

TRURO CITY COUNCIL



CITY OF TRURO
Roger Gazzard
Town Clerk

*Town Clerks Department
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1 June 2018

To: The Mayor (Councillor Ms L Southcombe)
The Deputy Mayor (Cllr R J Smith)
The Chairman and members of the **PLANNING COMMITTEE**

Dear Councillor

NOTICE IS HEREBY GIVEN that the meeting of the **PLANNING COMMITTEE** will be held in the Committee Room, Municipal Buildings, Boscawen Street, Truro on **THURSDAY 7 June 2018 at 7.00 pm** for the transaction of the under mentioned business: -

A G E N D A

Members of the public have the right to speak at meetings of Truro City Council's Planning Committee during consideration of planning applications on Schedule 2 only, under the following conditions:

Registration to speak must be made in writing, complete with your full name and contact details, either via email to info@truro.gov.uk or letter to the Municipal Buildings, no later than 5pm on the Tuesday before the Thursday meeting. One of the Planning Clerks will confirm your request as soon as possible. This confirmation does not constitute that you will be able to speak – should there be more than one person requesting to speak this will be decided amongst the speakers themselves at the meeting. If this cannot be agreed, then the first to register will be permitted to speak. Any other member of the public is welcome to come to the meeting to listen. Please be aware that Truro City Council is only a consultee and that Cornwall Council determines the outcome of all planning applications.

1. **APOLOGIES**
2. **DISCLOSURE OR DECLARATIONS OF INTEREST**
3. **MINUTES OF THE MEETING HELD ON 3 MAY 2018 HAVING BEEN BEFORE COUNCIL ON 21 MAY 2018**
4. **PLANNING CONSULTATION (PL1)**
To consider plans submitted in accordance with planning consultation procedure: -
 - (i) Schedule 1 – Recommendation “en bloc” (Appendix 1)
 - (ii) Schedule 2 – Applications to be considered at this meeting (Appendix 2)
 - (iii) Open and Closed Enforcement Cases (Appendix 3)

5. **ENFORCEMENTS (PL1/14)** (Appendix 4)
Members to consider communications from Cornwall Council regarding the cessation of enforcement notices due to the General Data Protection Regulations (GDPR).
6. **TRURO ROSELAND COMMUNITY NETWORK PANEL (PL1)**
Further to Minute 27 (Adjourned Council, 21.05.18), Members to consider submitting an expression of interest for the Highways Network Scheme.
Councillor Wells to report.
7. **CHAIRMAN'S REPORT (PL1)**
Chairman to provide information on any developments received since the last meeting. For information only – resolutions cannot be made under this item.
8. **CORRESPONDENCE**
9. **DATE OF NEXT MEETING**
Thursday 5 July 2018. The agenda for the next Planning Committee to be held on Thursday 5 July 2018 will be prepared on Friday 29 June 2018. In accordance with Minute 302 (03.12.12), should a member wish an item to be included on this agenda please inform the Town Clerk's office by Thursday 28 June 2018 as no items other than those on the agenda can be considered at the meeting.



TOWN CLERK

Schedule 1

PLANNING APPLICATIONS – FOR THE MEETING OF 7 June 2018

SCHEDULE 1 – To Receive a Single Recommendation for the Entire Schedule at the Meeting.

If Members of the Planning Committee wish for an application to be transferred to Schedule 2, please inform the Chairman and Clerk by Thursday 31 May 2018 at 5pm for it to be included on the agenda. Please use material planning considerations only.

If the recommendation already states “transfer to schedule 2” there is no need to comment further on this application until the meeting.

