

	<p>Minutes of the Planning & Licensing Committee Meeting held on Tuesday 03 August 2021 at 6:05 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay.</p>	
	<p><u>Present</u> Cllr S Hick (Chair), Cllr J Kenny (Vice Chair), Cllr J Bell, Cllr N Morris, Cllr M North (substitute) and Cllr A Rayner</p> <p><u>Also attending</u> Mr D McLeod & Miss K Stevenson (Corporate Services) There was one member of the public in attendance.</p>	
<p>Minute Ref P564/21</p>	<p><u>Apologies</u></p> <p>Cllr M Buck</p> <p>D McLeod confirmed that the apologies received, combined with the vacant seat on the Committee, meant that Cllr North had been invited to attend the meeting in her role as a named substitute for the Planning & Licensing Committee.</p>	
<p>Minute Ref P565/21</p>	<p><u>Interests</u></p> <p>Cllr S Hick reported that a pecuniary interest had been notified by Cllr N Morris in relation to agenda item 12.11 (PA21/00704). Cllr Morris was advised that for the duration of any discussion around this item he would be expected to leave the room and would not be participating in any subsequent vote.</p>	
<p>Minute Ref P566/21</p>	<p><u>Meeting Management Issues</u></p> <p>The Chair reminded attendees that he would look to sanction a comfort break roughly every hour during the meeting.</p>	
<p>Minute Ref P567/21</p>	<p><u>Minutes</u></p> <p>i. 21 July 2021</p>	

Minute Ref P567/21 (1)	<p>It was proposed by Cllr J Kenny, second by Cllr J Bell, and RESOLVED unanimously that the minutes of the meeting 21 July 2021 were correctly recorded and that they be adopted and signed by the Chairman.</p> <p>Cllr M North abstained as she did not attend on 21 July 2021. Cllr A Rayner abstained, having not read the minutes.</p>	
Minute Ref P568/21	<p><u>Matters Arising</u></p> <p>There were no matters arising.</p>	
Minute Ref P569/21	<p><u>Public Question Time</u></p> <p>D McLeod confirmed no written questions had been received.</p> <p>The Agent for planning application PA21/00704 (agenda item 12.11) attended on behalf of his client.</p>	
Minute Ref P570/21	<p><u>Matters Referred from Full Council.</u></p> <p>Cllr Hick explained he had spoken with the Cornwall Council portfolio holder for Planning and that a form of words to act as a Policy Statement alongside the Neighbourhood Plan Policy H3 had now been drafted. It is understood that this will be made available in time for the next meeting and therefore the item will be deferred and carried over to the next agenda.</p> <p>Cllr J Kenny commented that each application is considered in detail and agreed that there may be an argument for looking closely at the implications associated with individual HMO applications. However, Cllr Kenny questioned the legality of any policy that sought to simply override the Neighbourhood Plan.</p> <p>Cllr Hick noted his understanding that senior Cornwall Council Planning Officers had been involved in preparing the draft policy statement and that it had been looked at by their Legal Services team.</p>	<p>Carry forward to next agenda.</p>

Minute Ref P571/21	<u>Updated Advice from the Cornwall Association of Local Councils – Agenda Items.</u>	
	<p>Cllr S Hick reminded Members that, following advice given at a recent training session delivered by the Cornwall Association of Local Councils (CALC), it was his understanding that committees were being encouraged not to bring items forward during meetings as this may disadvantage members of the public who may have timed their attendance to reflect the order of business as notified on the written agenda.</p> <p>It was then noted that subsequent clarification had, to some extent, contradicted the advice given at the training session.</p> <p>Connectivity issues made it difficult to access the CALC advice online, therefore it was suggested by Cllr Hick the item be deferred until the next meeting.</p>	Carry forward to next agenda.

Minute Ref P572/21	<u>Public Consultations</u>	
	D McLeod reported that there were no active public consultations for consideration.	

