

MINUTES OF THE PLANNING COMMITTEE MEETING held in the St Piran Room, Penlee Centre, Penlee Park, Penzance, on Wednesday 5 September 2018 at 7.00pm.

PRESENT

Councillors N A Davis (Chair)

Councillors A L Bates
S Bosworth
R B Cliffe
J M How
B Jackson

Also present: Teresa Fogarty (Senior Administration Officer), Melanie Doig (Administration / Finance Officer)

33. APOLOGIES FOR ABSENCE

Councillors N C Broadhurst, W Elliott, T L Halliday, N N Waller

Absent without apologies: Councillor N G Pengelly

34. TO RECEIVE DECLARATIONS OF INTEREST

None.

35. TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC

To agree any items to be dealt with after the public (including the press) have been excluded as publicity would prejudice the public interest by reason of the confidential nature of the business to be transacted **Public Bodies [Admission to Meetings] Act 1960.**

There were no confidential matters to be considered.

36. MINUTES OF PLANNING COMMITTEE MEETINGS HELD ON 4 JULY, 25 JULY AND 15 AUGUST 2018

The minutes having been previously circulated, it was unanimously

RESOLVED – to approve the minutes as a true and accurate record.
(Proposed: Cllr Cliffe; seconded: Cllr Davis.)

37. PUBLIC PARTICIPATION

No members of the public present.

38. NEW AND AMENDED PLANNING APPLICATIONS

It was unanimously

RESOLVED – to approve the comment of ‘no objection’ to the planning applications in Appendix B. (Proposed: Cllr Davis; seconded: Cllr How.)

The Committee considered in total 18 new and amended planning applications and the comments are as recorded in the Planning Register.

39. REPORTS FOR INFORMATION

(a) Notices of appeal

The following Notices of Appeal had been received:

- (i) PA15/05878 Trevidren, Lescudjack, Penzance – outline application with all matters reserved for construction of a dwelling and garage

On 28 July 2015, the Planning Committee had resolved no objection to this application that was subsequently approved by Cornwall Council, with conditions. The applicant was appealing against one of the conditions.

- (ii) PA17/12117 Land adjacent Elm Cottage, Penzance – re-submission of refused application PA17/03865 dated 27 September 2017 for use of land for the storage of containers and associated works

On 23 February 2018, the Planning Committee resolved to “object on the basis of aesthetic impact on the countryside, potential damage to trees, safety issues with the proposed access (refer to Highways)”.

The applicant was appealing against Cornwall Council’s decision to refuse planning permission.

(b) Notification from NHS England

Notification had been received that Day Lewis intended to provide pharmaceutical services at St Clare Medical Centre, St Clare Road, Penzance, Cornwall TR18 3DX.

39. MATTERS ARISING FOR REPORT ONLY

PA18/06584 3 Chyandaunce Terrace, Gulval

This application had been considered by the Planning Committee at the meeting of 15 August and it had been resolved to object on the following grounds:

“The extension would have a severe impact on the amenity access to the rear of the neighbouring properties nos. 4 and 5 and the right of way access to no. 6.”

The Cornwall Council Planning Officer had advised that she would be recommending approval on the following grounds:

- *With regard to your councils observations regarding the right of way this is not a public right of way. Therefore this is a civil law matter beyond the control of the planning legislation. The grant of any planning permission would not prejudice any civil law proceedings which may wish to be taken by those persons interested. It should also be noted that the construction of the development would not totally block the right of way anyway. Amended plans have now been received to show this which I have attached to this email for your information. An informative could be used to remind the developer to ensure they have the correct consent from adjacent landowners.*
- *The proposed extension is single storey and would not cause any additional overlooking or overshadowing to the neighbouring properties, there will be no additional side facing windows.*
- *Due to the scale, siting and design of the proposals, there would be no significant detrimental impact on the residential amenities of the occupiers of the neighbouring properties.*

Members were concerned that the amended plans referred to in the Planning Officer’s email had not been brought to the Town Council for consideration and were therefore not open to consultation. It was felt that this was an abuse of the planning process and went against the principles of transparency and applications being made available in the public domain.

It was therefore agreed that the Town Council request that the Ward Councillor (Mario Fonk) ask for this application to be brought to the Cornwall Council Planning Committee for consideration.

Newlyn Quarry / Penzance Expo

The Chairman hoped that the proposed Newlyn Quarry development would form part of the forthcoming Penzance Expo.

Community Infrastructure Levy

A representative from Cornwall Council would be asked to provide a presentation on the CIL process. This could be opened out to include neighbouring, smaller parishes.

Pedestrian Crossing by Lidl Store, Western Promenade Road

Members were happy to accept the proposal for a 'Puffin' crossing rather than a 'Zebra' crossing.

Meeting closed at 8.07pm

Chairman
7 November 2018