



# FALMOUTH TOWN COUNCIL

## Agenda Planning & Licensing Committee

<b>Date</b>	13/06/2022
<b>Time</b>	17:00 - 18:00
<b>Location</b>	Atherton Suite
<b>Chair</b>	A Rowe
<b>Attendees</b>	S. Eva, GF. Evans, J. Robinson, Z. Young, D. Clegg, AJ Jewell, A Rowe and J. Spargo
<b>Explanation</b>	I hereby invite you to attend a meeting of the Planning & Licensing Committee to be held at the <b>Atherton Suite</b> on Monday 13th June 2022 at <b>5.00pm</b> for the purpose of transacting the following business.

### 1 **Apologies**

To receive and approve apologies for absence.

### 2 **Interests & Declarations**

To receive declarations of interests in respect of items on the agenda. Councillors are reminded to declare any dispensation granted.

### 3 **Minutes**

To receive the minutes of the meeting of the Planning Committee held on 25th April 2022 and the meeting of the Planning & Licensing Committee on 23rd May 2022.

### 4 **Planning Applications**

(a) To receive a list of planning applications received from Cornwall Council and dealt with under the delegated procedure agreed in accordance with Minute 6/2474 of the meeting held on 3rd April 2000 (Appendix 1) and amended by minute P3017, together with a supplementary list of applications received since publication of the agenda.

(b) To receive and consider a list of planning applications received from Cornwall Council, not dealt with under the above-mentioned procedure (Appendix II), together with a supplementary list of applications received since publication of the agenda.

### 5 **Future of Neighbourhood Plans**

To note the Town Clerks update regarding the future of Neighbourhood Plans.

### 6 **Highways / Traffic Management / Road Safety**

#### Road Traffic Regulation Act 1984 S14: Temporary Prohibition of Traffic

To note road closure on Langton Terrace, Falmouth from 9th June 2022 to 15th June 2022 (24 hours) for RBS Groundworks Ltd to carry out works to their apparatus.

To note road closure on Stratton Terrace, Falmouth from 27th May 2022 to 24th June 2022 (24 hours) for Western Power Distribution to carry out cable fault repairs.

To note road closure on Old Hill, Falmouth from 26th July 2022 to 29th July 2022 (1800 to 0600 hours) for Paul Moore, Freeflow TM to carry out utility repairs.

To note road closure on Conway Road, Venton Road, Springfield Road and Manor Road, Falmouth from 3rd August 2022 to 12th August 2022 (0730 to 1700 hours) for Cormac Solutions to carry out highway repairs.

To report any highways matters received since the publication of the agenda.

**7 Decision List**

To receive and note a list of recent planning decisions made by Cornwall Council.

**8 Licensing**

**Cornwall Council Premises License**

Red Elephant Beer Cellar Ltd, 2 Market Strand, Falmouth

To consider variation to license to include on sales of alcohol (currently licensed for off sales) Monday to Sunday 1000 hours to 2200 hours.

National Maritime Museum, Events Square, Discovery Quay, Falmouth

To consider grant to license for on and off alcohol sales and regulated entertainment. Entertainment Monday to Saturday 1000 hours to 0000 hours and Sundays 1000 hours to 2300 hours and supply of alcohol Monday to Saturday 1100 hours to 0000 hours and Sunday 1100 hours to 2300 hours.

The following condition has been agreed with Environmental Protection and now forms part of the application's operating schedule " The music noise level will not exceed 15dB LAeq 15 min above the background noise level (LA90) between the hours of 09:00-23:00 at the boundary of any noise sensitive premises and at any other time should not be audible at the boundary of any noise sensitive premises."

**Cornwall Council Street Trading Application**

Pavement License, Dark Pony Coffee Ltd, 6 The Moor, Falmouth

To consider application to allow furniture on the 'highway' located in front of the shop to be used for the consumption of food and drink. The seating area will have a depth of 2 metres and a length of 4.75 metres. The seating space will leave a minimum of 2 metres of footpath on the highway.

To report any licensing matters received since the publication of the agenda.

**9 Any Other Business that the Chairman Considers to be of Urgency**

NB: The Local Government (Access to Information) Act 1985 prohibits the consideration of any items which have not appeared on the agenda for the meeting unless the Chairman is prepared to certify that a proposed item is 'urgent'. If urgent, the special circumstances which make it so, must be spelled out to the meeting and included in the minutes.

**Decision Making Legal Advice (for noting)**

Members have received training on the Code of Conduct, predetermination and bias and therefore, will be aware of their responsibility to determine planning applications on the basis of the information before them at the meeting. Members are reminded that the decision making role must be approached with an open mind as to the merits of the arguments for and against the application, which they must take into account before making a final decision at the meeting. Members are further advised that they must not predetermine, or be seen to have predetermined, the outcome of an application and that the information they receive at the meeting is therefore the basis on which they should make their decision.

## FALMOUTH TOWN COUNCIL

Minutes of a Meeting of the Planning Committee held on Monday 25<sup>th</sup> April 2022 in the Atherton Suite, The Old Post Office, Falmouth at 6.00 pm.

Present: Councillors A Rowe (Chair), J M Spargo (Vice-Chair), D Clegg, S D Eva, J S Kirkham CC, A J Jewell CC, and Z Young.

Councillors D Saunby CC and GF Evans CC also attended.

In Attendance: E J Middleditch (Administration Officer)  
M Ortega (Receptionist and Information Services Assistant)  
D Mitchell (Agent for Land Adj to Baythorn, 1 Spernen Wyn Road, Falmouth)  
B Wood (BW Planning for Hooked on the Rocks, Falmouth)  
T Brighton (Objector for 12 De Pass Gardens, Falmouth)

P5870 APOLOGIES  
None received.

P5871 INTERESTS AND DISPENSATIONS

Councillor Rowe declared a non-disclosable interest in PA22/03032 as in his capacity as a Tree Champion he had already commented on the application and he left the meeting during the consideration thereof.

P5872 MINUTES

It was proposed by Councillor Rowe seconded by Councillor Clegg and

RESOLVED that that the minutes of the meetings of the Committee held on 14<sup>th</sup> March 2022 and 4<sup>th</sup> April 2022 be approved as correct records of the proceedings and signed by the Chairman.

P5873 PLANNING APPLICATIONS

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

It was proposed by Councillor Rowe, seconded by Councillor Spargo 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 Chairman reported in respect of those applications as appropriate.

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

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

**P5874 NAMING OF NEW DEVELOPMENTS AND STREETS**

Members duly noted the advice from Cornwall Council regarding the naming of new developments and streets using the Cornish language.

Members duly consider a request from the developers of Phase 3 of Eve Park to suggest names for four streets and it was agreed to propose Falmouth View, Bay View and Joseph Emidy.

**P5875 WITHDRAWN APPLICATIONS**

PA22/00975 - 17 Waterloo Road, Falmouth - Proposed removal of existing roof, raising of wall plate height and construction of replacement roof with front and rear dormers to provide additional accommodation.

PA21/12780 - 9 Chapel Terrace, Falmouth - Proposed garage and boat store.

PA20/09149 - Land at Penwerris Farm, Dracaena View, Falmouth - Proposed construction of a dwelling house with variation of condition 2 in respect of decision PA17/10450 date 16.03.18.

Members duly noted the Withdrawn Applications.

**P5876 HIGHWAYS / TRAFFIC MANAGEMENT / ROAD SAFETY**

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

Members duly noted road closure on Trevaylor Road and Trelissick Road, Falmouth from 10th May 2022 to 20th May 2022 (1900 to 0600 hours) for Cormac Solutions to carry out resurfacing works to the carriageway.

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

Members duly noted road closure on Erisey Terrace and Harbour Terrace, Falmouth on 7th June 2022 (0930 to 1530 hours) for Openreach to carry out works to their apparatus.

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

Members duly note road closure on Langton Terrace, Falmouth from 9th June 2022 15th June 2022 (24 hours) for Openreach to carry out works to their apparatus.

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

Members duly noted road closure on Hill Head, Penryn on 29th April 2022 (0930 to 1530 hours) for Openreach works.

Traffic Regulation Act 1984, S.16A

Members duly noted the event road closure on various roads in Falmouth on 15th May 2022 (0600 to 1500 hours) for the Falmouth Race for Life.

A30 Traffic Management Alert

Members duly noted the temporary week night and weekend closure Chiverton Roundabout to Boxheater from Monday 16th May 2022 to Thursday 19th May (2200 to 0600 hours) to facilitate National Highways to install a temporary roundabout, to replace the current staggered crossroads.

Members duly noted the junction closure on B3284 North from Chybucca which will be 24/7 from Monday 9th May 2022 from 0800 hours to Monday 16th May 0600 hours to facilitate the installation of the permanent re-alignment of the B3284 to the new temporary roundabout, to replace the current staggered crossroads.

P5877 **DECISION NOTICES**

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

P5878 **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE OF URGENCY**

None.

There being no further business the Chairman declared the meeting closed at 6.25p.m.

Signed: ..... Dated: .....

**APPENDIX I**  
**25<sup>th</sup> APRIL 2022**

- 1. Arwenack**                                 **PA22/02507**                                 **Linda Starling**  
**(Case Officer: Mark Ball, 01726 223495 [mark.ball@cornwall.gov.uk](mailto:mark.ball@cornwall.gov.uk))**  
Change of use from single residential dwelling to office accommodation.  
The Boat Store Fish Strand Hill Falmouth

Recommend approval
  
- 2. Penwerris**                                 **PA22/02642**                                 **Mrs Patricia Cooke**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Application for a Lawful Development Certificate for an Existing use C4 house in multiple occupancy.  
19 Albany Place Falmouth.

Recommend approval.
  
- 3. Trescobeas And Budock**                                 **PA22/02821**                                 **EBC Partnerships Ltd**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Reserved matters application following outline approval PA18/02967 for 37no. dwelling (Including affordable housing) and open space with variation of condition 1 in respect of decision PA20/06773.  
Land At Kergilliack Road Falmouth.

Recommend approval.
  
- 4. Arwenack**                                 **PA22/03087**                                 **Mr M Bolt**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Listed building consent for the removal of red brick quoins from west Elevation of Garage.  
19 Wodehouse Terrace Falmouth.

Recommend approval.
  
- 5. Arwenack**                                 **PA22/03094**                                 **Mr And Mrs Mills**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Replacement of conservatory with single storey extension.  
43 Woodlane Falmouth

Recommend approval.

6. Penwerris PA22/03203 J Akers  
(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))  
Replacement of existing rotten white timber windows and bi-fold doors with white uPVC/aluminium windows and white aluminium bi-folds doors to match existing in colour, style and pattern.  
12 Wellington Gardens Wellington Terrace Falmouth.

Recommend approval.

