

	<p>Minutes of the Planning & Licensing Committee Meeting held on Wednesday 04th January 2023 at 18:00 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay.</p>	
	<p><u>Present</u> Cllr J Kenny (Chair), Cllr N Morris (Vice Chair), Cllr C Anderson, Cllr J Bell, Cllr J Brook. Cllr S Hick attended in his role as a Town Councillor, but without voting rights on the Planning & Licensing Committee.</p> <p><u>Also attending</u> D McLeod & M Mee (Corporate Service) There were 9 members of the public present in the Public Gallery.</p>	
Minute Ref P416/22	<p><u>Apologies</u> Cllr M North, Cllr K Larsen, Cllr F Williamson</p>	
Minute Ref P417/22	<p><u>Interests</u> None</p>	
Minute Ref P418/22	<p><u>Meeting Management Issues</u> None</p>	
Minute Ref P419/22	<p><u>Minutes</u> There were no minutes to review in this meeting</p>	
Minute Ref P420/22	<p><u>Matters Arising</u> None</p>	
Minute Ref P421/22	<p><u>Public Question Time</u></p>	
	<p>Six representations were made for Planning Application PA22/10572 (Agenda item 10.09) (Five objecting, one supporting)</p>	

Minute Ref P421/22 (1)	It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to bring forward agenda item 10.09 (PA22/10572) in order that a decision be made before returning to the remaining agenda items	
	Application 9 Central & Pentire	
	Reference PA22/10572	
	Proposal Full Planning Permission for residential development (Use Class C3) and hotel development (Use Class C1), car and cycle parking, landscaping; and all ancillary works including demolition of all existing buildings and structures	
	Location Land At Hotel Bristol Narrowcliff TR& 2PQ	
	Applicant Mr Simon Ismail Salboy (Narrowcliff Newquay) Limited	
	Grid Ref 181952 / 62050	
Minute Ref P421/22 (2)	Decision It was proposed by Cllr N Morris, second by Cllr S Thomson and RESOLVED unanimously to OBJECT to PA22/10572	
	Comments OBJECTION: Newquay Town Council is aware of the significant level of strong local objection regarding this application, as evidenced by the number of public comments posted on the Cornwall Council Planning Register. Whilst it is recognized that local consultation has been carried out by the applicant, including engagement with the Town Council, it is felt that the level of public objection, and apparent lack of public support, indicates the current proposals have failed to address the concerns raised by Newquay's residents. Members of the Town Council's Planning & Licensing Committee share many of the concerns that	ACTION – post OBJECTION on CC planning register

have been raised. When considering the scale and mass of the proposed development, attention was drawn to Newquay Neighbourhood Plan (NNP) policy G2 - Development Principles. This policy exists as a response to local dissatisfaction at a number of developments in the town which are considered overly dominating, and which have harmed the look and feel of Newquay. Within policy G2, item (c) requires that new development should respect the height of neighbouring properties. The existing buildings on the site range from 2 to 4 storeys, with the adjacent Cliff Edge apartments providing a useful example of new development designed and built to respect the ridge height of existing buildings along Narrowcliff. The current proposals reach 10 storeys at their peak. Whilst it is accepted the application site provides an opportunity for investment, Members agreed that the scale and mass of the current proposals could not be justified and would be wholly at odds with G2(c). NNP Policy D1 - Key Principles - Design and Guidance Statement - seeks to ensure that all new development fits well and enhances the existing character of Newquay. As part of this policy, D(a)1 advises that new development should provide good enclosure to the public realm, with buildings of comparative scale that contribute to an active frontage. This 10-storey development is not considered to be of comparative scale.

