

	Minutes of the Planning & Licensing Committee Meeting held on Wednesday 21st June 2023 at 18:00 pm in the Council Chambers, Municipal Offices, Marcus Hill, Newquay.	
	<p><u>Present</u> Cllr J Kenny (Chair), Cllr S Thomson, Cllr J Brook, Cllr M North.</p> <p><u>Also attending</u> D McLeod & L Holroyd (Miss) (Corporate Service) There were no members of the public in attendance.</p>	
Minute Ref P215/23	<u>Apologies</u> Cllr F Williamson, Cllr N Morris, Cllr S Slade, Cllr R Souray.	
Minute Ref P216/23	<u>Interests</u> None	
Minute Ref P217/23	<u>Meeting Management Issues</u> None	
Minute Ref P218/23	<u>Minutes</u> i. 06 June 2023	
	It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously that the minutes of the meeting for 06 June 2023 were correctly recorded and that they be adopted and signed by the Chairman.	
Minute Ref P219/23	<u>Matters Arising</u> None	
Minute Ref P220/23	<u>Public Question Time</u>	
	There were no members of the public in attendance. A written question was submitted concerning the Active Consultation regarding footpaths at Whipsiderry cliffs (see	

	Agenda item 07.01). Cllr J Kenny referred the matter to a later point in the meeting, where councillors would have a more detailed discussion about the consultation.	
Minute Ref P221/23	<u>Active Consultations</u>	
	Cllr J Kenny notified Members that footpath 43 has since been reopened, and suggested the Committee write to Cornwall Council with a request for information on the status of footpath 37.	
P221/23 (1)	It was proposed by Cllr J Kenny, second by Cllr M North and RESOLVED unanimously for the Officer to contact Cornwall Council and seek more information.	ACTION – D McLeod to write to CC Highways
Minute Ref P222/23	<u>To discuss and make any decisions on Licensing applications and other Licensing matters.</u>	
	<p>i. Street Trading Sub Committee 14 June 2023 – Whiskers Chip Truck</p> <p>Cllr J Kenny reported that the applicants had not attended Street Trading Sub Committee. Cornwall Council refused the application due to concerns the publicly maintained highway would be obstructed, and that noise and cooking odours would impact local residents.</p>	
	<p>ii. LA03 Sub Committee 14 June 2023 – Barouche, Cribbar Yard</p> <p>D McLeod reported that although the Town Council had not submitted a representation, a Hearing had been required due to objections raised by a local business owner. As the Town Council is not considered a statutory consultee under the Licensing Act 2003, the only way to guarantee an invite to an LA03 Hearing is when a representation has been submitted. It was suggested that, in the future, rather than only submitting representations when raising concerns about an LA03 application, the Planning & Licensing Committee could also submit positive/neutral representations – this at least lets the LA03 Committee know the Town Council's view of the</p>	

	application and may ensure a 'seat at the table' if a Hearing were called.	
Minute Ref P222/23 (1)	It was proposed by Cllr J Brook, second by Cllr J Kenny and RESOLVED unanimously for the Officer to write to Cornwall Council Licencing requesting confirmation that submitting a positive/neutral representation would ensure an invite to future LA03 Hearings.	

Minute Ref P223/23	<u>To discuss and make any decisions on previous Planning Applications</u>	
	Planning Ref i. PA23/03067 – Pine Hollow, 2 Fistril Crescent TR7 1PQ	
	Five Cllrs responded to this Five-Day Protocol, with the majority agreeing with the Officer's recommendation to approve the application.	
Minute Ref P223/23 (1)	It was proposed by Cllr J Kenny, second by Cllr S Thomson, and RESOLVED unanimously to ratify the above decision.	

Minute Ref P224/23	<u>To consider Planning Applications and correspondence relating to Planning Applications</u>	
	Application 1 Porth & Tretherras	
	Reference PA23/04015	
	Proposal Proposed single storey flat roof double garage and store.	
	Location 26 Bonython Road TR7 3AN	
	Applicant Mr David Folds	
	Grid Ref 182412 / 62327	
Minute Ref P224/23 (1)	Decision It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to raise NO OBJECTION to PA23/04015	

