

	<p>Minutes of the Planning & Licensing Committee Meeting held on Wednesday 10th May 2023 at 6:00 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay.</p>	
	<p><u>Present</u> Cllr J Bell, Cllr J Brook, Cllr J Kenny, Cllr N Morris, Cllr M North Cllr S Slade, Cllr S Thomson, Cllr D Creek.</p> <p><u>Also attending</u> D McLeod (Corporate Service) There were two members of the public in attendance.</p>	
	<p><u>Election of Chair for the Civic Year 2023-24</u></p>	
Minute Ref P159/23	<p>It was proposed by Cllr N Morris, second by Cllr S Thomson and RESOLVED unanimously to elect Cllr J Kenny as Chair of Newquay Town Council's Planning & Licensing Committee for the Civic Year of 2023/24.</p>	
Minute Ref P160/23	<p><u>Election of Vice Chair for the Civic Year 2023-24</u></p> <p>It was proposed by Cllr J Brook, second by Cllr S Slade and RESOLVED by majority to elect Cllr S Thomson as Vice Chair of Newquay Town Council's Planning & Licensing Committee for the Civic Year of 2023/24.</p>	
	<p>6:03pm – Cllr D Creek left the meeting.</p>	
Minute Ref P161/23	<p><u>Apologies</u> Cllr R Souray</p>	
Minute Ref P162/23	<p><u>Interests</u></p>	

	<p>Cllr J Kenny stated she would not be taking part in the consideration of agenda item 12.7 (planning application PA21/05390).</p> <p>Cllr J Brook was advised that his involvement with the ongoing protests at Whipsiderry did not preclude him from taking part in agenda items 9.1 & 9.2 - Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic, Whipsiderry Cliffs.</p>	
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Minute Ref P163/23	<p><u>Meeting Management Issues</u></p> <p>None</p>	
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Minute Ref P164/23	<p><u>Minutes</u></p> <p>i. 26 April 2023</p> <p>D McLeod apologised that the minutes for this meeting were not yet available but would be presented at the next available meeting.</p>	
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Minute Ref P165/23	<p><u>Matters Arising</u></p> <p>None</p>	
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Minute Ref P166/23	<p><u>Public Question Time</u></p>	
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	<p>A representation was made by the agent in favour of planning application PA23/02717 (agenda item 12.01)</p>	
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Minute Ref P166/23 (1)	<p>It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to bring forward agenda item 12.01 (PA23/02717) in order that decision be made before returning to the remaining agenda items.</p>	
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	Application 1	Central & Pentire	
	Reference	PA23/02717	
	Proposal	Application for Permission in Principle for proposed conversion of building for up to 4 self-	

		contained units of accommodation (minimum 1; maximum 4)	
	Location	Former John Julian Building the Workshops Berry Road TR7 1AP	
	Applicant	Mr And Mrs Adamberry	
	Grid Ref	181340 / 61618	
Minute Ref P166/23 (2)	Decision	It was proposed by Cllr J Brook, second by Cllr M North and RESOLVED unanimously to SUPPORT application PA23/02717	
	Comments	When considering this application, Members had note for Newquay Neighbourhood Plan policy E1(a) - Safeguarding Existing Employment Sites, which seeks to protect some commercial sites from a change of use. Whilst the principle of repurposing the former John Julian Building is broadly welcomed, Members agreed that conversion to residential use will only be supported where another commercial use cannot be found, or it can be demonstrated the existing use is no longer viable. Looking towards a stage 2 (technical detail) application, Members are keen that accessibility issues are fully considered when designing the accommodation units.	ACTION - post SUPPORT on CC Planning Register
		6:24pm – The members of the public left the meeting.	

