

St Austell Town Council

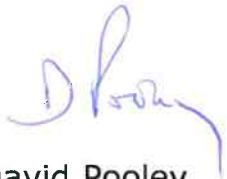


To: All Members of the Planning and Regeneration Committee

Dear Councillor

You are summoned to attend the **Planning and Regeneration Meeting** of **St Austell Town Council** to be held in **Carlyon House, 20 Carlyon Road, St Austell, Cornwall, PL25 4BX** on **Monday 5th December 2022** at **6pm**.

****Please note change of venue****



David Pooley
Town Clerk

29th November 2022

Tel: 01726 829859
E-mail: david.pooley@staustell-tc.gov.uk
Website: www.staustell-tc.gov.uk

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 the agenda).

3. Dispensations

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

4. Minutes from Meeting dated 31st October 2022

**Pages
1 to 8**

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

This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public.

5. Matters to Note

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

6. Public Participation

(Purpose: To invite members of the public to address the meeting in relation to the business to be carried out at the meeting).

Each person addressing the Council will be allocated a maximum of 2 minutes.

7. Planning Applications

The Town Council has been consulted on the planning applications listed below. The 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.

- i. **PA21/06742:** Former Post Office, High Cross Street, St Austell. Demolition of existing B8 warehouse to provide erection of 24 (C3) apartments over four floors with parking. (Revised Plans). **Ward: Central & Gover.**

Link: <https://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QVGZBEFGGB900>

- ii. **PA22/09172:** Land Adjoining Pentewan Road Retail Park Pentewan Road St Austell Cornwall. Demolition of 2 dwellings and construction of new food and non-food superstore with associated service yard, customer car parking, external lighting and landscaping together with associated highway works and alterations to existing retail car park and access without compliance with conditions 2, 8 and 16 of decision notice PA12/06049 dated 06.09.13. **Ward: Central & Gover.**

Link: <https://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RJL16QFGG0800>

- iii. **PA22/09639:** 48 Morcom Close St Austell Cornwall PL25 3UG. New dwelling and associated works on residential infill land. **Ward: Bethel & Holmbush.**

Link: <https://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RKEFFRFGJ8700>

- iv. **PA22/09663:** Aspire Gymnastics Academy Bucklers Lane St Austell Cornwall. Change of use from Class D2 to Class B8 with Click & Collect facility and minor internal alterations. **Ward: Bethel & Holmbush.**

Link: <https://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RKF78LFGJTC00>

- v. **PA22/10069:** 30 Carnjewey Way St Austell Cornwall PL25 4FU. Single-storey rear extension. **Ward: Poltair & Mount Charles.**

Link: <https://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RL4FIFFGIHR00>

- vi. **PA22/10165:** Land To The Rear Of Masonic Club South Street St Austell Cornwall. Permission in principle for up to four dwellings. **Ward: Central & Gover.**

Link: <https://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RLCDGAFG1PK00>

8. Premises Licence Applications

None.

9. Planning Decisions

(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).

**Pages
9 to 10**

10. Cornwall Council – Urgent Delegated Planning Decisions

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

11. Slades Road Footpath

**Pages
11 to 12**

(Purpose: To receive an update on the work undertaken to re-open a footpath off Slades Road). (Report attached).

12. Town and Country Planning (Tree Preservation) (England) Regulations 2012 – 15 Hill Park Crescent, St Austell

**Pages
13 to 14**

(Purpose: To note correspondence from Cornwall Council in respect of a Tree Preservation Order).

13. St Austell Town Centre Revitalisation Partnership

(Purpose: To receive an update on the work of the St Austell Revitalisation Partnership). (Verbal update).

14. Cornwall Council Highways Schemes

(Purpose: To receive an update on progress with the Cornwall Council Highways Schemes). (Verbal report)

15. Dates of Meetings

(Purpose: To confirm the dates of the forthcoming Planning and Regeneration Committee meetings: Monday 9th January 2023 and Monday 6th February 2023).