Application Details	Proposal	Ward	Comments from Case Officers	Recommendation from Chairman/ Vice-Chairman & Councillors
PA18/03706 24 Bishops Close Kenwyn Mr R Hunt	Felling of a small Cypress and mature oak	Trehaverne	Janice Taylor – I have consulted the Tree Officer on this application. I am awaiting their response, if I receive it before your meeting at the beginning of June I shall pass it on to you for your information	<i>Schedule 1 Refusal recommended unless supported by Tree Officer – insufficient reason to fell both trees</i>
PA18/03648 2 Newham Cottages Newham Road K Shaw	Change of use of office/ workshop to self-contained annexe/letting unit (retrospective)	Redannick	Laura Potts – I think we are generally supportive of this application. It is in an urban area of Truro and I cannot see that there would be any issues with this unit being used as an annexe or letting unit. There is plenty of parking and a shared garden at the rear	<i>Schedule 1 Approval recommended subject to the annexe being tied to the main dwelling</i>
PA18/03697 6 Boscawen Street Matthews Loadace Limited	Provision of single storey extension, to give independent access to upper storeys. Provision of new window openings at first and second floor storeys in north and west elevation.	Boscawen	Sophie Rogers –	<i>Schedule 2</i>
PA18/03680 Brooklands Garage Unit 3 Heron Way Mel Richardson Newham Bid	Large free-standing Monolith sign. Single sided directory sign 1235 x 1900 x 153mm with 20 individual company name slats as drawing 56484 14-2-18 SB, matching other Newham Bid directories already installed around the site in style and colour.	Redannick	Sophie Rogers –	<i>Schedule 1 Approval recommended</i>

Schedule 1

PA18/03710 4 Moresk Gardens Mr and Mrs Julian and Pauline Jenkins	Change wooden windows to UPVC casement	Boscawen	Stacey Lowe –	Schedule 2
PA18/03986 56 Lemon Street Dr Francois Nieuwoudt	Application for LB consent for Retrospective application for works undertaken to rear of property comprising of reinstatement of previous outhouse/ extension and infilling a side yard area with a new lightweight structure.	Boscawen	Laura Potts –	Schedule 2
PA18/03993 56 Lemon Street Dr Francois Nieuwoudt	Construction of extension to the rear of existing property to increase existing living area and create additional one bedroom apartment.	Boscawen	Laura Potts –	Schedule 2
PA18/03994	(LB) Consent for above application			
PA18/03647 Prospect Cottage, Flat 2 107 Bodmin Road Mr Grant Healey	Extension to Flat for kitchen, New Garage and workshop.	Boscawen	Sarah Dyke – I am waiting to hear from the Forestry Officer as the garage/workshop building proposed would be situated right next to a protected tree	Schedule 2
PA18/04192 19 Penwethers Lane Mr and Mrs Falkner	Proposed first floor extension. Replacement of chimney with flue and internal alterations.	Redannick	Sarah Dyke – No objections. The application is to extend at first floor above an existing living area to provide two bedrooms. This involves removing the existing chimney and replacing it with a flue. The pitched roof extension would be on the south west side of the building.	Schedule 1 Approval recommended

Schedule 1

<p>PA18/04204 15 Epworth Close Felicity Orford</p>	<p>Extension and alteration to private dwelling</p>	<p>Tregolls</p>	<p>Stacey Lowe – <u>Principle of development</u> The proposed extension is acceptable in principle. The proposal relates to the domestic residential use of the site and is a normal adjunct to the host dwelling. <u>Visual amenity</u> The proposal is sympathetic and in keeping with the main dwelling and is of an appropriate scale. The proposal would be screened by trees along the north boundary and therefore not visible from St Clements Hill. The proposal in terms of its design, size and positioning is acceptable and would not have a detrimental impact on the character of the area. <u>Amenity Considerations</u> A balcony is proposed on the north east elevation however, this faces open countryside. The proposed extension would be separated by screening and a garage which would limit the amount of potential overlooking from the proposal. There is sufficient distance between the proposed development and other residential dwellings, so as not to cause any harm to amenity in terms of overlooking, loss of light or having an overbearing impact.</p>	<p><i>Schedule 1 Approval recommended subject to their being no sustainable objection from neighbours</i></p>
<p>PA18/03305 Land North Of 8 Waterloo Miss Tina McCarthy</p>	<p>Construction of one new build three bed dwelling.</p>	<p>Tregolls</p>	<p>Laura Potts – I have done a pre-app on this site. They initially asked about a pair of dwellings but it was felt that 2 was too cramped on the site. One dwelling allows for garden areas for the existing and proposed dwellings. Another small residential dwelling has been approved at the end of the street (PA17/06265). Although, in the current application, as it relates more closely to the streetscene the applicants were advised to</p>	<p><i>Schedule 2</i></p>

