

MINUTES of a MEETING of ST AUSTELL TOWN COUNCIL PLANNING AND REGENERATION COMMITTEE held on MONDAY 24th MAY 2021 in the Council Chamber, 39 Penwinnick Road, St Austell, Cornwall PL25 5DR at 6pm.

Present: Councillors: Brown, Bull, Cohen, Fox, French, Hamilton, Lanxon, McDonagh, Pearce, Pears, Styles and Thompson.

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

P/21/01) Election of Chair

Councillor Lanxon asked for nominations for Chair. A nomination was received for Councillor Brown.

It was **RESOLVED** that Councillor Brown be elected Chair of the Planning and Regeneration Committee for the 2021-22 civic year.

P/21/02) Election of Vice-Chair

Councillor Brown asked for nominations for Vice-Chair. A nomination was received for Councillor Bull.

It was **RESOLVED** that Councillor Bull be elected Vice-Chair of the Planning and Regeneration Committee for the 2021-22 civic year.

P/21/03) Apologies for absence

Apologies for absence were received from Councillor Double.

Councillor French advised that due to a prior commitment he needed to leave the meeting at 6.50pm.

P/21/04) Declarations of Interest

Councillor Bull declared an interest in agenda item 7 (i) by virtue of being a Trustee of the Arts Centre which might benefit from the development.

Councillor Fox declared an interest in agenda item 7 (ii) by virtue of a relative being involved in the application.

P/21/05) Dispensations

None.

P/21/06) Minutes from the Meeting dated 8th March 2021

It was **RESOLVED** that the minutes of the meeting held on the 8th March 2021 be approved and signed as a correct record.

P/21/07) Matters to note

The Clerk explained that due to the May elections, the Town Council's bid for Town Vitality Funding (minute number P/19/266) is still awaiting approval.

The Chair added that planning application number **PA21/00214** (142 Retallick Meadows) has still not been determined and that the Town Council might be asked to consider it for a third time in due course.

P/21/08) Public participation

The Chair advised that to assist the members of the public present, Planning Application Number **PA21/03491** (30-31 Slades Road) would be considered first and Planning Application Number **PA20/00534** (land at Higher Trewhiddle Farm) second.

P/21/09) Planning Applications

7. Planning Applications

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

xv. **PA21/03491:** 30-31 Slades Road St Austell PL25 4EY. Variation of conditions 2, 3, 5 and 6 of decision PA20/04185 dated 09.07.20

The Clerk introduced this item and explained that planning permission had previously been granted for six apartments at Slades Road. The applicant had applied to vary conditions 2, 3, 5 and 6 which related to the development being in accordance with the plans originally submitted, the provision of a new 1.8 metre screen wall in accordance with an approved plan at the outset of the development, conditions relating to the windows permitted in the development and a condition relating to parking, access and drainage. He explained that the development had proved contentious with a number of disputes between the developer and neighbours taking place during construction to date.

The Chair welcomed Mr and Mrs Jones and Mr and Mrs Brawn to the meeting.

Mr Jones explained some of the issues experienced with regard to the development which included a loss of privacy and security and a risk that a rat run or thoroughfare could be created between Thornpark Road and Slades Road. He explained that a public access had been created on the wrong side of a wall which impinged on his property and privacy. He also expressed concern with regard to changes made to windows and potential overlooking. He advised the Committee that Mrs Matta could not be at the meeting but that she had walls removed and was very concerned about health and safety issues on site.

Mr Brawn expressed further concerns with regards to the egress from the apartments, the adequacy of a space outside of the fire door and the risks in relation to fire. Mrs Brawn explained that the building had not been constructed in accordance with the plans and that it had been moved across the site and was now too close to neighbouring properties. She reiterated concerns with regards to the fire exit from the property, due to there only being an 18 inch gap outside the door and the adverse impact of the development on Mrs Matta's property.

Councillor Bull provided the Committee with further background to the application and explained that she had asked that the application be referred to Cornwall Council's planning committee when she was a Cornwall Councillor. She expressed the view that it is a flawed development and that the proposed building was too large for the development site. She explained that enforcement action was being considered by Cornwall Council but as part of that process the developer was entitled to apply for planning permission to support the development as constructed. She outlined disputes with regard to a driveway, a garden wall and boundaries and the positioning of the building within the site.

Councillors reiterated the concerns outlined by Councillor Bull and emphasised the need to protect neighbouring properties.