Minute Ref P573/21	<u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u>	
-------------------------------	--	--

	Licensing Ref: LI21_002999	i. Street Trading Consent - Land to the front of 44 East Street TR7 1BE	
	<p>Cllr Hick reminded Members that this application for a Street Trading Consent (LI21_002999) had not been received in time for it to be included as a decision item on the previous agenda. D McLeod therefore emailed Members individually on 23 July to ascertain their view on the application, with a majority agreeing that no representation should be submitted. In line with 7.6.8 of the Committee's Terms of Reference, the</p>		

	Licensing Officer was notified of the Town Council's response on 27 July 2021.	
Minute Ref P573/21 (1)	It was proposed by Cllr A Rayner, second by Cllr N Morris and RESOLVED unanimously to give retrospective approval to the decision to submit no representation in response to application LI21_002999.	

Minute Ref P574/21	<u>To discuss and make any decisions on previous Planning Applications</u>	
---------------------------	---	--

	Planning Ref PA21/03058	i. 21 Riverside Crescent TR7 1PJ	
	D McLeod reported that a majority of Members had responded to this Five-Day Protocol by choosing to agree to disagree with the Officer recommendation to approve this application.		
Minute Ref P574/21 (1)	It was proposed by Cllr J Kenny, second by Cllr S Hick and RESOLVED to give retrospective approval to the above decision.		

Minute Ref P575/21	<u>To consider Planning Applications and correspondence relating to Planning Applications</u>	
---------------------------	--	--

Minute Ref P575/21 (1)	It was proposed by Cllr J Kenny, second by Cllr S Hick and RESOLVED unanimously to bring forward agenda item 12.11 (PA21/00704) in order that a decision be made before returning to the remaining items in order. Cllr N Morris abstained.		
	In line with the pecuniary interest notified earlier in the meeting (see Minute Ref P565/21), Cllr N Morris left the room.		

	Application 11	Other _ St Columb Minor & Colan	
	Reference	PA21/00704	
	Proposal	Outline Application for up to 225 residential dwellings including access (all other matters reserved)	

	Location	Land South of A392 Opposite Supermarket, Trevemper, Newquay	
	Applicant	Mr John Marshall Kingsley International Developments Limited	
	Grid Ref	182517 / 60073	
Minute Ref P575/21 (2)	Decision	It was proposed by Cllr J Kenny second by Cllr M North and RESOLVED to raise NO OBJECTION to PA21/00704 Cllr S Hick abstained.	
	Comments	Members expressed their regret at the lack of retailers willing to commit to the previous outline permission. That scheme would have seen the northern part of the site developed for mixed-use, accommodating mainly retail and hospitality businesses. Whilst the demand for housing has been clearly argued, concerns now exist at the pressures that could be placed on the town's infrastructure and at the low level of nearby retail facilities that will be available to residents of this development and those to the immediate east and west of the site. It is noted that this development is actually located outside the Newquay town boundary, but Members recognise that the impacts are likely to be felt across the whole town and will therefore look closely at the reserved matters applications which are expected to follow.	ACTION - post NO OBJECTION on CC Planning Register
	Application 1	Central & Pentire	
	Reference	PA21/05424	
	Proposal	Replacement three storey dwelling	
	Location	22 Riverside Crescent TR7 1PJ	

	Applicant	Mr Pete Fair	
	Grid Ref	178866 / 61347	
Minute Ref P575/21 (3)	Decision	It was proposed by Cllr N Morris, second by Cllr J Kenny and RESOLVED to OBJECT to PA21/05424	
	Comments	<p>Members noted the current public objection to this proposal, along with comments from the architect regarding the absence of a design for the intended rainwater harvesting system.</p> <p>Members also noted from the Design & Access Statement that the Newquay Neighbourhood Plan (NNP) had not been referenced when preparing the proposal.</p> <p>Appendix 5 of the NNP places Riverside Crescent within character area 15: Pentire – Gannel Facing. Although the Study recognises this part of the town is characterised by a mix of architectural styles, it notes this mix mainly comprises two-storey houses or bungalows with dormer extensions. Riverside Crescent itself is typified by such dwellings, which in the main can be seen to sit back from the street side, creating a feeling of openness and space. Members failed to understand how the street-facing frontage detailed in the plans could in any way be considered as “complementary” to its surroundings. It was agreed that the scale of the south-facing boundary wall, which appears to abut the publicly maintained highway, would be wholly at odds with the character of the existing street scene. Likewise, the ground-floor terrace, which appears to extend fully up to this boundary wall, represents a</p>	ACTION - post OBJECTION on CC Planning Register

significant shift in the building line, which again is quite out of keeping with the character of the area. With these factors in mind, Members agreed that the proposal did not comply with NNP design policies D1 or D2, both of which seek to protect/promote an overall sense of place, visual harmony and character.

