

	Minutes of the Planning & Licensing Committee Meeting held on Wednesday 8th November at 6:04pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay TR7 1AF.	
	<u>Present</u> Cllr J Kenny (Chair), Cllr S Thomson (Vice Chair), Cllr J Brook, Cllr N Morris, Cllr S Hick (substitute). <u>Also attending</u> D McLeod & K McGoldrick (Corporate Service) There were 2 members of the public in attendance.	
Minute Ref P366/23	<u>Apologies</u> Cllr K Larsen, Cllr J Bell, Cllr M North.	
Minute Ref P367/23	<u>Interests</u> None	
Minute Ref P368/23	<u>Meeting Management Issues</u> None	
Minute Ref P369/23	<u>Minutes</u> i. 27 September 2023 ii. 25 October 2023	
	It was proposed by Cllr S Thomson, second by Cllr J Kenny and RESOLVED unanimously that the minutes of the meeting for 27 September 2023 and 25 October 2023 were correctly recorded and that they be adopted and signed by the Chairman.	
Minute Ref P370/23	<u>Matters Arising</u> None	
Minute Ref P371/23	<u>Public Question Time</u> There were two members of the public in attendance. A representation was made to planning application PA23/06179 (Agenda item 10.04)	
Minute Ref P371/23 (1)	It was proposed by Cllr J Kenny, second by Cllr S Hick and RESOLVED unanimously to bring forward agenda item	

	10.04 (PA23/06179) in order that decision be made before returning to the remaining agenda items.		
	Application 4	Trenance	
	Type	Certificate of Lawful Existing Use and Development	
	Reference	PA23/06179	
	Proposal	Certificate of Lawfulness for an Existing Use for the siting of shipping containers storage purposes (Use Class B8)	
	Location	Land At South-East Corner Of Prow Park, Treloggan Industrial Estate, Newquay	
	Applicant	Mr B Julian	
Minute Ref P371/23 (2)	Decision	<p>It was proposed by Cllr S Thomson, second by Cllr J Brook to OBJECT to PA23/06179</p> <p>The motion fell.</p> <p>It was proposed by Cllr J Kenny, second by Cllr S Hick and RESOLVED to raise NO OBJECTION to PA23/06179</p> <p>Cllr J Brook abstained.</p>	
	Comments	<p>The Town Council remains deeply unhappy at the level of development that has taken place at PROW Park without Full Planning Permission having first been sought. Similarly, the Town Council is unaware of any explanation from the LPA as to how this level of development has evaded the attention of Planning Enforcement over such a period. Despite the "...precise and unambiguous evidence..." referred to in the Supporting Statement not being available to view on the Planning Register, Cllrs agreed to raise NO OBJECTION, subject to confirmation that the Officer has had access to, and is satisfied with, evidence that demonstrates the units have been in place in excess of the requisite four-year period. Cllrs noted that, whilst the Ground Floor</p>	ACTION – post NO OBJECTION on CC Planning Register

Plan includes the Hive Units E31-33, the corresponding containers positioned on top of these units do not appear on the First Floor Plans. It is assumed this is because these First Floor Units are a more recent addition and cannot be shown to have been in place in excess of 4 years. Cllrs requested that the Officer confirm whether a Full Planning application can be expected for these more recent additions.

**Minute Ref
P372/23**

It was proposed by Cllr J Kenny, second by Cllr S Hick and **RESOLVED unanimously to bring forward agenda item 9. Recommendation to Full Council – Narrowcliff Development (PA22/10572), in order that a decision be made before returning to the remaining agenda items.**

Recommendation to Full Council - Narrowcliff Development

**Minute Ref
P372/23
(1)**

Having previously requested that the Local Planning Authority’s Chief Planning Officer refer Planning Application PA22/10572 to the Central Sub Atea Planning Committee for determination, the current understanding is that Cornwall Council are intending the application be approved by the Planning Officer, acting under Delegated Authority. Cllrs expressed concern that such a controversial application could be determined in this way and continue to feel that the decision must be made within a public forum to maintain some semblance of openness and transparency. Without this, it is felt there is a serious likelihood of reputational damage to all parties involved.