MINUTES of a MEETING of ST AUSTELL TOWN COUNCIL PLANNING AND REGENERATION COMMITTEE held on MONDAY 31st OCTOBER 2022 in the Council Chamber, 39 Penwinnick Road, St Austell, Cornwall PL25 5DR at 6pm.

Present: Councillors: Brown (Chair), Cohen, Fox, French, Hamilton, Lanxon, McDonagh, Styles and Thompson.

Also Present: Councillors Double and Rowse.

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

P/22/71) Apologies for absence

Apologies for absence were received from Councillors: Bull, Pearce and Stephens.

Councillor French advised that he needed to leave the meeting early

P/22/72) Declarations of Interest

Planning Application Number: PA22/09153 – Land Between Aspen Drive and Boscoppa Road, Aspen Drive, St Austell, Cornwall

Councillor Brown explained that although he lives in Killyvarder Way, he felt that if the application is approved, he would not be affected by the development as he lives in an area of Killyvarder Way that does not abut the land. He added that he was the applicant for the TPO's on the boundary of the site when he was a Cornwall Councillor.

P/22/73) Dispensations

None.

P/22/74) Minutes from the Meeting dated 26th September 2022

It was **RESOLVED** that the minutes of the meeting held on the 26th September 2022 be approved and signed as a correct record.

P/22/75) Matters to note

The Clerk advised that he had nothing to add.

P/22/76) Public Participation

The Chair advised that due to the large number of people in attendance to speak and listen to the debate with regard to planning application numbers: PA22/09153, PA21/12757 and PA22/07069 the revised order of proceedings would be:

- (i) PA22/09153 – Land between Aspen Drive and Boscoppa Road
- (ii) PA21/12757 – Land West of Evergreen Cottages, Treverbyn Road
- (iii) PA22/07069 – 16 Slades Road, St Austell

P/22/77) Planning Applications

- (xi) **PA22/09153:** Land Between Aspen Drive And Boscoppa Road Aspen Drive St Austell Cornwall. Outline application with all matters reserved for proposed development of site to create fifty dwellings. A mix of open market and affordable homes.

The Clerk advised that the application is an outline application for 50 dwellings incorporating 30 open market properties, 5 affordable to rent and 15 affordable home ownership properties with the access through Aspen Drive. The Planning Officer has not yet formed a view on the application. He added that approximately 30 objections have been placed onto Cornwall Council's planning portal citing reasons for refusal including:

- The mining history of the site
- The increased traffic
- The impact on the neighbouring properties
- The impact on the trees with TPO's
- Air Quality
- The site identified in the DPD as a green buffer
- Lack of infrastructure for more houses
- Impact on wildlife

He added that as of that morning, there was one comment in support of the application.

The Chair invited the members of the public present to speak on this application and the following issues/comments were stressed a number of times:

- Legal issues with regard to the ownership of the access land at Aspen Road
- The Tree Preservation Orders on the boundary of the site
- The site being Grade 3 agricultural land and being farmed for food up until recently
- The impact on the neighbouring properties, particularly the bungalows in Killyvarder Way
- Protected wildlife on the site such as bats and reptiles
- The well documented mining history in the area and risk of subsidence
- The potential for ASB/crime in the area through the creation of footpaths
- The increased traffic in the area
- Drainage issues in the area

Members during discussion expressed their concern with regard to the application and raised the following issues:

- The loss of agricultural land
- Over development of the site
- Well documented mining history of the site
- Access issues to the site through Aspen Drive
- Air quality issues
- Over-bearing, over shadowing and loss of privacy on the neighbouring properties
- The increased traffic on the very busy A391 which has recently had a fatality
- Noise nuisance created by the construction of the properties

- Multiple footpaths running around the site which could cause ASB issues
- No plan to demonstrate a biodiversity increase
- Existing homes in the area built on greenfield sites
- The need for affordable housing