Members were aware that the current design seeks to reduce the building height visible from the street through the setting back of the uppermost floors. However, it is felt this strategy would provide limited mitigation, given the overall scale of the proposals. Any mitigation is further watered down by the location of the site, where there is no pavement on the opposite side of the public highway. Pedestrians traversing this part of the town are as likely to use the footpath and grassed areas of the Barrowfields as they would the pavement abutting the proposed development. As such, they would naturally have a more distanced and fuller view of the building's full, overbearing height, seriously reducing the practical effect of setting back the upper floors. When considering the applicant's Town and Visual Impact Assessment, it was felt many of the images provided show that, when viewed in context against existing buildings, the scale of the proposed development dwarfs Narrowcliff, the seafront and many central locations in the town. NNP policy D2 - Scale and location of development, seeks to ensure that proposals which would have a detrimental impact on longer views, skyline views, landscape or townscape are prevented. Members agreed the Visual Impact Assessment demonstrates that the scale of the proposals would have a significant, and therefore detrimental impact, across a wide range of

town views. Policy D2 directs applicants towards the Newquay Character Study (appendix 5 of the NNP) where character cells 9 and 9a describe the local importance of Narrowcliff and the Barrowfields and set the key design principles that should be observed in this sensitive and highly valued part of the town. Again, the need for new development to respect the existing ridge height at 4 storeys is highlighted, in order to create a strong, consistent enclosure without impacting negatively on the historic Barrowfields site or on wider views from across the town. In describing the 'key views to protect', character cell 23 notes that views of the built edge facing onto the coast and the Barrowfields are vitally important to the character and attractiveness of the town. The Character Study describes the two larger developments in this part of the town, Rocklands and One Lusty Glaze, as examples of apartment buildings that are out of scale with their surroundings and which impact badly on views of the town. It is the view of Members that development of the scale described within the current proposal would cause a far greater level of harm to the town than either of these buildings.

The overbearing scale of the proposed development is considered visually harmful to the Barrowfields; however, concerns also exist that there has been little analysis of the level of shadowing that would be created to the

immediate north of the application site and the potentially negative impact this could have across this important public open space. As a site, the Barrowfields provides the setting for an important Bronze Age barrow cemetery, and its significance to the historical origins of the town is well documented, (the Barrows themselves appear on the Heritage List for England as Scheduled Monuments - list entry 1004369). Members noted that the application documents make reference to the rich archaeological character of the site but did not feel the impact of the proposals on this heritage asset had been adequately assessed. Members do not consider the scale of the proposed development can be viewed as either respecting, or contributing to, this historic setting, and it was therefore agreed that the proposals fail to comply with NNP policy HC1 - Protection of the Built Heritage.

The Barrowfields are also afforded some protection under NNP Policy LE-2 Valued Landscapes, which seeks to prevent development that would harm its visual and/or recreational value. Both the Barrowfields and Tolcarne Beach are identified on Map CIa, which identifies leisure sites and open spaces of specific value to the community. Members are aware of local concerns that the recreation value of Tolcarne Beach may be harmed by the scale of the proposals, not just in terms of the development imposing itself on views from the

beach but also due to possible levels of shadow that will be cast, particularly early in the day. Again, little analysis of the potential shadowing effect has been carried out by the applicant. In line with NNP Policy CI3 - Open Spaces, Leisure Facilities, Amenity Space & Green Infrastructure, Members agreed the proposals were likely to reduce the recreational value of both the Barrowfields and Tolcarne Beach and could not, therefore, be supported.

It is clear from the volume of public concern that, although the Hotel Bristol does not appear on the National Heritage List for England, it is considered an important part of Newquay's townscape and does benefit from an Historic Environment Record listing (HER Number MCO67789). The historic environment is an important irreplaceable resource that contributes to Newquay's economy, tourism, education, culture and community identity (see also CLP 2.104); this non-designated heritage asset reflects the early 20th-century urbanisation of this part of Newquay and the town's transformation into a fashionable resort destination. In the minds of many this Edwardian building appears fundamental to local distinctiveness and a sense of place. Its loss is considered to be at odds with NNP policy HC1 - Protection of the Built Heritage.

