

## St Austell Town Council



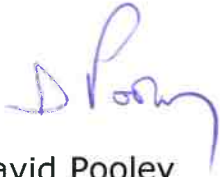
### Planning and Regeneration Committee

#### To: All Members of the Planning and Regeneration Committee

Councillors: Bull, 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 15<sup>th</sup> April 2019 at 6pm.**



David Pooley  
**Town Clerk**

9<sup>th</sup> April 2019

Tel: 01726 829859  
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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 the agenda).

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.

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### 3. **Dispensations**

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

### 4. **Minutes from Meeting dated 11<sup>th</sup> March 2019**

**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. **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](http://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. **PA18/10255:** Land Off Holmbush Road St Austell Cornwall. Erection of 10 dwellings with associated highways, drainage, lighting and landscaping works at land off Holmbush Road, St Austell. **Parish: Carlyon.**

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- ii. **PA19/00487:** 20 Pellymounter Road St Austell PL25 4PX. Conservatory extension and garage conversion. **Ward: Mount Charles.**
- iii. **PA19/00765:** 7 Trehwiddle Road St Austell Cornwall PL25 5BZ. Variation of condition no. 2 of Decision notice no. PA17/09333 to include change of floor levels to 32.8 as requested by the Flood Assessment Company. **Ward: Gover.**
- iv. **PA19/00803:** 5 Tolcarne Close St Austell Cornwall PL25 4SJ. Kitchen extension. **Ward: Mount Charles.**
- v. **PA19/01075:** 14 Tregonissey Road St Austell Cornwall PL25 4DQ. Proposed dropped kerb to provide new access. **Ward: Poltair.**
- vi. **PA19/01218:** 24 Trevone Crescent St Austell Cornwall PL25 5ED. Application for tree works to trees subject to a tree preservation order (TPO) to fell and remove single oak stump as close as possible to ground level. **Ward: Gover.**
- vii. **PA19/01434:** 19 Trenowah Road St Austell PL25 3EB. Demolish existing conservatory and utility room and construct a 2-storey extension. **Ward: Bethel.**
- viii. **PA19/01724:** Land East Of 15 Trevarrick Road Trevarrick Road St Austell Cornwall. Submission of reserved matters (appearance, landscaping, layout and scale) following outline approval PA18/09817 for a single dwelling. **Ward: Gover.**
- ix. **PA19/01826:** 17 Ranelagh Road St Austell PL25 4NS. Proposed replacement garage and associated works. **Ward: Mount Charles.**
- x. **PA19/01926:** 12 Penmere Road St Austell PL25 3PE. Felling T1 and T4. Reduce T2 - Oak Height 15m spread 8m by 2m. **Ward: St Austell Bay.**
- xi. **PA19/01987:** McDonald's Restaurant Pentewan Road St Austell PL25 5BU. Construction of extensions incorporating freezer/chiller, kitchen and dining areas. Reconfigure accessible bays and kerb lines and associated works. Installation of goal post height restrictor. **Ward: Mount Charles.**