As described in NNP Policy: LE2 - Valued Landscapes, this Gannel facing location is seen as a valued and sensitive landscape; the application site itself being in very close proximity to a section of the South West Coast Path much used and enjoyed by visitors to the town. Any proposal that appears to have such a detrimental impact on this landscape's visual appeal and amenity will not be supported.

In terms of scale and proximity to no.20, Members were concerned that the proposal would be overbearing and would negatively impact the outlook that currently benefits residents of this neighbouring property.

In terms of the proposed terraces, concerns are raised around overlooking and the loss of privacy that will be experienced by neighbouring properties on both sides. Similar concerns exist around the proposed fenestration, particularly on the west elevation, which overlooks the site currently subject to the extant consent PA18/06239. It was noted that the only mention of overlooking within the design documents relates to protecting the privacy of the future occupiers – given the scale and proximity to neighbouring properties, this seems a significant oversight.

		In terms of scale and mass, the proposed replacement three-storey dwelling is seen as overdevelopment; in terms of design and location, it is seen as being wholly out of keeping with the character of the area and the existing street scene. In addition, it seems likely there would be an unacceptable impact on the amenity of neighbouring properties. On these grounds, Members felt they had no option but to strongly object to the proposal.	
	6:59pm – Cllr S Hick sanctioned a 5-minute comfort break, during which time no business was conducted. 7:05pm - The meeting resumed with all committee members present.		
	Application 2	Trenance	
	Reference	PA21/05613	
	Proposal	Reserved matters application following outline approval (allowed on appeal) of PA14/03927 dated 25th January 2016 for the second phase of the construction of 157 dwellings including appearance, landscaping, layout and scale with variation of condition 3 of decision PA18/12133 dated 13/12/2019	
	Location	Land Northwest of Trevithick Manor Between A392 And Trevemper Road, Trevemper Road TR7 2HS	
	Applicant	RJ Walker (Newquay) Ltd	
	Grid Ref	182050 / 60141	
Minute Ref P575/21 (4)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Bell and RESOLVED to SUPPORT PA21/05613	
	Comments	Members were happy with the reasons put forward to justify this variation of condition 3 of decision PA18/12133.	ACTION - post SUPPORT

			on CC Planning Register
	Application 3	Trenance	
	Reference	PA21/05621	
	Proposal	Reserved matters application following outline approval (allowed on appeal) of PA14/03927 dated 25th January 2016 for the construction of 173 dwellings including appearance, landscaping, layout and scale with variation of condition 4 of decision PA18/10371 dated 26/11/2019	
	Location	Land North West Of Trevithick Manor Between A392 And Trevemper Road Trevemper Road TR7 2HS	
	Applicant	RJ Walker (Newquay) Ltd	
	Grid Ref	182050 / 60141	
Minute Ref P575/21 (5)	Decision	It was proposed by Cllr N Morris, second by Cllr J Kenny and RESOLVED unanimously to SUPPORT PA21/05621	
	Comments	Members were happy with the reasons put forward to justify this variation of condition 4 of decision PA18/10371.	ACTION - post SUPPORT on CC Planning Register
	Application 4	Trenance	
	Reference	PA21/05844	
	Proposal	Development of a petrol filling station (PFS) including a new sales building, underground tanks, pump island / canopy, forecourt, car parking, landscaping, boundary treatments, drainage infrastructure, associated access	

		arrangements and associated infrastructure with variation of condition 12 in respect of decision PA19/04978	
	Location	Land North West Of Trevithick Manor Between A392 And Trevemper Road, Trevemper, Newquay	
	Applicant	RJ Walker (Newquay) Ltd	
	Grid Ref	182050 / 60141	
Minute Ref P575/21 (6)	Decision	It was proposed by Cllr J Kenny, second by Cllr A Rayner and RESOLVED unanimously to SUPORT PA21/05844	
	Comments	Members were happy to accept the rewording of condition 12. The comments made by Public Protection were noted and Members agreed that a condition limiting the use of the car wash and vacuum to 'daytime' hours should be added to any permission granted. Limiting the hours of use to within 8am and 8pm was seen as an appropriate restriction.	ACTION - post SUPPORT on CC Planning Register

