

St Austell Town Council



Planning and Regeneration Committee

To: All Members of the Planning and Regeneration Committee

Councillors: Bishop, Colwill, Jones, King, Lanxon, Leonard, Oxenham, Palmer, Pearce, Styles, Thompson 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, PL25 5DP** on **Monday 9th March 2020 at 6pm.**

S. Pooley

David Pooley
Town Clerk

3rd March 2020

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).

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.

Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.

4. Minutes from Meeting dated 10th February 2020

Pages
1 to 6

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

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

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 Committee will be allocated a maximum of two minutes.

7. Alex Murdin – White Gold Curator

(Purpose: To receive a presentation on the proposed ceramic art installations in the town centre).

8. 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.

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. **PA19/10401:** Friends Meeting House High Cross Street St Austell Cornwall. Listed Building Consent for fire safety works to internal doors and serving hatch. **Ward: Gover.**
- ii. **PA20/00243:** 40B And 40C Bodmin Road St Austell Cornwall PL25 5AF. To excavate soil and tree stumps from gardens to slope down to current retaining wall, reduce height of wall. **Ward: Gover.**

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.

Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.

- iii. **PA20/00662:** 5 Agar Road St Austell PL25 3AD. Extension and improvements. **Ward: Poltair.**
- iv. **PA20/00746:** 6 Biddicks Court St Austell Cornwall PL25 5EW. Proposed change of use and conversion of existing first floor retail to single residential unit. **Ward: Gover.**
- v. **PA20/00922:** 1-3 Day Lewis Victoria Place St Austell PL25 5PE. Consolidate existing retail space to the ground floor and convert the rest of building into 7 residential flats with minor external modifications and internal remodelling. **Ward: Gover.**
- vi. **PA20/00923:** 1-3 Day Lewis Victoria Place St Austell PL25 5PE. Listed building consent to consolidate existing retail space to the ground floor and convert the rest of building into 7 residential flats with minor external modifications and internal remodelling. **Ward: Gover.**
- vii. **PA20/00946:** 44 Whieldon Road St Austell Cornwall PL25 3JE. Proposal for work to a Hawthorn tree - subject to a Tree Preservation Order (TPO). **Ward: St Austell Bay.**
- viii. **PA20/01029:** Penwinnick House 28 Penwinnick Road St Austell PL25 5DS. Non-material amendment to PA19/04363 to allow a new window on one facade, a swap between a door and a window on another facade and an extension of 600mm. **Ward: Gover.**
- ix. **PA20/01213:** Vospers Ford East Hill St Austell Cornwall. Application for consent to display an advertisement namely the siting of a 6m internally illuminated static pole sign. **Ward: Mount Charles.**
- x. **PA20/01234:** 3A Graham Avenue St Austell PL25 4LZ. Demolition of bungalow and detached garage and erection of a detached dwelling. **Ward: Poltair.**
- xi. **PA20/01592:** Priory Car Park Priory Road St Austell Cornwall PL25 5AB. Tree works to various trees within a conservation area. Please refer to submitted Tree Survey. **Ward: Gover.**

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.

Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.

9. Premises Licence Applications

The applications and their plans can be viewed at the following link on Cornwall Council's website:

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.

None.

10. Planning Decisions

**Pages
7 to 8**

(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).

11. Cornwall Council – Urgent Delegated Planning Decisions

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

12. Appeal Decision – PA19/02749 20 Edgcumbe Road, St Austell PL25 5DX

**Pages
9 to 12**

(Purpose: To note correspondence from Cornwall Council in respect of the above Appeal Decision).

13. Dates of Meetings

(Purpose: To confirm dates of forthcoming Planning and Regeneration Committee meetings: Tuesday 14th April 2020 and Monday 18th May 2020).

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.

Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.

MINUTES of a MEETING of ST AUSTELL TOWN COUNCIL PLANNING AND REGENERATION COMMITTEE held on MONDAY 10th FEBRUARY 2020 in the Stable Block at Pondhu House, Penwinnick Road, St Austell, PL25 5DP at 6pm.