Schedule 1

			<p>follow the character of the street (which they have done). A negative of the proposal is the lack of on-site parking. Parking would be provided in the street which is a permit zone. The site is in walking distance to town, supermarkets, schools, bus station etc.</p> <p>I believe there is SWW apparatus across the site and so this is something the applicants will need to consider as a separate issue.</p> <p>Overall, I am happy to support the scheme.</p>	
<p>PA18/04198 4 Alexandra Terrace Mrs Lenka Grose</p>	<p>Loft conversion and roof extension with the addition of a conservation roof light to the North elevation.</p>	<p>Redannick</p>	<p>Janice Taylor – The application is a resubmission following the withdrawal of a previously submitted scheme.</p> <p>The design has been modified by removing the flat roofed extension to the rear of the property, retaining the existing rear extension which matches the other extensions within this small terrace and constructing two pitched, roof dormer extensions to the rear. Consideration has been given to the materials to be used in the external finishes which would fit in with the setting of the Conservation Area. It is considered that the proposal is an improvement on the previous submission and addresses the concerns raised.</p> <p>I note that the rooflight to the front elevation is still proposed, however, this part of the proposal is permitted development and can be installed without planning permission</p>	<p>Schedule 2</p>

Schedule 1

<p>PA18/04462 5 Prospect Place Ms L Austin</p>	<p>Proposed demolition of garage and construction of new garage with store</p>	<p>Boscawen</p>	<p>Janice Taylor – I haven't visited this site yet but know the area fairly well. The proposal seeks to demolish an existing garage and replace it with a garage and workshop. The garage would not be located any further towards the public highway than the existing garage, however the building would be larger than the existing building. The storage space to the rear of the garage would be dug into the garden area and the majority of the store submerged below ground level. There are a number of garage buildings along this lane of varying sizes and designs and therefore it is considered that the new garage would not have a detrimental impact on the street scene or appear dominant within the landscape</p>	<p>Schedule 2</p>
<p>PA18/04362 31 Trewidden Close Mr J Jones</p>	<p>Proposed rear extension</p>	<p>Tregolls</p>	<p>Katie Mosley –</p>	<p>Schedule 2</p>
<p>PA18/04663 62 Daniell Road Mr Peter Adams</p>	<p>Extension and alterations to the ground floor with a first floor addition forming a new kitchen/living/dining room and decked terrace area</p>	<p>Redannick</p>	<p>Janice Taylor- The application for 62 Daniell Road seek to carry out a number of extensions and alterations to the existing dwelling including a first floor extension and an extension with a roof terrace above. The works would result in a significant change to the character of the property, however, there are a mix of housetypes within this area. There may be some issues with overlooking from the proposed roof terrace and it is likely that I will undertake a site visit to assess this in more detail.</p>	<p>Schedule 2</p>

Schedule 1

<p>PA18/04699 4 Arundell Place Mrs Y Goddard</p>	<p>Trimming of approx. 1 metre from low branch of Monterey pine</p>	<p>Redannick</p>	<p>Janice Taylor – The works have been requested to provide clearance around the existing roof, the proposed works are considered minimal and would not have a detrimental impact on the public visual amenity value of the tree. In addition, the works would accord with good arboricultural practice.</p>	<p><i>Schedule 1 Approval recommended</i></p>
<p>PA18/04418</p> <p>PA18/04419 11 Pydar Street Mr Andrew Tubb Hotter shoes</p>	<p>Advertisement consent for replacement signs – 1no. fascia and 1no. hanging sign in new concept colours</p> <p>LB consent for the above</p>	<p>Boscawen</p>	<p>Laura Potts –</p>	<p><i>Schedule 2</i></p>
<p>PA18/04636 43 Boscawen Woods Lane</p>	<p>Crown reduction to Ash tree</p>	<p>Tregolls</p>	<p>Janice Taylor – There is a photograph submitted with the application showing the extent of the proposed works. The works seem significant, so I have requested advice from our Tree Officer to see if the works go beyond Good Arboricultural Practice.</p>	<p><i>Schedule 1 Refusal recommended as there is insufficient justification for the crown reduction of a good healthy Ash tree.</i></p>
<p>PA18/04498 Land at New Mills Lane Kenwyn Gilbert & Goode</p>	<p>Construction of 5 dwellinghouses, new access and associated works</p>	<p>Trehaverne</p>	<p>James Moseley -</p>	<p><i>Schedule 2</i></p>
<p>PA18/04703 127C Bodmin Road Mr Bilkey and Miss Andre</p>	<p>Proposed conversion of garage to habitable room</p>	<p>Boscawen</p>	<p>Janice Taylor -</p>	<p><i>Schedule 1 Approval recommended</i></p>

