

FALMOUTH TOWN COUNCIL

Minutes of a Meeting of the Planning & Licensing Committee held on Monday 16th October 2023 in the Atherton Suite, The Old Post Office, Falmouth at 6.00 pm.

Present: Councillors S D Eva (Chair), D Clegg, G F Evans MBE, A Jewell CC, B Ross and J Spargo

In Attendance: E Middleditch (Administration Officer)
M Bennett (Administration Assistant)

P6098 **APOLOGIES**

Councillors Rowe (work) and Robinson (ill).

P6099 **INTERESTS**

None.

P6100 **MINUTES**

It was proposed by Councillor Eva, seconded by Councillor Clegg and

RESOLVED that that the minutes of the Planning and Licensing Committee held on 25th September 2023 be approved as a correct record of the proceedings and signed by the Chair.

P6101 **PLANNING APPLICATIONS**

Members considered an amended list of planning applications which had been commented on by the Chair and Vice-Chair, under the delegated procedure agreed in accordance with Minute 6/2474 of the meeting held on the 3rd April 2000 and amended by Minute P3017.

It was proposed by Councillor Clegg, seconded by Councillor Jewell and

RESOLVED that the observations set out in Appendix I, which forms part of these minutes be approved and adopted as the observations of the Town Council.

Members considered an amended list of planning applications not dealt with under the delegated procedure outlined above. The Chair reported in respect of those applications as appropriate.

It was proposed by Councillor Spargo, seconded by Councillor Jewell and

RESOLVED that the Town Council makes the observations set out in Appendix II which forms part of these minutes.

P6102 **WITHDRAWN APPLICATION**

PA23/04824 - Demolition of existing domestic garage and erection of new dwelling and landscaping, 130 Dracaena Avenue Falmouth.

Members duly noted the withdrawn application.

P6103 **HIGHWAYS/TRAFFIC MANAGEMENT/ROAD SAFETY**

Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic

Members duly noted road closure on Tregulow Road, Falmouth on 6th November 2023 (08:00 to 18:00 hours) to allow essential works by Kelly Communications to take place.

Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic

Members duly noted road closure on North Parade, Tehidy Terrace, Stratton Terrace, Stratton Place and Dunstanville Terrace from the 16th October to 20th October 2023 (07:30 to 17:30 hours) for Cornwall to carry out essential works.

P6104 **DECISION LIST**

Members duly noted a list of recent planning decisions made by Cornwall Council.

P6105 **LICENSING**

Premises License Applications

Curry Corner, 1 Market Strand, Falmouth.

Members duly considered variation to existing license to include off sales of alcohol with the purchase of food between the hours of 11:00am to 1:00am.

It was proposed by Councillor Clegg, seconded by Councillor Jewell and

RESOLVED to support the application.

Kernow Dine & Deli, 22 Killigrew Street, Falmouth.

Members duly considered grant to license for on and off sales of alcohol between the hours of 10:00 and 22:30. With an extension for New Years Eve for 10:00 until 00:30 and to play recorded music during opening hours and extended for New Years Eve.

It was proposed by Councillor Jewell, seconded by Councillor Ross and

RESOLVED to support the application.

11-12 Church Street, Falmouth.

Members duly considered grant to license for sale by retail of alcohol, Monday - Sunday 10:00 - 02:00 and recorded music (indoors only) Monday - Sunday 23:00 - 02:00 in grade 2 listed building that until recently was a Subway franchise and the building is currently empty. The plan is to operate as a cafe/coffee shop during the day serving food and drinks and in the evening will be serving food and drinks.

It was proposed by Councillor Eva, seconded by Councillor Jewell and

RESOLVED to refuse the application as the late night opening hours up to 0200 would likely contribute to anti-social behaviour and would be problematic for police and residents alike which would be against the CI Zone for the Town. The Council could be minded to consider a license up to 11pm at the latest.'

Street Trading Renewals

Mr Richard Paul Williams, Entrance to Prince of Wales Pier, Falmouth

Members duly considered street trading renewal for Mr Richard Paul Williams who wishes to continue trading at the entrance to Prince of Wales Pier, Falmouth selling daffodils from 1st December 2023 to 30th April 2024 Mondays, Tuesdays, Thursdays, Fridays and Saturdays from 0830 to 1700 hours.