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- xii. **PA19/01988:** McDonald's Restaurant Pentewan Road St Austell PL25 5BU. Advertisement consent for installation of 4no. new digital freestanding signs. **Ward: Mount Charles.**
- xiii. **PA19/02070:** Higher Trehiddle Farm St Austell Cornwall PL25 5DA. Outline permission for the erection of 6 detached dwellings and the retention of the existing buildings with all matters reserved. **Parish: Pentewan Valley.**
- xiv. **PA19/02111:** 12 Brookside St Austell PL25 4HL. Proposed first floor extension. **Ward: Bethel.**
- xv. **PA19/02266:** 33 Ledrah Road St Austell PL25 5HG. Raising of the roof at the rear to gain headroom and internal alterations. **Ward: Gover.**
- xvi. **PA19/02315:** 14-16 Mount Charles Road St Austell Cornwall PL25 3LD. Construction of a single storey extension to No. 14-16, with a separate single storey garage; and associated works. **Ward: Mount Charles.**
- xvii. **PA19/02337:** 20 Bodmin Road St Austell PL25 5AE. Reduce the size of the tree by approximately 50% and shape it down to 7-8 metres high from the base of the trunk. **Ward: Gover.**
- xviii. **PA19/02373:** Former Police Liaison Building Palace Road St Austell PL25 4AL. Non-material amendment (No. 1) for substitution of the approved permeable pavements for a permeable bit-mac type surface in respect of PA16/12191. Conversion of existing B1 office building to form 6 flats and extension to provide 4 flats. **Ward: Poltair.**
- xix. **PA19/02480:** 87 Roslyn Close St Austell Cornwall PL25 3UW. Proposed entrance porch and toilet. **Ward: Bethel.**
- xx. **PA19/02622:** 14 Dennison Avenue St Austell Cornwall PL25 3HD. Proposed first floor side extension and single storey rear extension. **Ward: St Austell Bay.**
- xxi. **PA19/02710:** Sandy Hill Academy Sandy Hill St Austell PL25 3AT. Installation of parent waiting shelter, cycle shelters, scooter pods and associated path. **Ward: Bethel.**

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- xxii. **PA19/02749:** Land East Of 20 Edgumbe Road St Austell Cornwall. Detached split level dwelling. **Ward: Gover.**
- xxiii. **PA19/02860:** Pondhu County Primary School Penwinnick Road St Austell Cornwall. Retention of temporary classroom for a further three years. **Ward: Gover.**

## **8. 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.**

## **9. Planning Decisions**

**Pages  
7 to  
10**

(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).

## **10. Cornwall Council – Urgent Delegated Planning Decisions**

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

## **11. Appeal Decision – 88 - 90 Truro Road, St Austell, Cornwall PL25 5HH**

**Pages  
11 to  
14**

(Purpose: To note the above appeal decision). (Correspondence attached).

## **12. Vacancies on the Planning Partnership**

**Pages  
15 to  
22**

(Purpose: To offer the opportunity to nominate a Member to attend Planning Partnership meetings). (Correspondence attached).

## **13. Highways Engagement Sessions**

(Purpose: To consider making the above Highways Engagement Sessions an approved duty). (Verbal report).

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## **14. Dates of Meetings**

(Purpose: To confirm dates of forthcoming Planning and Regeneration Committee meetings: Monday 20<sup>th</sup> May 2019 and Monday 17<sup>th</sup> June 2019).

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**MINUTES of a MEETING of ST AUSTELL TOWN COUNCIL PLANNING AND REGENERATION COMMITTEE held on MONDAY 11<sup>th</sup> MARCH 2019 in the Stable Block at Pondhu House, Penwinnick Road, St Austell, PL25 5DP at 6pm.**

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

**Also present:** Councillor Heyward.

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

**P/18/115) Apologies for absence**

Apologies for absence were received from Councillor Leonard.

Councillor Pearce advised that she needed to leave the meeting early.

**P/18/116) Declarations of Interest**

Councillor Palmer declared an interest in Planning Application Number: PA19/01446 (6 Clinton Drive), by virtue of being on the St Austell BID Board with Mr Richard Hurst who is a neighbour and objector to the proposal at 6 Clinton Drive.

Councillor Tim Styles declared an interest in Planning Application Number: PA19/00158 (108 Holmbush Road) by virtue of knowing the applicant.

**P/18/117) Dispensations**

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

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

**P/18/118) Minutes from the Meeting dated 11<sup>th</sup> February 2019**

It was **RESOLVED** that the minutes of the meeting held on the 11<sup>th</sup> February 2019 be approved and signed as a correct record.

*\*\*Councillor King abstained from voting on this item as he was not present at the meeting\*\**

**P/18/119) Matters to note**

The Clerk advised that Planning Application Number PA18/10330 had been approved under the five-day protocol arrangement.