7. Arwenack PA22/03213 Mr David Wardle  
(Case Officer: Ellis Crompton-Brown. 01872224453,  
[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))  
Construction of a ground floor hobby workshop/shed and new front portico. New rear dormer window to replace flat roof terrace, new side door, additional roof lights and internal layout changes.  
Ocean View Wodehouse Terrace Falmouth

Recommend approval.

8. Arwenack PA22/03276 Mr Andrew Truscott  
(Case Officer: Ellis Crompton-Brown. 01872224453,  
[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))  
Works to trees in a conservation area (CA), works to include: T1 Common Myrtle – fell/remove, proposed replacement, as part of future boundary plantings, with 1 colourful Crataegus; T2 Common Myrtle - fell/remove, proposed replacement, as part of future boundary plantings, with 1 colourful Crataegus; T3 Common Myrtle - fell/remove, no proposed replacement: and T4 Silver Birch - proposal 1, fell/remove and replace with same species or colourful Crataegus, or proposal 2, crown thin by 25% with reduction in overall height of 3m including removal of larger side branch.  
Trewyn 3 Spernen Wyn Road Falmouth.

*For information only.*

9. Arwenack PA22/03280 O' neill  
(Case Officer: Mark Ball, 01726 223495 [mark.ball@cornwall.gov.uk](mailto:mark.ball@cornwall.gov.uk))  
Works to trees in a conservation area: To reduce the crown of an Elm tree by 1.5m.  
Woodlane Social Club 9 Woodlane Falmouth.

*For information only.*

10. Penwerris PA22/03363 Mr A Paterson  
(Case Officer: Ellis Crompton-Brown. 01872224453,  
[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))  
Application for Consent to Display and Advertisement, namely the siting of a downward Illuminated Sign on the Western Elevation of the Building, A downward Illuminated Double Sided Sign at the Site Entrance and a downward Illuminated Standing Sign Facing Towards the East.  
27 Western Terrace Falmouth.

Recommend approval.



**11. Penwerris**                      **PA22/03441**                      **Mr and Mrs Doran**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Alterations and extension to bungalow and a garden office shed.  
9 North Parade Falmouth.

Recommend approval.

**12. Arwenack**                      **PA22/03520**                      **Suzanne Nunn**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Listed building consent for proposed joinery repairs and associated alteration works to a  
Grade II listed building.  
54 Church Street, Falmouth

Recommend approval.

**APPENDIX II**  
**25<sup>TH</sup> APRIL 2022**

- 1. Arwenack**                         **PA22/02771**                         **Mr And Mrs Truscott**  
**(Case Officer: Ellis Crompton-Brown. 01872224453,**  
**[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Erection of a dwellinghouse, landscaping and amenity areas.  
Land Adj To Baythorn 1 Spernen Wyn Road Falmouth.

Recommend refusal as it is questionable if the design is in keeping with the architectural styles, forms and massing of surrounding dwellings and could be in conflict with NDP Policy DG7.

- 2. Arwenack**                         **PA22/02939**                         **Mr Steve Shephard**  
**(Case Officer: Ellis Crompton-Brown. 01872224453,**  
**[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Demolition of the existing restaurant and replacement with a new restaurant and apartment and associated works.  
Hooked On The Rocks Swanpool Road Falmouth.

Recommend approval subject that the alcove is re-instated.

- 3. Arwenack**                         **PA22/03032**                         **Kay Lambkin**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Bedroom extension and new garden wall at front, off-road parking and new pedestrian entrance at rear.  
12 De Pass Gardens Falmouth.

Recommend refusal as the off road parking space is within the root protection area of Holm Oak Tree with a TPO in the Conservation Area.

- 4. Penwerris**                         **PA22/03055**                         **Mr T Hoang And Mr G Jones**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Listed building consent for Conversion from a Closed Public House Into Restaurant And Single Residential Dwelling Above.  
Mono 4 Killigrew Street Falmouth.

Recommend approval.

- 5. Penwerris**                         **PA22/03054**                         **Mr T Hoang And Mr G Jones**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Conversion From a Closed Public House Into Restaurant And Single Residential Dwelling Above.  
Mono 4 Killigrew Street Falmouth.

Recommend approval.

6. Boslowick PA22/03105 Drs Emma & Jolyon Rosenfield & Troscianko

(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))

Lower ground floor extension for garden room, upper ground floor extension for porch, and new windows to south elevation.

66 Swans Reach, Falmouth

Recommend refusal as the balcony is un-neighbourly in terms of overlooking issues.

7. Penwerris PA22/03152 Mr Mick Leonard

(Case Officer: Ellis Crompton-Brown. 01872224453,

[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))

Double-storey rear and single-storey side extensions.

19 Glasney Road Falmouth

Recommend refusal due to the overbearing impact of the two storey extension on the neighbours property.

**TOWN AND COUNTRY PLANNING ACT 1971**  
**FOR SUBMISSION TO THE COUNCIL ON 25<sup>TH</sup> APRIL 2022**

Miss Eve Somerville	Reserved matters application for construction of 123 dwellings, together with the associated appearance, landscaping, layout and scale incorporating a community garden (pursuant to outline planning permission PA12/10394). Land Off Bickland Hill Bickland Hill Falmouth PA21/04659	Approved*
Mr Ambrose	Reserved matters application for a dwelling following outline consent PA19/11137 dated 17.09.2020. San Marino, Road from Bickland Water Road to Spears Terrace, Goldenbank, Falmouth PA21/12082	Approved*
Gail Muller	Proposed garage and boat store. 7 Polwhaveral Terrace, Falmouth PA21/12404	Approved*
Ms Kirsten Pepper & Mr John Paul Gilkes	Replacement of a single storey extension with a double storey extension. 69 Tresillian Road, Falmouth PA22/00929	Approved*
Roberts	Demolition of exiting building and erection of 4 dwellings. Anchorage, 28 North Parade, Falmouth PA21/07358	Refused
Mr & Mrs Pombiero	Second storey/roof extension of part of a detached single family dwelling. 16 Gyllyngvase Terrace, Falmouth PA21/08753	Approved
OPO Development (Cornwall) Ltd	Outline application with some matters reserved for demolition of existing public house enabling a residential development of up to 10 dwellings. Boslowick Inn, Prislow Lane, Falmouth PA21/09322	Refused
Mr Ian Shorthouse	Demolition of one house. Construction of 5 apartments and 2 houses with associated parking and landscaped amenity space with variation of condition 2 in respect of decision PA21/07796 dated 30.09.21 22 North Parade, Falmouth PA21/10078	Approved

Falmouth Town Council	Listed building consent for resiting of the defunct drinking fountain to the front of the property and re-purposing it as a public water bottle refill point. The Stable, Old Custom House, Arwenack Street, Falmouth PA21/10079	Approved
Mrs Gaunt	Upgrade of existing studio annexe and garage to one single storey annexe. Trevelyan, 6 Avenue Road, Falmouth PA21/10198	Approved
Mr & Mrs Needham	Demolition of exiting dwelling and erection of replacement dwelling. White Wings, Harbour Terrace, Falmouth PA21/11994	Approved
Mr A Corbishley	Removal of window to rear elevation and insertion of new door. Ground Floor flat, 127 Killigrew Street, Falmouth PA21/12193	Approved
Ms C Woods	Proposed garage conversion to bedroom. The Ivy, Lansdowne Road, Falmouth PA21/12212	Approved
Mr Nigel Edwards	Conversion of garage to annexe for family members. 51 Shelburne Road, Falmouth PA21/12742	Approved
Twinbrook Park	Works to trees namely:- Oak(T20) Pollard - Oak(T30) remove 1xlow limb -Oak(58)crown reduce - Oak(62)Pollard-subject to a Tree Preservation Order(TPO). Twinbrook Park, Goldenbank, Falmouth PA21/12597	Refused
Lloyd-Laney Family	Conservation roof light and repairs to front north elevation. 4 Bar Terrace, Falmouth PA22/00104	Approved
Lloyd-Laney Family	Conservation roof light and repairs to front north elevation. 4 Bar Terrace, Falmouth PA22/00105	Approved
Mrs Dernie	Replace asbestos roof tiles and addition of a dormer window to the second floor master bedroom on principle elevation. 14 Woodlane, Falmouth PA22/00630	Approved

Mr & Mrs Cooper & Wengradt	Construction of a two storey extension and formation of additional off-road parking space. 12 Old Hill Crescent, Falmouth PA22/00654	Approved
Robert Lorton	Single storey rear extension. Polperro, 1 Foxs Lane, Falmouth PA22/00724	Approved
Mr & Mrs Jarrett-Kerr	Proposed new dormers to loft space, including internal alterations, alterations to existing windows, new link and conversion of existing garage to studio space and utility area. Tehidy, Penwerris Lane, Falmouth PA22/00812	Approved
Mrs Gawor	Proposed construction of rear dormer, renovation of front dormer, installation of new windows, increased opening width for vehicle access and parking and formation of ramped pedestrian access. 3 Fenwick Road, Falmouth PA22/00818	Approved
Mr & Mrs Kendrick	Proposed new garage to rear garden, covered walkway, alterations to main house including new rooflight, alterations to existing dormer and alteration of existing window to doorway. 2 Cambridge Place, Falmouth PA22/01015	Approved
Mr & Mrs Kendrick	Listed Building Consent: Proposed new garage to rear garden, covered walkway, alterations to main house including new rooflight, alterations to existing dormer and alteration of existing window to doorway. 2 Cambridge Place, Falmouth PA22/01016	Approved
Mr Robert Quambry	Single storey rear extension. 7 St Nazaire Close, Falmouth PA22/01190	Approved
Mr Rob Weller	Application for advertisement consent. Maritime House, Unit G4 Discovery Quay, Falmouth PA22/01332	Approved
Dr & Mrs Shanahan	New single storey extension of a rear yard and upgrade and extension of an existing double storey extension at the rear. Please see all documents provided for this application. 6 Windsor Terrace, Falmouth PA22/01361	Approved

Mr Davis	Non material amendment to decision PA21/09933 to allow single full height window to French doors. 7 Pennance Field, Goldenbank, Falmouth PA22/01402	Approved
Mr Brierley	Certificate of lawfulness for existing use Top Flat as a residential dwelling under Use Class C3 of the Town and Country Planning (Use Classes) Order 1987. 5 Kimberley Park Road, Falmouth PA22/01429	Approved
Mr & Mrs Reyna	Alterations to a garage/workshop. 23 Clifton Terrace, Falmouth PA22/01470	Approved
Mr & Mrs Bennett	Internal alterations, demolition of garage and construction of extension. 17 Bosmeor Road, Falmouth PA22/01680	Approved
Mr & Mrs S Richardson	Proposed removal of existing conservatory and construction of kitchen extension. Formation of room in roof. Construction of single garage and car port. 1 Bickland Hill, Falmouth PA22/01758	Approved
Mrs Thomas	Replacement and extension of existing porch. 1 Hillside Road, Falmouth PA22/01828	Approved
Mr Spencer	Works to trees in a conservation area, works to include the removal of x2 Apple trees (T1 and T2) and x4 Palm trees (T3, T4, T5 and T6) in order to maintain the garden and offer space and light to the other plants and property. Chylean, 17 Spernen Wyn Road, Falmouth PA22/01897	Approved
EBC Partnerships Ltd	Non-material amendment with respect to decision PA20/06773 dated 01.03.2021 to change natural slate to fibre cement and for the removal of stone sills. Land at Kergilliack Road, Falmouth PA22/02336	Refused

## FALMOUTH TOWN COUNCIL

Minutes of a Meeting of the Planning & Licensing Committee held on Monday 23<sup>rd</sup> May 2022 in the Atherton Suite, The Old Post Office, Falmouth at 6.00 pm.