It was proposed by Councillor Eva, seconded by Councillor Jewell and

RESOLVED to support the application.

Kris Trevelyan, Tidal Coffee, Queen Mary Road, Falmouth.

Members duly considered street trading renewal for Kris Trevelyan to continue trading at Queen Mary Road, Falmouth selling coffee, tea, bakery items, snacks and ice cream from 1 January to 31 December 2024, Monday to Sundays between the hours of 0700 to 2100 hours.

It was proposed by Councillor Clegg, seconded by Councillor Ross and

RESOLVED to support the application.

Licensing Act Policy Review

Members duly noted the revised policy that has now been drafted which includes changes in legislation, statutory guidance, best practice as well as a number of minor updates/amendments.

P6106 **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS TO BE OF URGENCY**

None.

There being no further business the Chair declared the meeting closed at 6.30pm.

Signed: Dated:

APPENDIX I
16TH OCTOBER 2023

1. **Penwerris** **PA23/03722** **Mr Andrew Rowley**
(Case Officer: Ellis Crompton-Brown. 01872224453,
Ellis.Crompton-Brown@cornwall.gov.uk)
Small extension to side and rear of ground floor to create an additional surgery taking the practice from a four to a five surgery practice.
29 Kimberley Park Road, Falmouth.

Recommend Approval

2. **Trescobeas and Budock** **PA23/06546** **Mr and Mrs C Webber**
(Case Officer: Ellis Crompton-Brown. 01872224453,
Ellis.Crompton-Brown@cornwall.gov.uk)
Proposed Rear Extension.
1 Fairfield Road, Falmouth.

Recommend Approval

3. **Boslowick** **PA23/07037** **Mr & Miss Davidson & Brett**
(Case Officer: Claire Broughton:)
Proposed Extensions and alterations
22 Duncannon Drive, Falmouth.

Recommend Approval

4. **Penwerris** **PA23/07225** **Mr Anthony Garner-Patel**
(Case Officer: Mark Webb: Mark.Webb@cornwall.gov.uk)
Proposed re-pointing and re-capping of rear garden walls, new retaining garden wall.
5 Tehidy Terrace, Falmouth.

Recommend Approval

5. **Penwerris** **PA23/07226** **Mr Anthony Garner-Patel**
(Case Officer: Mark Webb: Mark.Webb@cornwall.gov.uk)
Listed building application for proposed re-pointing and re-capping of rear garden walls, new retaining garden wall.
5 Tehidy Terrace, Falmouth.

Recommend Approval

6. **Arwenack** **PA23/07280** **Mr Nigel Carpenter**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Works to trees subject to a tree preservation order (TPO)- T13 Monterey Cypress
remove limb, and fell T12 Sycamore.
St Michaels Resort, 7 Stracey Road, Falmouth

There are 2 trees that the application covers, firstly there is the removal of a limb from a Monterey Cypress that has been previously (badly) pruned, this limb is in direct conflict with the new apartments and its removal back to the main stem is prudent and will have little to no effect to the mature tree. Approve.

Secondly there's a Sycamore that is near to the opposite end of the same apartments, this tree forms part of the woody boundary planting that in my view adds to both the visual amenity of St Michaels and Falmouth, in my view this semi-mature tree is not currently impacting the building structurally and could be sympathetically pruned so that it is allowed to grow rather than be felled; as it reaches maturity it will grow up and above the building and not present a problem but will continue to provide the visual amenity that is synonymous with the hotel. Do not approve.

7. **Arwenack** **PA23/07586** **Barclay**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Works to trees within a Conservation Area (CA) namely: SST1 - Sweet Chestnut: Re-pollard tree removing all small diameter growth back to stem wood.
Treslothan Lodge, Fenwick Road, Falmouth.

For information only.

8. **Arwenack** **PA23/07609** **Dr Ben Longdon**
(Case Officer: Mark Webb: Mark.Webb@cornwall.gov.uk)
Single storey rear extension
60 Melvill Road, Falmouth.

Recommend Approval

9. **Boslowick** **PA23/07625** **Alicia Sullivan**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Works to trees under a tree preservation order (TPO): T1 - 1 Oak - re-pollard at approx 3.5m height.
1 Queen Anne Gardens, Falmouth.

Approve as the works are necessary to preserve the tree due to decay at the base.