	Application 5	Trenance	
	Reference	PA21/05942	
	Proposal	Variation of Condition 2 (approved plans) of Application No. PA19/04978 dated 18th December 2019 (Development of a petrol filling station (PFS) including a new sales building, underground tanks, pump island / canopy, forecourt, car parking, landscaping, boundary treatments, drainage infrastructure, associated access arrangements and associated infrastructure)	
	Location	Land North West Of Trevithick Manor Between A392 And Trevemper Road, Trevemper, Newquay	

	Applicant	RJ Walker (Newquay) Ltd N/A	
	Grid Ref	182050 / 60141	
Minute Ref P575/21 (7)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Bell and RESOLVED unanimously to SUPPORT PA21/05942	
	Comments	Members noted the reason for varying the plans and fully welcomed the proposed increase in the number of electric charging points.	ACTION - post SUPPORT on CC Planning Register

	Application 6	Trenance	
	Reference	PA21/06247	
	Proposal	Construction of side and rear pitched roof extension with velux windows, rear terrace and associated internal remodelling	
	Location	62 Sweet Briar Crescent TR7 2JP	
	Applicant	Mr & Mrs Hallam	
	Grid Ref	182258 / 60944	
Minute Ref P575/21 (8)	Decision	It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to SUPPORT PA21/06247	ACTION - post SUPPORT on CC Planning Register
	Comments	Members felt there would be little impact on the existing street scene and noted the plot was of sufficient size to accommodate the proposal whilst still retaining a suitable level of amenity space for the property. Comments from SW Water were noted, but in line with Newquay Neighbourhood Plan Policy H1 - Replacement Dwellings and	

		Extensions - Members were happy to support this application.	
	Application 7	Trenance	
	Reference	PA21/05786	
	Proposal	Proposed new extension to existing supermarket to form new home shopping delivery warehouse with associated delivery vehicle canopy, plant, service yard area including new fence line.	
	Location	Morrisons, Treloggan Road TR7 2GZ	
	Applicant	Wilkinson Wm - Morrisons Supermarket Plc	
	Grid Ref	182474 / 60208	
Minute Ref P575/21 (9)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Bell and RESOLVED unanimously to SUPPORT PA21/05786	
	Comments	It was noted that there would be no reduction in the level of disabled parking provision; however, there was some uncertainty as to where these designated spaces would be relocated. Members would therefore appreciate clarification on this point if at all possible. Provision for taxi pick up points should also be retained.	ACTION - post SUPPORT on CC Planning Register
	Application 8	Porth & Tretherras	
	Reference	PA21/06071	
	Proposal	Addition of balcony	
	Location	69 Cavendish Crescent TR7 3DS	
	Applicant	Mrs Emma Hillman	
	Grid Ref	182887 / 61059	
Minute Ref P575/21 (10)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Bell and RESOLVED unanimously to raise NO OBJECTION to PA21/06071	

	Comments	Whilst no objection has been raised at this point, Members did struggle with the plans provided. The Location Plan appears to have been colour coded, but there is no key to explain what the different coloured areas mean. The application also lacks a detailed Block Plan that would clearly illustrate the extent of the proposed balcony in relation to the property boundary. The absence of any contextual drawings/visualisations led to some concern as to how well this new construction would fit in with the existing building and its neighbours. Members would therefore ask the Officer to carefully assess the visual impact and to confirm that neighbouring properties would not suffer a loss of privacy.	ACTION - post NO OBJECTION on CC Planning Register
	Application 9	Central & Pentire	
	Reference	PA21/07332	
	Proposal	Non-material amendment (NMA1) for relocation of existing first floor side elevation window from the bathroom to the bedroom to PA21/09903 dated 16/02/2021	
	Location	1 Surf View, Camullas Way TR7 1PP	
	Applicant	Mrs F Harrington	
	Grid Ref	Not Given	
Minute Ref P575/21 (11)	Decision	It was proposed by Cllr M North, second by Cllr N Morris and RESOLVED unanimously to SUPPORT PA21/07332	
	Comments	Members agreed the proposed change to the previously agreed fenestration was	ACTION - post SUPORT on CC