Present: Councillors A Rowe (Chair), J M Spargo (Vice-Chair), D Clegg, S D Eva, G F Evans MBE, A J Jewell CC, J Robinson and Z Young.

In Attendance: E Middleditch (Administration Officer)  
M Ortega (Receptionist and Information Service Assistant)  
Councillor L Magowan (Cornwall Council)  
I Semenenko (Valve Tower, Castle Drive, Falmouth)  
B Wood (B W Planning on behalf of Seacott, Pikes Hill, Falmouth)  
B Hargrave (23 Killigrew Street - Koala Karlous Ltd)  
C & S Murney (trading as 'Waves'- Queen Mary Road, Falmouth)

### P5879 APOLOGIES

None received.

### P5880 INTERESTS

Councillor Spargo declared a non-disclosable interest in PA22/04041 as he is an acquaintance of the applicant and he left the meeting during the consideration thereof.

### P5881 MINUTES

It was proposed by Councillor Jewell seconded by Councillor Clegg and

RESOLVED that that the minutes of the Licensing meeting of the Committee held on 21<sup>st</sup> February 2022 be approved as a correct record of the proceedings and signed by the Chairman.

### P5881 PLANNING APPLICATIONS

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

It was proposed by Councillor Clegg, seconded by Councillor Robinson 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 a list of planning applications not dealt with under the delegated procedure outlined above. The Chairman and Town Clerk reported in respect of those applications as appropriate.

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

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



**P5882 HIGHWAYS/TRAFFIC MANAGEMENT/ROAD SAFETY**

New pedestrian build-out - Swanpool

Members duly noted that Cornwall Council has confirmed capital works will be funded this financial year to provide an improvement to the informal crossing at this location. The crossing will remain informal but consist of a new build-out on the pool side of the road (sketch plan shown below in red) to effectively reduce the carriageway crossing distance to one lane only. This will have the knock-on positive effect of lowering traffic speeds in this location. There will be some minor drainage works associated with the scheme to ensure the carriageway can drain surrounding the new build-out connecting to existing systems, therefore will have no net impact to the pool itself. The scheme will be delivered prior to end of this financial year.

20mph Rollout - Phase 1 - Notice of Decisions

Members duly noted the outcome of Cornwall Councils recent consultation for the 20mph Rollout - Phase 1, within the Falmouth Community Network Area, which is summarised in the attached letter. This, along with any plans where revisions have been made to original proposals (also attached), will shortly be sent to all respondents. Works in relation to the proposals will commence from Tuesday 3rd May and will continue over a period of several weeks, with an aim to complete these by early June.

Road Traffic Regulation Act 1984 S14: Temporary Prohibition of Traffic

Members duly noted road closure from Silverdale Road to Swanpool Road via the west side of Swanpool, Falmouth from 20th June 2022 to 15th July 2022 (24 hours weekends included) for Fred Champion Groundworks Ltd to carry out works to their apparatus.

Members duly noted road closure from Maenporth Road and Road from Maenporth Road to District Boundary, Falmouth from 22nd June 2022 to 24th June 2022 (0730 to 1700 hours, weekdays only) for Cormac Solutions Ltd to carry out works to their apparatus.

Members duly noted road closure on Urban Footway F7057, Falmouth from 11th July 2022 to 29th July 2022 (24 hours weekends included) for Cormac Solutions Ltd to carry out works to their apparatus.

Members duly noted road closure on Fishstrand Hill, Falmouth from 13th July 2022 to 15th July 2022 (0730 to 1800 hours) for Openreach to carry out works to their apparatus.

Road Traffic Regulations Act 1984, S16A

Members duly noted event road closure for 'Falmouth Blanket Order 2022' from 3rd June 2022 to 24th December 2022 for various Falmouth Community Events.

Members duly noted road closure on Erisey Terrace and Harbour Terrace, Falmouth from 7th June 2022 to 7th June 2022 (09:30 to 15:30 hours) for Sunbelt Rentals to carry out works.

Members duly noted road closure on North Parade, Tehidy Terrace, Stratton Terrace, Stratton Place, Dunstanville Terrace, Falmouth from 19th May 2022 to 26th May 2022 (24 hours) for Emergency Closure for Western Power Distribution to carry out Cable fault repairs.

**P5883 LICENSING**

**Cornwall Council Premises License**

Koala Karlous Ltd, 2 Killigrew Street, Falmouth

Members duly considered grant to licence for sale of alcohol Monday to Sunday 0800 hours to 2200 hours.

The applicant advised that he was not planning to transform the premises into a bar and that it would remain a coffee and bakery outlet with the option to serve alcohol to fill a gap in the market. The applicant responded to Councillor questions regarding the sale of alcohol hours.

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

RESOLVED that the Council support the application subject that the grant to license for sale of alcohol be amended to the hours of 1030 hours to 2200 hours to minimise public nuisance and to protect children from harm as the Council does not believe it is appropriate for children walking to school in the mornings to have to walk past people drinking at tables on the side walk as this is contrary to Licensing Objectives 'the protection of children from harm and the prevention of public nuisance.

**Street Trading Applications**

Mr Henry Osman trading as 'Falmouth Smokehouse' – Site 2 – Pendennis Point

Members duly considered street trading grant application to trade Saturdays and Sundays from 1000 to 2100 hours until September selling hot and cold foods based around smoked goods.

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

RESOLVED that the Council refuse the street trading grant as the site is already over occupied by traders and the carpark is very busy and an additional trader would create further travel to the destination which will prevent the public from being able to enjoy the amenity space that the headland has to offer.

Mr Chris Murney trading as 'Waves' – Queen Mary Road, Falmouth

Members duly considered street trading grant application to trade Mondays to Sundays 0800 to 2200 hours up to 31<sup>st</sup> December 2022 selling vegetarian and vegan food and drink.

The applicant advised that the existing trader on the site was in agreement to collaborate and that he was currently trading on Cliff Road and was looking to expand the business in a new location. The applicant responded to Councillor questions regarding the generator and preferred location to trade on Queen Mary Road.

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

RESOLVED that the Council support the street trading grant subject that the Licensing Officer works with Highways to establish the best location to trade on Queen Mary Road as the Council request that the site be located at the start of the road closer to the junction where the road is wider and away from residential properties.

P5884 **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE OF URGENCY**

Members considered the Vice Chair role and agreed that a shared role for Planning and Licensing would better serve the Committee.

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

RESOLVED that the Committee seek approval from the Council that Councillor Spargo act as Vice Chair for Planning matters and Councillor Clegg as Vice Chair for Licensing matters.

There being no further business the Chairman declared the meeting closed at 7.15pm.

Signed: ..... Dated: .....

**APPENDIX I**  
**23<sup>rd</sup> MAY 2022**

- 1. Penwerris** **PA22/03604** **Mr Simon Shaw**  
**(Case Officer: James Moseley, [James.Moseley@cornwall.gov.uk](mailto:James.Moseley@cornwall.gov.uk))**  
Erection of a dwellinghouse - minor design changes to approval PA20/02313 approved 1st July 2020 (fenestration and internal layout).  
Land Rear Of 86 Killigrew Street New Windsor Terrace Falmouth.

Recommend approval.
- 2. Arwenack** **PA22/03645** **Empiric (Falmouth) Limited**  
**(Case Officer: Mark Ball, 01726 223495 [mark.ball@cornwall.gov.uk](mailto:mark.ball@cornwall.gov.uk))**  
Erection of a dwellinghouse - minor design changes to approval PA20/02313 approved 1st July 2020 (fenestration and internal layout).  
Maritime Studios Pendennis Rise Falmouth.

Recommend approval.
- 3. Boslowick** **PA22/03798** **McDonald**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Works to tree subject to a Tree Preservation Order (TPO), works are to T1244 (Alder tree) - fell to ground level, and T4960 (Cherry tree)- crown reduce in height and crown spread by 1-2 metres.  
St Marys Catholic Primary School Mongleath Road Falmouth.

Recommend approval as sensible management work.
- 4. Arwenack** **PA22/03829** **Mr D And Mrs M Scott**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Change of use of existing owners flat and 4 holiday units to a single residential dwelling.  
Kinbrae Hotel Gyllyngvase Road Falmouth.

Recommend approval.
- 5. Penwerris** **PA22/03847** **Mr And Mrs Walsh**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Demolition of conservatory and construction of single storey extension.  
10 Tregothnan Road Falmouth.

Recommend approval.

6. **Boslowick** PA22/03857 **Mr & Mrs Head**  
(Case Officer: James Moseley, [James.Moseley@cornwall.gov.uk](mailto:James.Moseley@cornwall.gov.uk))  
Proposed side extension.  
5 Chi An Dowr Falmouth.
- Recommend approval.
7. **Trescobeas And Budock** PA22/03894 **Mr Johnson & Mrs Davies**  
(Case Officer: Mark Ball, 01726 223495 [mark.ball@cornwall.gov.uk](mailto:mark.ball@cornwall.gov.uk))  
Demolition of garage and construction of single storey extension.  
5 Conway Road Falmouth.
- Recommend approval.
8. **Arwenack** PA22/04054 **camille bonneau**  
(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))  
Bathroom and kitchen alterations including rear side extension in the context of  
previously approved repairs and alterations.  
4 Florence Terrace Falmouth.
- Recommend approval.
9. **Arwenack** PA22/04055 **camille bonneau**  
(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))  
Listed Building Consent for Bathroom and kitchen alterations including rear side  
extension in the context of previously approved repairs and alterations.  
4 Florence Terrace Falmouth.
- Recommend approval.
10. **Arwenack** PA22/04347 **Mr Timothy Bunhill**  
(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))  
Demolition of unlisted building in a conservation area namely removal of garden wall  
which runs alongside part of the driveway and removal of T1 within a Conservation Area  
Highbury House Florence Terrace Falmouth.
- Recommend approval.
11. **Arwenack** PA22/04376 **James & Rebecca Walton**  
(Case Officer: Ellis Crompton-Brown. 01872224453,  
[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))  
Refurbishment and remodelling of house, including first floor extensions within new  
roof (No additional footprint).  
7 St Anthony Way Falmouth.
- Recommend approval.