Councillor Rowse advised that he had invited all Town Councillors to a site meeting on Friday afternoon and thanked Councillors Cohen and Thompson for their time. He outlined the requirements of the Town Framework and his concerns with regard to the proposal including:

- The site is not identified in the DPD for development
- The presence of Japanese Knotweed on the site that has not been addressed
- Lack of detail with regard to the design, appearance and layout of the proposal
- The impact on the neighbouring properties
- The lack of capacity at Bishop Bronscombe School
- Drainage issues in the area
- High risk due to the well-known mining history

The Chair thanked the members of the public for their comments and for attending the meeting and suggested that a separate letter should be sent to Cornwall Council to supplement the submission to reflect the strength of feeling amongst the residents and the Town Council against the proposal. He also suggested that Cornwall Council should be requested to organise a site visit should Cornwall Council's Planning Committee be asked to determine the application.

Councillor Rowse confirmed that if the Planning Officer is mindful to support the application, he would request that the application is determined by Cornwall Council's Planning Committee.

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

- The site is not identified in Cornwall Council's Site Allocation DPD as a housing site. It is identified in the DPD as a green buffer;
- The proposal would lead to the loss of mature trees protected by a TPO and a reduction in biodiversity including a loss of protected bats and reptiles;
- The site and housing surrounding the site has a history of mining activity and subsidence;
- The historic Luxulyan Leat runs through the site and should be protected for its archaeological importance;
- Loss of good quality, south facing Grade 3 agricultural land which has been actively farmed for many years;
- Concerns with regard to the traffic flows in the adjoining area and access arrangements through the narrow road of Aspen Drive and deliverability of the proposed access because of an ongoing legal dispute over ownership;
- The impact in terms of overlooking and loss of privacy on existing properties, particularly the neighbouring bungalows in Killyvarder Way;

- The site and adjoining land have a history of drainage issues and it is felt that development here will impact on the St Blazey STARR project and drainage in the wider area;
- Cornwall Council has demonstrated that it has a five year land supply and St Austell has exceeded the local housing target set in the Cornwall local plan.

Councillor French left the meeting

- i. **PA21/12757:** Land West Of Evergreen Cottages Treverbyn Road St Austell Cornwall PL25 4EW. Residential development of 48 affordable dwellings, the formation of an access from Treverbyn Road and other associated works (including demolition of existing buildings).

The Clerk advised that the proposed development is within the Parish of Treverbyn and that there are 40 objections on the planning system. The Planning Officer is mindful to support the application subject to revisions to the open space provision. The Cornwall Councillor for the area has called the application in to committee for determination.

Ms Oxenham spoke against the application and advised that there had been a site meeting recently and Treverbyn Parish Council had written a commendable report to oppose the application. She outlined the history of the proposed site and the neighbouring site and the comments of the Secretary of State.

During discussion, Members raised the following issues:

- The desperate need for affordable housing
- The appeal history of the site
- The visual impact of the proposal
- Not a sustainable development
- Flooding issues in the Carclaze area

Councillor Double advised that the developers have offered Treverbyn Parish Council a strip of land to protect development of the neighbouring fields.

It was **RESOLVED** to make no objection to this application subject to access for further development beyond this site being prohibited by the design and layout of the scheme and the open space being improved to the satisfaction of the Planning Officer.

Councillor Double left the meeting

- (iv) **PA22/07069:** 16 Slades Road St Austell Cornwall PL25 4EX. Demolition of existing house and redevelopment with 9 apartments.

The Town Clerk advised that the Planning Officer supports the application and there were no objections on Cornwall Council's planning system.

The applicant, Mr Mitchell advised that he was not aware of any issues and that Planning Policy supports the application.

During discussion, Members raised the following concerns:

- Contamination on the land
- The low level parking provision (7 spaces for 9 apartments)
- Over-development and over-bearing and out of character of the area
- No electric vehicle charging provision

A proposal to object to the application was lost 3 votes for, 4 votes against.

