

MINUTES of the Meeting of the PLANNING COMMITTEE held in the Guildhall, St John's Hall, Penzance on Tuesday 13 January 2009 at 7.00 p.m.

PRESENT

Councillor – Semmens A C - Chairman
Councillor Maddern W G - Vice Chairman

COUNCILLORS

Bailey Miss A I	Lello R H (for Ruhmund J)
Bennett J (for Payne M J)	Lello Mrs T (for Dixon J H)
Cook D J	Lewarne R (for Mates P E)
Eddy R H	Smith H H (for Pascoe A L)
Goninan C J	Thomas S E
Harding R	Tonkin G E T
Harry D (for Penhaligon Mrs E M)	

OFFICERS

Chief Executive
Head of Sustainable Development and Improvement
Sustainable Development and Design Manager
Planning Solicitor
Affordable Housing Taskforce Planner
Sustainable Development Officer
Committee Manager

APOLOGIES FOR ABSENCE – were received from Councillors Dixon J H, Mates P E, Pascoe A L, Payne M J, Penhaligon Mrs E M and Ruhmund J.

P.133 MINUTES

The Minutes of the meetings held on 21 October and 18 November 2008 were signed as a true and correct record.

P.134 CHAIRMANS ANNOUNCEMENTS

The Chairman made the following announcements:

1. I would like to welcome those members of the public here tonight and remind those of you booked to speak that in accordance with the agreed protocol, any representation you make must relate to a planning application on the agenda and must be confined to material planning issues. I will stop a speaker if their comments are defamatory, frivolous or offensive and I will not allow comments on procedural issues. Additionally, I would like to request that my fellow Members confine their comments and questions to the planning matters at hand.

2. So far only 6 Councillors have accepted the invitation to attend this Friday's preview of the Isles of Scilly Link exhibition. Can any Councillors who are planning to attend the preview contact Wendy Williams.
3. Will all mobile phones be turned off or made silent during the meeting.

P.135 DECLARATIONS OF MEMBERS/OFFICERS INTERESTS

Councillors Bennett, Cook, Lello and Mrs Lello declared a Personal Interest in minute P.137 as members of Hayle Town Council who have been consulted on the application.

P.136 08-1666–RM : CONSTRUCTION OF DWELLING AND ASSOCIATED WORKS : LAND ADJACENT TO LANSDOWNE HOUSE, ALVERTON : BRM PROPERTIES LTD.

The Sustainable Development and Design Manager reported that South West Water had no objection to the application and no further letters of objection had been received but the consultation period still had 2 days to run.

He added that amended plans had been received showing elements of obscure glazing and as such, if Members were minded to support the officers recommendation, an additional condition to secure this would be required.

Further to consideration, it was

RESOLVED – that

1. consideration of this application be deferred to allow the consultation period to expire; and
2. delegated authority be granted to the Sustainable Development and Design Manager to grant conditional approval to include the additional condition regarding the provision of obscure glazing, subject to there being no material planning objections being received within the consultation period.

(Action by : Zoe McAden)

P.137 08-0613-P : REDEVELOPMENT OF HARBOUR AND LAND TO NORTH AND NORTH EAST TO PROVIDE A MIXED USE DEVELOPMENT INCORPORATING RETAIL SPACE, BUSINESS SPACE, RESIDENTIAL, GENERAL INDUSTRIAL, STORAGE & DISTRIBUTION, CREATION OF MARINA AND COMMERCIAL HARBOUR & ASSOCIATED ACCESS WORKS. (THIS PROPOSAL AFFECTS THE SETTING OF LISTED BUILDINGS) : HAYLE HARBOUR, HAYLE : ING RED UK (HAYLE HARBOUR) LTD.

Councillors Bennett, Cook, Lello and Mrs Lello declared a Personal Interest in this application.

Members considered representation from an objector to and supporter of this application.