Schedule 1

PA18/04477 Land At The Compound Heron Way Mr Richard Dolman	Application for the erection of two industrial units B8 use	Redannick	Laura Potts -	Schedule 2
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Schedule 2

PLANNING APPLICATIONS – FOR THE MEETING OF 7 June 2018
SCHEDULE 2 – Applications to be considered at the Meeting.

Application Details	Proposal	Ward	Comments from Case Officers	Recommendation from Chairman/ Vice-Chairman & Councillors
(1) PA18/03305 Land North Of 8 Waterloo Miss Tina McCarthy	Construction of one new build three bed dwelling.	Tregolls	<p>Laura Potts – I have done a pre-app on this site. They initially asked about a pair of dwellings but it was felt that 2 was too cramped on the site. One dwelling allows for garden areas for the existing and proposed dwellings. Another small residential dwelling has been approved at the end of the street (PA17/06265). Although, in the current application, as it relates more closely to the streetscene the applicants were advised to follow the character of the street (which they have done). A negative of the proposal is the lack of on-site parking. Parking would be provided in the street which is a permit zone. The site is in walking distance to town, supermarkets, schools, bus station etc.</p> <p>I believe there is Sww apparatus across the site and so this is something the applicants will need to consider as a separate issue.</p> <p>Overall, I am happy to support the scheme.</p>	
(2) PA18/03647 Prospect Cottage, Flat 2 107 Bodmin Road Mr Grant Healey	Extension to Flat for kitchen, New Garage and workshop	Boscawen	<p>Sarah Dyke – I am waiting to hear from the Forestry Officer as the garage/workshop building proposed would be situated right next to a protected tree.</p>	
(3) PA18/03697 6 Boscawen Street Matthews Loadace	Provision of single storey extension, to give independent access to upper storeys. Provision of new window openings at first	Boscawen	<p>Sophie Rogers –</p>	

Schedule 2

Limited	and second floor storeys in north and west elevation.			
(4) PA18/03710 4 Moresk Gardens Mr and Mrs Julian and Pauline Jenkins	Change wooden windows to UPVC casement	Boscawen	Stacey Lowe -	
(5) PA18/03986 56 Lemon Street Dr Francois Nieuwoudt	Application for LB consent for Retrospective application for works undertaken to rear of property comprising of reinstatement of previous outhouse/ extension and infilling a side yard area with a new lightweight structure.	Boscawen	Laura Potts –	
(6) PA18/03993 56 Lemon Street Dr Francois Nieuwoudt	Construction of extension to the rear of existing property to increase existing living area and create additional one-bedroom apartment.	Boscawen	Laura Potts –	
(7) PA18/03994	(LB) Consent for above application			
(8) PA18/04198 4 Alexandra Terrace Mrs Lenka Grose	Loft conversion and roof extension with the addition of a conservation roof light to the North elevation.	Redannick	Janice Taylor – The application is a resubmission following the withdrawal of a previously submitted scheme. The design has been modified by removing the flat roofed extension to the rear of the property, retaining the existing rear extension which matches the other extensions within this small terrace and constructing two pitched, roof dormer extensions to the rear. Consideration has been given to the materials to be used in the external finishes which would fit in with the setting of the Conservation Area. It is considered that the proposal is an improvement on the previous submission and addresses the	