Minute Ref P167/23	<u>Active Consultations</u>	
	<p>i. Closure Intention – Footpath 37 in Parish of Newquay</p> <p>Members noted the Closure intention, (made under Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic) was directly related to the ongoing works associated with planning permission C2/07/00913 (site of the former</p>	

	Paradise Cove Hotel, Whipsiderry). Members expressed strong concerns regarding the possibility of the pathway closure becoming permanent. D McLeod explained that any representation would need to be made to the Utility company named on the Closure Intention Notice (Teign Consulting).	
Minute Ref P167/23 (1)	It was proposed by Cllr J Brook, second by Cllr N Morris, and RESOLVED unanimously to OBJECT to the closure intention.	ACTION – submit representation to Teign Consulting
	<p>ii. Closure Intention – Whipsiderry Steps, Porth</p> <p>Again, Members noted the Closure intention, (made under Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic) was directly related to the ongoing works associated with planning permission C2/07/00913 (site of the former Paradise Cove Hotel, Whipsiderry).</p> <p>Members questioned the purpose of the closure and expressed concerns about potential restrictions on access to Whipsiderry beach for both residents and visitors.</p>	
Minute Ref P167/23 (2)	It was proposed by Cllr S Thomson, second by Cllr N Morris, and RESOLVED unanimously to OBJECT to the closure intention.	ACTION – submit representation to Teign Consulting
Minute Ref P168/23	<u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u>	
	<p>Licensing Ref Not Given</p> <p>i. Street Trading Consent – Whiskers 5-7 Gover Lane, Newquay TR7 1ER</p>	
	<p>D McLeod gave Cllrs a brief overview of the application.</p> <p>Members raised concerns around the possible obstruction of the public highway, the collection of litter and the potential hazard posed by the absence of a guardrail on the step.</p>	

Minute Ref P168/23 (1)	It was proposed by Cllr N Morris, second by Cllr J Bell, and RESOLVED unanimously to submit a representation in response to this application for a Street Trading Consent.		ACTION – D McLeod
	Licensing Ref LI23_001977	i. LA03 Grant – Barouche, Unit 1 The Coach House, Cribbar Yard, Bank Street TR7 1EP	
Minute Ref P168/23 (2)	D McLeod gave Cllrs a brief overview of the application.		
	It was proposed by Cllr N Morris, second by Cllr J Bell, and RESOLVED unanimously that no representation be made in response to LA03 application LI23_001977		
Minute Ref P168/23 (3)	ii.	LA03 Hearing Update – Jampen Football Golf, Porth Island	
	Cllr J Kenny reported that she had attended the Hearing of the LA03 Sub-Committee on 03 May 2023, and that, after several amendments, including a reduction in the area for licensable activities, the premises licence had been granted.		
Minute Ref P169/23	<u>To discuss and make any decisions on previous Planning Applications</u>		
	Planning Ref PA23/00176	i. Ravensbury Hotel 61 Pentire Avenue TR7 1PD	
	Six Cllrs responded to this Five-Day Protocol, with all Agreeing to Disagree with the Officer's recommendation to Approve the application.		
	Planning Ref PA22/07217	ii. Land at Bedowan Meadows	
	Five Cllrs responded to this Five-Day Protocol, with the majority Agreeing to Disagree with the Officer's recommendation to approve the application.		
	Planning Ref PA23/0330	iii. 43 Bank Street TR7 1DJ	

	Five Cllrs responded to this Five-Day Protocol, with all Agreeing to Disagree with the Officer's recommendation to Approve the application.	
Minute Ref P169/23 (1)	It was proposed by Cllr J Kenny, second by Cllr N Morris, and RESOLVED unanimously to ratify the above decisions.	

Minute Ref P170/23	<u>To consider Planning Applications and correspondence relating to Planning Applications</u>	
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	Application 2	Central & Pentire	
	Reference	PA23/02962	
	Proposal	Retrospective Change of Use of building to mixed use for retail and food and drink (Use Class E)	
	Location	The Old Coach House, Bank Street TR7 1EP	
	Applicant	Mr B Riley Trans Surf Limited (Trading as Married to the Sea)	
	Grid Ref	180862 / 61617	
Minute Ref P170/22 (1)	Decision	It was proposed by Cllr N Morris, second by Cllr S Thomson and RESOLVED unanimously to RAISE NO OBJECTION to PA23/02962	
	Comments	Members noted the Old Coach House had been renovated and repurposed in 2022 and were unaware of any issues associated with the businesses now operating here. As a retrospective application, Members agreed they would raise No Objection to the change of use applied for.	ACTION - post NO OBJECTION on CC Planning Register

