

TRURO CITY COUNCIL



CITY OF TRURO
Roger Gazzard
Town Clerk

Town Clerks Department
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December 2019

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

Dear Councillor

NOTICE IS HEREBY GIVEN that the meeting of the **PLANNING COMMITTEE** will be held
At **TRURO COMMUNITY LIBRARY (FIRST FLOOR TRAINING ROOM), UNION PLACE** on
THURSDAY 2 JANUARY 2020 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 5 DECEMBER**
4. **PLANNING CONSULTATION**
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)
5. **CONSULTATIONS**
 - (i) **Conservation Applications Report** (Appendix 3)
Members to consider the attached Conservation Applications Report.

(ii) Office Consultation – Strengthening police powers to tackle unauthorised encampments

(Appendix 4)

Further to Minute 269, page 158, Members to consider responding to the Home Office Consultation as noted by NALC briefing. Comments to be submitted by 19th February 2020. Information also circulated via email prior to this meeting.

6. LANGARTH STAKEHOLDER GROUP

Chairman to report.

7. CHAIRMAN'S REPORT

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 6 February 2020. The agenda for the next Planning Committee to be held on 6 February 2020 will be prepared on Friday 31 January 2020. 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 30 January 2020 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 2 JANUARY 2020

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 Monday 23rd December 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
PA19/04786 Land at Tolgarrick Mr Simon Wagemakers	Reserved matters application for appearance, landscaping, layout and scale following outline consent PA12/07283 for residential development of up to 320 dwellings, new highway access from Green Lane, landscaping, associated open space and infrastructure	Redannick	Peter Bainbridge:	Schedule 2
PA19/10060 11 Treyew Road Mr Paul Sanders, Saychette Ltd.	Demolition of existing building and proposed new 3 storey building consisting of 10 No. 2 bed apartments	Redannick	James Moseley:	Schedule 2
PA19/10346 St Marys Church Of England School, Higher Trehaverne	Works to trees subject to a tree preservation order as indicated in attached tree report	Trehaverne	Camellia Bullingham:	Approval recommended
PA19/10007 26 Boscawen Street The Co Op Group	Proposal to install new refrigeration plant and redecorate shop front including fascia boards, window and door frames and rear elevation doors	Tregolls	Camellia Bullingham:	Schedule 2

Schedule 1

PA19/10555 99 Bodmin Road Mr and Mrs Roger Maker	Extension, alterations and replacement roof covering	Boscawen	Niamh Ashworth:	Approval recommended subject to render to match existing instead of timber cladding, to preserve the character of the house
PA19/10352 79 Lemon Street Mr Dewar	Alterations to roof terrace access granted under PA18/11651	Boscawen	Tim Marsh:	Schedule 2
PA19/10512 Cemetery, Kenwyn Mr Martin Wright	Various works to trees subject to a TPO	Trehaverne	Camellia Bullingham:	Approval recommended
PA19/10271 60 Tregolls Road Kingsley Developments (SW)	Outline application with some matters reserved for erection of 8 detached properties (4 x 3 bed and 4 x 4 bed)	Tregolls	Martin Woodley:	Schedule 2
PA19/10525 Penavon, Kenwyn Mr Tomlinson and Miss Layton	Proposed improved vehicular access, loft conversion and extension to garage	Trehaverne	Camellia Bullingham:	Approval recommended subject to no sustainable objections from neighbours.

