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Launceston Town Council
The Town Hall
Launceston
Cornwall PL157AR

To all members of Planning and Economic Development Committee

Councillors: Dave Gordon (Town Mayor), Leighton Penhale (Deputy Mayor), Sam Allen, Nicola Gilbert, John Harris, Brian Hogan, Jane Nancarrow, Ian Nolan and Rob Tremain
cc All Councillors; Chairman, Chamber of Commerce; C&D Post

Listed below are the planning applications received for consideration by Launceston Town Council

Please email any comments you have on each application to the Clerk. All comments received will be considered by the Chairman of the Planning Committee and the majority response submitted to Cornwall Council as the official submission from the Town Council.

You are requested to submit comments by midday on Friday 17 April 2020

A handwritten signature in blue ink, appearing to read 'C. W. Drake'.

Christopher Drake
Town Clerk

14 April 2020

AGENDA

Planning Applications from Cornwall Council for comment as statutory consultee

Application	PA20/00079
Proposal	Single storey side extension with balcony to the rear elevation of the first floor and conversion of garage and undercroft into habitable accommodation.
Location	Wyndley Hollies Road Launceston PL15 8HB
Applicant	Mr J Harris
Application	PA20/01663
Proposal	Construction of three storey 4 bedroom dwelling with a self-contained guest annex on the ground floor and provision of vehicular/pedestrian access.
Location	Land North Of Castle Hill House Castle Street Launceston Cornwall
Applicant	Mr Danny Marsh Penglas Ltd
Application	PA20/01791
Proposal	Certificate of lawfulness for existing use to confirm commencement of PA17/04016
Location	Abbotts Priory Yard Riverside Launceston
Applicant	Chris Davey Hekla Limited
Application	PA20/02520
Proposal	T1 Yew - To crown lift and crown clean, T2 Yew - To crown lift, reduce lateral spread to south and crown clean and G1 Mixed species - To coppice and reduce height
Location	29A St Stephens Hill St Stephens Launceston PL15 8HP
Applicant	Mrs White

Application	PA20/02525
Proposal	T1 Common Beech - crown raise to 4.5m over garden side, T2 Sycamore - remove major deadwood and reduce height by 4m and radial crown spread 2.5m, T3 Sycamore - reduce limb over garden/decking, reduce epicormic growth to break of crown and reduce height by 4m. T4 Common Ash - fell and replant Hazel and Hawthorn in bank
Location	6 Roydon Close St Stephens Launceston PL15 8QL
Applicant	Mr Keith Mason

Planning Decisions to Note

Application	PA20/00894
Location	Land East Of Jubilee House St Stephens Hill St Stephens Launceston Cornwall
Proposal	Application for Permission in Principle for Residential Development (minimum of 3 dwellings - maximum of 5 dwellings)
Decision	REFUSED - The site comprises an undeveloped steeply sloping green finger of land which contributes positively to the character and appearance of this area which is partly designated as being within a Conservation Area and partly within flood zone 3. The proposed development would not represent a suitable location for housing having regard to local and national policies, with particular regard to the effect of the proposed development on the character and appearance of the area. The proposed amount of development would increase the built form and fail to preserve the appearance, character and special interest of the Conservation Area, leading to harm which would not be outweighed by any overriding public benefit. In the absence of any special justification to warrant residential development in this context, the proposal is contrary to the aims and intentions of policies 1, 2, 3, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030; and paragraphs 118 (b), 127, 170, 192 and 196 of the National Planning Policy Framework 2019 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Town Council	The Town Council objected to this application for the following reasons; <ul style="list-style-type: none"> • as over intensive development • loss of open space in an area where the need is currently not met • Highways concerns and traffic generation • Loss of natural habitat and local bio diversity

Application	PA20/00210
Location	Banburys Beauty Spa Madford Lane Launceston PL15 9EB
Proposal	Proposed change of use of hotel letting rooms to beauty treatment spa rooms and 1 bedroom self contained flat with proposed external steel staircase providing access to proposed first floor flat
Decision	APPROVED
Town Council	SUPPORT

Application	PA20/00588
Location	1 Church Street Launceston PL15 8AW
Proposal	Change of use to A3/A5 from a gift shop to Pizza Takeaway
Decision	APPROVED - The Highways Officer made the following comments: Following assessment, including that of comments submitted by Launceston Town Council, I have no objection to this proposal. Comments on parking have been noted, however, this is an existing situation, one which the authority has responded to with the placing of a Traffic Regulation Order (TRO). This TRO, in the form of yellow lining prevents parking in the immediate vicinity of the site, protecting junctions and carriageway, and providing loading bays. These are enforced by the Police/CC. The Police are

responsible for enforcement in respect of highway obstruction, for example if a vehicle parks and obstructs the footway. Yellow lines are enforced by Civil Enforcement (CC). Notwithstanding the opinions in respect of resources in this regard, in planning terms, it remains the view that separate legislative controls outside that of planning legislation are available and enforceable, and have been implemented to address this issue. In light of this, any attempt to refuse planning permission on this ground is unlikely to succeed at appeal.

As a result, it is not considered a reason for refusal on highway safety grounds could be sustained at appeal, and therefore no objection is raised (submitted by PS).

The Historic Environment Team provided the following comment:

The application for change of use is considered acceptable as it would not affect the setting of the Grade I listed church and the conservation area. The introduction of the window fan is considered reversible and it is requested that the fan be inserted in a less obtrusive area of the window. Any new signage should be appropriate for a conservation area.