**12. Boslowick** **PA22/04462** **Mrs C Taylor**

**(Case Officer: Ellis Crompton-Brown. 01872224453,**

**[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**

Works to a tree in a tree preservation order, works are to G28 (Beech trees – Fagus Sylvatica) for: formative pruning to remove squirrel damaged branches overhanging property boundary of 55 Queen Anne Gardens on east and south side of group; crown reduce as per photos (Fig 1-4) with indicative crown reduction indicated by red outline; crown reduction to remove 2-2.5m of lateral growth on east and south side of group overhanging Queen Anne Gardens; and branches to be pruned back to suitable internodal growth or tertiary branch junctions.  
55 Queen Anne Gardens Falmouth.

Recommend approval as light pruning works.

**13. Arwenack** **PA22/02309** **Ms Verity Stokes**

**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**

Single storey extension to the rear of the property.

10 Albert Cottages Falmouth.

Recommend approval.

**14. Penwerris** **PA22/03630** **Mr R Kirby**

**(Case Officer: James Moseley, [James.Moseley@cornwall.gov.uk](mailto:James.Moseley@cornwall.gov.uk))**

Proposed first floor roof extension to provide kitchen/dining area and sub-division of ground floor and first floor to form two flats.

47 Old Hill Crescent Falmouth.

Recommend approval.

**15. Arwenack** **PA22/03768** **Mr & Mrs Burley**

**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**

Replacement roof to create first floor accommodation with rear balcony, infill extension to carport, internal alterations and front porch.

9 Trelawney Avenue Falmouth.

Recommend approval.

## **APPENDIX II**

1. **Arwenack** **PA21/10143** **Mr Ivan Semenenko**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
A newly constructed single storey detached small scale building for the purpose of new artist studio.  
Valve Tower Castle Drive Falmouth.

The Council were unable to make a decision as the plans do not match the description.

2. **Penwerris** **PA22/00713** **Mr Gary Lane**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Roof ridge height extended to accommodate proposed loft conversion with two dormer windows to front elevation.  
2 Kimberley Park Road Falmouth.

Recommend refusal due to poor design, the ridge height is out of keeping with adjacent properties in terms of height and the proposal would be out of character with the street scene and the dormer windows and roof light would have an adverse impact on the setting of the Conservation Area.

3. **Arwenack** **PA22/03413** **Mr David Herron**  
**(Case Officer: James Moseley, [James.Moseley@cornwall.gov.uk](mailto:James.Moseley@cornwall.gov.uk))**  
Erection of 3x 1-bedroom flats  
Braemar 9 Avenue Road Falmouth.

Recommend refusal as the proposals seek to cram too much on a small site, flat 2 just conforms to the nationally determined space standards, but flats 1 and 3 fall significantly below and fall slightly below the standard for a single person dwelling.

4. **Arwenack** **PA22/03740** **Mr And Mrs L& L Trethan**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Replacement Dwelling.  
St Johns Guesthouse 35 Melvill Road Falmouth.

Recommend refusal as the proposal fails to meet or consider properly Neighbourhood Development Plan Policy BE4 as the loss of Guest House has not been justified and NDP Policies DG3 and DG7 are not met in terms of design as the proposal is out of character with the area and not in keeping with the Conservation Area. The site is in the prime seafront area of Falmouth and on a very prominent corner site and the design fails to pick up on the locally distinctive features of the area.

- 5. Arwenack PA22/04041 Miss H Williams**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Demolition of existing kitchen and construction of single storey extension with flat roof and balcony above. Installation of Gazebo in rear garden and various internal alterations.  
9 Chapel Terrace Vernon Place Falmouth.

Recommend refusal due to the negative impact on the Conservation Area and the adjacent Grade II listed Bowles House. The proposals fail to comply with Neighbourhood Development Plan Policies DG3 and DG7.

- 6. Arwenack PA22/04336 Mr M Owen**  
**(Case Officer: Ellis Crompton-Brown. 01872224453,**  
**[Ellis.Crompton- Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Extension, internal and external alterations to the existing dwelling.  
Seacott Pikes Hill Falmouth.

Recommend approval.

- 7. Arwenack PA22/04337 Mr M Owen**  
**(Case Officer: Ellis Crompton-Brown. 01872224453,**  
**[Ellis.Crompton- Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Listed building consent for Extension, internal and external alterations to the existing Dwelling.  
Seacott Pikes Hill Falmouth.

Recommend approval.



**APPLICATIONS FOR CONSIDERATION**

**AT MEETING**

**13<sup>TH</sup> JUNE 2022**

**APPENDIX I**  
**13<sup>th</sup> JUNE 2022**

1. **Boslowick**                            **PA22/04258**                            **MR L SLEEMAN**  
(Case Officer: Ellis Crompton-Brown. 01872224453,  
[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))  
Outline application for proposed retail/storage units with all matters reserved.  
Land Y3 Access Road to Bickland Business Centre Tregonigge Industrial Estate  
Falmouth.

Recommend approval.
2. **Arwenack**                            **PA22/04364**                            **Mr and Mrs Chadwick**  
(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))  
Extension of Garden Room and renovation of property.  
Carmino House 2 Sea View Road Falmouth.

Recommend approval.
3. **Arwenack**                            **PA22/04439**                            **Mrs. B M B Shrestha**  
(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))  
Proposed single-storey rear extension.  
4 Poltair, Accommodation Emslie Road Falmouth.

Recommend approval.
4. **Penwerris**                            **PA22/04621**                            **Sarah Kellet**  
(Case Officer: Ellis Crompton-Brown. 01872224453,  
[Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))  
Works to a tree in a conservation area (CA), works are to T1 (Eucalyptus tree) - fell to  
ground level.  
13 Dunstanville Terrace Falmouth.

*For information only.*
5. **Boslowick**                            **PA22/04657**                            **Mr Partridge**  
(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))  
Single storey rear extension, new porch and first floor extension above garage.  
29 Mongleath Road Falmouth Cornwall TR11 4PN.

Recommend approval.

6. **Boslowick**                      **PA22/04848**                      **Mr Iain McConnachie**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Single storey garden room in the rear garden.  
Chy An Haf Tremorvah Way Swanpool Falmouth.

Recommend approval.

7. **Penwerris**                      **PA22/04887**                      **Ms Ann Beskeen**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Application to remove a Leylandii tree situated within a conservation area.  
8 Kimberley Park Road Falmouth.

*For information only.*

8. **Arwenack**                      **PA22/04906**                      **Black**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Works to trees in a conservation area (CA), works include: T1 (Laurel) - reduce to 8ft in height; T2 (Magnolia) - reduce overhanging lateral spread back from neighbours property by 1-1.5m; T3 (Camelia) - coppice; T4 (Bay) - coppice all basal shoots to allow for regrowth as a manageable compact shrub; T5 (Yew) - crown raise lower canopy by 1m to raise foliage; T6 (Cypress) - fell; and T7 (Cypress) - fell.  
56 Melvill Road Falmouth.

*For information only.*

9. **Arwenack**                      **PA22/04925**                      **Mr John Sewell**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Works to a tree subject to a Tree Preservation Order (TPO), works are for the felling of dead walnut tree due to the potential danger of branches breaking.  
The Hollies Tresahar Road Falmouth.

Recommend approval.

10. **Boslowick**                      **PA22/04927**                      **Mr & Mrs Neilsen**  
**(Case Officer: Matthew Haynes, [Matthew.Heynes@cornwall.gov.uk](mailto:Matthew.Heynes@cornwall.gov.uk))**  
Internal alterations and single-storey extension.  
126 Boslowick Road Falmouth

Recommend approval.

## APPENDIX II

- 1. Arwenack                                      PA22/02571                                      Mr And Mrs Robert And Joanne Broad**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Redesign of rear elevation of remodelled terraced house to include relocated window and door openings together with external balconies.  
15 Vernon Place Falmouth.
- 2. Arwenack                                      PA22/03428                                      Mr Michael Webb**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Application for a Lawful Development Certificate for an Existing use of 2x 20ft. storage containers placed on car park.  
Castlematters Ltd Tanners Walk Port Pendennis Falmouth.
- 3. Arwenack                                      PA22/03905                                      Mr & Mrs D & C Rowe**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Alterations and a new terrace.  
Rose-Nat Pikes Hill Falmouth.
- 4. Penwerris                                      PA22/04455                                      Mr Adamson**  
**(Case Officer: Nigel Brabyn, 01872 224461 [nbrabyn@cornwall.gov.uk](mailto:nbrabyn@cornwall.gov.uk))**  
Demolition of 2 bay windows and entrance steps. Construction of extension to existing dwelling with improvements to existing accommodation. Revised access to the public highway.  
River View 93 North Parade Falmouth.
- 5. Boslowick                                      PA22/04479                                      Mr J Browne**  
**(Case Officer: Mark Ball, 01726 223495 [mark.ball@cornwall.gov.uk](mailto:mark.ball@cornwall.gov.uk))**  
Outline planning permission with all matters reserved for new detached dwelling with Parking.  
Land South Of 17 Crossways Falmouth.
- 6. Boslowick                                      PA22/04900                                      Mr Nick Lay**  
**(Case Officer: Ellis Crompton-Brown. 01872224453, [Ellis.Crompton-Brown@cornwall.gov.uk](mailto:Ellis.Crompton-Brown@cornwall.gov.uk))**  
Proposed rear two storey extension.  
9 West Rise Falmouth.

## FUTURE OF NEIGHBOURHOOD PLANS

The Town Clerk attended as part of a Society of Local Clerks delegation and briefing session with John Howell MP, the Government's NDP Champion.

The Levelling up Bill would shortly get a second reading. It was a skeleton bill as in respect of NDP making as planning authorities cannot agree on what they want to see. Known changes include: Increased role for NDPs, they are still considered important, but a few the details need to be updated, he believed the increased role is to be welcomed.

- Changes :
  - o Will now include infrastructure and affordable housing
  - o NDPs will have to include design criteria to prevent this being overlooked during development and being abused by developers
  - o Can secure development in certain areas provided that the development has mitigations for climate change – judged by the planning authority against their own priorities
  - o Won't need to conform with the strategic priorities of the local strategic plan, but cannot be used to frustrate planning authority strategic objectives
  - o Enhances policy statements on housing, economy, public spaces, environment etc

The 5 year land supply will remain (but may be diluted). It is there because planning authorities previously gave the government housing targets without identifying the land to build on.

The Town Clerk gave the example of the Inspector ignoring our NDP and the issues that created locally in maintaining confidence in our Plan. Mr Howell couldn't comment on individual decisions but said he would look at the Falmouth case to see what learning there may be. He felt that Inspectors were often not clear enough in their justifications, rather than flawed in their decision making.

