

DRAFT MINUTES

At a future meeting the council will consider the accuracy of these minutes so they may be subject to change. Please check the minutes of the next meeting to confirm whether or not they have been amended

Minutes of the Meeting of Lanlivery Parish Council held in the Village Hall on Wednesday 6th December 2017 at 7.00pm

17/107 Present Cllrs Sinkins, Challis, Haley, Paterson, Richards, Roberts and Turner

In attendance The Parish Clerk, Sally Vincent
3 members of the public

17/108 Apologies PCSO Jamie Ward
Cornwall Councillor Colin Martin

17/109 Declaration of Interests

- i. Pecuniary** - None
- ii. Non Registerable** – Cllr Richards declared a non registerable interest in PA17/10957.
- iii. Dispensations** - None

17/110 Public Questions/Police Report

Police Report

There had been 2 crimes in the parish in November - 1 x criminal damage and one dog offence and 4 incidents recorded.

Public Questions

Ed Veerman asked what plans the parish council had for a meeting venue following the sale of the village hall and suggested that a small chalet style building could be erected on donated land. Members agreed that this could be a viable alternative.

There would be a 'pop up shop' event on 13th December between 2pm and 7pm at The Workshop at Churchtown. The organisers were hoping to gauge interest in the possibility of setting up a more permanent shop in the village selling local produce.

17/111 Minutes of Meeting held on 1st November 2017

It was proposed by Cllr Roberts, seconded Cllr Turner and RESOLVED that the minutes be confirmed and signed by the Chairman

17/112 Matters arising from the minutes not on the agenda – *for report only*

None

17/113 To receive reports from the Cornwall Councillor

On behalf of Cllr Martin, Cllr Sinkins reported that there had been complaints about 4 x 4 vehicles using the green lane between Bodwen and the Helman Tor car park. Cllr Martin would investigate the possibility of downgrading it to prevent vehicular access. There had also been fly tipping in the area; Biffa

had been unable to access to clear it because of mud. Cllr Challis would liaise with Cllr Martin to find a solution.

17/114 Accounts for Approval

Cllr Sinkins proposed, Cllr Roberts seconded and it was RESOLVED that accounts to the value of £928.93 should be approved

17/115 Resolutions from Councillors

None.

17/116 Correspondence – *for information only*

The correspondence list had been circulated and the correspondence was left ‘on the table’ for Councillors attention.

Luxulyan parish council had asked if the parish council would be interested in contributing to the creation of a skatepark in Luxulyan. However, the general feeling was that Lanlivery youngsters would be more likely to use the existing Lostwithiel facility or the proposed new one at Par Running Track.

17/117 To receive reports (if any) from Parish Councillor Representatives

Tree Warden Cllr Paterson reported that a tree had fallen near Dustows potato store and had been cleared up by Cornwall Council. However, the branches had been left next to the road and could potentially be dangerous in adverse weather conditions.

17/118 Neighbourhood Plan

Cllr Sinkins reported that Tony Lee had finished the Consultation Statement and was about to send the completed Basic Conditions Statement and now all that was needed was a Sustainability Appraisal and an Equality Impact Statement. Work on these was ongoing.

17/119 Planning

1. PA17/09956. Section 1 of new livestock buildings. Trevenning Farm, Lostwithiel. It was proposed by Cllr Sinkins, seconded Cllr Haley and RESOLVED that a recommendation of objection should be made to Cornwall Council. *Reason: These applications have been split into 9 separate applications despite the fact that they are all part of one development. Under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, Schedule 2 provides that intensive agricultural installations exceeding 500 square metres should be screened to see whether an EIA is necessary. Each of the 9 applications is for 300 or more square metres giving a total development in excess of 2700 square metres. Splitting the applications into 9 appears a disingenuous attempt to circumvent the need for an EIA. As there has been no EIA screening we strongly recommend that this is done. Additionally we are of the opinion that the 9 applications be treated as one so that the magnitude of the development is given due weight. None of the applications include any provision for additional disposal/storage or collection of waste or effluent, although we note that a further application has been registered today (PA17/11298) for a slurry lagoon for the existing dairy herd. This must be addressed for a dairy farming operation of this scale.*

This development as a whole would have a significant impact on the landscape and dominate the landscape from both the Fowey River AONB, some parts of the SW Coast Footpath, the Treemill Valley Historic Battlefields, and more widely may be seen from some parts of Bodmin Moor as well as significant public viewpoints in the surrounding area including those from the Luxulyan Valley WHS. There is no landscape assessment within the application(s) and no measures therein to mitigate the landscape impact despite the huge scale of the proposed buildings on a relatively visible ridge within a landscape comprised largely of small scale fields, hedgerows and woodland. No provision has been made in any of the applications to soften the impact on the surrounding landscape.

The farm is situated on the B3269 which although a fairly minor road is much used by tourists and local residents alike. Historically here have been major issues with mud and or slurry on the road coming from the farm making the road extremely slippery and dangerous and many road traffic accidents have occurred as a consequence of this. There is no provision for additional foul drainage or storage of slurry within the applications (merely the new application in respect of the existing herd) and the size of the development must mean that this is an issue that must be addressed before it could be allowed.

The covering letter supplied with the applications does not address any of these issues and in consequence, this development due its large scale cannot claim to be sustainable in an environmental, economic or social context as defined within both the NPPF and Cornwall Local Plan.