A proposal to make no objection to the application was carried 4 votes for, 3 votes against.

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

- (ii) **PA22/05787:** 2 Tremena Gardens St Austell Cornwall PL25 5QH. Conversion of basement to playroom, dining room, kitchen, utility room and workshop.

It was **RESOLVED** to make no objection to this application subject to the building remaining as one dwelling.

- (iii) **PA22/06509:** 34 Brockstone Road Boscoppa St Austell PL25 3DW. Application for proposed residential development of two dwellings and associated works.

It was **RESOLVED** to make no objection to this application subject to:

- The Planning Officer being satisfied that there will be no unacceptable impact on 32 Boscoppa Road;
- A landscape and maintenance scheme for the whole of the development site being approved;
- The Highways Officer being satisfied that the access identified is the best solution for the site;
- The Planning Officer being satisfied that the history of subsidence in the area will be overcome satisfactorily.

- (v) **PA22/07177:** 8 Gowan Road St Austell Cornwall PL25 3JP. Proposed single storey rear extension and loft conversion.

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

- (vi) **PA22/07664:** 29 Clifden Road St Austell Cornwall PL25 4NZ. Two-storey extension to side and rear and conversion of loft.

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

- (vii) **PA22/08160:** 13 And 13A Bodmin Road St Austell Cornwall PL25 5AE. Relocate entrance doors to No.13 and 13A Bodmin Road.

It was **RESOLVED** to object to this application as there was insufficient information to form an opinion and clarification is needed as to whether or not listed building consent is required.

- (viii) **PA22/08220:** Unit 58 Stennack Road St Austell Cornwall. The proposed construction of a single storey timber clad building to be used as a gym.

It was **RESOLVED** to support this application subject to:

- Cornwall Council's Environmental Health officer being satisfied with the measures being taken to mitigate any noise nuisance.
- The use of the building being limited to a gym.

(ix) **PA22/08534:** 102 Truro Road St Austell Cornwall PL25 5HH. Non-material amendment in relation to decision notice PA22/05016 dated 01/09/2022 for an additional patio door to the living room side elevation facing Truro Road. This is due to restricted natural light source to the property.

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

(x) **PA22/08667:** 24 Bethel Road St Austell Cornwall PL25 3HB. Proposed new dwelling and construction of domestic garage and associated works including retention of extension to host dwelling approved under PA22/01529.

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

- Loss of amenity space
- Over development of the site

(xii) **PA22/09234:** FreshStart Two 24 Truro Road St Austell Cornwall. Works to trees in a conservation area (CA): T1 - Tilia x europaea - Fell to ground level.

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

P/22/78) Premises Licence Applications

None.

P/22/79) Planning Decisions

It was **RESOLVED** to note the planning decisions.

P/22/80) Cornwall Council – Urgent Delegated Planning Decisions

The Clerk advised that Cornwall Council's Street Naming Team would like the views of the Town Council with regard to the name "Treloar Close" for the land east of 4 Brockstone Road, St Austell.

It was **RESOLVED** to support the name Treloar Close for the land east of 4 Brockstone Road, St Austell.

P/22/81) St Austell Town Centre Revitalisation Partnership

The Clerk advised that he is pleased with the project progress so far and that meetings have been scheduled in very shortly for the consultants to talk to Cornwall Council Highways Officers about the Highways proposals. He added that following an expression of interest into the Good Growth Fund he had received an invitation to bid for funding to progress key projects to "shovel ready" stage.

P/22/82) Cornwall Council Highways Schemes

The clerk referred to the Cornwall Council Highways Schemes updates circulated by e-mail earlier in the week.

Arising from a question, the Clerk agreed that if available, he would circulate the updates as a hard copy with the agenda in future.

P/22/83) Dates of Meetings

It was noted that the dates of the next meetings of the Planning and Regeneration Committee are Monday 5th December 2022 and Monday 9th January 2023.

