

	Minutes of the Planning & Licensing Committee Meeting held on Wednesday 09 November 2022 at 18:03 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay.	
	<p><u>Present</u> Cllr J Kenny (Chair), Cllr N Morris (Vice Chair), Cllr S Thomson, Cllr J Bell, Cllr J Brook, Cllr M North, Cllr F Williamson, Cllr D Creek</p> <p><u>Also attending</u> D McLeod & M Mee (Corporate Services) There were 5 members of the public in attendance.</p>	
Minute Ref P350/22	<u>Apologies</u> Cllr K Larsen	
Minute Ref P351/22	<u>Interests</u> None	
Minute Ref P352/22	<u>Meeting Management Issues</u> None	
Minute Ref P353/22	<u>Minutes</u> <ul style="list-style-type: none"> i. 12 OCTOBER 2022 ii. 26 OCTOBER 2022 	
Minute Ref P353/22 (1)	It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously that the minutes of the meeting for 12 October 2022 and 26 October 2022 were correctly recorded and that they be adopted and signed by the Chairman.	
Minute Ref P354/22	<u>Matters Arising</u> None	

Minute Ref P355/22	<u>Public Question Time</u>		
	<p>Representations were made for two Planning Applications: PA22/08720 (Agenda item 10.01), and Planning Application PA22/07359 (Agenda item 10.07)</p> <p>There was a written question was received from Mr P Sherry regarding the Town Council's recent decision to raise no objection to planning application PA22/06056 – Marina Hotel, Narrowcliff TR7 2PL (See Minute Ref: P310/22(5)).</p>		
Minute Ref P355/22 (1)	<p>It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to bring forward agenda item 10.01 (PA22/08720) in order that decision be made before returning to Public Questions.</p>		
	Application 1	Central & Pentire	
	Reference	PA22/08720	
	Proposal	Proposed residential development of 5 apartments with associated store and landscaping	
	Location	Surf Beach, 14 Esplanade Road, TR7 1QA	
	Applicant	Mr Woods	
	Grid Ref	179439 / 61524	
Minute Ref P355/22 (2)	Decision	It was proposed by Cllr M North, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/08720	
	Comments	Concerns exist around the negative impact that a scheme of this scale and mass would have upon the character of the area and the residential amenity of near neighbours. Newquay Neighbourhood Plan policy D1 seeks to ensure that all new development fits well and enhances the existing character of the town. Whilst it is	ACTION - post OBJECTION on CC Planning Register

recognized that design styles along Esplanade Road are quite varied, Members voiced concerns that the combination of narrow plot width and increased ridge height would result in an overbearing frontage that was at odds with existing buildings. It was noted that the terrace above the Surf Stores extends beyond the fairly consistent building line that exists along this section of Esplanade Road - Members felt this interruption to the building line would also harm the character of the immediate area. Policy D1(d) encourages applicants to engage with the Cornwall Design Review Panel where development over three storeys is proposed – in this instance it is felt the street facing elevation would be improved by the Panel’s input as the current appearance fails to reflect or contribute to the overall character of the area. Concerns were also raised that the scale and mass of the proposed development seems likely to reduce the levels of natural light currently enjoyed by the property immediately east of the application site. Members were unconvinced that the proposed balconies could provide an adequate level of amenity space for the 4 bed apartments. Newquay Neighbourhood Plan Policy G2(e) encourages the applicant to explore any opportunities where high levels of environmental sustainability could be integrated into the works, including renewable energy sources where possible. Whilst the commitment to a fabric-first build was welcomed, the omission of EV charging points was considered a missed