The Town Clerk also requested that updating NDPs become a simpler process. This is pertinent for us as the Falmouth Place Shaping Board is looking to reconstitute the Falmouth Neighbourhood Plan Stakeholders Group to start to consider a future iteration of the NDP. With some new or enhanced policy direction in respect of:

- Licensing/registration/planning of HMOs/Air BnBs/Second homes
- Building to zero carbon home standards
- Renewable energy
- Energy efficiency and sustainability of existing and new development
- Transport, service provision and pattern of development
- Wildlife and biodiversity
- Flooding and extreme weather
- Leisure provision

Mark Williams FCG FSLCC

Town Clerk

Falmouth Town Council, The Old Post Office,  
The Moor, Falmouth. TR11 3QA. 01326 315559  
Mobile – 07940 037974

## **Neighbourhood Watch: Eight key changes to neighbourhood planning in the levelling up bill**

From 'Planning Resource's Neighbourhood Watch' 26 May 2022

The recently published Levelling Up and Regeneration Bill proposes a number of changes to the neighbourhood planning system. Here are the key things you need to know.

**The bill clarifies what can be included in a neighbourhood development plan.** According to clause 88, a neighbourhood plan's contents may include policies relating to the amount, type and location of development in the local area, details of infrastructure or affordable housing requirements and requirements relating to design.

**It increases the weight of neighbourhood plans.** Neighbourhood plans will be given the same increased weight in the decision-making process afforded to local plans, with "strong" reasons now required to override local and neighbourhood plans when determining an application.

**The bill includes a simplified form of the neighbourhood planning process.** The bill introduces new 'neighbourhood priorities statements' which have been designed to "increase the accessibility of neighbourhood planning", according to the bill's explanatory notes. Local authorities will be required to take these into account when preparing their local plan.

**Neighbourhood plans must encourage the delivery of more housing.** Clause 89 of the bill states that neighbourhood plans must not result in the local plan proposing less housing than if the neighbourhood plan were not made.

**Development corporations will be permitted to oversee neighbourhood plans.** A housing department policy paper, released alongside the bill, proposes an update to the planning powers of mayoral corporations, urban development corporations and new town development corporations meaning they can become planning authorities for the purposes of plan making, allowing them to oversee the development of neighbourhood plans.

**Neighbourhood plans have to consider climate change.** The neighbourhood development plan must now be designed to ensure that the use of land in the neighbourhood area contributes to the "mitigation of, and adaption to, climate change".

**The bill introduces a requirement to comply with the new type of environmental assessment.** Neighbourhood plans must also comply with any requirements introduced by the new "environmental outcomes reports", which will replace environmental impact assessments and strategic environmental assessments.

**Street votes will enable people to have a say on nearby development proposals.** New "street vote" powers will allow residents on a street to bring forward proposals to extend or redevelop their properties in line with their design preferences and to determine whether that development should be given planning permission.

**TOWN AND COUNTRY PLANNING ACT 1971**  
**FOR SUBMISSION TO THE COUNCIL ON 13<sup>TH</sup> JUNE 2022**

James & Katy Longman	Two storey front extension. 13 Marlborough Crescent, Falmouth PA22/00820	Approved*
Mr & Mrs K Walsh	Loft conversion with variation of condition 2 of decision notice PA21/03572 dated 23/07/2021. 7 Penrose Road, Falmouth PA22/01469	Approved*
Mr & Mrs P Britton	Proposed loft conversion including a Juliet balcony with variation of condition 2 of decision PA21/02547 dated 25.06.2021. 1 Penrose, Falmouth PA22/01471	Approved*
Mr Jordan Miles	Works to trees subject to a Tree Preservation Order (TPO), works include reduce the Sycamore down to no greater than 2m in any direction, and cuts should not exceed 50mm in diameter. 108 Longfield, Falmouth PA22/01478	Approved*
Mr & Mrs Mark	Construction of conservatory in rear courtyard of a Grade 2 Listed Townhouse (modification to design of pre-approved application) 3 Florence Terrace, Falmouth PA21/10240	Approved
Mr & Mrs Mark	Listed building consent for construction of conservatory in rear courtyard of a Grade 2 Listed Townhouse (modification to design of pre-approved application) 3 Florence Terrace, Falmouth PA21/10241	Approved
Mr Piero Marci	Change of use of existing office and store room to facilitate extension of studio flat into a 1 bed apartment. 35 High Street, Falmouth PA21/12309	Approved
F P Kitchener Ltd	Construction of two residential buildings each containing four residential apartments. Bells Court, Smithick Hill, Falmouth PA21/11372	Refused
Miss Eve Somerville	Construction of a substation to be used in connection with the wider site of Eve Parc, Phase 3. Land Off Bickland Hill, Bickland Hill, Falmouth PA21/12435	Approved

Ms Nina Jones	Renovation and conversion of stone store building into a 1 bedroom dwelling. Stone Building on the South Junction of Florence Terrace & Trelawney Road PA22/00443	Approved
Mr Craig Donlevy	Application for a Lawful Development Certificate for an existing use for three flats/dwelling houses. 12 Clare Terrace, Falmouth PA22/01211	Granted
Mr & Mrs Hooper	Construction of replacement balcony and installation of French doors in place of window. Jacobs Rest, 13 Vernon Place, Falmouth PA22/01508	Approved
Mr Mark Hammond	Demolition of single storey lean-to kitchen and construction of a new larger single storey kitchen and home office. Tredidon, 70 Boslowick Road, Falmouth PA22/02065	Approved
Ms Louise Midgley	Listed building consent for proposed alterations to existing rear dormer and proposed flue. 4 Florence Place, Falmouth PA22/02091	Approved
Mr & Mrs Pearson	New rear extension, internal alterations and loft conversion including revised roof profile. 12 Tresahar Road, Falmouth PA22/02100	Approved
Mr & Mrs Dugdale	Conversion of garage into additional living space and replace flat roof with pitched roof. Findon, 18 Pennance Road, Falmouth PA22/02271	Approved
Mr Peter Evans	Single storey side extension. 1 Pengarth Road, Falmouth PA22/02328	Approved
Mr Joel Richardson	Single storey front and rear extensions. 1 Pengarth Road, Falmouth PA22/02427	Approved
Mrs Patricia Cooke	Application for a Lawful Development Certificate for an Existing use C4 house in multiple occupancy. 19 Albany Place, Falmouth PA22/02642	Approved
Mr & Mrs Doble	Alterations and extension to dwelling. 57 Rosva Morgowr, Falmouth PA22/02670	Approved



Mr M Ould	Re-submission of lapsed approval PA14/08844 for new first floor extension to form family annex. 47 Mongleath Avenue, Falmouth PA22/02693	Approved
Mr M Bolt	Listed building consent for the removal of red brick quoins from west elevation of garage. 19 Wodehouse Terrace, Falmouth PA22/03087	Approved
Mr & Mrs Mills	Replacement of conservatory with single storey extension. 43 Woodlane, Falmouth PA22/03094	Approved
EBC Partnerships Ltd	Non-material amendment (NMA4) in relation to decision PA20/06773 dated 01/03/2021 for front door colour changed to RAL7016. Land at Kergilliack Road, Falmouth PA22/03320	Approved
Mr & Mrs Doran	Alterations and extension to bungalow and a garden office shed. 9 North Parade, Falmouth PA22/03441	Approved
McDonald	Works to tree subject to a Tree Preservation Order (TPO), works are to T1244 (Alder tree) - fell to ground level, and T4960 (Cherry tree)- crown reduce in height and crown spread by 1-2 metres. St Marys Catholic Primary School, Mongleath Road, Falmouth PA22/03798	Approved

## **Licensing Act 2003**

**Extract from Premises Licence Application relating to:-**

**Red Elephant Beer Cellar  
2 Market Strand  
Falmouth**

Do you want the proposed variation to have effect as soon as possible? x

Yes

No

If not, from what date do you want the variation to take effect? DD MM YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night

levy? (Please see guidance note 1) Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To allow drinking in the premises as well as the already approved 'OFF' license

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if

this application to vary is successful.

**Provision of regulated entertainment** (Please see guidance note

#### 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J) x

**In all cases complete boxes K, L and M**

A

Plays

Standard days and timings (please read guidance note 8)

Will the performance of a play take place indoors

or outdoors or both – please tick (please read guidance note 4)

Indoors

Outdoors

Day Start Finish Both

Mon

Tue

Wed

Thur

Fri

Sat

Sun

B

Films

Standard days and timings (please read guidance note 8)

Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)

Indoors

Outdoors

Day Start Finish Both

Mon

Tue

Wed

Thur

Fri

Sat

Sun

C

Indoor sporting events

Standard days and timings (please read guidance note 8)

Please give further details (please read guidance note 5)

Day Start Finish

Mon

Tue

Wed

Thur

Fri

Sat

Sun

D

Boxing or wrestling  
entertainments

Standard days and  
timings (please read  
guidance note 8)

Will the boxing or wrestling entertainment take  
place indoors or outdoors or both – please tick  
(please read guidance note 4)

Indoors

Outdoors

Day Start Finish Both

Mon

Tue

Wed

Thur

Fri

Sat

Sun

E

Live music

Standard days and  
timings (please read  
guidance note 8)

Will the performance of live music take place  
indoors or outdoors or both – please tick (please  
read guidance note 4)

Indoors

Outdoors

Day Start Finish Both

Mon

Tue

Wed

Thur

Fri

Sat

Sun

F

Recorded music

Standard days and  
timings (please read  
guidance note 8)

Will the playing of recorded music take place  
indoors or outdoors or both – please tick (please  
read guidance note 4)

Indoors

Outdoors

Day Start Finish Both

Mon

Tue

Wed

Thur

Fri

Sat

Sun

G

### **Performances of dance**

Standard days and  
timings (please read  
guidance note 8)

**Will the performance of dance take place  
indoors or outdoors or both – please tick**  
(please read guidance note 4)

Indoors

Outdoors

Day Start Finish Both

Mon

Tue

Wed

read guidance note 6)

Thur

Fri

Sat

Sun

H

**Anything of a similar description to that falling within (e), (f) or (g)**

Standard days and timings (please read guidance note 8)

Please give a description of the type of entertainment you will be providing

Day Start Finish **Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 4)

Indoors Mon Outdoors Both 

Tue

Wed

Thur

guidance note 6)

Fri

Sat

Sun

I

**Late night refreshment**

Standard days and timings (please read guidance note 8)

**Will the provision of late night refreshment take place indoors or outdoors or both – please tick** (please read guidance note 4)

Indoors Outdoors Day Start Finish Both 

Mon

Tue

Wed

Thur

Fri

note 7)

Sat

Sun

J

**Supply of alcohol**

Standard days and  
timings (please read  
guidance note 8)

**Will the supply of alcohol be for consumption**

– **please tick** (please read guidance note 9)