Present: Councillors: Bishop, Colwill, Jones, King, Lanxon, Leonard, Oxenham, Palmer, Pearce, Styles, Thompson and Walker.

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

Also in attendance: Councillor Brown, Bull, Heyward, French and Pears.

P/19/111) Apologies for absence

None.

P/19/112) Declarations of Interest

None.

P/19/113) Dispensations

None.

P/19/114) Minutes from the Meeting dated 6th January 2020

Councillor Oxenham asked that it be noted that during discussion of Planning Application number PA19/09675 she had referred to Cornwall Council's *Cornwall Self and Custom Build Annual Monitoring Report 2019* and had quoted the following sentence from that report:

"In this way, it can be judged that Cornwall Council has exceeded the requirement of 257 self-build plots over the allotted 3 year period."

It was **RESOLVED** that the minutes of the meeting held on the 6th January 2020 be approved and signed as a correct record subject to the above amendment.

P/19/115) Matters to note

None.

P/19/116) Public participation

The Chairman advised that he would allow the members of the public present to speak when their application was being considered and in order to assist would bring agenda items (iii), (ii), (iv) and (viii) forward.

P/19/117) Planning Applications

- (iii) **PA19/10718:** 1 Turnavean Road St Austell PL25 5NX. Front extension and conversion of garage to living accommodation.

It was **RESOLVED** to make no objection to this application subject to the footpath and road being kept clear at all times during the construction works.

- (ii) **PA19/10709:** 15 Carlyon Road St Austell PL25 4LF. Development for up to 6 houses.

The Chair introduced Sue Walters from Situ8 to the meeting.

Ms Walters advised that this was an outline planning application with all matters reserved and that all access points to the development would be considered at a later date, although the host building would keep its own access. She advised that the applicant had commissioned a tree surgeon and that it was a sustainable development that would support the local businesses in Carlyon Road.

Members on balance supported the development of the site but were uncomfortable about the close proximity of one of the proposed access points to the roundabout.

It was **RESOLVED** to make no objection to the principle of the development of the site on the proviso that an alternative access is found, away from the roundabout, and that the trees and roots are protected during the development works.

Councillors Oxenham, Palmer and Thompson voted against this application

- (iv) **PA19/10829:** Higher Trewhiddle Farm Lane From Pentewan Road To Higher Trewhiddle Farm St Austell PL25 5DA. Construction of seven dwellings (6 three bedroom and 1 four bedroom) following outline approval for 6 dwellings under application PA19/02070.

Mr John Marshall advised that they had received outline planning approval for 6 dwellings with a planning condition for the upgrade of the lane and the creation of a passing place. He advised that this application was now for 7 houses, each of which would have a garage and a space for one car plus the site would have designated visitor spaces. He advised that the site was within walking distance from the town and requested the support of Members.

During discussion, Members felt that as the lane is used by pedestrians, it would be helpful if signage could be installed warning motorists that there may be pedestrians on the road.

It was **RESOLVED** to make no objection to this application subject to a suitable passing place being installed on the lane, general lane improvements and signage being erected warning motorists that there may be pedestrians on the road.

*** Councillors Bull and Jones declared an interest as Trustees in the Arts Centre, a property adjacent to the Trehiddle site and left the meeting during the next item***

- (viii) **PA20/00534:** Land At Higher Trehiddle Farm, OS Grid Ref 200422, 51913 Truro Road St Austell. Application for reserved matters for appearance, landscaping, layout and scale following outline approval PA14/12161 dated 27.01.2017 for the construction of a Hotel (C1), Pub/Restaurant (Class A4) and 6 retail units (Class A1).

The Clerk advised that the Planning Officer had expressed no concerns with regard to the design or scale of the retail units.

Mr Marshall outlined the application and advised that no changes had been made from the outline application and that there had been a re-kindled interest in the retail units, less so in the hotel.

Ab Simpson reiterated the good interest shown in the units and explained that no contracts had been signed as yet but this was usual at this stage of development. He agreed with Mr Marshall that the hotel was proving a bit more difficult to let but confirmed that some interest had been shown.