	<p>opportunity. Members voiced their concern at the loss of the few green areas that exist on the site. This, coupled with the level of non-permeable landscaping/surfacing is seen as potentially contributing to future surface water management issues on the site. Given the proposed demolition and level of excavation required, Members agreed it would be appropriate for the applicant to provide a plan explaining how the removal of waste rock, soil and rubble will be managed and ethically disposed of, in line with NNP policy G2(g).</p>	
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<p>Minute Ref P355/22 (3)</p>	<p>It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to bring forward agenda item 10.07 (PA22/07359) in order that decision be made before returning to Public Questions.</p>	
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	<p>Application 7 Whipsiderry</p>	
	<p>Reference PA22/07359</p>	
	<p>Proposal Part retrospective permission for the siting of various buildings to support well-being activities and teaching</p>	
	<p>Location Your Wellbeing Services Ltd Parkenbutts</p>	
	<p>Applicant Sue Gray, Your Wellbeing Services Ltd Parkenbutts</p>	
<p>Minute Ref P355/22 (4)</p>	<p>Grid Ref 183920 / 62486</p>	
	<p>Decision It was proposed by Cllr N Morris, second by Cllr J Bell and RESOLVED to raise NO OBJECTION to PA22/07359</p>	
	<p>Comments Members welcomed the aims and ethos behind the provision of 'well-being activities in this location. Local comments regarding the potential impact of noise and light resulting from activities delivered on</p>	<p>ACTION - post NO OBJECTION on CC</p>

	<p>the site were noted. Members would seek reassurance from the Officer that these concerns were addressed within any permission granted. The commitment to use recycled/upcycled material is seen as a positive but it was felt that the application perhaps lacked sufficient technical detail in terms of overall construction quality – particularly with regard to the classrooms. There was some uncertainty as to the level of toilet provision and whether separate adults and children’s cubicles were proposed. Members agreed that further detail should be provided. It was felt that the proposed layout would largely respect the open character of the site and therefore was unlikely to harm any nearby heritage assets.</p>	Planning Register
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Minute Ref P356/22	<p><u>Active Consultations</u></p> <p>None</p>	
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Minute Ref P357/22	<p><u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u></p>	
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	<p>Licensing Ref: LI22_006140</p> <p>i. LA03 Variation - Box & Barber, 72-74 Fore Street TR7 1EY</p>	
	<p>D McLeod gave a brief overview of the application and the licensable activities being applied for. Members were advised that the Civilian Police Licensing Officer had no concerns regarding the application.</p>	
Minute Ref P357/22 (1)	<p>It was proposed by Cllr S Thomson, second by Cllr J Bell and RESOLVED unanimously that the Town Council would not be submitting a representation in response to licensing application LI22_006140.</p>	D McLeod to notify Licensing.

Minute Ref P358/22	7:25pm – Cllr J Kenny sanctioned a short comfort break, during which time no business was conducted. 7:35pm - The meeting resumed with all attending Members present.		
Minute Ref P359/22	<u>To discuss and make any decisions on previous Planning Applications</u>		
	None		
Minute Ref P360/22	<u>To consider Planning Applications and correspondence relating to Planning Applications</u>		
	Application 2	Central and Pentire	
	Reference	PA22/09051	
	Proposal	Conversion of empty loft with roof extension into meeting room for the business to host coaching sessions from (re-submission of Application no. PA21 12843)	
	Location	60 Fore Street TR7 1LW	
	Applicant	Mr Rob Barber, Newquay Activity Centre	
	Grid Ref	180733 61880	
Minute Ref P360/22 (1)	Decision	It was proposed by Cllr M North, second by Cllr S Thomson and RESOLVED to SUPPORT PA22/09051 Cllr J Brooke and Cllr C Anderson abstained.	
	Comments	Members noted their support for the previous approval, PA21/12843. It was agreed that the current proposal would appear to be a further improvement, offering a more practical means of accessing the repurposed loft space. 'Newquay Neighbourhood Plan policy G2 (Development Principles) seeks to ensure that all new development is of a quality and type that contributes positively and	ACTION - post SUPPORT on CC Planning Register