	Application 3	Porth & Tretherras	
	Reference	PA23/02880	
	Proposal	Proposed Widened Vehicular access, dropped kerbs and pavement crossing	
	Location	5 Porth Way TR7 3LP	
	Applicant	Mr & Mrs Derek & Michelle Tobin	

	Grid Ref	182995 / 62155	
Minute Ref P170/22 (2)	Decision	It was proposed by Cllr S Thomson, second by Cllr M North, and RESOLVED unanimously to raise OBJECTION to PA23/02880	
	Comments	<p>This stretch of Porth Way is largely characterised by dwelling houses that enjoy well-enclosed, street-facing gardens, and which benefit from a single dropped kerb and pavement crossing for vehicular access. Members were unhappy that the proposal to widen this access would result in the loss of a section of green verge, as well as the front garden wall – both of which are seen as causing unnecessary harm to the existing street scene. In addition, the proposed widening of the driveway on the side adjacent to Alfred House was seen as problematic because the street signage for the Porth 'four-turnings' roundabout sits immediately in front of the area in question. Given the sloping topography, the management of surface water run-off should be a key consideration in this location. However, Members noted that whilst the Application Form states that tarmac would be used for the newly created hard standing, drawing no.11 REV B indicates the surface to be either made of porous materials or that surface water run-off would be directed to a soakaway. This aspect of the proposed works appears vague and undecided and needs to be firmed up. Newquay Neighbourhood Plan Policy G2(h) - Development Principles – seeks to ensure that non-permeable (rather than simply porous) materials are used for any hard standing. Whilst it is recognised this is a householder development, Members</p>	ACTION - post OBJECTION on CC Planning Register

wished to note their regret at the loss of the soft landscaping in the front garden. There is some uncertainty as to whether this can be addressed via policies from the new Climate Emergency DPD and the view of the Case Officer would be appreciated.

	Application 4	Porth & Tretherras	
	Reference	PA23/03406	
	Proposal	Non Material Amendment (1) to Application No. PA15/04171 dated 11th October 2018 for Construction of up to 800 dwellings (Use Class C3); two local centres comprising up to 1,200 square metres net of floorspace in Use Classes A1, A2, A3, A4, A5, B1 and D1 including a convenience store (Use Class A1) of up to 280 sq m net; a new junction arrangement on the consented Newquay Strategic Route to form principal site access; potential secondary vehicular, pedestrian and cycle linkages; internal estate roads; public open space; landscaping; a sustainable urban drainage system; utility connections; and associated engineering, infrastructure and earth works. Outline with all matters reserved, namely, amendment to Phasing Plan 0432- 2011 and wording of Condition No. 10	
	Location	Land At Chapel Gover Newquay Growth Area Newquay	
	Applicant	Hautot Developments Ltd	
	Grid Ref	Not Given	
Minute Ref P170/22 (3)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to SUPPORT PA23/ 03406	
	Comments	Members appreciated there had been delays with the construction of the Newquay Strategic Route and appreciated the reasoning behind this non-material amendment.	ACTION - post SUPPORT on CC Planning Register

	Application 5	Trenance	
	Reference	PA23/02777	
	Proposal	Conversion of a single garage into a two-story building with a workshop, bicycle and surfboard storage and a home office above	
	Location	136 Mount Wise TR7 1QP	
	Applicant	Frances Ottewill	
	Grid Ref	180592 / 61408	
Minute Ref P170/23 (4)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Bell and RESOLVED unanimously to OBJECT to PA23/02777	
	Comments	<p>The Newquay Character Study (character cell 10a) notes the stepped pattern of development along the sloping topographies in this part of the town and seeks to ensure any infill development on the main streets retains the scale and rhythm of the street frontage, building lines and roofscape. Members agree that converting the existing garage into a two-storey building would fail to maintain this “scale and rhythm” and would result in a structure quite at odds with its surroundings. Further concerns exist that permitting this conversion would set an unwanted local precedent for similar incongruous structures. Replacing the existing up-and-over type garage door with traditional double hung doors is viewed as a potential safety hazard to pedestrians walking along St John’s Road – there appears to be little way of checking the pavement is clear when opening them from the inside; when fully or even partly open, they would surely cause a significant obstruction that would see pedestrians</p>	ACTION - post OBJECTION on CC Planning Register