It was unanimously **RESOLVED** to **OBJECT IN THE STRONGEST TERMS** to the application on the grounds of:

- The building not being in accordance with the approved plans;
- The adverse impact on the neighbours including overlooking and loss of amenity
- The lack of amenity space and poor access and escape routes from the dwelling as built
- Inappropriate amendments to windows which increase overlooking;
- The adverse impact on the neighbours of the amendments to the access lane to the south of the development

It was **FURTHER RESOLVED** that Cornwall Council should be asked to undertake enforcement action as a matter of urgency to ensure that the development is less harmful to neighbours and more in line with the planning approval. If Cornwall Council Planning Officers are mindful to approve this application the Town Council would ask that it be referred to Cornwall Council's planning committee.

Councillor Bull reiterated her interest and left the meeting

Councillor French left during the next item

- i. **PA20/00534:** Land At Higher Trewiddle Farm, OS Grid Ref 200422, 51913 Truro Road St Austell Cornwall. 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).

Mr Marshall congratulated the Chair and Vice-Chair on their appointment to the Town Council's Planning and Regeneration Committee and outlined the approvals for the site so far.

He advised that the application is for reserved matters for the appearance, landscaping, layout and scale and that they have been working with prospective retailers to agree their location within the site. He confirmed that they are back on track to deliver the development and that good interest has been received. A cycle way will be created along the link road as well as pedestrian links from the site to Pondhu School. He advised that the design of the development will be modern materials and at the request of Pentewan Valley Parish Council the number of electric charging points will be increased. There will be 2 access points into the development and links to the Arts Centre are proposed. He advised that an anchor tenant has been established and that they are now in a position to drive the project forward.

During discussion, Members raised the following issues:

- Pedestrian safety
- Noise from the A390
- The potential adverse effect on the properties to the north of the development
- The deliverability of the retail element of the scheme
- Air quality and congestion concerns along the A390
- Disappointment with regard to the design of the hotel

Mr Marshall in response to Members' questions outlined the pedestrian links and cycle ways around the site and the significant landscaping proposed to mitigate any noise issues.

Mr A Simpson advised that they are at the legal stage with a few interested parties and that with an anchor tenant in place he remains positive with regard to the retail deliverability.

It was **RESOLVED** to support this application subject to the applicant working with the Planning Officer to ensure that the location and design of the hotel will minimise any adverse effect on the existing properties to the north of the development.

Councillor Bull returned to the meeting

Councillor Fox reiterated her interest and left the meeting

- ii. **PA21/01303:** Land South West Of 88 Phernyssick Road St Austell PL25 3TY. Reserved matters application for access, appearance, landscaping, layout and scale following outline approval PA20/02434 and to discharge conditions 4 & 5 highlighting SUDs scheme and access surface materials.

It was **RESOLVED** to object to this application on the grounds of Over development - proposal too big for the site, overbearing, not in keeping with the street scene, limited parking and poor access, adverse impact on the neighbouring properties, lack of amenity space for both the new building and the host building.

Councillor Fox returned to the meeting

- iii. **PA21/01784:** 4 Elm Terrace St Austell PL25 5QF. Replace two roof lights on north elevation of slate roof and addition of a third roof light. Internal works to insulate roof. Install additional partitioning on second (attic) floor. Re-open bricked-up fireplaces on ground and first floors, install register plates and hearthstones where these have been removed; install fire surrounds and mantels.

Due to the Conservation Officer concerns, it was **RESOLVED** to object to this application.

Councillor Bull voted against this proposal

- iv. **PA21/01785:** 4 Elm Terrace St Austell PL25 5QF. Listed building consent to replace two roof lights on north elevation of slate roof and addition of a third roof light. Internal works to insulate roof. Install additional partitioning on second (attic) floor. Re-open bricked-up fireplaces on ground and first floors, install register plates and hearthstones where these have been removed; install fire surrounds and mantels.

Due to the Conservation Officer concerns, it was **RESOLVED** to object to this application.

Councillor Bull voted against this proposal

- v. **PA21/02233:** 8 Porthmeor Road St Austell Cornwall PL25 3LX. Proposed replacement of single storey rear extension and loft conversion.

It was **RESOLVED** to make no objection to this application subject to suitable conditions to satisfy the requirements of Network Rail.

- vi. **PA21/02507:** 136 Porthpean Road St Austell Cornwall PL25 4PN. Proposed single bed ancillary accommodation and holiday let.

It was **RESOLVED** to make no objection to this application subject to a planning condition being applied to ensure that the annex is only used in conjunction with the main building.

- vii. **PA21/02821:** 32 Penmere Road St Austell PL25 3PE. Proposed single storey extension and alterations to existing conservatory.