		sustainably to the community. Where possible, high levels of environmental sustainability should be integrated into the works and the applicant is encouraged to explore the opportunity of including renewable energy sources as part of any works that take place.	
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	Application 3	Porth and Tretherras	
	Reference	PA22/09358	
	Proposal	Householder application for proposed front extensions including reconfiguration of mansard roof to form traditional pitched roof with slate covering, construction of covered area over rear balcony and general alterations.	
	Location	14A Alexander Road TR7 3ND	
	Applicant	Mr and Mrs A Parton	
	Grid Ref	183110 / 62757	
Minute Ref P360/22 (2)	Decision	It was proposed by Cllr J Brook, second by Cllr S Thomson and RESOLVED unanimously to SUPPORT PA22/09358	
	Comments	In line with Neighbourhood Plan policy H1 - Replacement Dwellings and Extensions, Cllrs agreed to support this application.	ACTION - post SUPPORT on CC Planning Register
	Application 4	Trenance	
	Reference	PA22/08892	
	Proposal	Penthouse Roof Extension to add a new two-bedroom apartment (re-submission of Application No. PA22/08137)	
	Location	Clearview 109 Mount Wise	

	Applicant	James Ambo, AmboStrachan Homes Ltd	
	Grid Ref	180781 / 61299	
Minute Ref P360/22 (3)	Decision	It was proposed by Cllr M North, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/08892	
	Comments	<p>Newquay Neighbourhood Plan Policy H4 – Residential Parking – seeks to ensure that new residential development provides sufficient parking so that additional strain is not put on the existing parking provision. This is an area of the town already subject to significant parking pressures and Members agreed that adding further residential accommodation to the Clearview building without providing additional parking on the site would only add to these pressures. It is noted that the impact of additional scale and mass could be mitigated through the ‘setting back’ of the penthouse roof extension. However, the level of setback proposed here is considered minimal when compared to the neighbouring SeaQuest. Members agreed that the increased height would appear excessive from street level, resulting in an overbearing relationship with neighbouring buildings to the east and west. The relationship between the proposed roof extension and the existing penthouse is considered awkward, with the extension having an almost top-heavy appearance which harms the overall look of the building. Neighbourhood Plan Policy D2 - Scale and location of development – seeks to ensure that development proposals which may be taller than the surrounding</p>	ACTION - post OBJECTION on CC Planning Register

townscape are tested and understood in terms of impact. Members felt the applicant had failed to clearly demonstrate the impact the proposed Penthouse Roof Extension would have, when experienced at street level.

Minute Ref
P360/22
(4)

7:59pm It was proposed by Cllr J Kenny, second by Cllr S Thomson and **RESOLVED unanimously to extend the meeting by up to 60 minutes.**

	Application 5	Central & Pentire	
	Reference	PA22/09254	
	Proposal	Erection of a permanent sculpture depicting a surfer on a wave	
	Location	The Killacourt Field, The Crescent	
	Applicant	The Stuart and Cherrilyn Keogh Foundation	
	Grid Ref	181065 / 61712	
		Prior to consideration of PA22/09254 Cllr J Kenny reminded the Committee that the Newquay Neighbourhood Plan policy LE3 identifies the Killacourt as one of the Town's designated 'green spaces', and as such, the policy demands that "Development will only be permitted in very special circumstances."	
	Decision	It was proposed by Cllr S Thomson, second by Cllr J Kenny and RESOLVED to that the erection of a permanent sculpture on the Killacourt, depicting a surfer on a wave, should be viewed by the committee as a "very special circumstance". Cllrs Morris Abstained Following full consideration of PA22/09254	

		It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/09254	
Minute Ref P360/22 (5)	Comments	<p>Newquay Neighbourhood Plan policy LE3 identifies the Killacourt as one of the Town's designated 'green spaces', and as such, the policy demands that "Development will only be permitted in very special circumstances." Having considered the wider background that has led to the current planning application, Members of the Town Council's Planning & Licensing committee resolved that the erection of a permanent sculpture on the Killacourt, depicting a surfer on a wave, should be viewed as a "very special circumstance". However, Members raised concern at the level of detail provided in the application documents. Policy LE4 seeks to ensure that development doesn't have a negative impact on the town's most valued views and vistas. Members agreed that drawing PL-001-P1, which provides images of a small-scale simulacrum of a surfer on a wave, failed to demonstrate the visual impact the full-scale statue would have on it's immediate surroundings and on the important views across the Harbour, Towan Beach and out to sea. Newquay Neighbourhood Plan Policy CC2 - Development in Locations Vulnerable to Coastal Change - describes the Exclusion Zone for cliffside development as following the anticipated 100-year erosion line, as identified on the Cornwall Council interactive mapping website. At its closest point, the proposed development sits</p>	ACTION - post OBJECTION on CC Planning Register