Schedule 1

<p>PA19/09402 Land adjacent to Lamorran, Old Falmouth Road Mr S Musgreaves</p>	<p>The demolition of three existing buildings and replacement with a single storey sustainable dwelling</p>	<p>Redannick</p>	<p>James Moseley: I did a positive pre-application on this site in relation to the principle of a new dwelling on the site, suggesting it would be previously developed land. At that stage there were no final designs. I would therefore suggest the primary issue here in my view is the visual impact, extent of the site, and any incursion into the countryside beyond the area which would be “previously developed land”. There are potential cumulative impacts in respect of highway safety given the expectation of access to Arch Hill to the north – I didn’t raise these at pre-application however, given it could be difficult to argue a single dwelling represents the tipping point where the highway impacts on that junction are no longer acceptable.</p>	<p>Schedule 2</p>
<p>PA19/09403 Land To The North Of Lamorran Old Falmouth Road Lamorran (Truro) Ltd.</p>	<p>Construction of two infill single storey dwellings</p>	<p>Redannick</p>	<p>Tim Marsh: Although it appears to be otherwise acceptable, in light of the Highway Officer’s advice on and subsequent refusal last month of application PA19/07923 for 6 dwellings at Langweath Lodge a couple of hundred metres further to the north on Old Falmouth Road, in my opinion it is likely that the increase in the number of vehicles from this proposed development will be found to result in an unacceptable impact on highway safety contrary to CLP Policy 27.</p>	<p>Schedule 2</p>
<p>PA19/09750 Unit 8 Nalders Court, Pydar Street Mr Tim Cooper, The Sullivan Trust</p>	<p>Change of use from A1 (retail) use to also allow alternative A3 (restaurant/café) and A4 (drinking establishment) uses</p>	<p>Boscawen</p>	<p>Camellia Bullingham:</p>	<p>Schedule 2</p>

Schedule 1

PA19/10818 12 Cathedral View, Kenwyn Mr Cooper	Construction of a rear single storey extension with associated internal remodelling	Trehaverne	Janice Taylor: The application relates to the construction of a single storey rear extension and cladding to the main dwelling. The rear extension is subservient and appears to have limited impact on the street scene. The extension has a flat roof and the existing property has a high boundary fence, so it is unlikely that the proposal would cause significant overshadowing or overlooking to the neighbours.	Schedule 2
PA19/10480 Boscawen Park, Malpas Road Mr Barry Cooper	Works to trees – Site A: Fell ten small to medium Monterey Pines; Site B: Fell two Corsican Pines and two Scots Pines	Tregolls	Janice Taylor:	Schedule 2

Schedule 2

PLANNING APPLICATIONS – FOR THE MEETING OF 2 JANUARY 2020
SCHEDULE 2 – Applications to be considered at the Meeting.

Application Details	Proposal	Ward	Comments from Case Officers	Recommendation from Chairman/ Vice-Chairman & Councillors
(1) PA19/10271 60 Tregolls Road Kingsley Development (SW)	Outline application with some matters reserved for erection of 8 detached properties (4 x 3 bed and 4 x 4 bed)	Tregolls	Martin Woodley:	
(2) PA19/04786 Land at Tolgarrick Mr Simon Wagemakers	Reserved matters application for appearance, landscaping, layout and scale following outline consent PA12/07283 for residential development of up to 320 dwellings, new highway access from Green Lane, landscaping, associated open space and infrastructure	Redannick	Peter Bainbridge:	
(3) PA19/09402 Land adjacent to Lamorran, Old Falmouth Road Mr S Musgreaves	The demolition of three existing buildings and replacement with a single storey sustainable dwelling	Redannick	James Moseley: I did a positive pre-application on this site in relation to the principle of a new dwelling on the site, suggesting it would be previously developed land. At that stage there were no final designs. I would therefore suggest the primary issue here in my view is the visual impact, extent of the site, and any incursion into the countryside beyond the area which would be “previously developed land”. There are potential cumulative impacts in respect of highway safety given the expectation of access to Arch Hill to the north – I didn’t raise these at pre-application however, given it could be difficult to argue a single dwelling represents the tipping point where the highway impacts on that junction are no longer acceptable.	