## **P/18/120) Public participation**

In order to assist the public present, the Chairman agreed to bring Planning Application Numbers: PA19/01446, PA19/00945, PA19/00927, PA19/01495 and PA19/01496 forward.

*\*\*Councillor Palmer reiterated his interest in Planning Application Number: PA19/01446 and left the meeting\*\**

*\*\*Councillor Walker assumed the Chair\*\**

## **P/18/121) Planning Applications**

- xiii. **PA19/01446:** 6 Clinton Drive St Austell PL25 5JT. Extension to property.

The Clerk advised that the Planning Officer has concerns about the scale, design, impact on the street scene and possible effect on the neighbouring properties.

Mr Richard Hurst spoke on behalf of a number of concerned residents. He drew reference to a covenant on the property, the proposed design and appearance, loss of garden, proposed access arrangements and the topography of the area. Mr Hurst made reference to the requirements of the Local Plan which he felt that the proposal did not meet. Mr Hurst expressed concern that the proposal appeared to be a separate dwelling and not an extension. Concern was also expressed with regard to water run off, sewage and the privacy of the neighbouring properties.

Concern was expressed with regard to overlooking and the reduction in privacy that the proposal would have on 5 Clinton Drive and the impact that it would have on 44 Trevarrick Drive, particularly with regard to overlooking and drainage issues.

Councillor Heyward expressed her support for the residents' concerns.

Mr Jarvis, the Architect representing the applicant advised that the issue in respect of the covenant was not a planning matter and that the proposal was an extension of the house and not a separate dwelling. He explained that there are no access or overlooking issues. He advised that an appropriate soakaway would be put in place and that the extension would be made from quality materials which would enhance the area.

Members were sympathetic to the concerns of the residents and reiterated concern with regard to the scale and design of the proposal, the impact on the street scene and the adverse impact on the neighbouring properties.



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

- Scale
- Design
- Out of keeping with the street scene
- Loss of privacy and impact on the neighbouring properties

*\*\*Councillor Bull abstained from voting on this application\*\**

*\*\*Councillor Palmer returned to the meeting and resumed the Chair\*\**

- v. **PA19/00945:** 32 Dobell Road St Austell PL25 4NB. Outline planning permission with all matters reserved: Construction of single bungalow to the rear of the property within garden boundary.

Mr Oak introduced himself and explained that he was speaking on behalf of his mother who was the applicant. He explained that pre application advice had been received from Cornwall Council who had expressed a preference for one property on the site rather than two which the family had proposed originally. He assured Members that the proposed bungalow would be a high quality build, in a large plot and would not impact on the neighbouring properties.

Members noted that the application was for outline planning permission and expressed support for one bungalow on the site as proposed.

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

*\*\*Councillor Bull abstained from voting on this application\*\**

- iv. **PA19/00927:** Land East Of 6 Tremayne Road Dobell Road St Austell PL25 4NE. Reserved matters of appearance, layout and scale following outline approval PA18/00741 (detached dwelling).

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

- xiv **PA19/01495:** Seaways 3 Menear Road St Austell Cornwall. New garage.

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

- xv. **PA19/01496:** Seaways 4 Menear Road St Austell Cornwall. New garage.

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

*\*\*Councillor Styles reiterated his interest in Planning Application Number PA19/00158 and left the meeting\*\**

- i. **PA19/00158:** 108 Holmbush Road St Austell Cornwall PL25 3LP. Proposed garage conversion to provide additional living accommodation or holiday accommodation.

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

*\*\*Councillor Styles returned to the meeting\*\**

- ii. **PA19/00568:** 9 Bownder Vean St Austell Cornwall PL25 3DB. Conversion of existing garage into utility room.