approximately 20m from the landward edge of this zone. The Coastal Erosion Vulnerability (CEV) Zone is defined by Policy CC2(a.2) as being 30m from the landward edge of the Exclusion Zone, placing much of the application site within the CEV Zone. Neighbourhood Plan Policy CC2(c.1) requires that redevelopment proposals within the CEV Zone must be accompanied by a rigorous Coastal Erosion Vulnerability Assessment (CEVA), carried out by a suitably qualified, experienced and indemnified professional. Proposals will only be supported where the CEVA confirms that the proposal will not cause damage to cliff faces or otherwise increase susceptibility to coastal change, and where the proposal complies with all other relevant planning policies. Neighbourhood Plan Policy CC3a requires that applications for development within the CEV Zone are accompanied by a Drainage Impact Assessment showing how surface water will be managed. Whilst it is understood this is not an identified flood risk zone, the movement of surface water on the Killacourt has previously resulted in at least one fatality and therefore requires careful consideration at all stages of the proposed development. This requirement is particularly relevant as it appears excavation would be required to accommodate the proposed plinth, which the documents state will be flush with the ground. The lack of technical detail regarding how exactly the statue would be secured, and what level of excavation may be required, is a cause for further concern.

It is well known that there are disused mine workings in the very close vicinity, but there is no acknowledgement of this in the application documents. Queries were also raised as to how the plinth would be made flush with the ground, as it was noted the proposed site does not offer a level surface. Due to the lack of detail provided, Members were left unsure if the plinth would follow the slope or if some other arrangement was intended. With regards to the recessed up-lighters, there appears to be no detail around what these would look like, how many there would be and what their time of operation would be. Members would also like to know if any form of fencing or barrier enclosing the plinth has been considered. If the public can walk underneath the statue it seems possible there is a real risk of accidental physical harm. However, there is no evidence that an assessment of such risk has been carried out. Overall, Members considered there to be an insufficient level of detail included within the application documents and unanimously agreed they would not be able to support the proposal as it currently stands.

Application 6	Whipsiderry	
Reference	PA22/09537	
Proposal	Works to trees in a conservation area (CA), works include removal of two Leylandii Cypress Trees (Trees 1 and 2 on the sketch plan). Trees marked 3 and 4 on the plan are to be reduced	
Location	Llyswen Churh Lane TR7 3HA	
Applicant	Mr William Tamblyn	

	Grid Ref	Not provided	
Minute Ref P360/22 (6)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED to SUPPORT PA22/09537 Cllr J Brooke Abstained	
	Comments	Members were happy to be led by the comments from the Tree Officer.	ACTION - post SUPPORT on CC Planning Register

	Application 8	Central & Pentire	
	Reference	PA22/08216	
	Proposal	Single-storey extension to rear with proposed balcony over	
	Location	9 Robartes Road TR7 2HG	
	Applicant	Mr & Mrs John & April Collins	
	Grid Ref	Not provided	
Minute Ref P360/22 (7)	Decision	It was proposed by Cllr S Thomson, second by Cllr N Morris and RESOLVED to raise NO OBJECTION to PA22/08216	
	Comments	Members noted that the proposed elevations had been updated to include a rear-facing balcony on the northeast elevation. This balcony had not been included in the original drawings and so had not been considered as part of the previous deliberations. Although 1.7m high obscured glazed privacy screens appear to have been included on the southeast and northwest elevations, some concern was raised that there may be a negative impact on the residential amenity of the	ACTION - post NO OBJECTION on CC Planning Register