During discussion Members raised the following issues:

- The need for an accessible pedestrian access to the south of the site
- Concern with regard to the design of the hotel
- The need for speed restrictions on the site

It was **RESOLVED** to support this application, particularly the mixed land use, on the condition that the developer installs an accessible pedestrian access to the south of the site.

Councillor King abstained from voting on this application

The Chair thanked Mr Marshall and Mr Simpson for their input to the meeting.

Councillors Bull and Jones returned to the meeting

- (i) **PA19/10654:** 2 Pondhu Crescent St Austell Cornwall PL25 5DT. Proposed erection of a 3-bedroom detached dwelling house and detached garage.

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

Councillors Palmer and Styles voted against this application

- (v) **PA20/00052:** 150 Porthpean Road St Austell Cornwall PL25 4PN. Single and two storey rear extensions.

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

Councillor Jones voted against this application

Councillor Oxenham abstained from voting on this application

- (vi) **PA20/00236:** Land West Of 15 Fairfield Close St Austell Cornwall. Proposed detached 3-bedroom dwelling with parking for one car.

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

Over development
Overlooking of the neighbouring properties
Out of keeping with the street scene
Lack of parking

Councillor Thompson voted against this proposal

- (vii) **PA20/00407:** Watersedge Gover Valley St Austell Cornwall. Tree works to a sycamore subject to a TPO.

It was **RESOLVED** to make no objection to this application subject to the Tree Officer being satisfied with the proposals.

- (viii) **PA20/00535:** Higher Trewhiddle Farm St Austell Cornwall PL25 5DA. Reserved Matters Application (Phase 2) for access, appearance, landscaping, layout and scale following outline approval PA14/12161 dated 27.01.2017 for the construction of 460 dwellings and associated infrastructure and public open space.

The Clerk advised that the Planning Officer considers that the design and layout is acceptable.

During discussion, Members raised the following issues/concerns:

- The potential flooding on the green open space on the lower part of the site
- The lack of a link to Pondhu School
- The lack of a drop off point for Pondhu school
- Concern regarding the well-known flooding issues in the area
- The need for a footpath from the site to St Mewan
- The need to ensure that the homes are sustainable and future proofed

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

Lack of a link from the site to Pondhu School
Lack of a drop off point for Pondhu School
Lack of a footpath to St Mewan
Insufficient green space across the site

Members asked that Cornwall Council provide reassurance that the drainage proposals are sufficient for the site in the light of the well-known flooding issues in the area. They expressed a desire for the proposed link road to be made to a suitable standard to accommodate a southern link road joining up with the Pentewan Road in due course and that the homes are built with future proofing and sustainability in mind.

- x. **PA20/00549:** Land off Manfield Way, St Austell. Tree works to a tree subject to a TPO – works to an ash, oak and felling of two stalls of pittosporum.

It was **RESOLVED** to make no objection to this application subject to the Tree Officer being satisfied with the proposals.

- xi **PA20/00586:** Martela, Gribben Road, St Austell PL25 4ED. Demolition of existing garage/store to replace with new garage building with roof terrace purpose built for historic traction engine.

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

Councillor Bull declared an interest in the following item and left the meeting

- xii **PA20/00875:** 1 The Oaks, Westbourne Drive, St Austell, PL25 5DG. Oak (T11) – Crown reduction of north, south and west crown, from 6m to 4.5m, cutting to appropriate growing points (East section already reduced in the past, so no reduction).

It was **RESOLVED** to make no objection to this application subject to Tree Officer approval.

Councillor Bull returned to the meeting

P/19/118) Premises Licence Applications

- 1. Premises Name and Address: McDonalds Restaurant, Pentewan Road, St Austell PL25 5BU. Application Type: Grant. Licensable Activities: Late Night refreshment.**

The Clerk advised that McDonalds are seeking an extension of 1 hour each day, 7 days a week from 11pm to 12am.

Members discussed the recent anti-social behaviour in the town centre and the impact that the proposed extension could have on the locality and neighbouring properties.