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

- iii. **PA19/00765:** 7 Trehwiddle Road St Austell Cornwall PL25 5BZ. Non-material amendment (No. 1) for amendment to F. F. L to be 32.8 to (PA17/09333) Demolition of existing bungalow and redevelopment of 3no. 3-bedroom houses.

The Chairman advised that this application had been withdrawn.

- vi. **PA19/00955:** St Austell Library 2 Carlyon Road St Austell Cornwall. Listed building consent to replace one wall panel with matching door and panel to give access to the garden. Provision of ramp (retrospective).

It was **RESOLVED** to support this application.

- vii. **PA19/00957:** Peace And Harmony Lodge South Street St Austell Cornwall. Installation of an external fire escape and disabled access from first floor level.

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

- viii. **PA19/00964:** 63 Cormorant Drive St Austell Cornwall PL25 3BQ. Ground floor extension.

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

- ix. **PA19/00997:** Tremaine Bucklers Lane St Austell PL25 3JN. Proposed new first floor accommodation in a reconstructed roof with external and internal alterations and associated works.

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

- x. **PA19/01061:** 6 Cormorant Drive St Austell PL25 3BA. Single story extension to the rear.

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

- xi. **PA19/01238:** 76 Turnavean Road St Austell PL25 5NX. Demolition and replacement of domestic workshop and formation of enlarged parking area.

It was **RESOLVED** to make no objection to this application subject to suitable screening and a permeable surface for the proposed parking area.

- xii. **PA19/01434:** 19 Trenowah Road St Austell PL25 3EB. Demolish existing conservatory and utility room and construct a 2-storey extension on the same footprint to the rear of the property with a room in the roof.

The Chairman advised that this application had been withdrawn.

- xiii. **PA19/01650:** 82 Bodmin Road St Austell Cornwall PL25 5AG. Reserved matters application for access, appearance, landscaping, layout and scale for second dwelling following outline approval PA17/05840 for construction of two homes.

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

*\*\*Councillor Lanxon left the meeting\*\**

### **P/18/122) Premises Licence Applications**

None.

### **P/18/123) Planning Decisions**

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

## **P/18/124) Cornwall Council – Urgent Delegated Planning Decisions**

*PA18/10329 Tregarne Chapel*

The Clerk advised that the planning officer was mindful to approve Planning Application Number: PA18/10329 and that a five day protocol had been issued to the Town Council. Members noted that they had previously objected to this application.

Members discussed the application and reluctantly agreed that the proposal should not be referred to Cornwall Council's Central Sub Planning Committee for consideration.

It was **RESOLVED** to "agree to disagree" with the Planning Officer and not insist on the application being referred to Cornwall Council's Central Sub Planning Committee.

## **P/18/125) Dates of Meetings**

It was noted that the dates of the next meetings of the Planning and Regeneration Committee are Monday 29<sup>th</sup> April 2019 and Monday 20<sup>th</sup> May 2019.

The meeting closed at 7.23pm.

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

**15<sup>th</sup> APRIL 2019**

**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.

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**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