The Head of Sustainable Development and Improvement updated Members on additional information that had been received since the planning report had been published. First of all he read from a letter received from Hayle Town Council which stated that at its meeting on 8 January the Council had resolved to approve the application with a request that eight matters be addressed – he then shared all eight with the Committee. Furthermore, he advised that contrary to the comments made by the first speaker, the Town Council's support for the application was not conditional on the eight matters being resolved.

He continued by advising that following the public meeting on 6 January and the revisions made by the applicant, the Chairman of Hayle Chamber of Commerce had indicated that he was more comfortable with the outline planning application and looked forward to working with the applicant in shaping future detailed planning applications.

The Sustainable Development Officer then provided several updates of comments received since the preparation of the report;

- one further letter of objection had been received the lack of regarding affordable housing;
- the RSPB would withdraw their objection subject to a satisfactory outcome to negotiations on the S.106 agreement;
- Natural England would withdraw their objection subject to a satisfactory outcome to negotiations on the S.106 agreement;
- Cornwall Fire Service had objected pending a request for funding/land to provide a new fire station in the town;
- the Highways Agency were currently negotiating with the applicants on measures to manage increased traffic on the A30. Officers were confident that these negotiations would prove to be successful; and
- Cornwall County Highways had expressed concerns regarding the access road in Phillack, requesting that this road be used only for emergency access and public transport.

Members then debated the application with the Chief Executive, Head of Sustainable Development and Improvement, Planning Solicitor and Affordable Housing Taskforce Planner providing responses to detailed questions on the application, including timing of infrastructure works, numbers of affordable housing, traffic issues and the impact on the town and surrounding area.

Discussion then centred on the involvement of Members in the ongoing negotiations with the applicants with the Head of Sustainable Development and Improvement giving an undertaking that the Chairman and Vice-Chairman of the Committee along with Hayle Ward Members would be invited to weekly meetings with officers to review progress. The Chief Executive advised that he was keen to involve the Members in as much of the negotiation as possible, however, he stressed that it would not be possible to invite them to every meeting where Hayle Harbour was being discussed.

Ultimately, Members proposed a recommendation which included taking forward for consideration the wishes of Hayle Town Council and the involvement of the Chairman and Vice-Chairman of the Planning Committee and Hayle Ward Members in meetings with the applicant where it was considered appropriate.

It was also RESOLVED - that the voting on this proposal be recorded.

VOTING FOR THE PROPOSITION - Councillors Miss Bailey, Bennett, Cook, Eddy, Goninan, Harding, Harry, Lello, Mrs Lello, Maddern, Semmens, Smith, Thomas, Tonkin and Mrs Watson - TOTAL - 15.

VOTING AGAINST THE PROPOSITION - Councillor Lewarne - TOTAL - 1.

Accordingly, it was

RESOLVED – that the Committee is minded to grant conditional approval but that the application be deferred for the following:

1. to advertise the application as a departure from the Development Plan;
2. to negotiate satisfactory S.106 agreements covering the following indicative Heads of Terms:
 - i. Affordable Housing
 - ii. Public Transport
 - iii. Highways Works and Transport Plan
 - iv. Parking
 - v. South Quay Transport Issues
 - vi. Green Space and Public Realm
 - vii. Ecology

- viii. Intertidal Habitat
 - ix. Marina
 - x. Ecological Management Plan
 - xi. Triangular Spit
 - xii. Education
 - xiii. Sustainability
 - xiv. Drainage
 - xv. Business Centre
 - xvi. Primary Health Facilities
 - xvii. Design Framework and Detailed Design Codes;
3. subject to the application not being called in by the Secretary of State and the satisfactory completion of the S.106 agreement, that the application be returned to the Planning Committee for determination;
4. the issues raised by Hayle Town Council at their meeting held on 8 January 2009 be considered during negotiations; and
5. the Chairman and the Vice-Chairman along with all Hayle Ward Members be invited to meetings with the applicant where it was considered appropriate.

(Action by : Matthew Barton/Jeremy Content)

Meeting closed at 8.37 p.m.

Chairman