Schedule 2

<p>(4) PA19/09403 Land To The North Of Lamorran Old Falmouth Road Lamorran (Truro) Ltd.</p>	<p>Construction of two infill single storey dwellings</p>	<p>Redannick</p>	<p>Tim Marsh: Although it appears to be otherwise acceptable, in light of the Highway Officer's advice on and subsequent refusal last month of application PA19/07923 for 6 dwellings at Langweath Lodge a couple of hundred metres further to the north on Old Falmouth Road, in my opinion it is likely that the increase in the number of vehicles from this proposed development will be found to result in an unacceptable impact on highway safety contrary to CLP Policy 27.</p>	
<p>(5) PA19/09750 Unit 8 Nalders Court, Pydar Street Mr Tim Cooper, The Sullivan Trust</p>	<p>Change of use from A1 (retail) use to also allow alternative A3 (restaurant/café) and A4 (drinking establishment) uses</p>	<p>Boscawen</p>	<p>Camellia Bullingham:</p>	
<p>(6) PA19/10007 26 Boscawen Street The Co Op Group</p>	<p>Proposal to install new refrigeration plant and redecorate shop front including fascia boards, window and door frames and rear elevation doors</p>	<p>Tregolls</p>	<p>Camellia Bullingham:</p>	
<p>(7) PA19/10060 11 Treyew Road Mr Paul Sanders, Saychette Ltd.</p>	<p>Demolition of existing building and proposed new 3 storey building consisting of 10 No. 2 bed apartments</p>	<p>Redannick</p>	<p>James Moseley:</p>	
<p>(8) PA19/10352 79 Lemon Street Mr Dewar</p>	<p>Alterations to roof terrace access granted under PA18/11651</p>	<p>Boscawen</p>	<p>Tim Marsh:</p>	
<p>(9) PA19/10480 Boscawen Park, Malpas Road Mr Barry Cooper</p>	<p>Works to trees – Site A: Fell ten small to medium Monterey Pines; Site B: Fell two Corsican Pines and two Scots Pines</p>	<p>Tregolls</p>	<p>Janice Taylor:</p>	

Schedule 2

<p>(10) PA19/10818 12 Cathedral View, Kenwyn Mr Cooper</p>	<p>Construction of a rear single storey extension with associated internal remodelling</p>	<p>Trehaverne</p>	<p>Janice Taylor: The application relates to the construction of a single storey rear extension and cladding to the main dwelling. The rear extension is subservient and appears to have limited impact on the street scene. The extension has a flat roof and the existing property has a high boundary fence, so it is unlikely that the proposal would cause significant overshadowing or overlooking to the neighbours.</p>	
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Conservation Applications Report

Background Summary

Further to the recent reformation of the Truro Conservation Area Advisory Committee (TCAAC), it has become apparent that it is beneficial that the comments made by the TCAAC inform the Planning Committee during consideration of Conservation Area applications at the Planning Committee meetings.

To maximise efficiency, the TCAAC meetings take place the same week as the Planning Committee meetings. However, conforming to legislation, the agenda for the Planning Committee meetings is issued prior to the meeting dates of the TCAAC.

To date, comments from the TCAAC have been read out at the Planning Committee meetings, and in the main, this has worked well. However, as became apparent at the December meeting of the Planning Committee, an application that had been placed on Schedule 1 for approval had been considered by the TCAAC two days prior, and important information that could potentially change the recommendation made by the Planning Committee had come to light.

In this instance, during the meeting the Chairman made the decision to move the application from Schedule 1 to Schedule 2, to be considered at the meeting. Planning procedures, that had been agreed following months of trial and error when Cornwall Council ceased issuing paper plans, specifies that as applications on Schedule 1 have been considered (via email) by the Planning Committee within the month, an 'en bloc' recommendation should be made at the meeting without further discussion. This, therefore, does not allow for applications to be moved to Schedule 2 at the meeting, and while the Chairman is able to exercise powers to do this, there is the potential for this to happen regularly with applications within the Conservation Area and therefore undermine the current processes of dealing with applications.

Recommendation

Following consideration, it is recommended the Committee resolves to split Schedule 1 into two parts:

1. Schedule 1a) which will contain all applications not in the Conservation Area, which, as before, will be considered within the month prior to the Planning Committee meetings and recommendations for each application submitted with the agenda. At the meetings, Schedule 1a) will then be proposed 'en bloc' as before;
2. Schedule 1b) will contain all applications within the Conservation Area and all Listed Building applications. As above, recommendations will be considered within the month and a recommendation submitted with the agenda. However, these applications are subject to further consideration by the Planning Committee as felt necessary at their meetings, dependant on the comments made by the TCAAC that will be tabled/read out at each meeting.

Current Planning Committee procedures will be amended to reflect the above.