On the

premises

Off the

premises

Day Start Finish Both

x

Mon 10:00

22:00

**State any seasonal variations for the supply of alcohol** (please read  
guidance note 6)

Tue 10:00

22:00

Wed 10:00

22:00

Thur 10:00

22:00

Fri 10:00

22:00

Sat 10:00

22:00

Sun 10:00

22:00

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 10)

NONE



L

**Hours premises are open to the public**

Standard days and timings (please read guidance note 8)

**State any seasonal variations** (please read guidance note 6)

Day Start Finish

Mon 10:00

22:00

Tue 10:00

22:00

Wed 10:00

22:00

Thur 10:00

22:00

Fri 10:00

22:00

Sat 10:00

22:00

Sun 10:00

22:00

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a

result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

**Alcohol sold for consumption off the premises shall be in sealed containers only. Challenge 25 policy in place with in store challenge signage, with all members of staff trained accordingly.**

**An incident book to record any incidents.**

**All staff engaged in the sale of alcohol will be trained in accordance with the premises licence holder's training procedures.**

**Refusal system and incident logging.**

**b) The prevention of crime and disorder**

**Staff engaged in the retail sale of alcohol who are not holders of a Personal Licence**

**shall receive training in the legal and social responsibilities of such sales. A record of this**

**training shall be maintained and produced to authorised officers of the Responsible**

**Authorities.**

**All staff shall be suitably trained for their job function in the operating standards for the premises. The training shall be under constant review having regard to newly employed staff. All staff shall be fully trained to perform their role. They will**

**also be trained in the contents of the premises licence including times of operation,**

**licensable activities and all conditions.**

**c) Public safety**

An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

No irresponsible drinks promotions

Checks on premises for safety before opening

Staff training about safety and potential emergency situations

All staff made aware of social and legal responsibilities of serving and selling alcohol

All staff engaged in the sale of alcohol will receive suitable training (including refresher training) in relation to the proof of age "Challenge 25" scheme to be applied on the

premises. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card, Military ID and any other locally or nationally approved form of identification.

Regular patrols of indoor and outdoor

**d) The prevention of public nuisance**

Adequate bins provided

No glass waste shall be deposited into bins or other receptacles outside the premises before 09:00 or after 21:00.

A notice advising customers that they may be required to prove their age before they can buy alcohol will be displayed.'

**e) The protection of children from harm**

No under 18s will be permitted after 21:00

Clear signage stating relevant age restrictions

Under 18s must be accompanied by an adult at all times, signage to state that

Checklist:

**Please tick to indicate agreement**

I have made or enclosed payment of the fee; or

I have not made or enclosed payment of the fee because this application has been made

in relation to the introduction of the late night levy.

x

I have sent copies of this application and the plan to responsible authorities and others where applicable.

x

I understand that I must now advertise my application. x

I have enclosed the premises licence or relevant part of it or explanation. x

I understand that if I do not comply with the above requirements my application will be rejected.

x

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other**

**duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant,**

**please state in what capacity.**

Signature D Lilly

Date 20-05-2022

Capacity MD and License Holder

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises**

**licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance

note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature

Date

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	National Maritime Museum Cornwall
Address	Discovery Quay Falmouth Cornwall TR11 3QY
Registered number (where applicable)	Charity Number 1067884
Description of applicant (for example, partnership, company, unincorporated association etc.)	Charity
Telephone number (if any)	
E-mail address (optional)	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	08	2022

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

This square is a public open air space, surrounded on 3 sides by residential premises & commercial outlets. 1 side by National Maritime Museum and the harbour. It is paved with multiple access and egress points. It is open 24 hours a day.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Provision of late night refreshment (if ticking yes, fill in box I)

<input checked="" type="checkbox"/>
-------------------------------------

Supply of alcohol (if ticking yes, fill in box J)

<input checked="" type="checkbox"/>
-------------------------------------

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.00	03.00	Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	10.00	03.00			
Wed	10.00	03.00	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	10.00	03.00			
Fri	10.00	03.00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10.00	03.00			
Sun	10.00	23.00			

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input checked="" type="checkbox"/>		
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	10.00	20.00				
Tue	10.00	20.00				
Wed	0.00	00.00			State any seasonal variations for the exhibition of films (please read guidance note 5)	
Thur	10.00	30.00				
Fri	10.00	00.00			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat	10.00	00.00				
Sun	10.00	23.00				

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both -- please tick</b> (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)	
Mon	10.00	20.00		
Tue	10.00	00.00		
Wed	10.00	00.00		
Thur	10.00	00.00		
Fri	10.00	00.00		
Sat	10.00	00.00		
Sun	10.00	23.00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)	
			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	



F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.00	20.00	Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	10.00	20.00			
Wed	10.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10.00	00.00			
Fri	10.00	20.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10.00	00.00			
Sun	10.00	23.00			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	16.00	20.00			
Tue	10.00	00.00			
Wed	10.00	23.00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10.00	20.00			
Fri	10.00	00.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10.00	00.00			
Sun	10.00	23.00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3):</p>	Indoors	<input type="checkbox"/>
Mon	10.00	20.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	10.00	20.00	<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed	10.00	20.00			
Thur	10.00	20.00	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri	10.00	20.00			
Sat	10.00	20.00	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun	10.00	23.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	11.00	00.00						
Tue	11.00	00.00						
Wed	11.00	00.00						
Thur	11.00	00.00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11.00	00.00						
Sat	11.00	00.00						
Sun	11.00	23.00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Giles David Gould		
Date of birth			
Address			
Postcode			
Personal licence number (if known)			
Issuing licensing authority (if known)			

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00.00	00.00	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</b></p>
Tue	00.00	00.00	
Wed	00.00	00.00	
Thur	00.00	00.00	
Fri	00.00	00.00	
Sat	00.00	00.00	
Sun	00.00	00.00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

Events hosted will be in line with NMLC's expectations and reputational provisions. Events will be signed off ~~by the~~ by Director of Museum. Interests of commercial tenants and residents will be considered.

b) The prevention of crime and disorder

Events will be stewarded & on CCTV. Full risk assessments & event safety management plans will be completed. Plastics only @ alcohol events. 30 mins drinking up time. Liaison with local police at all times.

c) Public safety

Adherence to all relevant H&S legislation. All necessary safety equipment will be provided. Event safety management plan. All events nominated supervisor & will be actively risk assessed during event. Appropriate & experienced contractors only. Stewarding at events. Challenge 25 policy.

d) The prevention of public nuisance

Challenge 25 policy @ bars. Photo ID only accepted. Events will be appropriately stewarded. CCTV will be used. Patrons to be instructed to respect residential area. No breakdown after midnight or work before St. Joan.

e) The protection of children from harm

Operate challenge 25 policy. Utilise NMLC safeguarding policy & engage with responsible officer during event planning. No "adult edutainment".

Checklist:

Please tick to indicate agreement

- o I have made or enclosed payment of the fee.
- o I have enclosed the plan of the premises.
- o I have sent copies of this application and the plan to responsible authorities and others where applicable.
- o I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- o I understand that I must now advertise my application.
- o I understand that if I do not comply with the above requirements my application will be rejected.
- o  [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.






IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

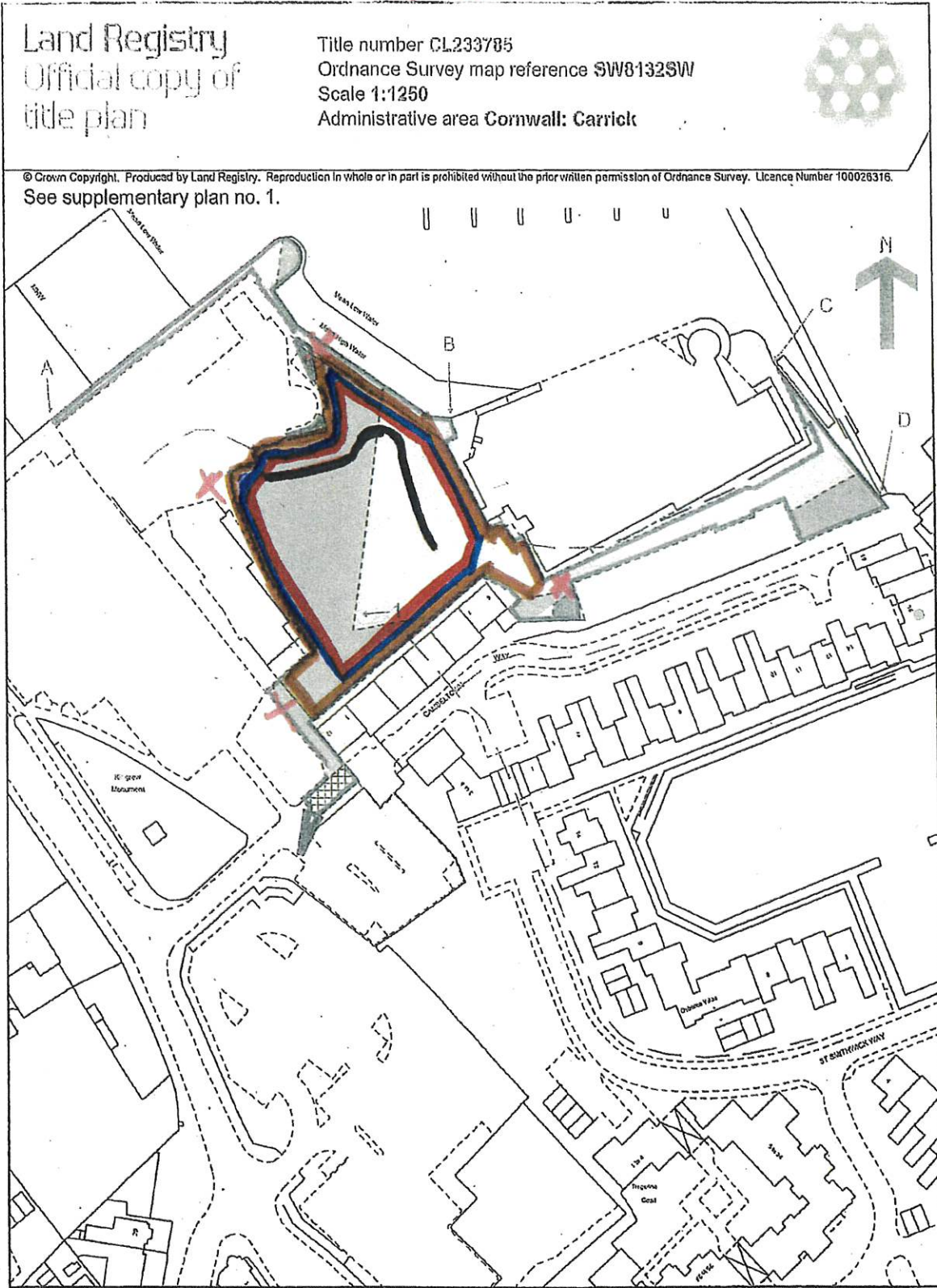
Part 4 - Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12).  
If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> <li>o [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>o The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) have seen a copy of his or her proof of entitlement to work, see note 15)</li> </ul>
Signature	
Date	22/5/22
Capacity	Head of Commercial Operations

Discovery Quay Square  
TR11 3XA

-  Boundary for alcohol sales
-  Boundary for Regulated entertainment
-  Steps
-  Boundary of area
-  Exits



This official copy issued on 17 April 2007 shows the state of this title plan on 17 April 2007 at 17:03:26. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).  
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 7 - Title Plans.  
This title is dealt with by Land Registry, Plymouth Office.