		neighbouring properties at no7 and no11. Having previously supported the single-storey extension to the rear, Members agreed they would raise no objection to the addition of the balcony, subject to confirmation from the Officer that there would be no unacceptable loss of light to no11 and no loss of privacy to either no7 or no11.	
	Application 9	Trenance	
	Reference	PA22/09625	
	Proposal	New Pitched roof over existing garage, conversion of garage to a games room with a home office over, within a pitched roof	
	Location	12 Chyverton Close TR7 2AR	
	Applicant	Mr Andy Nions	
	Grid Ref	180969 /60910	
Minute Ref P360/22 (8)	Decision	It was proposed by Cllr J Kenny, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA22/09625	
	Comments	Members noted that no12 already benefits from a suitable level of off-street parking and agreed that the loss of the garage was unlikely to add to local parking pressures. However, the proposed increase in ridge height was viewed as harmful to the overall existing street scene. Newquay Neighbourhood Plan Policy G2(c) seeks to ensure that any tiered effect of roof heights up and down hills is maintained. When looking up or down Chyverton Close it is clear the proposed addition of a first-floor level to the existing garage would be at odds with the existing tiered effect. The	ACTION - post OBJECTION on CC Planning Register

		Newquay Character Study places Chyverton Close within character cell 17: Tregunnel Hill [Higher]. Increasing the ridge height of the garage to this extent is considered to be at odds with a key design principle identified for this area of the town, which seeks the retention of lower building heights.	
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	Application 10	Porth & Tretherras	
	Reference	PA22/09295	
	Proposal	Erection of 6 dwellings and associated infrastructure	
	Location	An Hewas Gusti Veor	
	Applicant	Mr Paul Hoffmann C G Fry and Son	
	Grid Ref	183644 / 61594	
Minute Ref P360/22 (9)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to SUPPORT PA22/09295	
	Comments	Members were satisfied the proposals were in keeping with the wider development.	ACTION - post SUPPORT on CC Planning Register

Minute Ref P361/22	<u>Terms of Reference and Risk Assessment Update</u>	
	None	

Minute Ref P362/22	<u>Reports and any associated Recommendations from Working Parties</u>	
	i. Community Governance Review Working Party	

	<p>Cllr J Kenny reported the decision made by Cornwall Council's Constitution & Governance Committee (01 November 2022), where it was resolved that it be recommended to Cornwall Council (29 January 2023) that there be no change in respect of the Newquay and Colan parish boundaries.</p> <p>Cllr Kenny noted the need for engagement with Newquay's current Cornwall Cllrs and recommended a meeting of the Community Governance Review Working Party be arranged and a that the CGR Review be included on the agenda for Full Council in December. All present agreed.</p>	<p>ACTION - D McLeod to arrange and Cllr Kenny to report back.</p>
	<p>ii. Newquay Neighbourhood Plan</p> <p>The Working Party have scheduled in monthly meetings.</p>	
	<p>iii. Parking</p> <p>Cllr Kenny gave a brief progress update for the schemes submitted for the Marcus Hill/Manor Rd junction, St Michaels Road and the Bottleneck at Cliff Road.</p> <p>It is understood there will be an opportunity to submit further schemes in the year.</p>	
Minute Ref P363/22	<u>Financial Statement</u>	
	None	
Minute Ref P364/22	<u>Other Correspondence</u>	
Minute Ref P365/22	<u>Items for information and discussion only</u>	
	<p>i. PA22 00473 Henver Road 5 day protocol - update</p> <p>The Case Officer had wished to approve proposals for the two flats, detailed in application PA22/00473 - Members had</p>	

	previously chosen to maintain their objection via the Five-Day Protocol. The Divisional Member (Cllr J Fitter) has chosen not to call this one into CC Planning. It will therefore be approved by the Case Officer under delegated authority.	
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Minute Ref P366/22	<p><u>Date and time of next meeting</u></p> <p>The next Planning & Licensing Committee meeting will take place on Wednesday 23 November 2022 at 6:00pm in the Council Chamber, Municipal Offices, Marcus Hill TR7 1AF.</p> <p>The Chair thanked Members for their attendance and exited the meeting at 21:00 pm</p> <p>Signed.....</p> <p>Date.....</p> <p>Chair Cllr J Kenny</p>	
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