**PA18/09661**

**APPROVED**

**Applicant:** J D Wetherspoon PLC

**Location:** The Rann Wartha 9 Biddicks Court St Austell PL25 5EW

**Proposal:** Extension of existing beer garden and demolition of conservatory and existing flat roofed extensions

**Town Council Response: No Objection.**

**PA18/11916**

**APPROVED**

**Applicant:** Mr Ross Sandercombe

**Location:** Lloyds Bank 7 Mount Charles Road St Austell PL25 3LB

**Proposal:** Proposed conversion off disused bank to form 3 flats

**Town Council Response: No Objection.**

**PA19/00368**

**REFUSED**

**Applicant:** Ms Panchal

**Location:** 49 Porthmeor Road St Austell PL25 3LU

**Proposal:** Fell Oak Tree subject to a Tree Preservation Order

**Town Council Response: Objection.**

**PA19/00568**

**APPROVED**

**Applicant:** Mr Philip Gibbs

**Location:** 9 Bownder Vean St Austell Cornwall PL25 3DB

**Proposal:** Conversion of existing garage into utility room.

**Town Council Response: No Objection.**

**PA19/00964**

**APPROVED**

**Applicant:** Mrs Janet Williams

**Location:** 63 Cormorant Drive St Austell Cornwall PL25 3BQ

**Proposal:** Ground floor extension

**Town Council Response: No Objection.**

**PA19/01061****APPROVED****Applicant:** Mr Neil Retallick**Location:** 6 Cormorant Drive St Austell PL25 3BA**Proposal:** Single story extension to the rear**Town Council Response: No Objection.****PA19/00158****APPROVED****Applicant:** Mr Terry Beard**Location:** 108 Holmbush Road St Austell Cornwall PL25 3LP**Proposal:** Proposed garage conversion to provide additional living accommodation or holiday accommodation**Town Council Response: No Objection.****PA19/00955****APPROVED****Applicant:** Mr David Pooley**Location:** St Austell Library 2 Carlyon Road St Austell PL25 4LD**Proposal:** Listed building consent to replace one wall panel with matching door and panel to give access to the garden. Provision of ramp (retrospective).**Town Council Response: Support.****PA19/00997****APPROVED****Applicant:** Mrs Carol Grose**Location:** Tremaine Bucklers Lane St Austell PL25 3JN**Proposal:** Proposed new first floor accommodation in a reconstructed roof with external and internal alterations and associated works**Town Council Response: No Objection.****PA18/10329****APPROVED****Applicant:** Mr Richard Church**Location:** Former Tregarne Chapel Tregarne Terrace St Austell Cornwall PL25 4BE**Proposal:** Formation of two bedroom flat in roof space**Town Council Response: Objection.**



**PA19/00175**

**APPROVED**

**Applicant:** Mr Royal Bank of Scotland Group (RBSG) Woolston

**Location:** 1 Church Street St Austell PL25 4AW

**Proposal:** Listed Building Consent: External refurbishment of the building including re-laying of the existing slate roof, renewal of the flat roof covering, brickwork repairs, repointing, re-dressing and part renewal of leadwork, timber joinery repairs and redecoration.

**Town Council Response: No Objection.**

**PA19/01446**

**WITHDRAWN**

**Applicant:** Mrs Rhona Smeed

**Location:** 6 Clinton Drive St Austell PL25 5JT

**Proposal:** Works and alterations including 2 storey extension to form new annexe accommodation.

**Town Council Response: Objection.**

**PA19/00927**

**APPROVED**

**Applicant:** Bay View Construction

**Location:** Land East Of 6 Tremayne Road Dobell Road St Austell PL25 4NE

**Proposal:** Reserved matters of appearance, layout and scale following outline approval PA18/00741 (detached dwelling)

**Town Council Response: No Objection.**

**PA18/09691**

**APPROVED**

**Applicant:** Mr John Hodkin

**Location:** Land At West Carclaze And Baal Carludon St Austell Cornwall

**Proposal:** Application for the first reserved matters application for phase 1 of the development. The application seeks consent for the development of 338 residential units plus local centre, health and retail facilities. The application covers all matters of design, scale, layout, access, drainage and landscaping. The outline application was accompanied by an environmental statement which was submitted to the Local Planning Authority and used in the determination of the proposal.

**Town Council Response: No Objection.**



## Appeal Decision

Site visit made on 18 February 2019

by **Mrs H Nicholls MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 March 2019

**Appeal Ref: APP/D0840/W/18/3212959**

**88 - 90 Truro Road, St Austell, Cornwall PL25 5HH**

- 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 & Mrs Ottoway against the decision of Cornwall Council.
- The application Ref PA18/00533, dated 11 January 2018, was refused by notice dated 3 April 2018.
- The development proposed is the erection of 2 No dwellings and provision of parking.

