St Austell Town Council

Planning and Regeneration Committee

To: All Members of the Planning and Regeneration Committee

Councillors: Bull, Colwill, Hanlon, Jones, King, Lanxon, Leonard, Oxenham, Palmer, Pearce and Walker.

Dear Councillor

You are summoned to attend a **Meeting** of the **Planning and Regeneration Committee** to be held in the **Stable Block** at **Pondhu House, Penwinnick Road, St Austell, Cornwall PL25 5DP** on **Tuesday 29th August 2017 at 6pm.**

David Pooley
Town Clerk

22nd August 2017

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AGENDA

1. **Apologies for absence**
2. **Declarations of Interest**

   (Purpose: To receive declarations of disclosable pecuniary and other non-registerable interests in respect of items on this agenda).

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3. Dispensations

(Purpose: To receive requests for dispensations under the Code of Conduct).

4. Minutes from the Meeting dated 31st July 2017

Pages 1 to 6

(Purpose: To agree that the minutes of the above meeting be signed as a correct record). (To follow).

5. Matters to note

A verbal update from the Town Clerk on the actions taken since the last meeting.

Note: No decision may be made under this agenda item.

6. Public participation (15 minutes maximum)

The Chairman will invite members of the public to address the meeting in relation to the business to be carried out at the meeting.

15 minutes will be allocated for public participation (this can be extended at the Chairman's discretion). Each person addressing the Council will be allocated a maximum of two minutes.

7. Planning Applications

The Town Council has been consulted on the planning applications listed below. The Planning Committee is asked to consider the applications and agree a response to the Planning Authority (Cornwall Council).

The applications and their plans can be viewed on the Online Planning Register at www.cornwall.gov.uk.
The Clerk has a set of the applications and plans and Members may inspect them at any time during working hours (Monday-Friday, 9am-5pm). The set will also be available for inspection at and before the meeting.

i. **PA17/04265:** Land South Of 37 Trevarrick Road Trevarrick Road St Austell Cornwall PL25 5JW. Detached dwelling. **Ward: Gover.**

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ii. **PA17/05795:** 6 Eliot Road St Austell PL25 4NL. Proposed replacement garage, kitchen and bedroom extension, addition of roof dormers and associated works. **Ward: Mount Charles.**

iii. **PA17/06526:** 1 Church Street St Austell PL25 4AW. Listed Building consent for the installation of New Cisco Wireless Access Points. **Ward: Gover.**

iv. **PA17/06582:** 2 Poltair Road St Austell PL25 4LR. Outline planning permission with all matters reserved: Proposed new dwelling and associated works. **Ward: Poltair.**

v. **PA17/06644:** 6 Cromwell Road St Austell PL25 4PS. Advert Consent: Signage. **Ward: Mount Charles.**

vi. **PA17/06776:** Plumbing Trade Services Manfield Way St Austell PL25 3HQ. Installation of racking system. **Ward: Bethel.**

vii. **PA17/06836:** Albi Court St Austell Cornwall. Proposed support staff overnight accommodation. **Ward: Gover.**

viii. **PA17/06840:** 38 Fore Street St Austell Cornwall PL25 5EP. Advertisement consent for 4 fascia signs and 1 projector sign. **Ward: Gover.**

ix. **PA17/06948:** Redwood House 7 Trelake Road St Austell PL25 5NH. Felling of Swamp Cyprus tree. **Ward: Gover.**

x. **PA17/07211:** 47 South Street St Austell Cornwall PL25 5BJ. Fell Horse Chestnut tree. **Ward: Mount Charles.**

xi. **PA17/07244:** Land East Of 24 Edgcumbe Road St Austell Cornwall. 1 no. new 4 bedroom dwelling to the west of the existing dwelling with amended vehicular access to both properties. **Ward: Gover.**

xii. **PA17/07251:** 32 Carrickowel Crescent St Austell PL25 3EG. Remove existing garage building. Construct a ground floor rear extension and a

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garage to the side of the property. **Ward: Bethel.**

xiii. **PA17/07791:** 50 Brockstone Road St Austell PL25 3DP. Remove existing garage and construct new garage linked to dwelling, extend dwelling to the rear and the front, add dormers to the existing loft conversion, replace 'lean-to' with extension. Improve parking and driveway including second access onto road. Create decking area within rear garden. **Ward: Bethel.**

8. Higher Trewhiddle Farm – PA17/05616 **Pages 7 to 8**

(Purpose: To consider additional correspondence from Cornwall Council in respect of Planning Application Number: PA17/05616).