Schedule 2

			concerns raised. I note that the rooflight to the front elevation is still proposed, however, this part of the proposal is permitted development and can be installed without planning permission	
(9) PA18/04362 31 Trewidden Close Mr J Jones	Proposed rear extension	Tregolls	Katie Mosley -	
(10) PA18/04418 (11) PA18/04419 11 Pydar Street Mr Andrew Tubb Hotter shoes	Advertisement consent for replacement signs – 1no. fascia and 1no. hanging sign in new concept colours LB consent for the above	Boscawen	Laura Potts –	
(12) PA18/04462 5 Prospect Place Ms L Austin	Proposed demolition of garage and construction of new garage with store	Boscawen	Janice Taylor - Janice Taylor – I haven't visited this site yet but know the area fairly well. The proposal seeks to demolish an existing garage and replace it with a garage and workshop. The garage would not be located any further towards the public highway than the existing garage, however the building would be larger than the existing building. The storage space to the rear of the garage would be dug into the garden area and the majority of the store submerged below ground level. There are a number of garage buildings along this lane of varying sizes and designs and therefore it is considered that the new garage would not have a detrimental impact on the street scene or appear dominant within the landscape	

Schedule 2

<p>(13) PA18/04477 Land At The Compound Heron Way Mr Richard Dolman</p>	<p>Application for the erection of two industrial units B8 use</p>	<p>Redannick</p>	<p>Laura Potts -</p>	
<p>(14) PA18/04498 Land at New Mills Lane Kenwyn Gilbert & Goode</p>	<p>Construction of 5 dwellinghouses, new access and associated works</p>	<p>Trehaverne</p>	<p>James Moseley -</p>	
<p>(15) PA18/04663 62 Daniell Road Mr Peter Adams</p>	<p>Extension and alterations to the ground floor with a first floor addition forming a new kitchen/living/dining room and decked terrace area</p>	<p>Redannick</p>	<p>Janice Taylor- The application for 62 Daniell Road seek to carry out a number of extensions and alterations to the existing dwelling including a first floor extension and an extension with a roof terrace above. The works would result in a significant change to the character of the property, however, there are a mix of housetypes within this area. There may be some issues with overlooking from the proposed roof terrace and it is likely that I will undertake a site visit to assess this in more detail.</p>	

APPENDIX 3

June 2018

To: Mayor (Councillor Ms L Southcombe)
Deputy Mayor (Cllr R J Smith)
and all members of the
PLANNING COMMITTEE

LIST OF OPEN ENFORCEMENT INVESTIGATIONS FROM CORNWALL COUNCIL
Truro City Council will receive updates on open cases when they are progressed

Enforcement Ref.	Location
EN18/ 00733	HIGHWAY ADJACENT TRURO CITY AFC FOOTBALL GROUND, TREYEW ROAD. <i>Alleged siting of 'van sales of meat' advertisement sign.</i>
EN18/00748	LAND AT TOLGARRICK FARM GREEN LANE <i>Alleged breach of conditions 6 (CEMP), 7 (hours of working) and 27 (CTMP) of APP/D0840/A/13/2192870.</i>
EN18/00760	3 KING STREET <i>Alleged illuminated shop sign within the conservation area.</i>
EN18/00801	24 PYDAR STREET <i>Alleged construction of rear single storey extension to Listed Building</i>
EN18/00804	21 VICTORIA SQUARE <i>Alleged siting of tables and chairs outside café stopping up the public highway within a Conservation Area</i>

APPENDIX 3

LIST OF CLOSED ENFORCEMENT INVESTIGATIONS FROM CORNWALL COUNCIL Summaries of Closures Provided by Case Officers