It was proposed by Cllr J Kenny, second by Cllr J Brook and **RESOLVED that the Planning & Licensing Committee make the following Recommendation to Full Council:**

"In the light of significant local concern, should the Local Planning Authority approve planning application PA22/10572 (Land At Hotel Bristol, Narrowcliff TR7 2PQ) without review by the Cornwall Council Central Planning sub-committee, Full Council should give delegated

**ACTION –
D McLeod**

	<p><i>authority to the Clerk (and Mayor/Deputy Mayor) to undertake the necessary research and, subject to legal advice, instigate a Judicial Review of both the decision making process and any issues of concern associated with this application, which will be clarified as part of any such process in due course."</i></p> <p>Cllr N Morris abstained, having informed the Committee he had recently discussed the matter with the Ward Member, Cllr L Gardner.</p>	
<p>Minute Ref P373/23</p>	<p><u>Active Consultations</u></p> <p>Cornwall Council Pre-order Consultation – HAD 289 Public Footpaths at Whipsiderry.</p> <p>Given the amount of information contained within this consultation, Members felt it would be useful to carry this item forward to the next available meeting and to arrange a meeting for interested Cllrs to go through the proposals in order that they report back to the Committee.</p>	
<p>Minute Ref P373/23 (1)</p>	<p>It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to add agenda item 7.01 HAD 289 Cornwall Council Pre-order consultation – public Footpaths at Whipsiderry to the next Planning and Licensing agenda.</p>	<p>D McLeod to arrange meeting date for Cllrs.</p>
<p>Minute Ref P373/23 (2)</p>	<p>Councillor S Hick left the meeting at 7:05pm</p>	
<p>Minute Ref P374/23</p>	<p><u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u></p>	
	<p>Licensing Ref 8.01 Application for the Grant of a Pavement Licence – Café Nero, 2 Bank Street TR7 1JF</p>	
	<p>Due to the short deadline, the response to this application was agreed prior to the meeting, in line with para 7.6.8 of the Committee’s Terms of reference. D McLeod reported that four Cllrs responded to this Licensing Application, with all agreeing they were happy for the existing Pavement Licence to be</p>	

	extended through to 30 September 2024 and that no representation would be required.	
Minute Ref P374/23 (1)	It was proposed by Cllr N Morris, second by Cllr J Kenny, and RESOLVED unanimously to ratify the above decision.	
Minute Ref P375/23	<u>To discuss and make any decisions on previous Planning Applications</u>	
	Planning Ref i. PA23/07301 – 20 St Johns Road TR7 1JT –	
	7 Cllrs responded to this Five-Day Protocol, with all Agreeing to Disagree with the Officer’s recommendation to Approve the application.	
Minute Ref P375/23 (1)	It was proposed by Cllr J Kenny, second by Cllr N Morris, and RESOLVED unanimously to ratify the above decision.	
Minute Ref P376/23	<u>To consider Planning Applications and correspondence relating to Planning Applications</u>	
	Application 1 Trenance	
	Type Planning application	
	Reference PA23/07927	
	Proposal Proposed new dwelling to the front garden of Trevithick Lodge	
	Location Land South of Trevithick Lodge, Trevemper TR8 4QD	
	Applicant Mr Robert Weldhen	
Minute Ref P376/23 (1)	Decision It was proposed by Cllr S Thomson, second by Cllr N Morris and RESOLVED unanimously to OBJECT to PA23/07927	
	Comments Cllrs expressed their doubts that the application site was of a size suitable for the construction of a detached four-bedroom dwelling house with associated parking/turning, refuse storage and amenity space. Similarly, concerns were	ACTION - post OBJECTION on CC Planning Register

raised that the proposed division of the existing residential plot would leave Trevithick Lodge with too little amenity space for a family-sized dwelling. Cllrs agreed the proximity of the new dwelling to the existing one appears likely to result in low levels of privacy for both properties which would impact current and future occupiers. Cllrs also queried whether the proposed dwelling would create an element of shadowing that would impact Trevithick Lodge. The proximity of the new dwelling to the busy A392 led to concerns around the effects of roadside pollution and the harmful effects of particulate matter on the health of future occupiers. Clarification is requested regarding plans for the trees in the southeast corner of the site and Cllrs are keen to know if this application is considered in line with the CC Climate Change DPD. Although the application site now falls within the Newquay Town Boundary, (following the conclusion of Cornwall's Community Governance Review 2019), Cllrs were aware that the site remains outside the defined boundary of the Newquay Neighbourhood Plan.

	Application 2	Whipsiderry	
	Type	Planning Application	
	Reference	PA23/08394	
	Proposal	Erect a steel portal framed agricultural storage building	
	Location	Trebelsue Farm TR8 4AN	
	Applicant	Mr Pete Cowling – W P L Cowling & Sons	
Minute Ref P376/23 (2)	Decision	It was proposed by Cllr S Thomson, second by Cllr D Souray and RESOLVED unanimously to SUPPORT to PA23/08394	