- 10. Arwenack** **PA23/07631** **Jane Barret**
(Case Officer: Matthew Lean. matthew.lean@cornwall.gov.uk)
Works to a tree subject to a Tree Preservation Order and in a Conservation Area for Eucalyptus (T1) – fell to ground level due to impaired condition (tree is in decline).
10 Florence Terrace, Falmouth.

Approve felling as tree has developed rot in the base.

- 11. Boslowick** **PA23/07774** **Webber**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Application for tree works in a Tree Preservation Order (TPO): Reduce crown on a Birch tree.
184 Longfield, Falmouth.

This Birch has considerable rot at the base and is likely to fail, it is noted in the application that the owners wish to preserve the tree for as long as possible, reducing the crown to reduce the likelihood of the tree failing and remove the conservatory as a target is prudent. I would recommend approval of the application and the planting of a replacement for when the Birch fails.

- 12. Arwenack** **PA23/07792** **Mr A Booth**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Construction of ground floor garden room & associated works.
12 St Anthony Way, Falmouth.

Recommend Approval

- 13. Arwenack** **PA23/07866** **Price**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Works to trees in a Conservation Area for Elm (T1) - fell multi-stemmed tree that has outgrown its space. The tree is the most Western of a group occupying the top of a bank. Parts of the tree are now interfering with outbuilding and fence. Mimosa (T2) – fell. Tree has already had all of its canopy removed so it is now advised the remaining stem is removed. Cypress (T3) - fell. Tree has outgrown its space and could become problematic in the future.

For Information Only.

- 14. Trescobeas and Budock** **PA23/07952** **Mr A. Anderson**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Application for tree works in a Tree Preservation Order: Reduce and thin branch ends on a Mature Pinus Radiata.
Monterey House, 44A Trescobeas Road, Falmouth.

Minimal pruning will have no negative impact on the Pine. Approve

- 15. Penwerris** **PA23/08006** **Mr Bernard Vella**
(Case Officer: Mark Webb: Mark.Webb@cornwall.gov.uk)
Single storey extension in rear garden, side infill extension, minor alterations including internal works and driveway.
5 Tregothnan Road, Falmouth.

Recommend Approval

- 16. Arwenack** **PA23/08029** **Jonathan Sharp**
(Case Officer: Chloe Britten. chloe.britten@cornwall.gov.uk)
Application for tree works in a Tree Preservation Order: A mix of removal or reduction of limbs, pruning and crown reduction of 4 Beech trees.
Marlborough Farm, 1 Silverdale Road, Falmouth.

Approve as the Beech surrounding the cottage at Marlborough are quite oppressive these pruning works are aimed at reducing that feeling for the residents and will have minimal impact on the visual amenity that they provide.

APPENDIX II

1. **Penwerris** **PA23/04217** **Mr M Espinosa**
(Case Officer: James Moseley 01209 614004, jmoseley1@cornwall.gov.uk)
Proposed extensions and improvements to the existing dwelling and loft conversion with dormer extension.
31 Dracaena Avenue, Falmouth.

Recommend approval.

2. **Arwenack** **PA23/05693** **ArkiPlan Architecural Ltd**
(Case Officer: James Moseley 01209 614004, jmoseley1@cornwall.gov.uk)
Conversion of existing dwelling into two separate dwellings with dormer loft conversion.
17 Vernon Place, Falmouth.

Recommend refusal. This is in the Conservation Area, and NDP Policies DG3 and

DG7 apply. The proposal does not conform, especially to DG7. The roof conversion is the aspect that is unacceptable and out of character. Both dormers, front and back, especially the flat roofed one at the rear are unsightly. The back dormer will be visible from Smithick Hill, and from the water. This is an overdevelopment of the property and unsuitable in the Conservation Area.

3. **Penwerris** **PA23/07628** **JD Wetherspoon PLC**
(Case Officer: James Moseley 01209 614004, jmoseley1@cornwall.gov.uk)
Creation of roof level terrace (Resubmission of application PA17/06817) with non compliance of conditions 2 and 6 of PA20/01473 dated 23/02/2021 without compliance of condition 2 in relation to decision notice PA22/09730 dated 11/07/2023
The Packet Station,4 The Moor, Falmouth.

Recommend approval.