9. St Austell Railway Bridge (Councillor Heyward)

(Purpose: To consider Network Rail's proposals to de list St Austell Station and bridge).

10. Premises Licence Applications

The applications and their plans can be viewed at the following link on Cornwall Council's website: http://www.cornwall.gov.uk/default.aspx?page=21173.

The Clerk has a copy of these applications and Members may inspect them at any time during working hours (Monday-Friday, 9am-5pm). They will also be available for inspection at and before the meeting.

1. **Premises Name and Address: McDonald's Restaurants, Pentewan Road, St Austell, PL25 5BU. Application Type: New. Licensable Activities: Late Night Refreshment.**

11. Planning Decisions **Pages 9 to 12**

(Purpose: To note receipt of decisions by the Planning Authority. The decision notices, which explain the full reasons and conditions, are available for inspection in the same way as the planning applications). (Report enclosed).

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12. Cornwall Council – Urgent Delegated Planning Decisions

(Purpose: To receive an update on the Cornwall Council urgent delegated planning decisions). (Verbal update).

13. Dates of Meetings

(Purpose: To confirm dates of forthcoming Planning and Regeneration Committee meetings: Monday 2nd October 2017 and Monday 6th November 2017).

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MINUTES of a MEETING of ST AUSTELL TOWN COUNCIL PLANNING AND REGENERATION COMMITTEE held on MONDAY 31st JULY 2017 in the Stable Block at Pondhu House, Penwinnick Road, St Austell, Cornwall PL25 5DP at 6pm.

Present: Councillors: Colwill, Hanlon, Jones, King, Krishnan, Lanxon, Leonard, Oxenham, Palmer, Pearce and Walker.

In attendance: David Pooley (Town Clerk) and Sara Gwilliams (Deputy Town Clerk).

Also in attendance: Councillors Brown and Heyward.

P/17/46) Apologies for absence

Apologies for absence were received from Councillor Bull.

P/17/47) Declarations of Interest

Councillor Jones declared an interest in Agenda Item 12 by virtue of being a Trustee of the St Austell Arts Centre.

P/17/48) Dispensations

The Clerk advised that no requests for dispensations had been received.

P/17/49) Minutes from the Meeting dated 24th July 2017

It was **RESOLVED** that the minutes of the meeting held on the 24th July 2017 be approved and signed as a correct record.

*** Councillor Leonard arrived during the next item***

P/17/50) Matters to note

The Clerk advised that the St Austell Bay Economic Forum (SABEF) are hoping to approve the Community Economic Development Plan for St Austell Bay & Clay Country in September.

The Case Officer has advised that Planning Application Number PA17/05413 (11 Trelake Road) is a notification to Cornwall Council of works to trees in a Conservation Area and therefore did not need a formal response from the Town Council. The applicant has however agreed to carry out the works as recommended by the Tree Officer.

P/17/51) Public participation

None.

*** Councillor Lanxon arrived during the next item***

P/17/52) Planning Applications

i. **PA17/05223:** 4 North Hill Park St Austell Cornwall PL25 4BJ. Application for a non material amendment (1) following the grant of planning consent PA16/04711. Amendments sought - Increase extension by 0.5m to the rear, alter shape of windows, addition of 2 windows.

It was **RESOLVED** to make no objection to this application.

Councillor Brown arrived during the next item

ii. **PA17/05840:** 82 Bodmin Road St Austell PL25 5AG. Outline Application for residential development with all matters reserved.