	Comments	Cllrs noted the comments from the Countryside Access Team and are happy to support any appropriate conditions relating to the use of the PROW. With regards to the proposal, Cllrs were unaware of any issues or likely negative impacts that would result from the construction of this agricultural storage building.	ACTION - post SUPPORT on CC Planning Register
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	Application 3	Porth & Tretherras	
	Type	Application form Works to Trees Subject to a Preservation Order	
	Reference	PA23/08223	
	Proposal	Works to trees subject to a Tree Preservation Order (TPO) Sycamore tree at far end of garden – crown raising by 2 metres, reduction of secondary crown, aesthetic shaping of crown. Small Common Lime tree – removal and replanting. Large Common Lime tree crown raising by 3.5 metres, crowning thinning of 15%, cutback around neighbouring lamppost and utility cables by 2 metres.	
	Location	2 The Coppice Porth Way TR7 3NL	
	Applicant	Mr Nick Phillips	
Minute Ref P376/23 (3)	Decision	It was proposed by Cllr S Thomson, second by Cllr J Brook and RESOLVED unanimously to raise SUPPORT to PA23/08223	
	Comments	Cllrs agreed they could SUPPORT the proposed works, subject to any permission being conditioned in line with the recommendations made by the Tree Officer.	ACTION - post SUPPORT on CC Planning Register

	Application 5	Whipsiderry	
	Type	Planning Application	
	Reference	PA23/07472	
	Proposal	Installation of new playpark equipment	

	Location	Play Park North of Calshot Close and East of Leader Road, St Columb TR7 3HL	
	Applicant	Andrew Martin Defence Infrastructure Organisation	
Minute Ref P376/23 (4)	Decision	It was proposed by Cllr S Thomson, second by Cllr D Souray and RESOLVED unanimously to SUPPORT to PA23/07472	
	Comments	Cllrs were interested in having some understanding of the likely maintenance schedule but were confident the appropriate arrangements would be put in place.	ACTION - post SUPPORT on CC Planning Register

Minute Ref P377/23	7:36pm – Cllr J Kenny sanctioned a short comfort break, during which time no business was conducted. 7:41pm - The meeting resumed with all Members present.
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	Application 6	Central & Pentire	
	Type	Householder Application	
	Reference	PA23/06730	
	Proposal	Loft conversion for additional bedroom	
	Location	31 Fernhill Road Tr7 1LE	
	Applicant	Mr Simon Morgan	
Minute Ref P378/23 (1)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Brook and RESOLVED SUPPORT to raise NO OBJECTION to PA23/06730	
	Comments	The scale and appearance of the proposal, including materials, are considered quite acceptable. Cllrs felt it was unlikely the proposal would result in any loss of privacy to neighbouring properties. In line with Policy H1 of the Newquay Neighbourhood Plan (Replacement Dwellings and Extensions), Cllrs were happy to support this application.	ACTION - post SUPPORT on CC Planning Register

	Application 7	Central & Pentire	
	Type	Householder Application	
	Reference	PA23/07621	
	Proposal	Construction of car parking in front of the existing dwelling house to remove congestion on the roadside	
	Location	Trethellan Barn, Trevean Way TR7 1TW	
	Applicant	Mr David Cole	
Minute Ref P378/23 (2)	Decision	It was proposed by Cllr J Kenny, second by Cllr D Souray and RESOLVED unanimously to raise No Objection to PA23/07621	
	Comments	Cllrs were aware the Town Council had raised No Objection to the previous permission, PA20/05303, dated 24 August 2020 (now lapsed). Whilst the loss of greenery is regretted, Cllrs continue to feel these proposals will positively contribute to reducing the on-street parking pressures along Trevean Way. Conditions should be applied that would ensure suitable visibility and visual amenity are achieved, as per those attached to PA20/05303. The inclusion of a non-permeable parking surface is welcomed.	ACTION - post No Objection on CC Planning Register

Minute Ref P379/23	7:58pm It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to extend the meeting by up to 60 minutes.
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	Application 8	Whipsidery	
	Type	Planning Application	
	Reference	PA23/07681	
	Proposal	Change of Use from shop space to residential with extension and modifications to fenestration	
	Location	232 Henvver Road Tr7 3EH	
	Applicant	Mr S Callaghan	

Minute Ref P380/23 (1)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to OBJECT to PA23/07681	
	Comments	Concerns exist that traffic accessing the property may have to sit in a stationary position whilst waiting for the proposed electric gate to open. Further detail on the specification of this gate, including height and appearance, should be provided. Similarly, the new wall labelled on the Proposed Block Plan does not appear on the elevations – information on height and appearance should be provided. Whilst the existing commercial space is modest, Cllrs failed to be wholly convinced by the argument, laid out in the Design & Access Statement, describing the questionable commercial viability of the property. Whilst the garage at 236 has been replaced by residential dwelling, there remains a range of commercial premises close by and the development of Nansledan is considered to have contributed to overall increased local footfall along this section of Henvver Road. Cllrs would request the Officer’s view on whether this change of use could be justified when measured against local planning policies. Cllrs are keen to know if this application is considered in line with the CC Climate Change DPD. Where possible, high levels of environmental sustainability should be integrated into any permitted works – in line with Newquay Neighbourhood plan policy G2(e), the applicant is encouraged to explore the opportunity of including renewable energy sources and rainwater harvesting as part of the overall design.	ACTION - post OBJECTION on CC Planning Register
	Application 9	Porth & Tretherras	