Members noted if the Town Council wished to object on the grounds of anti-social behaviour they had to provide evidence.

It was **RESOLVED** that the Town Clerk should liaise with the Police to ascertain whether or not there have been enough incidents of anti-social behaviour in the area that would justify an objection to the licensing application.

P/19/119) Wainhomes – Street Naming

The Clerk advised that the Town Council had been approached by Wainhomes seeking ideas for street names for the new development at Trehiddle and a list of "Saints" names had been provided for consideration.

Councillors felt that "Saints" names were not suitable and suggested Cornish tree and shrub names should be considered.

It was **RESOLVED** to advise Wainhomes that the Town Council would prefer to see Cornish trees and shrubs as street names for the new development at Trehiddle Farm.

P/19/120) Planning Decisions

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

P/19/121) Cornwall Council – Urgent Delegated Planning Decisions

Planning Application Number: PA19/10054 - Land North Of 42 Brockstone Road, St Austell.

The Clerk advised that following a 5-day protocol letter from Cornwall Council, the Chair and Vice Chair of the meeting that had considered the application had "agreed to disagree" with the Planning Officer but still maintain the objection. Councillor Brown advised that the proposal was currently being reviewed by a Senior Planning Officer and that he might ask for it to be considered at Committee in due course.

P/19/122) Dates of Meetings

It was noted that the dates of the next meetings of the Planning and Regeneration Committee are Monday 9th March 2020 and Tuesday 14th April 2020.

The meeting closed at 7.40pm.

**ST AUSTELL TOWN COUNCIL
PLANNING AND REGENERATION COMMITTEE**

9th MARCH 2020

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

PA19/09659**APPROVED****Applicant:** Mr Ken Glazebrook**Location:** Land West Of 40 Trenance Road St Austell PL25 5AN**Proposal:** Application for Outline Planning Permission with some matters reserved (access only) for up to 2 dwelling houses**Town Council Response: No Objection.****PA19/06298****APPROVED****Applicant:** Mr Jamie Grant**Location:** Land At Higher Trewhiddle Farm St Austell Cornwall**Proposal:** Reserved Matters for Phase One of residential development PA14/12161 for 200 homes and associated infrastructure including the strategic link road and roundabout**Town Council Response: No Objection.****PA19/10718****APPROVED****Applicant:** Mr & Mrs Nichols**Location:** 1 Turnavean Road St Austell PL25 5NX**Proposal:** Front extension and conversion of garage to living accommodation**Town Council Response: No Objection.****PA20/00052****APPROVED****Applicant:** Mr Walby**Location:** 150 Porthpean Road St Austell Cornwall PL25 4PN**Proposal:** Single and two storey rear extensions**Town Council Response: No Objection.****PA19/10923****APPROVED****Applicant:** Mrs A Geach**Location:** 49 Treverbyn Road St Austell PL25 4EP**Proposal:** Demolition of sub-standard dwelling and outbuildings and erection of two replacement dwellings**Town Council Response: No Objection.**



Appeal Decision

Site visit made on 16 December 2019

by **Matthew Jones BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/D0840/W/19/3234910
20 Edgcumbe Road, St Austell PL25 5DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Daniel Mitchelmore of AD&DM Ltd against the decision of Cornwall Council.
- The application Ref PA19/02749, dated 25 March 2019, was refused by notice dated 7 August 2019.
- The development proposed is a detached split-level dwelling.

Decision

1. The appeal is allowed and planning permission is granted for a detached split-level dwelling at 20 Edgcumbe Road, St Austell PL25 5DX in accordance with the terms of the application Ref PA19/02749, dated 25 March 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 051 DM Rev A, 052 DM Rev A, 053 DM Rev B.
 - 3) The dwelling hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The surface water drainage works shall be retained thereafter in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Edgcumbe Road is a residential section of the A3058, which makes a sinuous uphill climb in a northward direction, at the west end of the town of St Austell. It contains a mixture of houses and bungalows set in close-knit rows. Whilst many directly front the highway, some are set at an angle towards it.
4. The appeal site is an area of open land to the south of the detached bungalow No 20 Edgcumbe Road, which fronts Edgcumbe Road on its east side. It reads as a somewhat anomalous, vacant plot within the street scene. To the south is No 16 Edgcumbe Road, which is the first in a row of 9 dormer bungalows of uniform siting and design.