19 NOVEMBER 2019

PC13-19 | STRENGTHENING POLICE POWERS TO TACKLE UNAUTHORISED ENCAMPMENTS

Summary

The Home Office has issued a new consultation on strengthening police powers to tackle unauthorised encampments. The consultation covers criminalising the act of trespassing, broadening the existing categories of criminal trespass and broadening police powers to deal with trespassers. The main consultation document can be found [here](#).

Context

The government previously consulted on unauthorised developments and encampments in April 2018. Responses to this made clear that significant problems are created by many unauthorised encampments, including the sense of unease and intimidation residents feel when an unauthorised encampment occurs, the frustration at not being able to access amenities, public land and business premises, and the waste and cost that is left once the encampment has moved on.

The government also heard compelling evidence that stronger powers are needed to address the issues and concerns identified and that the majority of respondents believe the government should consider criminalising unauthorised encampments in England and Wales, by creating an offence of trespassing when setting up an unauthorised encampment. The government would now like to test the appetite to go further and broaden the existing categories of criminal trespass.

NALC's views

NALC is minded to use points made in response to the April 2018 consultation, as a steer to guide our new response. These include:

- All cases of unauthorised encampments should be criminalised on account of trespassing
- The police should have the power to direct trespassers to leave land as soon as it has been determined that they are there illegally
- The police should be able to take action regardless of the number of vehicles in the unauthorised encampment
- Principal authorities should have the power to demand the police attend as soon as an unauthorised encampment appears and to claim back costs incurred repairing damage caused by clearing up after unauthorised encampments

Consultation questions

NALC will be responding to the below consultation questions and is interested in the sector's views:

Q1. To what extent do you agree or disagree that knowingly entering without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q2. To what extent do you agree or disagree that the act of knowingly entering land without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it with vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q3. To what extent do you agree or disagree that the landowner or representatives of the landowner should take reasonable steps to ask persons occupying their land to remove themselves and their possessions before occupation of the land can be considered a criminal offence?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q4. To what extent do you agree or disagree that a criminal offence can only be committed when the following conditions have been met?

a) the encampment prevents people entitled to use the land from making use of it

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

b) the encampment is causing or is likely to cause damage to the land or amenities

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

c) those on the encampment have demanded money from the landowner to vacate the land; and/or

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

d) those on the encampment are involved or are likely to be involved in anti-social behaviour.

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q5. What other conditions not covered in the above should we consider?

Q6. To what extent do you agree or disagree that police should be given the power to direct trespassers to suitable authorised sites in a neighbouring local authority area?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q7: Should this be subject to conditions around agreements being in place between local authorities?

Yes / No

Q8: Should there be a maximum distance that a trespasser can be directed across?

Yes / No If yes, what distance should that be?

Q9: Should there be any other conditions that should be considered when directing a trespasser across neighbouring authorities. If so, what should these be?

Yes / No

If yes, what should these be?

Q10. To what extent do you agree or disagree that the period of time in which trespassers directed from land would be unable to return should be increased from 3 months to 12 months?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q11. To what extent do you agree or disagree that the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised should be lowered from six to two vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q12. To what extent do you agree or disagree that the police should be granted the power to remove trespassers from land that forms part of the highway?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q13: To what extent do you agree or disagree that the police should be granted the power to seize property, including vehicles, from trespassers who are on land with the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q14: Should the police be able to seize the property of:

- i) Anyone whom they suspect to be trespassing on land with the purpose of residing on it;
- ii) Anyone they arrest for trespassing on land with the purpose of residing on it;
- or iii) Anyone convicted of trespassing on land with the purpose of residing on it?

Q15. To what extent do you agree or disagree that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation are sufficient measures to tackle the public disorder issues which are associated with unauthorised encampments without the requirement for introducing specific powers that criminalise unauthorised encampments?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q18. Do you have any other comments to make on the issue of unauthorised encampments not specifically addressed by any of the questions above?

Your views

Please email your responses to this consultation to Jessica.Lancod-Frost@nalc.gov.uk by 17.00 on 19 February 2019. County associations are asked to forward this briefing onto all member councils in their area.

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