The meeting closed at 8.52pm.

ST AUSTELL TOWN COUNCIL
PLANNING AND REGENERATION COMMITTEE
5th DECEMBER 2022
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. ENVIRONMENTAL CONSIDERATIONS

The Town Council considers environmental issues when considering planning applications but is constrained by local and national planning policy.

6. 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

PA22/04295

APPROVED

Applicant: Mr James Smithson

Location: Land Adj To 69 Roslyn Close St Austell Cornwall PL25 3UN

Proposal: Proposed detached house with parking

Town Council Response: No Objection.

PA22/07936

APPROVED

Applicant: Mr Keith Geach

Location: Roundabout Motors Car Park Beech Road St Austell Cornwall PL25 4TS

Proposal: 4 number 1 bedroom apartments

Town Council Response: No Objection.

PA22/08534

APPROVED

Applicant: Mrs Alison Craven

Location: 102 Truro Road St Austell Cornwall PL25 5HH

Proposal: Non-material amendment in relation to decision notice PA22/05016 dated 01/09/2022 for an additional patio door to the living room side elevation facing Truro road. This is due to restricted natural light source to the property.

Town Council Response: No Objection.

PA22/05787

APPROVED

Applicant: Mrs Jayne Sword

Location: 2 Tremena Gardens St Austell Cornwall PL25 5QH

Proposal: Conversion of basement to playroom, dining room, kitchen, utility room and workshop.

Town Council Response: No Objection.

PA22/06509

APPROVED

Applicant: Mr And Mrs C Maunder

Location: 34 Brockstone Road Boscoppa St Austell PL25 3DW

Proposal: Application for proposed residential development of two dwellings and associated works.

Town Council Response: No Objection.

Pathway between Slades Road and Agar Road

Background

In 2021 a St Austell resident approached the Town Council to investigate the feasibility of re-opening a pathway between 43 Slades Road and 40 Agar Road which had been blocked. The resident submitted letters from eight historic users of the path supporting its re-opening. Members of the Planning and Regeneration Committee resolved that the Town Council should investigate this matter but due to a lack of resource, the Town Council did not pursue the project until Summer 2022.

Cornwall Council, the responsible highways authority, advised St Austell Town Council of the process to follow to seek the re-opening of a pathway which most significantly required more recent evidence of support for the footpath's re-opening from local residents.

During 2022, the Town Council followed the guidance set out by Cornwall Council for applicants to modify the Definitive Map and Statement in Cornwall as set out in the "Modification Order Pack" and spoke to the neighbouring properties and nearby residents. Residents who submitted the original letter supporting the re-opening of the path were invited to complete the relevant "Public Path User Form" and 3 out of the original 8 interested parties responded. Cornwall Council was informed of the responses, and they advised that 3 User Evidence Forms fell far short of what is required for a modification order claim to succeed.

Recommendation

Due to the lack of evidential public support required by Cornwall Council, it is unlikely that the path will meet the requirement to modify the Definitive Map and Statement in Cornwall and therefore the project should not be pursued any further.

If substantial public support is received to open the footpath in the future, the Town Council may wish to re-visit the project at that time.

Bill McCardle
Regeneration Officer

10th November 2022



Mr David Pooley, Clerk
St Austell Town Council
The Stable Block
Pondhu House
St Austell
PL25 5DP

Your ref:
My ref: TPO22/00010/MHJ
Date: 16 November 2022

Sent via Email

Dear Mr Pooley

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012
15 HILL PARK CRESCENT, ST AUSTELL TREE PRESERVATION ORDER 2022**

Please find enclosed copy notice of confirmation of the Order today sent to the persons interested in the site.

The Order has been confirmed without modification.

Yours sincerely

Miriam Hoole-Jackson
Senior Development Support Officer
Planning and Sustainable Development
Tel: 01872 322222/07395 834874
Email: miriam.hoole-jackson@cornwall.gov.uk

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