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. In their submissions, both parties refer to the National Planning Policy Framework ('the Framework') published in 2018. However, as policies of the Framework that are material to this case have not changed fundamentally, in reaching my decision I have had regard to the Revised National Planning Policy Framework ('revised Framework') published in February 2019.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of St Austell Conservation Area.

### Reasons

4. The appeal site forms part of St Austell Conservation Area (CA). I am required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
5. The CA is separated into six sections and the appeal site falls within Character Area 6 'Suburban residential areas and brewery'. This area is described within the Character Appraisal and Management Plan<sup>1</sup> (CAMP) as an ornate and richly detailed area containing villas and houses, a steep pitched varied roofscape with gables, chimneys and turrets and buildings set within a mature landscape. The appeal site currently serves as gardens to Nos 88 - 90 Truro Road, both of which form a short terrace of dwellings that have characteristics befitting of this description. The positive contribution to the CA is derived from both of the dwellings, in view of their scale and design, and the appeal site, due to its legibility in the context of the urban grain, its mature planting and strong

<sup>1</sup> St Austell Conservation Area Character Appraisal and Management Plan adopted April 2017

- boundaries. The positive contribution is not limited to the principal elevations of the dwellings and mature trees within the garden of No 88 as claimed.
6. The appeal proposal would utilise the garden of both dwellings and would involve the removal of a blockwork garage, the stone wall dividing the gardens and the rear wall with its decorative archway. The retaining stone wall with vegetation that fronts Truro Road would be removed and replaced behind a new visibility splay. The proposed dwellings would be set into the site with access and parking onto the rear access lane and would be separated by a driveway in between them.
  7. Whilst I note from the submitted Heritage Impact Assessment that dwellings have been constructed to the rear of Nos 92, 94 and 96 Truro Road, the current proposal will have a much more imposing effect on the wider area by virtue of its scale and the prominence of the site. Similarly, whilst the character of the area is varied to a degree, it is not so greatly varied that it could accommodate the appeal proposal without a dilution of its character.
  8. Views towards the rear elevations of Nos 88 – 90 would be obscured through the introduction of the new dwellings. Whilst this screening effect is also evident further to the west where newer dwellings have also been built backing onto the rear access lane, the scale of the proposed dwellings and the prominence of the site with dual road frontage would exacerbate this effect. The siting of the dwellings would also differ from those that exist along the access lane insofar as they would be set back further into the site.
  9. Public views of the proposed dwellings would predominately be of the principal stone fronted elevations and side rendered elevation fronting Truro Road. Both dwellings would also have features and construction materials consistent with those found elsewhere within the CA. Their design and appearance would be unobjectionable considered in isolation, but the proposal, when considered in the context of the elevated and prominent nature of the site, the scale of the dwellings and their siting, would amount to harm to the character and appearance of the CA.
  10. The realignment of the retaining wall and loss of the rear stone wall, along with the stone archway feature and some smaller trees and vegetation would also affect the established qualities of the site. Whilst the retaining wall would be replaced, there would be a degree of harm from the loss of its mature character and the logical boundary lines that currently exist.
  11. Therefore, in respect of the main issue, the proposal would harm the character and appearance of St Austell Conservation Area, contrary to, in particular, Local Plan<sup>2</sup> Policy 24, which requires development to maintain the special character and appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal. The proposal would also conflict with Local Plan Policy 21 which, amongst other things, allows for an increase in building density, where appropriate, taking into account the character of the surrounding area. Conflict would also arise in to Local Plan Policies 2 and 12 which require, amongst other things, that new development maintains Cornwall's enduring distinctiveness and enhance its natural and historic character.