	<p>having to walk into the road to avoid.</p> <p>Members were unsure if the creation of a balcony at first floor level would result in a loss of privacy to no.45 and would appreciate the opinion of the Case Officer on this point.</p>	
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Minute Ref P170/23 (5)	<p>19:58hrs</p> <p>It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to extend the meeting by up to 60 minutes.</p>
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	Application 6	Trenance	
	Reference	PA23/02567	
	Proposal	Retrospective application for Change of Use from C1 Guest House to Sui Generis HMO (8 Persons) currently operating as a C4 HMO without planning permission	
	Location	55 St Georges Road TR7 1RD	
	Applicant	Mr Ben Douglas – Douglas Property Management	
	Grid Ref	180744 / 61351	
Minute Ref P170/23 (6)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to RAISE NO OBJECTION to PA23/02567	
	Comments	<p>Members noted there were several public comments supporting the application and were unaware of any complaints or issues linked to this House of Multiple Occupation. When assessing the application against Newquay Neighbourhood Plan policy H3 – HMOs, the Committee were satisfied that the proportion of buildings used in full or part as an HMO within 100 metres of street length either side of the application site did not exceed 5%. As a retrospective application, Members agreed they would</p>	ACTION - post NO OBJECTION on CC Planning Register

	raise No Objection to the change of use applied for.	
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	Cllr J Kenny left the room.	
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	Application 7	Central & Pentire	
	Reference	PA23/03067	
	Proposal	New Dwellinghouse to substitute the approved detached Annexe (PA21/05390)	
	Location	Pine Hollow 2 Fistril Crescent TR7 1PQ	
	Applicant	Mr Rupert Evers – Net Zero Living	
	Grid Ref	179262 / 61357	
Minute Ref P170/23 (7)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to raise OBJECTION to PA23/03067	
	Comments	Whilst Members noted the financial constraints that currently prevent the construction of the annexe permitted under PA21/05390, it is understood that such concerns cannot be viewed as material planning considerations. In resolving to object to the current proposal, Members recalled condition 3 of PA21/05390; this states that the proposed annexe would be inappropriate for occupation independent of the main dwelling by virtue of the physical relationship between the annexe and the main house which would create inadequate levels of residential amenity for the occupiers of both in accordance with Paragraph 130 of the National Planning Policy Framework 2021.	ACTION - post OBJECTION on CC Planning Register

	Cllr J Kenny re-joined the meeting.	
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Minute Ref P171/23	<u>Terms of Reference and Risk Assessment Update</u>	
	None	
Minute Ref P172/23	<u>Reports and any associated Recommendations from Working Parties</u>	
	i. Community Governance Review Working Party	
	ii. Newquay Neighbourhood Plan	
	iii. Parking D McLeod reported that he had not yet actioned the request to Cornwall Council for income and usage data across the Newquay Car Parks (see Minute Ref P103/23 (1)) – and confirmed that a Freedom of Information Request would be required. Cllr Kenny confirmed the specific information required, namely monthly income data and total monthly numbers for each tariff, for each car park.	ACTION – D McLeod to submit FOI Request
Minute Ref P173/23	<u>Financial Statement</u>	
	None	
Minute Ref P174/23	<u>Other Correspondence</u>	
	None	
Minute Ref P175/23	<u>Items for information and discussion only</u>	
	i. Cornwall Council – Weekly List of Planning Decisions Members noted the list of planning decisions for Newquay.	
	ii. EN23/00549 Members note the acknowledgement letter form from Planning Enforcement, following the report of a possible breach, as discussed at the previous meeting (see Minute Ref P157/23)	

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Minute Ref P176/23	<u>Date and time of next meeting</u> The next Planning & Licensing Committee meeting will take place on WEDNESDAY 24 May 2023 at 6:00pm in the Council Chamber, Municipal Offices, Marcus Hill, Newquay TR7 1AF. The Chair thanked Members for their attendance and exited the meeting at 8:31pm Signed..... Date..... Chair Cllr J Kenny	
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