Members raised concerns about the sustainability of the site, the harm it might have on the public right of way and the sensitivities of the area.

It was **RESOLVED** to object to this application on the following grounds:

- It is not a sustainable site
- There is a five-year housing land supply and no need for this development
- Inappropriate development in a sensitive area
- Harmful to the important public right of way which links to the clay trails

Councillor Walker abstained from voting on this item

iii. **PA17/05842:** 82 Bodmin Road St Austell PL25 5AG. Construction of an annexe/holiday accommodation. (Demolition of existing workshop).

It was **RESOLVED** to make no objection to this application subject to the public right of way being maintained.

Councillor Walker abstained from voting on this item

iv. **PA17/06077:** Premier Travel Inn Carclaze St Austell Cornwall. Construction of a two-storey hotel extension; additional car parking; realignment of access and upgrade to reception.

It was **RESOLVED** to make no objection to this application.

Councillor Pearce arrived during the next item

v. **PA17/06096:** Bethel Park Bucklers Lane St Austell Cornwall. Removal of limbs on Oak Tree (T1) covered by a Tree Preservation Order.

It was **RESOLVED** to make no objection to this application.

vi. **PA17/06155:** 3 Sparnon Close St Austell PL25 5AR. Retrospective planning application for off street parking bay.

It was **RESOLVED** to make no objection to this application.

vii. **PA17/06189:** 54 Porthmeor Road St Austell PL25 3LX. Erecting a double carport adjoining the front of the dwelling.

It was **RESOLVED** to make no objection to this application.

viii. **PA17/06574:** 4 Menear Road St Austell Cornwall PL25 3DE. Extension of existing detached garage to accommodate hobbies/sunroom with storage over.

It was **RESOLVED** to make no objection to this application subject to a condition to ensure that the conversion is used in conjunction with the host dwelling.

ix. **PA17/06954:** 12 Poltair Road St Austell Cornwall PL25 4LS. Conversion of existing garage to form granny annexe, including provision of pitched roof in place of existing flat roof with accommodation therein.

It was **RESOLVED** to make no objection to this application subject to a condition to ensure that the conversion is used in conjunction with the host dwelling.

P/17/53) Premises Licence Applications

None.

P/17/54) Planning Decisions

It was **RESOLVED** that the report and decisions be noted.

P/17/55) Cornwall Council – Urgent Delegated Planning Decisions

None.

P/17/56) Cornwall Community Infrastructure Levy Draft Charging Schedule

Members considered the consultation papers relating to the Community Infrastructure Levy and raised the following comments/concerns:

- Concern that the CIL rate for St Austell was zero and the need for Cornwall Council to regularly review the CIL level and increase it for St Austell as soon as it becomes viable to do so.
- That the allocation of CIL funding should be a function of the Community Network Panels.
- General support for the Regulation 123 list.
- General support for the discretionary relief and instalment schemes.
- The inclusion of the following two road schemes within either the Section 106 listings, Section 278 listings or the Regulation 123 list depending on which was most likely to provide funding:
    - The lowering of the road under the bridge at Holmbush
    - Improvements to the crossroads by Bethel Chapel

It was **RESOLVED** that the Clerk should respond to the consultation document as follows:

1. Request that Cornwall Council regularly reviews the CIL levels and increases the levy for St Austell as soon as it becomes viable to do so;
2. The allocation of CIL funding should be a function of the Community Network Panels;
3. That the lowering of the road under the bridge at Holmbush and improvements to the crossroads by Bethel Chapel should be included within the Section 106 listings, Section 278 listings or the Regulation 123 listings, whichever is most likely to receive funding.