The Public Health officer provided the following comments:

I have no objections to this application on the basis of the information submitted including the additional information provided by the applicant.

In order to protect the amenity of the area we would recommend that the following are attached by way of condition:

The use of the shop be restricted to that of a pizza takeaway only (this is relevant as the information submitted for the kitchen extraction has been specified for this purpose only)

It should be constructed as per the information provided.

That there is no external plant/flues (this does not include the small window vent specified in the application) unless applied for under a separate permission

There shall be no gas or woodburning appliances used

A condition is proposed to be imposed limiting the use of the premises as a pizza takeaway and also for the other recommendations proposed.

Regarding the principle of the development, Policy 5 of the Cornwall Local Plan states that to ensure a continued supply of appropriate business spaces proposals for new employment land and uses should be well integrated with the counties towns, villages and city whilst seeking to ensure a flexible approach to ensuring there is an adequate range of employment spaces which will help make a competitive market and grow the economy.

Policy 4 of the plan states that development will be permitted where it supports the vitality and viability of town centres investment within them, and maintains and enhances a good and appropriate range of shops, services and community facilities.

Based on these policies it is considered that given the premises is within the town centre the use as a take away establishment is acceptable.

A planning application cannot be refused on the presumption of something that may happen, i.e. the potential for an increase in littering or anti-social behaviour. The proposal is not considered to undermine the retail function of the town centre.

The takeaway is proposed to open until 22:30pm. It is noted there are other establishments (pubs) located within the vicinity of the building that open late into the evening.

Town Council The Town Council objected to this application for the following reasons;

- 1) Highways concerns - This area has no identifiable parking, so there may be an increase in illegal or inappropriate parking. The site is on the corner of a junction of three roads, where the parking of any large delivery vehicle is likely to cause obstruction

2) Environmental impact - the air filtration system is shown as going onto the street as opposed to through the roof and this will lead to odour issues for both pedestrians and surrounding businesses and residences. There is also the potential for an increase in littering as well as anti-social behaviour concerns associated with late night opening hours within a residential area. The increase in vehicle use, combined with the air filtration concerns will be inappropriate for an area associated with air quality management concerns

3) Inappropriate development - the site is surrounded by residential properties and is also within the town conservation area

Application	PA20/00748
Location	1 Kensey Place Launceston Cornwall PL15 9EJ
Proposal	Listed Building Consent for the re-roofing of property
Decision	APPROVED
Town Council	SUPPORT

Information regarding planning decisions

Due to the COVID-19 emergency it has been agreed that “in relation to the determination of planning applications and other matters, the Service Director for Planning and Sustainable Development be authorised to determine all applications and other matters, whether or not they would ordinarily be referred to Member meetings for determination, but subject to appropriate consultation, including with Divisional Members and, if the Service Director for Planning and Sustainable Development considers it appropriate, the Chairman of the Committee to which an application would otherwise have been referred”.

This recognises the importance of keeping the planning function operating for the benefit of residents and businesses, and so that we comply with our determination deadlines and don't allow a backlog to build up. This is an important interim measure.

This protocol sets out how this will operate -

1. Consultation process will remain the same. This is undertaken electronically to Members by way of the weekly list, and electronically to the Local Councils.
2. Local Councils have been advised that the Local Council Protocol arrangements, including the 5-day protocol remain in place. Advice has been provided as to how they could operate to ensure that they are able to respond within the given timescales whilst not holding formal Parish/Town Council meetings. We will continue to operate in accordance with the Protocol and some flexibility can be agreed on a case by case basis where possible, but decisions will continue to be made even if no responses are received.
3. Senior managers will be ensuring that potential Committee items are kept to an absolute minimum and will seek to resolve issues with the Divisional Member as much as possible. Senior Managers could seek the assistance of the relevant political group leader or the relevant committee Chair and Vice Chair if required.
4. In those cases where the Divisional Member expresses a preference that an application should be considered by a Planning Committee, the following process will be followed:
 - Case officer will email the Divisional Member, Chair, Vice-Chair and members of the relevant planning committee with their report for their comments, giving 5 working days to respond. The report will include a section covering the key concerns of objectors and consultees. This will give all of those Members an opportunity to comment
 - The case officer will collate the views of the Members involved and the matter will be referred to the Service Director for Planning and Sustainable Development (or her

nominated representative who will not be the Officer who agreed the recommendation) for a decision, taking account of the comments made. The Service Director for Planning and Sustainable Development (or her nominated representative) will discuss their decision via skype or telephone with the Chair and Vice-Chair.

5. All applications submitted by an elected Member, a senior officer of the Council or a close relation of either of such persons, or an application made by Cornwall Council or affecting land owned by Cornwall Council and where representations objecting to the application have been received will now be determined through delegated decisions. (Existing delegation arrangements allow for refusal of such applications in any case). The only exception being where the Divisional Member has raised a concern about the application with the Case Officer, in which case the decision will be referred to the Service Director for Planning & Sustainable Development (or her nominated representative in her absence) who will consult with the Divisional Member and Chair of the relevant committee, prior to making a decision.
6. Inevitably there will be some particularly contentious applications where a decision would not be in the public interest until a full hearing can be undertaken. The Service Director for Planning & Sustainable Development will determine which applications these are, consulting with the appropriate Committee Chairman where appropriate, and will ensure that such applications are held (please note however, that we cannot remove the risk of appeals for non-determination). Any such concerns must please be made clear to the Case Officer when providing your views on the application.