	Comments	<p>Members were aware they had recently raised an objection to the associated application PA23/04016, although it was noted they were not against the principle of dividing the existing plot. Whilst the desire for a double garage serving no.26 is appreciated, concerns are raised that the close proximity of the proposed garage/store to the dwelling house would result in a potential loss of outlook and natural light to the northwest facing window of the ground floor bedroom/study. Members noted that siting the garage along the boundary with no.24 could make it difficult to access the northeast facing wall for maintenance and upkeep. Members wished to make it clear that any further division of the plot, beyond that described in the two current applications, would be highly unlikely to gain Town Council support.</p>	<p>ACTION - post NO OBJECTION on CC Planning Register</p>
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	Application 2	Whipsiderry	
	Reference	PA23/01351	
	Proposal	Two storey extension to side of house. ground floor carport with ensuite bedroom above.	
	Location	Chycothan, Tregurrian Hill, Tregurrian TR8 4AD	
	Applicant	Mr Henning Kaaber	
	Grid Ref	Not Given	
Minute Ref P224/23 (2)	Decision	It was proposed by Cllr J Kenny, second by Cllr J Brook and RESOLVED unanimously to raise NO OBJECTION to PA23/01351	
	Comments	<p>The Committee recalled their previous response to PA23/01351 and agreed the use of hung slate would be much more in</p>	<p>ACTION - post NO OBJECTION on CC</p>

		<p>keeping with the existing building and surroundings. Members were happy to raise No Objection to this amended application, subject to, a) the Case Officer being satisfied the north-facing balcony would not result in a loss of privacy to neighbouring properties, and b) confirmation that the visibility splay was sufficient to enable safe access to and from the highway – particularly in relation to traffic coming from the southerly direction.</p>	<p>Planning Register</p>
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	Application 3	Whipsiderry	
	Reference	<u>PA23/03012</u>	
	Proposal	<p>Redevelopment of the former Tregurrian Hotel site for a six and seven storey building to include nine holiday apartments, a gym, studio and treatment rooms, restaurant, hotel staff wellbeing area and storerooms with decked car parking at the rear. Erection of two storey building on the existing private car park (the XA) for twelve beach loft hotel suites. The erection of a landmark pavilion for food and beverage outlets and a small convenience shop for the public on the existing private car park (the XA). Related infrastructure and landscaping, including works to create a more pedestrian friendly centre to Watergate Bay, and a new bridge connection from the XA site to the main Watergate Bay Hotel site.</p>	
	Location	Watergate Bay Hotel Trevarrian Hill Watergate Bay TR8 4AA	
	Applicant	Mr Will Ashworth - Watergate Bay Hotel	
	Grid Ref	184166 / 64977	
Minute Ref P224/23 (3)	Decision	<p>It was proposed by Cllr J Kenny, second by Cllr S Thomson and RESOLVED unanimously to OBJECT to PA23/03012</p>	

	Comments	<p>In line with Newquay Neighbourhood Plan (NNP) Policy E3 - Support the Visitor Economy - Members broadly welcomed the proposed redevelopment of the former Tregurrian Hotel site. However, there are some points that require clarification: when considering the Pre-Application Discussions (D&A p15) it isn't clear whether advice from the Design Review Panel (Feb 2022), which had suggested removing the "box like" shape at the top level, had been acted upon. Simply lowering the height of the building would not appear to address the Panel's comment regarding "a very disappointing yet prominent silhouette". Members agreed that reducing the building to three levels of accommodation would create a less overbearing structure and improve the relationship with neighbouring buildings. When comparing the Design & Access Statement with the submitted plans, there are inconsistencies in the labelling of the lower floor plans; uncertainty also exists around the pedestrian links associated with the decked parking. Access to and from the upper tier appears to be via Trevarrian Hill, which doesn't offer a pedestrian footway and so presents obvious safety concerns. It was also noted that, whilst the inclusion of a Team Break Room for Watergate Bay Hotel staff is welcomed, the siting and limited fenestration would seem to offer quite low levels of natural light in the area the staff would be using. Local comments suggest people have found it difficult to assess the impact of the Apart-Hotel on their own properties. Members agreed that, in order to fully understand the Apart-Hotel in relation to its surroundings, further</p>	<p>ACTION - post OBJECTION on CC Planning Register</p>
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visualisations, including a view from above the site looking down Trevarrian Hill, would be required. In line with NNP Policy LE4 - Protection of Views and Vistas – it was felt the Landscape and Visual Impact Assessment needs to clearly show how the development will impact on relevant views, rather than simply indicating where development will be located.

When considering proposals for the XA, Members noted the loss of car parking resulting from the addition of twelve holiday apartments. NNP policy E5 - Commercial Development and Parking – seeks to ensure that sites of commercial tourist accommodation provide parking spaces for at least 75% of their bedrooms; it is noted that the Transport Statement details accommodation for the Tregurrian and XA developments in terms of the number of apartments being added, rather than the number of rooms. Further assurance is therefore required to show that the proposed parking provision will meet the levels described under NNP policy E5. Whilst the Transport Statement makes the point that travel options exist, this doesn't mean that staff won't be driving to work (and needing somewhere to park). It would be overly optimistic to assume there wouldn't be a significant level of car use amongst the 290 staff quoted on the application form. Further assurance is required that adequate off-street parking, in accordance with Cornwall Council's Travel Plan Guidance, will be provided. Efforts to improve the pedestrian experience at the heart of the site are welcomed, and further input from Highways will hopefully help achieve this. The close proximity of vehicular traffic to increased