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<sup>2</sup> Cornwall Local Plan 2010 – 2030 adopted November 2014

12. The proposal would impact upon the CA, albeit the harm identified would amount to “less than substantial harm” which the revised Framework advises must be weighed against the public benefits of the scheme. The public benefits of the proposal include the provision of two dwellings on a windfall site in a sustainable location with resultant economic and social benefits, throughout the construction period and during occupation. The provision of parking for the existing occupants of Nos 88 – 90 Truro Road would also amount to a small benefit. These benefits do not outweigh the harm that the proposal would cause to the character and appearance of the St Austell CA. The proposal would therefore conflict with national policy outlined in the revised Framework.

### **Other Matters**

13. I note that the appellant refers to an officer report for an earlier scheme for a higher number of dwellings on the appeal site. Whilst support was offered by the Council’s planning officer, the decision of the Council was one of refusal. Whilst I agree that there are similarities in terms of the benefits that would accrue from either proposal in terms of the delivery of housing in a sustainable location, they are not so similar in respect of their scale, design and siting to justify the identified harm to the character and appearance of the CA.
14. The Council indicate that it can demonstrate an adequate five-year supply of housing land and that the housing requirements for the town for the plan period have already been permitted. Whilst this may be the case, the in-principle support for new housing in the main towns is supported by the development plan, even where the minimum housing targets have been met.

### **Conclusion**

15. Overall, I find that the proposal would harm the character and appearance of the Conservation Area and consequently conflicts with the development plan. In the absence of any other material considerations that indicate planning permission should be granted, the appeal is dismissed.

*Hollie Nicholls*

INSPECTOR





## **Cornwall Council and Cornwall Association of Local Councils**

### **The Planning Partnership**

#### **Terms of Reference**

##### **Membership**

The group will be made up of the following :

Cornwall Council: Planning Portfolio Holder & Strategic Developments Manager

CALC:                    10 councillors drawn from CALC member local councils in Cornwall,  
                                  who are not currently members of Cornwall Council  
                                  4 local council clerks from local councils in Cornwall.  
                                  County Executive Officer, Cornwall Association of Local Councils

The membership of the panel shall be reviewed every two years and at no time will there more than one delegate from any local council. Members are expected to attend most meetings; any member who fails to attend three consecutive meetings may lose their right to attend meetings.

Members of the group attend in their own right and are not deemed to be representatives of their authority. Any vacancy on the partnership will be filled by request for nominations and the group then decides who is appointed.

In the spirit of joint working the chair will rotate around members of the group and all members of the partnership will respect the confidentiality of the information provided from time to time.

##### **Remit of the group**

- To enhance partnership working and assist in service improvement including co-design and co-development of model policies and templates.
- To provide a forum for sharing best practice, expertise and information about projects and activities where this will be helpful in contributing to increased knowledge and awareness.
- Working with the Planning PAC to serve as forum to develop collective responses to cross-cutting government consultations and Parliamentary calls for evidence, etc.
- Outside of meetings, to provide a forum for sharing information and responding to ad-hoc issues via email.
- To develop systems for information sharing on planning issues to local councils to assist in planning knowledge and improvement.

- To have more involvement at a local level as early as possible in the planning process
- To form better relationships between Cornwall Council and local councils
- Monitoring the number of times planning decisions are made contrary to local council recommendation.

## **Scope**

This group has been formed to discuss and debate topics brought to the meeting, often prior to formal consultation, and is not a decision making body.

## **Procedural arrangements**

- This group shall meet at least quarterly
- To work proactively with the Planning PAC in following a mutually beneficial work programme for the benefit of Cornwall Council and local councils.
- The partnership will be serviced from within Cornwall Council and the work programme and agendas will be advertised to encourage issues submitted by local councils.
- The notes will be circulated to members of the group and all local councils in Cornwall, as well as to the Head of Service in Planning and Enterprise.

## **Deliverables and measures of success**

- Annual forward plan of meetings and topics (work programme)
- Number of new policies for which the partnership has provided input
- Development of materials for the sharing of best practice and information including website, Myclips, workshops at planning conferences, planning templates and responses to consultations and Parliamentary calls for evidence.
- Annual planning conference and support for area events and networks.