P/17/57) Cornwall Site Allocations Development Plan Document

The Clerk advised that once adopted, this document would provide better safeguards for the Town and strongly recommended that Cornwall Council should be asked to adopt it as soon as possible. He added that following correspondence from Redrow, Members might wish to consider asking

Cornwall Council to put the Coyte Farm site into the document during the next round of reviews.
Members raised the following issues/concerns:

- The need for the document to be approved as quickly as possible;
- Too many modifications to the document at this stage may need another round of consultation which might delay its adoption;
- The planning permissions that might not be delivered;
- The changing nature of planning legislation;
- The need for regular reviews of the document

Members felt that they should not ask for the Coyte Farm site to be added to the document at this stage for the following reasons:

- The request might delay the adoption of document;
- The site is within Pentewan Valley Parish.

It was **RESOLVED** to support the document and request that Cornwall Council adopt it as soon as possible.

Councillor Walker abstained from voting on this item

P/17/58) Cornwall Minerals Safeguarding Development Plan Document

It was **RESOLVED** to support the document.

P/17/59) Dates of Meetings

It was noted that the dates of the next meetings of the Planning and Regeneration Committee are Tuesday 29th August and Monday 2nd October 2017.

The meeting closed at 6.55pm.

David Pooley

From: Kirby Stephen <Stephen.Kirby@cornwall.gov.uk>
Sent: 18 August, 2017 3:21 PM
To: David Pooley
Cc: Commons Loretta
Subject: PA17/05616 - Deed of modification to planning obligation dated 20/01/2017 relating to decision PA14/12161 - Higher Trewhiddle Farm, St Austell.

Hello David

I wished to provide an update and context for the current application.

We have received a formal application (PA17/05616) seeking to modify the phased payment of off-site transport contributions relating to the Higher Trewhiddle Farm project.

I appreciate your Council have seen some details that have previously been sent through to you and your Council voted to raise no objection.

Nevertheless I have been asked by Cornwall Council's Legal Service to make clear what this current formal application PA17/05616 is about.

The application is to vary by agreement and it is proposed that the current obligation to provide one Bond for the highway contribution prior to commencement of any development is split between the commercial and residential elements thereby requiring a bond for the commercial contribution and a bond for the residential contribution. The application is not seeking a variation to the payment provisions of the highway contribution.

The reason for doing so to enable the applicant to split the phasing of the whole site into residential and retail / commercial. The purpose of the modification is to allow each element of the development to occur independently of each other without triggering the provision of a Bond for the whole amount. It is proposed there would be a requirement to provide two bonds, one for the residential contribution and one for the commercial.

This application relating to the phasing of the Section 278 Highways agreement payment, which currently requires the applicant to pay the whole transport contribution up front before commencement of development. See comments above, the Highway Agreement currently requires provision of a Bond for the highway contribution. The payment of the highway contribution is phased as set out in the Highway Agreement and remains the same. This application is not seeking to amend the payment provisions.

The new approach would enable development to come forward at different stages. At present the applicant (Kingsley) is working with a housebuilder to bring forward the residential element of the scheme in the very near future. I understand that whilst discussions are being held with regard to bring forward the retail / commercial part of the scheme, this won't be happening at the same time.

Ahead of this current application, the applicant has been engaged in discussion with Cornwall Council and particularly with our Legal Service to discuss the mechanism for making this change. We have agreed a way forward and this application enables CC as the Local Planning Authority to make the necessary modification to the approved legal agreement to enable this to happen.

This is important to enable the housing phase (including delivery of the new roundabout junction onto the A390) and link road infrastructure to be planned in detail for a submission of reserved matters and submit within the next few weeks.

None of the above would affect the timing of the approved phased delivery of other on site infrastructure and community benefits as set out in the Section 106 Planning Obligation by Agreement.

I therefore hope that this assists the Town Council in their assessment of this application. I would appreciate any further formal response to be received by St Austell Town Council at the earliest opportunity.

Kind regards

Steve

Stephen Kirby MRTPI
Principal Development Officer / CDRP Facilitator
Strategic Development Team
Planning and Sustainable Development Service
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9

AGENDA ITEM: 11

ST AUSTELL TOWN COUNCIL

PLANNING AND REGENERATION COMMITTEE

29th AUGUST 2017

LOCAL PLANNING AUTHORITY DECISIONS

1. PURPOSE OF REPORT

To note decisions of the Local Planning Authority notified since the last meeting.