	<p>pedestrian footfall needs to be carefully managed, and looking at the Beach Pavilion, Members were uncertain how the applicant proposes to achieve this. A robust boundary treatment separating the decked waiting area from the highway needs to be provided. Members noted that whilst the proposals for the XA, appear in part to be within the Coastal Change Management Area (CCMA) there does not appear to be any recognition of this, or of the corresponding Neighbourhood Plan policies that apply. Members felt that some form of conversation with the applicant would be appropriate, with a view to discussing the NNP Coastal Change policies, and to go over other concerns raised. For information, Newquay Town Council continues to encourage Applicants and Agents to present their proposals to our Planning & Licensing committee, and we offer dedicated time slots for such engagements to take place. Similarly, Applicants and Agents are welcome to attend any meetings where their development proposals are being considered.</p>	
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Minute Ref P224/23 (4)	19:57pm 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 4	Central & Pentire	
	Reference	PA23/04567	
	Proposal	First floor extension over existing garage for study/office.	
	Location	19 Bezant Place TR7 1SJ	
	Applicant	Mr Alastair Scarlett	
	Grid Ref	179944 / 61413	

Minute Ref P224/23 (5)	Decision	It was proposed by Cllr J Brook, second by Cllr M North and RESOLVED unanimously to raise NO OBJECTION to PA23/04567	
	Comments	The scale and appearance of the proposal, including materials, are considered quite acceptable. Members felt it was unlikely the proposal would result in any additional overbearing, overlooking or overshadowing of neighbouring properties.	ACTION - post NO OBJECTION on CC Planning Register

	Application 5	Central & Pentire	
	Reference	PA23/02010	
	Proposal	Variation of Condition 2 (approved plans) of Application No. PA19/06640 dated 9th December 2022 (Demolition of the vacant former hotel and the redevelopment of the site to provide 33 residential apartments, in a mix of 9 x 1 bedroom units, 24 x 2 bedroom units, together with associated car parking, and landscape improvements (revised plans)	
	Location	Edgcumbe Hotel, Narrowcliff TR7 2RR	
	Applicant	Noble Design and Build Noble Design And Build	
	Grid Ref	182083 / 62130	
Minute Ref P224/23 (6)	Decision	It was proposed by Cllr J Brook, second by Cllr M North and RESOLVED unanimously to raise NO OBJECTION to PA23/02010	
	Comments	Members noted that the majority of changes had been informed through discussions with the Fire Safety Officer and were intended to address the various concerns identified. As long as the Case Officer is satisfied the increased level of fenestration falls within guidelines, then Members were happy to raise No Objection to the proposed variation. As an aside, Members queried the	ACTION - post NO OBJECTION on CC Planning Register

rationale for omitting the 2nd personnel lift and questioned what would happen when the remaining lift malfunctions. Members noted that the Town Council has received several calls from nearby residents unhappy with the morning start time of the demolition works. Condition 4 of the existing permission states that demolition or construction works shall not take place outside the hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays or at any time on Sundays or Public/Bank Holidays. The Town Council will continue to report breaches to the Enforcement Team and will raise the matter further with the Divisional Member.

Minute Ref P225/23	<u>Terms of Reference and Risk Assessment Update</u>	
	None	
Minute Ref P226/23	<u>Reports and any associated Recommendations from Working Parties</u>	
	i. Community Governance Review Working Party	
	ii. Newquay Neighbourhood Plan Cllr J Kenny reminded Members of an upcoming meeting of the Newquay Neighbourhood Plan Working Party on Monday 3 rd July 2023.	
	iii. Parking Working Party D McLeod informed Members he was still awaiting a response to the recent Freedom of Information.	

Minute Ref P227/23	<u>Financial Statement</u>	
	None	
Minute Ref P228/23	<u>Other Correspondence</u>	
	None	
Minute Ref P229/23	<u>Items for information and discussion only</u>	
	<p>i. Cornwall Council – Weekly List of Planning Decisions</p> <p>Members with an update stating that two applications, previously objected to by the Committee (PA23/02777 136 Mount Wise) and PA22/08720 (Surf Beach 14 Esplanade Road), have been withdrawn.</p> <p>ii. Cornwall Council Planning Induction refresher session</p> <p>Available online, Tuesday 11th July, 15:00-17:30. Members have been emailed joining details and are welcome to attend – no prior booking required.</p> <p>iii. Hilgrove Road Bus Shelter</p> <p>An update was provided, indicating that the installation will take place on 26th June.</p>	
Minute Ref P230/23	<u>Date and time of next meeting</u> The next Planning & Licensing Committee meeting will take place on Tuesday 4 th July 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 20:42 pm Signed..... Date..... Chair Cllr J Kenny	