To whom it may concern.

Ref : Premises Licence Application for Discovery Quay Square by National Maritime Museum Cornwall (NMMC)

I thought it would be helpful to set this application in context, to allow members and responsible authorities to make decisions and comments within an informed perspective.

Discovery Quay Square (Events Square, Discovery Quay) is owned and operated by Discovery Quay Square Limited (DQSL), company number 05856283.

DQSL is a wholly owned subsidiary of NMMC, and exists to process covenants that support the maintenance of the square and the sea wall, which secures the reclaimed land on which the square and surrounding buildings stand on.

Day to day operational logistics on the square are delivered by NMMC, under contract with DQSL.

In the past DQSL has allowed third parties to hold events on the square, either under a TEN or with their own licence, such as licence number C1\_PL000486

DQSL also issues seating licences to third parties around the square to allow for outdoor seating spaces outside of their existing curtilages. These are issued subject to those businesses including those spaces within their premises licences, and all of those licences include the ability to remove the seating areas, subject to 28 days notice.

A combination of seating licences and previous applications has led to a position whereby a number of organisations have a range of licences that cover the proposed licenced space, but in fact NMMC or DQSL do not hold any licence. This leads to some challenges, for example when a few weeks ago NMMC offered to host Falmouth Pride in the square the organisers had to apply for their own TEN, or NMMC needs a TEN to host its own event.

Whilst NMMC intends to only deliver licensable activity in the square on an occasional basis it would enhance operational ability and flexibility if it held its own licence for its own space, hence this application.

NMMC intends to operate events throughout the year. It is anticipated that there will be regular weekly events, such as craft, art and farmer's markets, as well as a number of major events, such as Falmouth Pride. It is our estimation that there will be roughly 10 major events a year. It is with the markets in mind that off-sales are being applied for.

Supply of alcohol will at all times be from temporary fixtures and portable locations, which will be created for each event. All off-sales will be in sealed containers. For on-sales, both an under age log and a refusal log will be kept at all times.

I hope this provides some context behind the application.

All the best

~~Giles Gould~~

Head of Commercial Operations

~~01326 313388 enquiries@nmmc.co.uk~~

**Business and Planning Act 2020**

**APPLICATION FOR THE GRANT OF A PAVEMENT LICENCE**



All applications to be emailed to [licensing@cornwall.gov.uk](mailto:licensing@cornwall.gov.uk)

<b>SECTION 1: APPLICANT DETAILS (INDIVIDUAL APPLICANTS)</b>	
Title	Mr
First name(s)	Mael
Surname	Suerinck--Manavella
Home address* (including postcode)	7 centenary row middle tr14 3QA, Camborne
Email address*	<del>mael@darkponycoffee.com</del>
Phone numbers* (include home & mobile)	<del>07465219861</del>
*Please note applications will be published on the Council's website, however personal details include home address, email and phone numbers will be removed before publishing.	

<b>SECTION 2: APPLICANT DETAILS – OTHER APPLICANTS (e.g. companies)</b>	
Name	Dark pony coffee ltd
Registered address (including postcode)	6 the Moor, falmouth, TR11 3QA
Registered number (if applicable)	13043698
Phone numbers (include daytime & mobile)	<del>07465219861</del>
Email address	<del>mael@darkponycoffee.com</del>
Phone numbers (include daytime & mobile)	<del>07465219861</del>

<b>SECTION 3: BUSINESS PREMISES DETAILS</b>	
Trading name	Dark pony coffee ltd
Postal address (including postcode)	6 the moor, Falmouth TR11 3QA

--	--

**SECTION 4: USE OF THE BUSINESS PREMISES**

4.1 Which of the following is the above business premises used for? (please select ONE of the following options) by marking X in the box.

Use as a public house, wine bar or other drinking (i.e. alcohol) establishment	
Other use for the sale of food or drink for consumption on or off the premises	X
Both of the above uses	

**SECTION 5: AREA OF HIGHWAY PROPOSED TO BE USED**

5.1 Please provide a description of the area of the highway to which this application relates. Please note plans will also need to be provided showing the proposed area to be covered by the Pavement licence in relation to the highway, which is either to scale or includes measurements. In addition, a plan clearly showing the layout/positioning of furniture to be used must be provided. The location and layout of furniture must have regard to the latest Government guidance in relation to social distancing due to the COVID-19 pandemic:  
<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>

The area of the highway is located in front of the shop.  
 The seating area we are applying for will have a depth of 2 metres and a length of 4.75 metres. This seating space will leave a minimum of 2 metres of footpath on the highway.  
 The dimensions and the plan of the proposed area can be found on the pdf ' Maps Dark pony coffee Pavement licence application '.

We would like to put four sets of foldable tables and chairs consisting of 8 chairs & four tables in total.

The dimensions and a plan of the layout of furniture can be found on the pdf ' Maps Dark pony coffee Pavement licence application '.

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**SECTION 6: COMPLIANCE WITH STATUTORY GUIDANCE & CONDITIONS**

6.1 Please explain how you will be able to comply with the statutory guidance regarding the mandatory 'no obstruction' condition, particularly with regard to mobility impaired and visually impaired people? Here a link to the [guidance issued by the Secretary of State](#)

To Comply with the statutory guidance regarding the mandatory ‘no obstruction ‘ condition, we are planning to leave more than 150 cm of clear space.

With our furniture situated on the highway, there will still be a minimum of 2 metres left for pedestrians to walk through.  
The available route for the pedestrian will be clear and not pass through an area with tables or chairs.

Finally the furniture we will use is made of Acacia wood and taupe and they weigh 11.4 ( 2 chairs and 1 tables) kg.

Every night the furniture will be removed from the highway.

6.2 Once the furniture is in place, what will be the remaining width of footway between the edge of the footway and the furniture? (local condition 7 states there should be a minimum of 1.5 metres although in busy streets, there may be a requirement for a greater width)

Yes the remaining width of footway between the edge of the footway and the furniture will be 2 metres minimum.

6.3 Please also explain how you will comply with the smoke-free seating condition and other general conditions of licence?

All customers will be made aware that the outdoor furniture is not to be used for smoking. No ash trays will be left on our furniture.

**SECTION 7: RELEVANT PURPOSE THE APPLICATION RELATES TO:**

7.1 Which of the following relevant purposes do you wish to put furniture on the highway for? (please select all relevant boxes by marking X

Consumption of food	X
Consumption of non-alcoholic drinks	X
Consumption of alcohol	
Sale of food	

Sale of non-alcoholic drinks	
Sale of alcohol	
If alcohol or late night refreshment is to be provided, separate permissions may be required under the Licensing Act 2003.	

<b>SECTION 8: DAYS AND TIMES</b>
Please note it is intended that licences issued will expire on 31 March 2021 or will be for the required minimum 3 month period. If you wish to apply for a licence for the period after 31 March 2021 up to 30 September 2021, an application fee of £50 is payable. Please note this fee will not be refunded if your application is unsuccessful.
8.1 During what times do you propose to place furniture on the highway on each of the following days: Please use the 24hr clock, e.g. 10:00 to 20:00.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	08:00	08:00	08:00	08:00	08:00	08:00	09:00
To	17:00	17:00	17:00	17:00	17:00	17:00	17:00

8.2 Period of licence requested	Start Date 01/06/2022
	End Date

<b>SECTION 9: DESCRIPTION OF FURNITURE TO BE PLACED ON THE HIGHWAY</b>
9.1 Please provide a description and the volume of furniture proposed to place on the highway (photographs of the proposed furniture must accompany this application). All furniture must be removable (i.e. not permanent fixed structures). Furniture must be stored away during the times that they are not included on any Pavement Licence. Furniture which may be used: <ul style="list-style-type: none"> <li>● counters or stalls for selling or serving food or drink;</li> <li>● tables, counters or shelves on which food or drink can be placed;</li> <li>● chairs, benches or other forms of seating; and</li> <li>● umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.</li> </ul> Please be mindful of people who may be visually impaired – it may be appropriate that barriers or enclosures would be expected depending on the location/volume of furniture.
The furniture will consist of 4 foldable tables & 8 foldable chairs If requested/expected we are happy to add plant pots around our furniture to act as barriers.
9.2 Where will the furniture and associated items be stored outside of the permitted hours of use?

The furniture and associated items will be stored in the coffee shop outside of the permitted hours.

**SECTION 10: PUBLIC LIABILITY INSURANCE**

The licence holder is required to indemnify Cornwall Council against all claims, injuries or accidents whatsoever and provide evidence of insurance providing cover up to £5million for any one incident for the full period of the licence.

10.1 Do you currently have public liability insurance?	Yes Page 4 of the pdf 'Dark Pony Coffee Insurance'
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If YES, please provide a copy.  
If NO, please note this can be produced if a licence is approved; you must have public liability insurance prior to using the area requested. Failure to produce evidence of insurance on issue of licence may result in your licence being revoked.

**SECTION 11: EXISTING OR PENDING TABLES & CHAIRS LICENCE**

11.1 Do you already have a Tables & Chairs Licence issued by Highways or an application pending? NO

11.2 if yes, please provide details.

**SECTION 12: ADDITIONAL DETAILS**

12.1 Please provide any additional information which is relevant to your application (if applicable)

**SECTION 13: APPLICANT CHECKLIST / SUPPORTING DOCUMENTS**

Proof of Public Liability Insurance if currently in force (must be produced prior to operating)	Please 'X' X
Please note that your application will not be considered complete and the public consultation	

period of 7 days will not begin unless all of the following documents and fee (if applicable) have been submitted with your application:-	
A plan clearly showing the proposed area to be covered by the Pavement licence in relation to the highway, which is either to scale or includes measurements	X
A plan clearly showing the layout/positioning of furniture to be used	X
Photos or brochures showing the proposed type of furniture to be used	X
Fee of £50 if applying for period after 31 March 2021 ( <i>Cornwall Council have waived the fee for Pavement Licence operating up to 31 March 2021</i> ) Please use this link to make payment online (if applicable) <a href="https://secure.cornwall.gov.uk/form/auto/licen_temp_pavement">https://secure.cornwall.gov.uk/form/auto/licen_temp_pavement</a>	

#### SECTION 14: PRIVACY NOTICE

**How we will use the information about you?** The Council has a general discretion to grant a Pavement Licence. We will use the information to consider if a licence can be issued, renewed or remain in force. We may use your contact details to provide you with information or to ask your views on certain matters. This could include for example:- changes in law, policy, or procedures. Provision of training & seminars. Seeking views on customer satisfaction.