In accepting the application site provides an opportunity for investment, Members have considered the public benefits that would result

from the current proposals. The addition of 176 accommodation dwelling units to the town may be considered as a benefit, but Members were aware that, as of June 2021, Newquay had already exceeded its target of 4,400 new homes by over 34%. It is also feared that very few of the Private Market apartments would be purchased by local residents. The principle of creating 42 Affordable Homes is welcomed; however, concerns exist that this onsite provision will meet noticeably lesser standards than the 134 units proposed as Private Market housing. This is particularly apparent when assessing the difference in floor space across the two categories of accommodation, with a 1-bed Private apartment benefitting from approximately the same floor space as allocated to a 2-bed Affordable apartment. Members were unhappy that the proposals would result in the creation of a two-tier community on the site, with a very clear difference in the benefits associated with the Private units compared with those deemed Affordable. The response from Cornwall Council's Affordable Housing Team will be monitored carefully.

Concerns are raised that parking provision for the site falls short of that required under the NNP, with all 79 2-bed apartments on the site having been allocated a single parking space, rather than two spaces, as required under policy H4 Parking for Residential Development.

The lack of parking provision will place further demands on an area of the town that is already subject to significant parking pressures, particularly during the summer season.

The inclusion of the high spec 'apart-hotel' is welcomed, in line with NNP policy E3 - Support the Visitor Economy. However, serious concerns are levelled at the layout of the rooms. The idea that each room is designed around a mezzanine bed space that a significant proportion of visitors to the town would find impossible to access is considered unacceptable and unsupportable.

Members noted the Design & Access Statement makes reference to creating a new (and presumably positive) landmark for Newquay.

The scale of the development, as described by the images contained within the Town and Visual Impact Assessment appears to confirm this development would form a new landmark, highly visible from most vantage points within the town - and from many vantage points outside the town too. The scale of the development, as has already been established, is considered to be out of scale with its immediate setting; the 'before and after' images from more distant locations, such as Trevelgue Head, South Quay Hill and Henvor Road, all act to heighten concerns that the scale of the proposed development is at odds with the comparative scale of the whole town. When measured against NNP Policy LE4 -

Protection of Views and Vistas, Members agreed that the scale of the development is such that it would be a negative addition when viewed from most vantage points. Having said this, further concerns are raised that the Viewshed Analysis and Viewpoint Locations document fails to provide views of the development as would be seen from urban Newquay. These are the views that would be experienced by the majority of the town's residents, from their own homes and their own back gardens. It is considered essential that the Visual Impact Assessment is updated to include near and distant views of the south elevation, in order that the impact of the proposals can be fully understood.

Members were surprised at the conclusion of the Daylight and Sunlight study, which appears to indicate that very few nearby properties would be negatively impacted. Members are aware that images have been provided via the Planning Register that would indicate the scale of the development is likely to have a profoundly negative impact on properties immediately south of the application site. Confirmation as to the likely level of harm caused to the residential amenity of properties at the top of Ulalia Road, Colvreath Road and Hilgrove Road is requested from the Case Officer. Members would request that the LPA review the Daylight and Sunlight study and share their findings.

Members were surprised at the conclusion of the Wind Microclimate Report, which appears to indicate that mitigation measures, chiefly in the shape of planting, will largely ameliorate the impact of building a ten-storey apartment block in a location as exposed to high and dangerous winds as Narrowcliff. Members would request that the LPA review the Wind Microclimate Report and share their findings. The RSPB state that most birds collide with windows because they see a reflection of the sky in the glass, or because there is another window or mirror in the room making the bird think there is a way through. Double-glazed windows tend to pose a greater risk than single-glazed since they produce clearer reflections. Given the level of double glazing that will be present in the frontage of the proposed development, along with the high numbers of nesting sea birds in the immediate vicinity, Members voiced concerns that the building will present an ongoing hazard to wildlife.

It was noted that the applicant had engaged with the Cornwall Design Review Panel on two occasions in 2022. The Design & Access Statement informs us the Panel considered 14-storeys to be far too much for the application site. The Town Council would be interested to know what scale of development the Panel had advised would be appropriate.