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

- viii. **PA21/03089:** Land Adj To 69 Roslyn Close St Austell Cornwall. Proposed detached dwelling with parking.

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

Overdevelopment
Loss of amenity space
Impact on the neighbouring properties

- ix. **PA21/03123:** 17A Pentewan Road St Austell PL25 5BU. Extension and alterations to existing dwelling and proposed annex.

It was **RESOLVED** to make no objection to this application subject to the annex being used in conjunction with the main property.

- x. **PA21/03301:** The Mill Barns Trevarrick Road St Austell PL25 5JN. The proposals are to replace the existing roof finishes to an unaltered building with new natural slate to match the surrounding properties.

It was **RESOLVED** to make no objection to this application subject to complying with the Conservation Officer recommendations.

- xi. **PA21/03317:** 20 Bay View Park St Austell Cornwall PL25 3TR. Demolition of existing side extension and erection of 2 storey side extension inc. first floor extension above garage to form self-contained ancillary accommodation.

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

- xii. **PA21/03406:** 36 Gowan Road St Austell PL25 3JP. Works to two trees subject to a TPO: T5 - removal of 4 branches numbered 1,3,4 and 5 on photos due to poor health and causing excess shade. T6 - removal of 1 limb numbered 2 on photos for causing excess shade.

It was **RESOLVED** to support this application on the condition that the Tree Officer is supportive of the proposal.

- xiii. **PA21/03445:** 26 Borlase Crescent St Austell PL25 4RF. Proposed conservatory.

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

- xiv. **PA21/03481:** 4 The Orchards Springfield Close St Austell Cornwall. Single storey rear extension to existing dwelling.

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

- xvi. **PA21/03602:** 67 Ledrah Road St Austell PL25 5HG. Outline application for subdivision of existing residential curtilage to create plot for detached dwelling with shared access from Ledrah Road.

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

- xvii. **PA21/03629:** Plot To The Rear Of 51 Trevarthian Road Trevarthian Road St Austell. New dwelling in rear garden.

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

- xviii. **PA21/03800:** 4 Whieldon Road St Austell Cornwall PL25 3JB. Single storey side extension.

It was **RESOLVED** to make no objection to this application subject to the protection of the South West Water pipework.

- xix. **PA21/03882:** 1 Gribben Road St Austell PL25 4ED. Proposed side dormer.

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

- xx. **PA21/03954:** 40 Eliot Road St Austell PL25 4NN. Extension and conversion of existing garage to bedroom, en-suite and utility.

It was **RESOLVED** to make no objection subject to the protection of the South West Water pipework.

- xxi. **PA21/04298:** 3A Graham Avenue St Austell Cornwall PL25 4LZ. Non material amendment to increase the roof height by 240mm with reference to decision PA20/01234 dated 09.06.2020.

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

- xxii. **PA21/04474:** The Rann Wartha 9 Biddicks Court St Austell PL25 5EW. Application for a non-material amendment following grant of planning permission PA18/09661. Amendments sought - Retention of existing conservatory, small amendment to the extent of proposed sliding doors, proposed glass balustrade added, some alteration to landscaped ramps and steps and the addition of a door and adjacent window.

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

P/21/10) Premises Licence Applications

*Moustache Jacks, 2 Biddicks Court, St Austell, Cornwall, PL25 5EW
Reduce Hours And Remove Door Staff Conditions*

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

*Cafe Vibe, 58 Stennack Road, St Austell, Cornwall, PL25 3JQ
Sale of Alcohol, Live and Recorded Music, Late Night Refreshment*

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

P/21/11) Planning Decisions

In answer to a question, the Town Clerk confirmed that the Town Council's planning application for the erection of a welfare unit and poly tunnel had been withdrawn due to a late confirmation from Cornwall Council that planning permission was not required.

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

P/21/12) Cornwall Council – Urgent Delegated Planning Decisions

PA21/02543 - 104 Holmbush Road

The Clerk advised that the Town Council had objected to this application on the grounds of access unless there was Highways Officer approval and that following notification from the Planning Officer that the Highways Officer had given his/her approval, the Town Council had withdrawn its objection under the 5 day protocol arrangements.

P/21/13) CIL Funding

The Clerk outlined the process for Community Infrastructure Levy (CIL) funding to Town and Parish Councils and advised that approximately £4,000 has been received by the Town Council which must be spent within 5 years on infrastructure projects. The Clerk advised that he would bring a report to full Council in due course on potential proposals.

P/21/14) Dates of Meetings

It was noted that the dates of the next meetings of the Planning and Regeneration Committee are Monday 14th June 2021 and Monday 19th July 2021.

The meeting closed at 8.09pm