**Who else will we share your information with?** We will use your information in relation to your application and any licence issued - this may include checks with internal and external partners as follows:-

Police, Fire, Town/Parish Council, Cornwall Councillors, Chambers of Commerce, Business Improvement Districts, Localism (Community Link Officers), Disability Groups, Highways, Planning, Community Safety, Licensing Compliance, Trading Standards, Environmental Health, Health & Safety, Public Health, Harbour Authority, Environment Service, Parking Services, Street Works, Waste Management, Legal Team, Council's Licensing Act Committee/Pavement Licence Sub-Committee.

Cornwall Council is under a duty to protect the public funds it administers. To this end we may use the information you have provided on this form for the prevention and detection of fraud. We may share your information with bodies who audit or administer public funds. This would include the Police and the Department for Work and Pensions.

Information is also provided to Government Cabinet Office under its National Fraud Initiative. For further information see [www.cornwall.gov.uk/nfi](http://www.cornwall.gov.uk/nfi)

**Safeguards.** Your data will need to be held within Cornwall Council's secure network and premise. It will not be processed outside of the UK, the EEA. Access to your information will only be made to authorised members of staff. Staff are must process it for the purposes outlined in this privacy notice.

**How long will we keep this information for?** Your information will need to be kept for 3 years. This is from the date you last accessed the service, or, for 3 years after any licence issued ceases to have effect.

**What are my data rights?** Your personal information belongs to you and you have the right to:

- be informed of how we will process it

- request a copy of what we hold about you (in a commonly used electronic format if you wish). If you provided this to us electronically for automated processing, we will return it in the same way)
- have it amended if it's incorrect or incomplete
- have it deleted (where we do not have a legal requirement to retain it)
- withdraw your consent if you no longer wish us to process
- restrict how we process it
- object to us using it for marketing or research purposes
- object to us using it in relation to a legal task or in the exercise of an official authority
- request that a person reviews an automated decision where it has had an adverse effect on you

**How do I exercise these rights?** If you would like to access any of the information we hold about you. If you have concerns about the way we have processed your information, please contact:- Simon Mansell, Data Protection Officer Assurance, Cornwall Council, County Hall, TRURO, TR1 3AY. Tel: 01872 326424 Email: [dpo@cornwall.gov.uk](mailto:dpo@cornwall.gov.uk)

#### SECTION 15: BUSINESS SUPPORT

Our **Business Regulatory Support Service** is your first point of contact for business support across environmental health, trading standards, fire, planning, building control and licensing. This service offers a wide range of regulatory support and advice. Whether you are a new or established business, or looking to invest in Cornwall, we can help you with your regulation enquiries to ensure you are compliant with the law. This service aims to help you save time, money and get it right first time.

Our services include free signposting as well as business support packages (charged at cost price).

If you have not completed this section on one of our forms in the last 12 months then please answer the following questions:-

Do you wish to receive information about our regulatory support products, services & legislative updates?

Yes  No

If you have ticked "Yes", please indicate which forms of communication you would prefer:

Post  Email  Phone

In addition we can offer (when available) SMS/Text

By opting in you are giving consent on behalf the business (not as an individual).

If you have ticked any of the boxes you have the right to withdraw consent at any time. To do so please email us on [licensing@cornwall.gov.uk](mailto:licensing@cornwall.gov.uk) or call 0300 1234 212

#### SECTION 16: DECLARATIONS BY APPLICANT



I understand that I am required to give notice of my application in accordance with the requirements of the Business and Planning Act 2020 and that failing to do so will lead to the revocation of any licence granted.

I understand I must hold and maintain public liability insurance up to a value of £5million.

I understand my application will not be considered to be complete until all the required documents and information have been provided and the application fee has been paid.

I understand that the application fee paid is non-refundable if my application is refused or if any licence granted is subsequently surrendered or revoked.

I understand that the Authority is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud.

I understand that it may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

I declare that the information given above is true to the best of my knowledge and that I have not wilfully omitted any necessary material. I understand that if there are any wilful omissions, or incorrect statements made, my application may be refused without further consideration or, if a licence has been issued, it may be liable to revocation.

I understand a person who applies for a pavement licence is to be taken to have agreed that the applicant's address for the purposes of such communications is the address incorporated into, or otherwise logically associated with, the person's application.

I understand that the Authority is collecting my data for the purposes described on this form and will not be used for any other purpose, or passed on to any other body, except as required by law, without my consent.

I understand that by inserting my full name below, I am agreeing that my electronic signature is the legal equivalent of my manual signature on this application form.

Full name	Mael Suerinck--Manavella	Date	01/06/2022
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Please email completed application form together with accompany documents to [licensing@cornwall.gov.uk](mailto:licensing@cornwall.gov.uk)

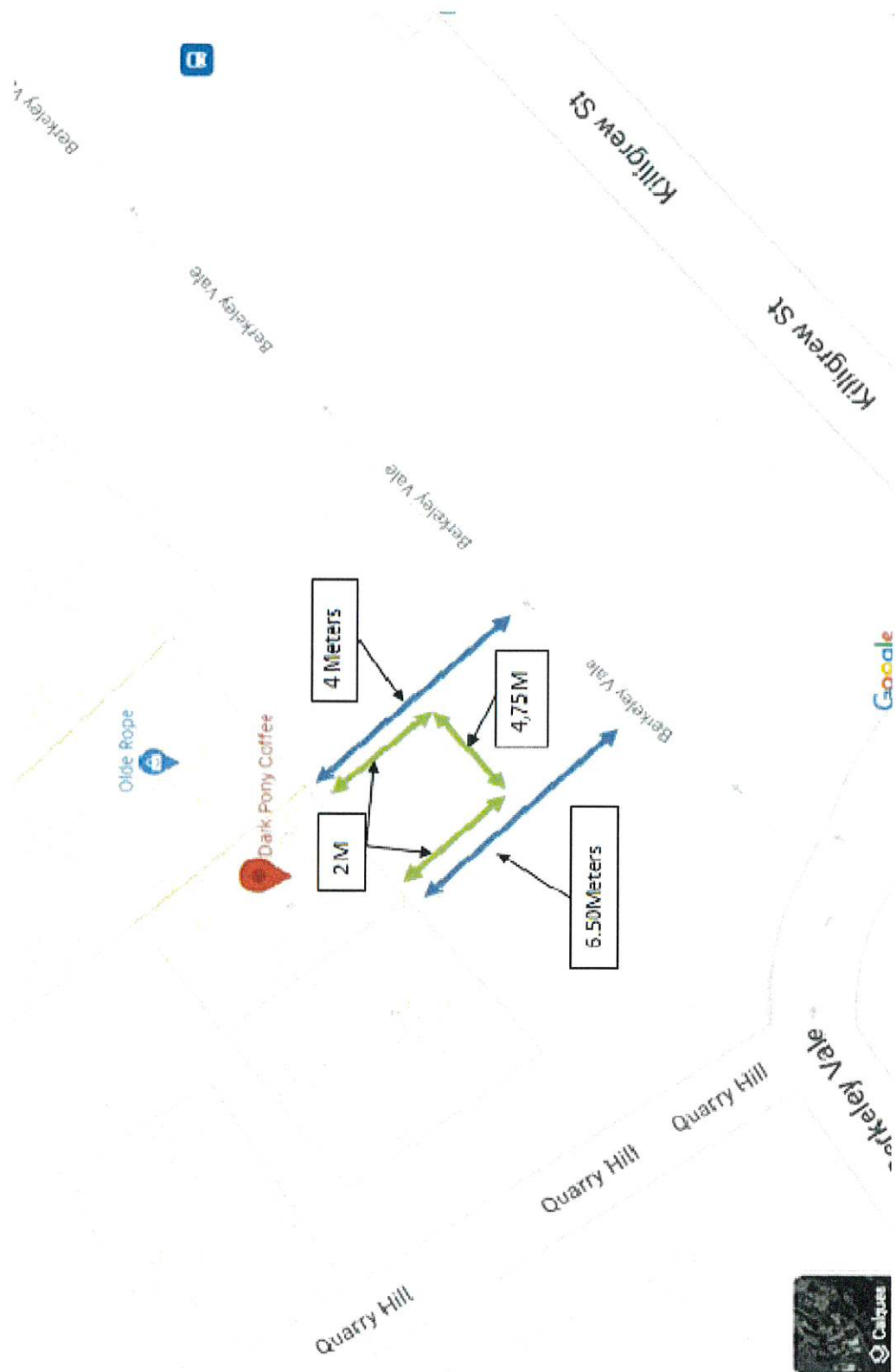
**Dark Pony Coffee MAP Pavement licence application 01/06/2022**

Dear Licence Officer,

We would like to apply for a sitting area outside of our shop. The sitting area we are applying for will have a depth of 2 meters depth and a length of 4.75 meters.

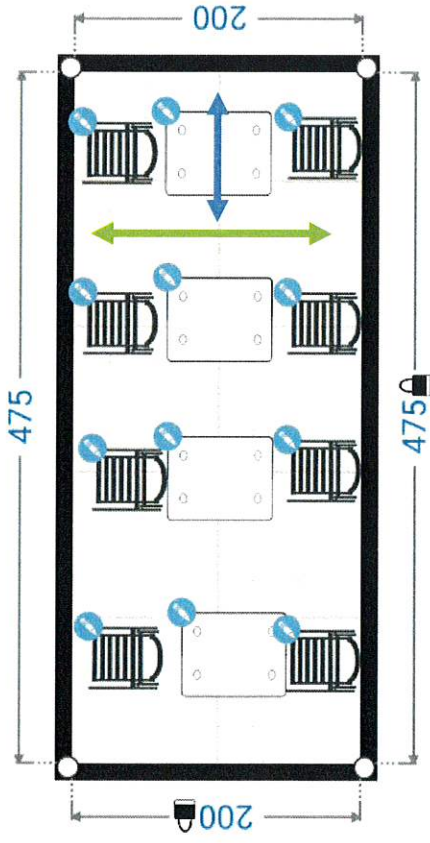
This seating space will leave a minimum of 2 meters space of footpath on the highway.

On the next page you can see the maps with the dimension of the seating area we are applying for.



Sitting area layout/positioning of furniture.

We are planning that one set of two chairs and one table will have 170 cm of length ( green arrow ) and 60 cm wide ( blue arrow ).



Picture of the furniture that we are planning to buy. (<https://www.made.com/elma-folding-bistro-set-acacia-wood-taupe>)