Minute Ref P422/22	7:32pm – Cllr J Kenny sanctioned a short comfort break, during which time no business was conducted. Cllr C Anderson and Cllr S Hick left the meeting 7:42pm - The meeting resumed with all other Members present.	
Minute Ref P423/22	<u>Active Consultations</u>	
	None	
Minute Ref P424/22	<u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u>	
	None	
Minute Ref P425/22	<u>To discuss and make any decisions on previous Planning Applications</u>	
	Planning Ref i. PA22/09232 – 29 Pentire Crescent TR7 1PU	
	Three Cllrs responded to this Five-Day Protocol, with all three agreeing with the Officer's recommendation to approve the application.	
	Planning Ref ii. PA22/09632 – 11-17 Fore Street TR7 1HB	
	Five Cllrs responded to this Five-Day Protocol, with all five agreeing to disagree with the Officer's recommendation to approve the application.	
Minute Ref P425/22 (1)	It was proposed by Cllr J Kenny, second by Cllr S Thomson, and RESOLVED unanimously to ratify the above decision.	
Minute Ref P426/22	<u>To consider Planning Applications and correspondence relating to Planning Applications</u>	
	Application 1 Trenance	
	Reference PA21/08534	
	Proposal Single Storey Extension	
	Location 97 Meadowside TR7 2TW	

	Applicant	Sara Toke	
	Grid Ref	182064 / 60923	
Minute Ref P426/22 (1)	Decision	It was proposed by Cllr S Thomson, second by Cllr J Kenny and RESOLVED unanimously to NO OBJECTION to PA22/08534.	
	Comments	NO OBJECTION: Members were aware that the single-storey extension appeared to be very close to completion and that it had been constructed on what would have been part of the off-street parking allocated to this property. Whilst the plans show a brick finish to the extension, there is no mention made of this in the drawing notes or in S.7 of the application form. In order to remain in keeping with the existing property, neighbouring properties and the wider street scene, Members agreed that an appropriate level of brick detailing should be added to the exterior walls. It was felt that a plain rendered finish would be at odds with the aesthetic of Meadowside and would have an 'unfinished' look about it.	ACTION -

	Application 2	Whipsiderry	
	Reference	PA22/11050	
	Proposal	Loft conversion with rear dormer, and new front porch.	
	Location	36 Church Street St Columb Minor TR7 3EX	
	Applicant	Mr A White	
	Grid Ref	183880 / 62209	
Minute Ref P426/22 (2)	Decision	It was proposed by Cllr S Thomson, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/11050.	
	Comments	OBJECTION: Members noted the proposals would see a change in roof shape that, as	ACTION – post

seen from the street, would result in a moderate increase in mass and the loss of symmetry of the overall building. Concerns were raised that the proposed excavation and levelling of a significant section front garden would harm the existing street scene. Newquay Neighbourhood Plan policy D2 - Scale and location of development - seeks to promote the Key Design Principles detailed in the Newquay Character Study. Members noted this address sits within a recognized Conservation Area, as detailed in character cell 26, and the loss of the raised lawn is considered harmful to the special character of the historic core of the village. It was felt that the existing and proposed north elevations ought to include the raised front garden, in order that the impact on the street scene could be fully understood. Members questioned whether the proposed parking area was of a suitable size to provide adequate parking and turning space for 3 vehicles. The use of tarmacadam as a 'permeable' surface was questioned, with concerns being raised at the likely increase in surface run-off onto the highway. Confirmation is sought from the Case Officer that the creation of new rear-facing views at first-floor level would not result in a loss of privacy to neighbouring properties.

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Minute Ref
P426/22
(3)

20:00pm It was proposed by Cllr J Kenny, second by Cllr J Brook and
RESOLVED unanimously to extend the meeting by up to 60 minutes.