Enforcement Ref.	Location
EN18/00115	<p>OLD COUNTY HALL STATION ROAD <i>Alleged breach of condition 8 (tree protection) of PA13/00420.</i> Case Officer's comments: Fencing was in place during my site visit and as such there is no breach of planning control, furthermore it is noted that the car park has been constructed and it is therefore envisaged that no further plant machinery will enter the parcel of land in front of the new development.</p>
EN18/00679	<p>TRURO RAILWAY STATION ROAD <i>Alleged removal of clock structure</i> Case Officer's Comments: Removal of clock that was fixed by a bracket into the red bricked wall extending from the station over the platform in a conservation area is not considered development as such no breach.</p>
EN18/00716	<p>LAND TO THE REAR OF ARGEL KENWYN <i>Alleged breach of conditions 2 (management plan for noise and dust) and condition 4 (construction traffic management plan) of planning approval PA12/00913.</i> Case Officer's comments: I have spoken the site foreman and expressed the concerns raised which he was aware of and has put steps into place for the 'dangerous' parking. The details submitted to the Council to discharge the condition are not precise, they are vague as such it is considered that this are not formally enforceable and therefore the case is being closed as no breach due to this wording.</p>

Special Members Newsletter



Dear Councillor,

Please see the below important information about planning enforcement investigations

Over the past few years, the Planning Service has provided more information to Members and to Town and Parish Councils about enforcement cases, with commentary on how cases are progressing and how decisions have been made in dealing with the particular cases being provided to Members, Town and Parish councils and to the individual members of the public who reported the matter in the first instance. This information has been provided because of the interest that these cases engender with members and local councils. All reported cases are logged on the publicly accessible online planning register and anyone using the website can see the current status of an investigation. Although the landowner is not named in enforcement cases, the address of the alleged breach is provided and, in practice, the individual who is responsible for the alleged breach is easily identifiable within the local community. This means that there are data protection issues involved in publishing the information in the way that we currently operate.

This matter has come to a head now because of consideration of the changes to data protection law that are coming into force through the General Data Protection Regulations (GDPR) and also because we have received a specific complaint from an individual alleging that we have breached the current data protection laws by publishing information about an alleged breach of planning at their property. The conclusion that we have reached is that we need to change the way that we log and publish information about planning enforcement cases.

We will no longer publish online the details of planning enforcement cases and the weekly lists of cases opened and closed will no longer be provided to Members and local councils. The reason for this is that, whilst the matter is under investigation, we do not have a fair and lawful basis for putting that information into the public domain, either by statutory duty or by way of consent of the individual involved (which is the requirement of the first data protection principle under article 5 of the GDPR).

On conclusion of an investigation the person(s) who reported the matter to planning enforcement will be provided with a summary of our findings. However, this information will not be made available to Members or Town/Parish Councils unless you reported the matter to us for investigation. Furthermore, we are no longer able to provide regular updates for ongoing investigations to anyone – we are only able to provide a summary once the investigation has been concluded.

The service of a formal Enforcement Notice is a matter for the public register. Therefore on conclusion of an investigation resulting in the service of a formal Enforcement Notice, the case details will be placed on the online planning register as they appear at the moment. Going forward, the only cases visible online will be cases where an Enforcement Notice has been served.

We have tried to be open and transparent with regard to planning enforcement matters and to keep Members and Town/Parish Councils informed on issues within their areas. However, the legislation makes it clear that we should not be making such information publicly available. We will continue to publish quarterly reports summarising the enforcement activity and providing aggregated data on cases, e.g. numbers of cases opened and closed, no breach found, permitted development, breaches resolved by negotiation, not expedient, planning applications received, notices served etc.

Over the next few weeks you will therefore notice changes in the acknowledgement letter following the report of an alleged breach of planning, changes to the information on the website and the online planning register, and a reduction of information available on current enforcement investigations.

I would be grateful if you would bear with the team during this period of adjustment.

I appreciate that this is a fundamental change in direction from what we were doing with enforcement. However, we do not have a choice in this matter. If you have any questions about this, I or the customer relations team would be happy to talk to you.

This information has been sent to you by the Council's Customer Relations Team on behalf of the Planning and Enforcement Teams. Should you have any further queries relating to this information please contact us via the below methods:

Customer Relations Team
Economy Growth and Development
Cornwall Council
39 Penwinnick Road
St Austell
PL25 5DR

Tel: 01872 323984

egd.customerrelations@cornwall.gov.uk

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www.cornwall.gov.uk