5. The proposal seeks to erect a dwelling. Its integral garage would front the highway, with the front floor of the property within its north, side elevation. As the land drops away further into the site, the dwelling would be split-level, with a single storey element to the front, and two storeys at the rear.
6. Behind the site, two dwellings, Nos 20a and 20b Edgcumbe Road, were under construction at the time of my visit¹. In order to maintain access to these houses, a new driveway would run between No 20 and the proposed house. Whilst this would create a plot narrower than No 20 and No 16, there are a variety of plots widths across Edgcumbe Road, many of which are notably narrow. Many of the narrower plots have driveways to one side of front lawns, and the proposal would be laid out in much the same way, albeit with the driveway shared.
7. The siting of the dwelling would maintain the general building line, spacing and housing density on the east side of Edgcumbe Road. Whilst split level dwellings are not a feature of the street scene, variety is, and the house would not be out of place for this reason. Public perception of the two-storey element of the building would be reduced by its location to the rear, in any event.
8. The garage door would be the principal feature facing Edgcumbe Road, and the dwelling would not address the public realm with particular aplomb. However, other properties along Edgcumbe Road turn away from the highway to an extent, some are largely hidden behind greenery and some, such as a number of the bungalows to the south, have elevations which are somewhat hidden below street level. Given the circumstances, the proposal would not be a cramped or incongruous addition to Edgcumbe Road.
9. I therefore conclude that the proposed development would have an acceptable effect on the character and appearance of the area. It would accord with the relevant design aims of Policies 1, 2, 12 and 21 of the Cornwall Local Plan Strategic Policies 2010-2030 (adopted 2016) (CLP) and the National Planning Policy Framework. I find no conflict with the cited guidance of the Cornwall Design Guide (2013) nor the Chief Planning Officer's Advice Note: Good Design in Cornwall (2017).

Other Matters

10. Whilst the rear first floor of the proposed dwelling would allow overlooking towards neighbouring properties to the south and west, I find the level of overlooking that would arise to be proportionate to that prevailing within this residential area.
11. The site is within a Critical Drainage Area and the relief of the land leads neighbouring properties potentially vulnerable to surface water runoff from the site. However, the appellant's Flood Risk Assessment (FRA) identifies that the appeal site is suitable to deal with surface water potentially through soakaways or ultimately via attenuated discharge into a public sewer. Although I note that the FRA relates to a previous scheme on the site, I have no reason to disagree with its findings as to the proposed drainage strategy. Whilst the site is within a Declared Air Quality Management Area, the impact from a single dwelling would be inconsequential in this regard.

¹ Pursuant to planning permission Ref PA18/10679

12. Edgcumbe Road is a busy thoroughfare, and I understand from the evidence that its incline can encourage speeds in excess of the speed limit. I am aware that there have been incidents elsewhere, although, the detailed circumstances of such have not been provided. I am also mindful of the expert advice of the highway authority, which issued no objection to the proposal. In my view, the minor relocation of the vehicular access and the modest intensification in its use through the addition of a single dwelling would not have an unacceptable effect on highway safety, beyond the existing, approved situation.
13. With regard to the need for the dwelling, St Austell is a location where the principle of new windfall residential development is supported by the CLP, the housing targets of which do not set a maximum limit. This is consistent with the government's intention to significantly boost the supply of housing.

Conditions

14. In addition to the standard time condition, I have imposed a plans condition in the interests of certainty. A condition is necessary to ensure that surface water is adequately drained from the site going forward. The outside space serving the dwelling is of sufficient size, even taking into account the potential for future extensions, and I find no exceptional justification to remove Permitted Development Rights for such.

Conclusion

15. For the reasons outlined above, and taking all matters raised into account, I conclude that the appeal should succeed.

Matthew Jones

INSPECTOR