	Application 3	Whipsiderry	
	Reference	PA22/09819	
	Proposal	Proposed two-storey side extension to create additional accommodation for family members and short-term holiday letting.	
	Location	9 Cross Close TR7 3LD	
	Applicant	Ms Kylie Rayns	
	Grid Ref	183382 / 62068	
Minute Ref P426/22 (4)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to OBJECT to PA22/09819.	
	Comments	OBJECTION: Members recalled their previous objection, noting that the revised description appears to confirm the proposed extension had been designed to operate as a separate self-contained dwelling. Whilst this point has now been clarified, Members noted that Newquay Neighbourhood Plan Policy H1 - Replacement Dwellings and Extensions, seeks to ensure that replacement design is of a high quality. Concerns are raised that the current proposals would result in the creation of a cramped and sub-standard form of holiday accommodation. Further concerns exist around whether the proposed parking arrangements would facilitate safe access to and from the public highway.	ACTION – post OBJECTION on CC planning register
	Application 4	Whipsiderry	
	Reference	PA22/10517	
	Proposal	Amended design of approved summerhouse (PA20/03624) to form yoga studio with new external w.c. & shower facilities.	

	Location	Porth Beach Hotel, Alexandra Road TR7 3NB	
	Applicant	Mr Baf Afrifa	
	Grid Ref	183089 / 63012	
Minute Ref P426/22 (5)	Decision	It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to NO OBJECTION to PA22/10517.	
	Comments	NO OBJECTION: Members noted the amended design and would simply seek confirmation from the Case Officer that proposals for the yoga studio with new external w.c. & shower facilities would not be at odds with plans for the adjacent property, Rolling Waves, Alexandra Road TR7 3NB, currently being consulted on under PA22/10728.	ACTION – post NO OBJECTION on CC planning register

	Application 5	Trenance	
	Reference	PA22/09546	
	Proposal	Erection of 7 new dwellings	
	Location	Land Southwest Of Trevithick Gate, Trevemper TR8 4QD	
	Applicant	Mr Adam Randal Sidings Developments Limited	
	Grid Ref	182230 / 60011	
Minute Ref P426/22 (6)	Decision	It was proposed by Cllr N Morris, second by Cllr J Kenny and RESOLVED unanimously to OBJECT to PA22/09546.	
	Comments	OBJECTION: Members noted local concerns regarding the impact on neighbouring properties and the potential to increase levels of surface water run-off on the site. In addition, the response posted by Highways states that safe and suitable access has not been demonstrated. Members agreed they would require confirmation from the Case Officer that the	ACTION – post OBJECTION on CC planning register

proposals would not harm the residential amenity of neighbouring properties. Further to this, positive responses from Highways, Public Protection, the Lead Local Flood Authority and the Historic Environment Planning team would be required before Members could consider supporting the proposals.

	Application 6	Trenance	
	Reference	PA22/10774	
	Proposal	Outline application (with all matters reserved) for one dwelling (Re-submission of Application No. PA19/05552)	
	Location	Land East Of 1 Treninnick Hill, Treninnick Hill TR7 2JS	
	Applicant	Mr Paul Hoyte	
	Grid Ref	181707 / 61069	
Minute Ref P426/22 (7)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to SUPPORT to PA22/10774.	
	Comments	SUPPORT: Members were aware of their previous endorsement of this scheme under application PA19/05552 and were happy that the current proposals were in keeping with the now lapsed permission from 2019.	ACTION – post SUPPORT on CC planning register
	Application 7	Porth & Tretherras	
	Reference	PA22/10927	
	Proposal	Demolition of existing single-storey rear extension and construction of a larger single-storey rear extension, and relocation of the existing garage.	
	Location	74 Henver Road TR7 3BL	
	Applicant	Mr Handford	