4. **Penwerris** **PA23/07938** **Mr T Anik**
(Case Officer: Ellis Crompton-Brown. 01872224453, Ellis.Crompton-Brown@cornwall.gov.uk)
Retention of UPVC windows, over fascia strip lighting and retention of non-illuminated plaque sign.
Kebab On The Corner, 8 Market Strand, Falmouth.

Recommend refusal. The site is in the Conservation Area and is a listed building (Grade II). NDP Policies DG3, DG6 and DG7 apply, and also DG5 on shopfronts. The use of UPVC windows is out of character with other timber windows in the surrounding area.

5. **Penwerris** **PA23/07939** **Mr T Anik**
(Case Officer: Ellis Crompton-Brown. 01872224453,

Ellis.Crompton-Brown@cornwall.gov.uk)

Listed building consent for the retention of UPVC windows, over fascia strip lighting and retention of non-illuminated plaque sign.

Kebab On The Corner, 8 Market Strand, Falmouth.

Recommend refusal. The site is in the Conservation Area and is a listed building (Grade II). NDP Policies DG3, DG6 and DG7 apply, and also DG5 on shopfronts. The use of UPVC windows is out of character with other timber windows in the surrounding area.

6. Arwenack PA23/08055 Nigel Carpenter
(Case Officer: Mark Ball, 01726 223495, Mark.Ball@cornwall.gov.uk)

'Provision of 7no. apartments on site of former dwelling without compliance of condition 2 in relation to decision notice PA20/09117 dated 31/03/2021.' with variation of condition 7 of decision PA23/02531 dated 26/07/2023.

The Captains Apartments, 5 Stracey Road, Falmouth.

Recommend deferral as there are currently no plans available to view therefore the application cannot be assessed.

TOWN AND COUNTRY PLANNING ACT 1971
FOR SUBMISSION TO THE COUNCIL ON 16th OCTOBER 2023

Mr Steve Peglau	Proposed New Dwelling (Change of use from Ancillary Use to Independent Dwelling) Little Eyrin, Swanpool, Falmouth. PA23/03557	Approved*
Ms K. Stephens	Proposed loft conversion and extension with deck above. 29 Beacon Road, Falmouth. PA23/05797	Approved*
Dr James Eckersley	Non-material amendment to decision PA17/10554 dated 16.01.2018 to enlarge the kitchen window from 1250mm wide by 1050 high to 1770mm wide by 1000mm high. 5 Stewart Court, Falmouth. PA23/06531	Approved*
Nigel Carpenter	Non-material amendment in relation to decision notice PA14/07349 dated 10/12/2014 to omit the number of units from the original description. St Michaels Resort, 7 Stracey Road, Falmouth. PA23/03382	Approved
Mr Martin Palmer	Demolition of existing structure and reconstruction of dry dock enclosure to raise height of roof to the level of the adjoining buildings and new external door to seaward elevation. Pendennis Shipyard Ltd, Bridon Building, Third Floor, Falmouth Docks, Falmouth. PA23/03575	Approved
Mr Nick Voller	Addition of an external gantry to allow for window cleaning and maintenance. Quayside, 20A North Parade, Falmouth. PA23/04857	Approved
Mrs Janet and Christine Oates	Change of use of incidental residential studio to self-contained residential accommodation. The Old Shop, Waterloo Road, Falmouth. PA23/04965	Refused

Mr Freddie Riley	Application to request permission to install solar (PV) panels to the front roof section of the property. 10 Marlborough Road, Falmouth. PA23/05764	Approved
Katherine Harrall	Dismantle crumbling chimney stack and re-build to same size and design using cottage bricks or similar and new chimney pots. Remove existing gutter/walkway between roofs of no4 and no6, make good roofs and replace with GRP box gutter and lead flashings. 4 New Street, Falmouth. PA23/06087	Approved
Katherine Harrall	Dismantle crumbling chimney stack and re-build to same size and design using cottage bricks or similar and new chimney pots. Remove existing gutter/walkway between roofs of no4 and no6, make good roofs and replace with GRP box gutter and lead flashings. 4 New Street, Falmouth. PA23/06088	Approved
Mr H Stiles	Application to determine if prior approval is required for proposed change of use from light industrial to a residential dwelling without compliance of condition PA.2(2) of Part 2 of Schedule 2 of the GDPO in relation to decision notice PA20/04919 dated 26.10.2020. Penrose Sailmakers, Upton Slip, Church Street, Falmouth. PA23/06234	Approved