	Type	Householder Application	
	Reference	PA23/08662	
	Proposal	Retrofit and remodelling of existing property to create a sustainable low energy low & embodied energy home	
	Location	34 Chester Road TR7 2RH	
	Applicant	Mr Matt Dight	
Minute Ref P380/23 (2)	Decision	It was proposed by Cllr D Souray, second by Cllr J Kenny and RESOLVED unanimously to raise NO OBJECTION to PA23/08662	
	Comments	Cllrs welcomed the sustainability features central to this proposed retrofit. Whilst the more modern appearance resulting from retrofit may arguably be at odds with the existing street scene, it is clear there has been a move towards more contemporary-looking properties along Chester Road. Some concern exists that the black exterior may appear a little overbearing and the Officer's view on this would be appreciated.	ACTION - post NO OBJECTION on CC Planning Register
	Application 10	Central & Pentire	
	Type	Planning Application	
	Reference	PA23/07995	
	Proposal	Application for change of use from storage to residential for the first-floor premises, in-order to increase the living space for the previously approved residential flat on 2 nd floor. The scope of the application includes implementation of the previously approved change of use for the second floor, reference PA21/05317	
	Location	12 East Street TR7 1BH	
	Applicant	Mr Thang Van Dang	
Minute Ref P380/23 (3)	Decision	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to SUPPORT to PA23/07995	

	Comments	Cllrs recalled their Support for planning application PA21/05317 and agreed there were no elements to the current application that would be at odds with this extant permission.	ACTION - post SUPPORT on CC Planning Register
Minute Ref P381/23	<u>Terms of Reference and Risk Assessment Update</u>		
	None		
Minute Ref P382/23	<u>Reports and any associated Recommendations from Working Parties</u>		
	<p>i. Community Governance Review Working Party</p> <p>No updates.</p>		
	<p>ii. Newquay Neighbourhood Plan</p> <p>The Chair reported that, at their recent meeting, the Working Party had considered whether a potential Review of the Neighbourhood Plan was required. The Working Party agreed there is no immediate need to update the Neighbourhood Plan until the local plans are updated first. A proposal will be made by the chair at the next committee meeting regarding this.</p>		
	<p>iii. Parking Working Party</p> <p>The Chair reported that, at their recent meeting, the Working Party had considered the Highways Consultation - Infra23-020 Trevenson Road – and had concluded there was no need to return any comments to Cornwall Council.</p>		
Minute Ref P382/23 (1)	It was proposed by Cllr J Kenny, second by Cllr S Thomson, and RESOLVED unanimously for the committee not to make any comment.		
Minute Ref P383/23	<u>Financial Statement</u>		

	<p>D McLeod reported that no purchases had been made and there were no payments to authorise.</p> <p>Following the recent Governance & Resources Committee meeting (01.11.2023), Cllrs were left with some uncertainty as to the current status of the Planning and Licensing Committee Ear Marked Reserve (EMR). D McLeod offered to seek clarification with the Responsible Financial Officer (RFO) and report back to Cllrs.</p>	<p>D Mcleod to contact RFO and report back.</p>
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<p>Minute Ref P384/23</p>	<p><u>Other Correspondence</u></p>	
	<p>None</p>	

<p>Minute Ref P385/23</p>	<p><u>Items for information and discussion only</u></p>	
	<p>i. Cornwall Council – Weekly List of Planning Decisions.</p> <p>The list of planning decisions was noted.</p>	
	<p>ii. Local Council Planning Training: 23 November 23 – Part 1: Neighbourhood Plans, Part 2: The Local Plan and call for sites.</p> <p>Cllrs were made aware of this upcoming opportunity for Planning related training.</p>	
	<p>iii. Mountjoy – GREEN RIDGE RESORT – Public Consultation, Colan Village Hall 3-7pm, 08 November 2023.</p> <p>The Chair & Vice Chair both reported they had attended this Public Consultation event and would be awaiting the formal planning application.</p>	

<p>Minute Ref P386/23</p>	<p><u>Date and time of next meeting</u></p> <p>The next Planning & Licensing Committee meeting will take place on Wednesday 22 November 2023 at 6:00pm in the Council Chamber, Municipal Offices, Marcus Hill, Newquay TR7</p>	
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**The Chair thanked Members for their attendance
and exited the meeting at 8.46pm**

Signed.....

Date.....

Chair Cllr J Kenny