

Newquay Town Council – Planning & Licensing Committee

Important Information

COVID_19 – changes to the way our meetings work

The virus responsible for the COVID-19 outbreak has meant we've had to change the way we do some things at the Town Council. We have now returned to face-to-face meetings in the Council Chambers at Marcus Hill – however, we are still observing social distancing measures wherever possible. Please see the Public Information document on the meeting page for further information.

Commenting to the Town Council

Cornwall Council operates as both our Local Planning Authority (LPA) and our Licensing Authority, and in the first instance they are the decision maker for all planning and licensing matters across the county. However, **Newquay Town Council** acts as a statutory consultee for all planning applications within the town and frequently comments on local licensing applications. If you have views regarding such matters, you can bring these to the attention of our Planning & Licensing Committee and we will consider them when making our own response.

Written Questions or Representations for the Town Council's Planning & Licensing Committee should be submitted either by emailing office@newquay.town or by writing to the Planning & Licensing Administrator at *Newquay Town Council, Municipal Offices, Marcus Hill, Newquay TR7 1AF*.

Attending Meetings - Members of the Public can attend our meetings, subject to venue capacity limitations and ongoing COVID measures. We welcome spoken representations and questions for the committee, but these must relate to the business listed on the agenda for that meeting (see our Public Info document for more detail).

Should you wish to attend a meeting of the Planning & Licensing Committee we would be grateful if you could let us know in advance. Please either email office@newquay.town or use the phone details at the bottom of this page.

We also provide a live stream of our meetings on the Newquay Town Council Facebook Page: www.facebook.com/newquaycouncil (please be aware that we do not monitor the comments made on Facebook during the meeting).

Commenting to Cornwall Council (our Local Planning Authority)

Wherever possible we recommend that you also comment directly to Cornwall Council. You can do this up until the Consultation expiry date. Guidance on how to comment on a planning matter can be found [here](#). Details of licensing applications and how to comment on them can be found [here](#).

If you have any queries regarding the above information, please contact us during office hours (9am – 5pm) by phoning **01637 878388** and choosing **Option 4** then **Option 1**



Applications - Info – Responses
NTC Planning & Licensing Committee - 28 February 2024

Central & Pentire	Porth & Tretherras	Trenance	Whipsiderry
Application 01	Trenance		
Type	Application under Section 73 of TCP Act		
Reference	PA24/00267		
Proposal	Erection of three dwellings without compliance with Condition 2 and 6 of decision notice PA22/11190 dated 12/06/2023		
Location	Land South Of 23 Mount Wise TR7 2LU		
Applicant	Mr and Mrs Adamberry LSC		
Town Council Response	NO OBJECTION: 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.		
Application 02	Porth & Tretherras		
Type	Planning Permission		
Reference	PA24/00762		
Proposal	Small single storey rear extension, room in roof extension and internal GF redesign.		
Location	7 Manewas Way TR7 3AJ		
Applicant	Mr Dean Gillingham		
Town Council Response	OBJECTION: 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		

	<p>noticeable loss of privacy 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>
Application 03	Whipsiderry
Reference	PA24/00493
Type	Planning Application
Proposal	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).
Location	Trebelsue Farm TR8 4AN
Applicant	Mr Sam Watkins - Vision Nine Entertainment Group Limited
Town Council Response	<p>NO OBJECTION: 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</p>

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 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.
Application 04	Central & Pentire
Type	Non Material Amendment
Reference	PA24/00941
Proposal	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).
Location	5-7 Lowen Brae, Springfield Road TR7 1RT
Applicant	Mr R Hamilton
Town Council Response	OBJECTION: Cllrs fully agreed with the comments from the Highways Development Management team regarding the risk to safety that would result from the proposed off-road parking space.
Application 05	Porth & Tretherras
Type	Application under Section 73 of TCP Act
Reference	PA24/01012
Proposal	Removal/Variation of Condition 5 (timber cladding) of Application No. PA23/02484 dated 6th July 2023 (Extensions and modifications to existing dwelling (revised scheme following PA22/03181))
Location	28 Lusty Glaze Road TR7 3AE
Applicant	Mr C Chesser
Town Council Response	OBJECTION: 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. 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 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.
Application 06	Whipsiderry
Type	Listed Building Consent
Reference	PA24/00470
Proposal	Listed Building Consent for Change of Use from annexe to dwelling and removal of front boundary wall
Location	Hope Cottage, Stanways Road TR7 3HF
Applicant	Mrs Caroline Short-Hurst
Town Council Response	OBJECTION: 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.
Application 07	Central & Pentire
Type	Application under Section 73 of TCP Act
Reference	PA23/10292
Proposal	Extend apartment block by a further three apartments without compliance with condition 2 of decision notice PA19/06004 dated 30/09/2019.
Location	Trevilson, 31 Pentire Avenue TR7 1PB
Applicant	Mr Dan Anson-Hart - Cornwall Living Property Ltd
Town Council Response	OBJECTION: 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?

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 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.

Application 08	Porth & Tretherras
Type	Planning Permission
Reference	PA23/08894
Proposal	Conversion of House into two flats
Location	25A Quintrell Road TR7 3DY
Applicant	Mr Mark Coventry
Town Council Response	NO OBJECTION: 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.