Minute Ref P426/22 (8)	Grid Ref	182753 / 62053	
	Decision	It was proposed by Cllr J Kenny, second by Cllr J Brook and RESOLVED unanimously to SUPPORT to PA22/10927.	
	Comments	SUPPORT: Members were aware of their support for a similar scheme at this address, under application PA21/05021. Although the footprint of the single-storey rear extension would appear greater than that of the original two-storey proposal, Members were satisfied the plot size would continue to provide a more than adequate level of amenity space for this family-sized property.	ACTION – post SUPPORT on CC planning register
Minute Ref P426/22 (9)	Application 8	Whipsiderry	
	Reference	PA22/10722	
	Proposal	Construction of ground floor extension	
	Location	4 Trevelgue Road TR7 3LY	
	Applicant	Mr & Mrs P Woudberg	
	Grid Ref	183222 / 63143	
	Decision	It was proposed by Cllr S Thomson, second by Cllr N Morris and RESOLVED unanimously to NO OBJECTION to PA22/10722.	
	Comments	NO OBJECTION: It was noted that there is at least one east-facing window on the neighbouring property no. 2 Trevelgue Road. Members would therefore seek confirmation from the Case Officer that the proposed ground floor extension would be unlikely to result in a loss of privacy to this near neighbour. Members were satisfied the plot size would continue to afford an appropriate level of amenity space for this family-sized property.	ACTION – post NO OBJECTION on CC planning register

	Application 10	Central & Pentire	
	Reference	PA22/11238	
	Proposal	Non Material Amendment (4) to Application No. PA19/02396 dated 19th July 2019 for Reserved Matters Application following Outline approval PA18/08221 dated 28th November 2018 (access. appearance, landscaping, layout and scale), namely, amendment to approved refuse strategy to include external bin store.	
	Location	Tidelines 2 Pentire Avenue TR7 1PA	
	Applicant	Mr Anthony Cavill EBC Partnerships Ltd	
	Grid Ref	Not provided	
Minute Ref P426/22 (10)	Decision	It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/11238.	
	Comments	OBJECTION: Members noted the proposals appeared to result in the loss of an on-site parking space, with the consequence that the development would no longer meet the requirements of Newquay Neighbourhood Plan policy H4 Parking for Residential Development. If this is the case, Members agreed they would not be able to support the proposed changes to the approved layout and queried whether the application meets the criteria for a Non-Material Amendment.	ACTION – post OBJECTION on CC planning register
	Application 11	Central & Pentire	
	Reference	PA22/11254	
	Proposal	Proposed replacement of existing dormer windows, replacement of existing bay window to rear of first floor level and a proposed external screened terraced area.	
	Location	16 Fernhill Road TR7 1LE	

	Applicant	Andrew Clark	
	Grid Ref	180633 / 61846	
Minute Ref P426/22 (11)	Decision	It was proposed by Cllr S Thomson, second by Cllr J Bell and RESOLVED unanimously to SUPPORT to PA22/11254.	
	Comments	SUPPORT: Members noted the previously proposed first floor rear extension, included under application PA22/08797, had now been removed from the current plans. Whilst the reasoning behind this change was unclear, Members were satisfied that the current proposals were unlikely to have a negative impact on neighbouring properties.	ACTION – post SUPPORT on CC planning register
Minute Ref P427/22	<u>Terms of Reference and Risk Assessment Update</u>		
	No Update		
Minute Ref P428/22	<u>Reports and any associated Recommendations from Working Parties</u>		
	i. Community Governance Review Working Party Cllr Kenny reported that the recommendation from Cornwall Council's Constitution & Governance committee would be considered by Cornwall Council at their meeting scheduled for 31 January 2023.		
	ii. Newquay Neighbourhood Plan Cllr Kenny gave a verbal update regarding future meeting dates for the working party.		
	iii. Parking Cllr Kenny gave a verbal update regarding future meeting dates for the working party.		

Minute Ref P429/22	<u>Financial Statement</u>	
	None	
Minute Ref P430/22	<u>Other Correspondence</u>	
	None	
Minute Ref P431/22	<u>Items for information and discussion only</u>	
	i. Cornwall Council – Weekly List of planning applications	
Minute Ref P432/22	<u>Date and time of next meeting</u> The next Planning & Licensing Committee meeting will take place on WEDNESDAY 18 JANUARY 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 20:55 pm Signed..... Date..... Chair Cllr J Kenny	