2. LEGAL AND RISK MANAGEMENT ISSUES

None directly.

3. EQUALITIES ISSUES

The Council endeavours to highlight to Cornwall Council any equalities issues arising from consideration of the planning applications.

4. RESOURCE ISSUES

None outside of existing budgets.

5. RECOMMENDATIONS

It is recommended that Councillors note the decisions made.

Decisions Made

Councillors are asked to note the receipt of the following decisions by the Planning Authority (the decision notices which explain the full reasons and conditions are available for inspection in the same way as planning applications):

DAVID POOLEY
TOWN CLERK

PA17/04556 **APPROVED**
Applicant: Mr Stuart Jarman
Location: 20 Central Avenue St Austell PL25 4JG
Proposal: Proposed extensions and general alterations

Town Council Response: No Objection.

PA17/05271 **APPROVED**
Applicant: Ms Addie Thomas
Location: Day Lewis 1 - 3 Victoria Place St Austell Cornwall PL25 5PE
Proposal: Listed building consent for: general repairs; replacement of old asbestos cement slates with new natural slate to rear elevation; replacement of 4 no. rear elevation windows and 1 no. rear elevation door and side screen; redecoration of building externally in colours to match existing

Town Council Response: No Objection.

PA17/05409 **APPROVED**
Applicant: Mr James Martin
Location: 3 Lyndhurst Avenue St Austell PL25 3HJ
Proposal: Proposed extensions and improvements

Town Council Response: No Objection.

PA17/00696 **REFUSED**
Applicant: Mr Chris Gerrard
Location: 6 Eliot Road St Austell PL25 4NL
Proposal: Retrospective repairs to strengthen existing walls and pillars increase the height of the pillars in order to build in between the pillars on the existing wall heights.

Town Council Response: Objection.

PA17/05841 **APPROVED**
Applicant: Mr Ben Gormal
Location: 106 Alexandra Road St Austell Cornwall PL25 4QJ
Proposal: Installation of a dropped kerb.

Town Council Response: No Objection.

PA17/05700 **APPROVED**
Applicant: Mr T Lowe
Location: 35 Eliot Road St Austell PL25 4NN
Proposal: Proposed first floor bedroom extension.

Town Council Response: No Objection.

PA17/06096 **APPROVED**
Applicant: Mr Steve Skinner
Location: Bethel Park Bucklers Lane St Austell Cornwall PL25 3JN
Proposal: Removal of limbs on Oak Tree (T1) covered by a Tree Preservation Order

Town Council Response: No Objection.

PA17/06103 **APPROVED**
Applicant: Mr Shane Binding
Location: 28 Jubilee Meadow St Austell PL25 3EX
Proposal: Works to trees subject to a tree preservation order. Crown raising of four Oaks to six metres from ground level.

Town Council Response: No Objection.

PA17/06155 **APPROVED**
Applicant: Mr R Truscott
Location: 3 Sparnon Close St Austell PL25 5AR
Proposal: Retrospective planning application for off street parking bay

Town Council Response: No Objection.

PA17/06574 **APPROVED**
Applicant: Mr And Mrs Evely
Location: 4 Menear Road St Austell Cornwall PL25 3DE
Proposal: Extension of existing detached garage to accommodate hobbies/sunroom with storage over.

Town Council Response: No Objection.

PA17/05575 **APPROVED**
Applicant: Mrs Kirsty Davies
Location: 1A Trevarrick Road St Austell Cornwall
Proposal: Application for change of use from D2 to B1.

Town Council Response: No Objection.

PA17/05735 **APPROVED**
Applicant: Mrs Heather Batho
Location: St Austell Church Hall Trevarthian Road St Austell PL25 4BH
Proposal: Demolition of derelict church hall building approx area 400m2: retention of existing entrance onto the site, cottage, stone shed and car parking

Town Council Response: No Objection.