		minimal and would therefore be quite acceptable.	Planning Register
	Application 10	Whipsiderry	
	Reference	PA21/06270	
	Proposal	Creation of an off-street parking area to the front of 57a Church Street	
	Location	57A Church Street, St Columb Minor TR7 3ES	
	Applicant	Graham Stevenson	
	Grid Ref	183893 / 62121	
Minute Ref P575/21 (12)	Decision	It was proposed by Cllr N Morris second by Cllr M North and RESOLVED to OBJECT to PA21/06270 Cllr S Hick & Cllr A Rayner both abstained.	
	Comments	Members raised concerns around the proximity of the proposed parking in relation to the junction opposite and to the access lane running along the side of the building. In addition, there was some uncertainty as to whether the space available would be sufficient for vehicle parking. However, it was noted that Highways would be able to provide a more informed view as to the overall suitability of the site. When considering this application, Members noted that the space to the rear of the property would appear to have already been put aside for vehicle parking. If the front garden remains the only green/amenity space for this property, then Members would be unhappy to see it go. This stretch of Church Street is to some extent characterised by the unspoilt nature of the terraces, and it was felt that keeping the front gardens intact	ACTION – post OBJECTION on CC Planning Register

would contribute to preserving the village character of the area. Members would not wish to set a precedent that could lead to the loss of the architectural merit of the road.

**Minute Ref
P576/21**

Terms of Reference and Risk Assessment

There were no updates.

**Minute Ref
P577/21**

Reports and any associated Recommendations from Working Parties

i. Newquay Neighbourhood Plan

No Update

ii. Derelict Buildings

Cllr North updated Members on the road works associated with the demolition of the Fistral Bay Hotel, which are currently in place on Pentire Avenue. It was widely felt that the timing of the demolition and subsequent road closures were wholly inappropriate, given how busy the town is during the summer season.

Cllr Hick requested that D McLeod contact Planning on behalf of the committee to express concern at the disruption caused to holiday traffic and to request confirmation that the correct permissions were in place for road closures.

**D McLeod
to contact
CC
Planning**

iii. Community Governance Review Working Party

Cllr Hick reiterated his understanding that the Community Governance Review is currently in abeyance.

Cllr Kenny noted that any update to the Neighbourhood Plan would be dependent on the completion of the Community Governance Review.

Minute Ref P578/21	<u>Financial Statement</u>	
	D McLeod confirmed there had been no spend and that there were no outstanding payments to be authorised.	
Minute Ref P579/21	<u>Other Correspondence</u>	
	D McLeod reported that Planning had provided updates for three ongoing applications:	
	<p>i. PA21 04704 - Update from the Planning Officer</p> <p>38 Trevean Way TR7 1TW - D McLeod reported that Planning had been in touch to confirm their view that there was now no loss of privacy to the neighbouring property. The application would therefore be approved under delegated authority.</p>	
	<p>ii. PA21 05753 - Update from the Planning Officer</p> <p>27 Trevemper Road TR7 2HS - D McLeod reported that Planning had confirmed their view that levels of natural light in the proposed annexe would be acceptable and that a standard annexe/holiday condition would be included on any permission granted.</p>	
	<p>iii. PA21 04732 - Update from the Planning Officer</p> <p>Land on Gannel Road, Newquay - D McLeod reported that Public Protection had confirmed there would be no statutory noise nuisance resulting from the proposal and that Planning were therefore minded to approve the prior notification. It is understood that noise issues relating to the existing cabinet were currently being investigated by CC Public Protection.</p>	

Minute Ref P580/21	<u>Items for information and discussion only</u>	
	Members were made aware that the Town Council had been contacted by a student seeking local/specialist insights on Nansledan as part of his Masters Dissertation.	
Minute Ref P581/21	<u>Date and time of next meeting</u> The next Planning & Licensing Committee meeting will take place on Wednesday 18 August 2021 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 8:21 pm Signed..... Date..... Chair Cllr S Hick	