# **Role Profile for Planning Partnership Member**

Members of the Cornwall Planning Partnership attend as individuals, and it is essential that they are able to remain independent of their own, nominating council. It is important that a Partnership member can remain objective to the purpose of the group and works constructively to support the planning system within Cornwall Council offering a forum for discussion and commentary as necessary. This role profile should be read in conjunction with the agreed Terms of Reference.

## **Role of the Planning Partnership**

- To enhance partnership working and assist in service improvement including co-design and co-development of model policies and templates.
- To provide a forum for sharing best practice, expertise and information about projects and activities where this will be helpful in contributing to increased knowledge and awareness.
- Working with the Planning PAC to serve as forum to develop collective responses to cross-cutting government consultations and Parliamentary calls for evidence, etc.
- Outside of meetings, to provide a forum for sharing information and responding to ad-hoc issues via email.
- To develop systems for information sharing on planning issues to local councils to assist in planning knowledge and improvement.
- To have more involvement at a local level as early as possible in the planning process
- To form better relationships between Cornwall Council and local councils
- Monitoring the number of times planning decisions are made contrary to local council recommendation.

## **Role of members of the Planning Partnership**

- Through effective dialogue and consultation to assist in identifying service improvement including co design of guidance, templates and policies for the benefit of local councils in the planning system.

- To develop constructive relationships with other members of the Planning Partnership including, the Portfolio Holder, Chairman, senior officers and partners to inform of the role of local councils in the planning system.
- To attend meetings of the Planning Partnership and other thematic workshops nominated by the Partnership as a representative of the local council sector.
- To ensure that the Planning Partnership responds constructively to the issues referred to it.
- To bring forward planning and development related issues for further consideration by the Planning Partnership
- To work with the Committees of the Planning Authority on behalf of local councils to raise awareness of planning matters from the local council perspective.
- To ensure that the work of the PRIB contributes to continuous improvement and the implementation of best practice.

### **Skills and Knowledge**

- Good listening and questioning skills.
- Ability to build effective relationships.
- Good communication skills with officers, councillors and other Partnership members
- Ability to weigh up evidence and make suggestions based on that evidence,
- An understanding of the Council's planning decision making structures.
- Knowledge of the challenges facing planning decision making.
- An awareness of the strategic importance of planning functions to the Council.
- An awareness of major strategic planning applications.
- To participate objectively in discussion looking for opportunities to improve the planning service and remain non-parochial during discussion.

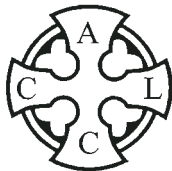
### **NOTE :**

The Code of Conduct applies to all councillors serving on the Planning Partnership. As a respected forum for liaison with Cornwall Council, members

are expected to meet the standards in public life at all times. Failure to do so may lead to their membership being withdrawn.

Where a member has been found in breach of the code of conduct they may be asked to step down from membership of the partnership.





**CORNWALL ASSOCIATION OF LOCAL COUNCILS**

**NOMINATION OF REPRESENTATIVE TO THE CORNWALL PLANNING PARTNERSHIP**

**NAME :**

**ADDRESS**

.....  
.....  
.....  
..... POST CODE : .....

Telephone : .....

Email : .....

**LOCAL COUNCIL :**

PERSONAL STATEMENT/RESUME (250 Words – this will be included as your supporting statement )

SIGNED : ..... DATE : .....

NOMINATING COUNCIL .....

AUTHORISED SIGNATURE .....

**PLEASE RETURN TO CALC 1/1a, 1 Riverside House, Heron Way, Newham , Truro TR1 2XN  
Email : [enquiries@cornwallalc.org.uk](mailto:enquiries@cornwallalc.org.uk)**

**CLOSING DATE FOR APPLICATIONS : APRIL 30<sup>TH</sup>, 2019**

