b>	
	<b>Comments</b>	<b>As per the Town Council's response to planning application PA23/06479, Cllrs agreed that without a positive response from the Historic Environment Officer, they would not be able to consider supporting the proposed change of use.</b>	<b>ACTION – post OBJECTION on CC Planning Register</b>

	<b>Application 7</b>	<b>Central &amp; Pentire</b>	
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	<b>Reference</b>	PA23/10292	
	<b>Proposal</b>	Extend apartment block by a further three apartments without compliance with condition 2 of decision notice PA19/06004 dated 30/09/2019.	
	<b>Location</b>	Trevilson, 31 Pentire Avenue TR7 1PB	
	<b>Applicant</b>	Mr Dan Anson-Hart – Cornwall Living Property Ltd	
<b>Minute Ref P176/24 (7)</b>	<b>Decision</b>	It was proposed by Cllr J Kenny, second by Cllr S Thomson and <b>RESOLVED unanimously to OBJECT to</b> PA23/10292	
	<b>Comments</b>	<p><b>Cllrs noted their sympathy with the public objector who raises concerns around the bin store and the potential impact this may have on the nearest neighbouring property. However, it is understood that this element of the scheme was approved under PA19/06004 and is not being amended under the current S73 application. Cllrs agreed the state of the rear of the building, particularly as seen from Lawton Close and Harben Court, remains a cause for concern. Is there any intention on the part of the applicant to improve the appearance of the rear of the existing building?</b></p> <p><b>Unusually, there appears to be two sets of near-identical floorplans uploaded to the CC Planning Register (the only difference being the 'sheet scale' on the document info – bottom right corner). Given there are exterior changes to the building, Cllrs queried why a new set of elevations hadn't</b></p>	<b>ACTION - post OBJECTION on CC Planning Register</b>

**been included with the application documents. Without a full set of documents to consider, Cllrs felt they had no choice but to object to the application. Similarly, it was felt that the Site Plan should be updated to show how the parking layout for 9 vehicles will be achieved.**

**When considering the Planning Statement, Cllrs noticed that under the sub-heading Windows (page 2), the room labelled on the proposed plans as 'Office' is referred to as 'Bedroom 2'. A two-bedroom apartment requires two parking spaces under Neighbourhood Plan policy H4. A two-bedroom apartment must also offer greater floor space than if it had just one bedroom so that it meets the Nationally Described Space Standards. Given the contradictory information supplied, Cllrs feel it is reasonable to request clarification as to what is being applied for here - along with an explanation as to how, if these apartments are approved as one-bedroom accommodations, will the LPA prevent them from being used/marketed as two bedroom accommodation once planning permission has been granted.**

<b>Minute Ref P176/24 (8)</b>	8:30pm – Cllr J Kenny sanctioned a short comfort break, during which time no business was conducted.		
	8:36pm – The meeting resumed with all Members present.		
	<b>Application 8</b>	<b>Porth &amp; Tretherras</b>	
	<b>Reference</b>	PA23/08894	
	<b>Proposal</b>	Conversion of House into two flats	
	<b>Location</b>	25A Quintrell Road TR7 3DY	
	<b>Applicant</b>	Mr Mark Coventry	
<b>Minute Ref P176/24 (9)</b>	<b>Decision</b>	It was proposed by Cllr S Thomson, second by Cllr J Kenny and <b>RESOLVED unanimously to raise NO OBJECTION to</b> PA23/08894	
	<b>Comments</b>	<b>Cllrs noted there were no known local objections to the most recent set of plans – although it was understood they had only been uploaded to the register the previous day. Some concerns were raised over whether a UPVC sliding double patio door would be appropriate as the street facing entrance to the proposed GF dwelling – both from a security point of view and in terms of appearance. Questions were also raised regarding the structural implications of removing internal walls and whether safe egress could be achieved in the event of a fire emergency – but it is accepted these would be matters considered under Building Regulations.</b>	<b>ACTION - post NO OBJECTION on CC Planning Register</b>

<b>Minute Ref P177/24</b>	<b><u>Terms of Reference and Risk Assessment Update</u></b>	
	None	
<b>Minute Ref P178/24</b>	<b><u>Reports and any associated Recommendations from Working Parties</u></b>	
	<p>i. Community Governance Review Working Party</p> <p>No updates.</p>	
	<p>ii. Newquay Neighbourhood Plan</p> <p>The Chair Reminded Members of the upcoming Working Party meeting on Monday, 4<sup>th</sup> March.</p>	
	<p>iii. Parking Working Party</p> <p>No updates.</p>	
<b>Minute Ref P179/24</b>	<b><u>Financial Statement</u></b>	
	None	
<b>Minute Ref P180/24</b>	<b><u>Other Correspondence</u></b>	
	None	
<b>Minute Ref P181/24</b>	<b><u>Items for information and discussion only</u></b>	
	<p>i. Cornwall Council – Weekly List of Planning Decisions</p> <p>D McLeod notified Members that Planning Application PA23/10287 – 17 Century Court, previously been objected to by the Committee, (see Minute Ref: P122/24(2)) had now been withdrawn:</p>	
	<p>ii. Off-Street Parking Order 2024</p>	

	<p>The Chair updated Members.</p> <p>iii. PA22-06713 Appeal Dismissed</p> <p>Land East of Hotel California, Pentire Crescent, TR7 1PU</p> <p>The Chair updated Members.</p>	
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<p><b>Minute Ref</b> <b>P182/24</b></p>	<p><b><u>Date and time of next meeting</u></b></p> <p>The next Planning &amp; Licensing Committee meeting will take place on Wednesday 13<sup>th</sup> March 2024 at 6:00pm in the Council Chamber, Municipal Offices, Marcus Hill, Newquay TR7 1AF.</p> <p><b>The Chair thanked Members for their attendance and exited the meeting at 20:58pm</b></p> <p><b>Signed.....</b></p> <p><b>Date.....</b></p> <p><b>Chair Cllr J Kenny</b></p>	
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