2. PA17/09957. Section 2 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

3. PA17/09959. Section 3 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

4. PA17/09963. Section 4 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

5. PA17/09969. Section 5 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

6. PA17/09974. Section 6 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

7. PA17/09976. Section 7 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

8. PA17/09979. Section 8 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

9. PA17/09981. Section 9 of new livestock buildings. Trevenning Farm, Lostwithiel. As above.

10. PA17/09849. Renovation and extension of existing house, renovation and extension of adjacent store/barn into additional accommodation. Distant Heights, road from Trethevey to Penpell. It was proposed by Cllr Richards, seconded Cllr Sinkins and RESOLVED that a recommendation of no objection should be submitted to Cornwall Council on the basis that this was an existing dwelling, which was currently utilising roadside parking and this would incorporate on site parking.

11. PA17/09440. Outline application for change of use and redevelopment of builder's yard by the erection of three detached dwellings with some matters reserved (landscaping reserved). Land west of Penpillick Farm, Penpell Row,

Penpillick, Par. It was proposed by Cllr Roberts, seconded Cllr Sinkins and RESOLVED that a recommendation of objection should be made to Cornwall Council. Reason: 1. A Lawful Development Certificate application was made in June 2017 and allowed on the basis that the usage had continued for over 10 years. This despite the alleged breach being reported and referred to in the appeal decision 15/00304/REF (APP/D0840/W/15/3133703) of February 2016, which was for outline planning on the same site for 2 houses. The appeal was dismissed and despite the Lawful Development Certificate for the Builder's Yard the reasons for the dismissal are still valid. (Note- the wrong appeal reference and date is given in the Design Statement with the application). 2. Main Issues: a) The site is not a suitable location for new residential development with regard to the new Cornwall Local Plan and the national PPF. In addition the occupiers of such proposed dwellings would not have satisfactory access to services and facilities such as public transport, local shops etc. and would be entirely dependent on use of private vehicles. b) the proposal would have a detrimental effect on the character and appearance of the surrounding landscape. c) the proposal would have a detrimental effect of highway safety. The new CLP (2016) targets new development in larger towns and 2 new eco communities with development outside these areas being much more limited to situations such as infill housing, which is not the case here. There is currently no development on this side of the road where open fields give way to the Luxulyan Valley WHS and this proposal would therefore be sporadic development in the open countryside. This makes the proposed development unsustainable within the meaning of the CLP and NPPF and this view is supported by the appeal decision of February 2016. This appeal decision states " Penpillick is surrounded by rolling countryside which is strongly rural in character, being comprised of patches of dense woodland and open fields with traditional hedgerows. The site is largely an untended field scattered with some low level structures & building materials which the Council considers to be an unlawful use of the appeal site as a builder's yard. In these circumstances the existing use of the site carries little weight in this decision. The site is outside of any defined settlement boundary and separated from other buildings by the carriageway adjoining the A390; there are no other buildings on this side of the carriageway and A390 around Penpillick. Penpillick is a small linear group of buildings with few facilities or services, approximately a mile to the north of the town of St Blazey. There is limited public transport connectivity to Penpillick and poor pedestrian access from St Blazey (an unwelcoming and inconvenient walk alongside the A390 without pavements at some points). Although views to the site from the surrounding area are partial given mature boundary trees and hedges as the land slopes down from the A390 to the SW, the scale of the development proposed would nonetheless be clearly visible through access to the site and from distant southerly vantage points. Owing to its distinct physical separation from other buildings the proposal would be a substantial encroachment of the built form into the countryside and harm the natural character of the landscape. Moreover allowing development in this location could lead to pressure for additional incremental housing development, which would lead to further detriment to the intrinsic rural character of the surrounding countryside." 3. Highways: There is currently an issue with lack of parking in the area outside the vehicular access to the site. There is parking 6 cars for 6 houses. However

due to the fact that most households now have more than one vehicle, as well as visitor parking, there can be up to 12 cars parked outside the access to the site including parking across the access itself (as is illustrated by one of the photos provided with the application). This is a problem at weekends and evenings when on some occasions it is just possible to drive between the parked cars but with no room for cars to pass or for emergency vehicles to pass if necessary. This can also lead to vehicles turning into the lane from the A390 having to wait on the A390 for the lane to clear which is especially dangerous when travelling from St Blazey as it means stopping on a 2 lane carriageway characterized by high speed traffic (see letter from resident of the lane in Granite Towers). If the development was to proceed and the access to the site used constantly then the already dangerous situation would be exacerbated.

Cllr Richards left the room.

12. PA17/10957. Re-submission of PA17/06327 – the construction of a secure agricultural store on a yard already used for that purpose. The Haven, Sweetshouse. It was proposed by Cllr Paterson, seconded Cllr Turner and RESOLVED that a recommendation of no objection should be submitted to Cornwall Council.

Cllr Richards returned to the meeting

13. EN17/01862. Holiday unit built higher than approved. It was noted that a pitched roof had been constructed contrary to the plans, although Cornwall Council had previously indicated that it was not expedient to take enforcement action on this, following an earlier complaint. However, the pitch of the roof appeared to be too steep to accommodate a sedum roof and an access had now been made on to the highway, which was not on the original plans. It was, therefore, proposed by Cllr Turner, seconded Cllr Roberts and RESOLVED that the potential breaches should be reported to Cornwall Council enforcement.

14. PA17/11298. New slurry lagoon for existing dairy herd. Trevenning Farm, Lostwithiel. It was proposed by Cllr Sinkins, seconded Cllr Haley and RESOLVED that a recommendation of objection should be submitted to Cornwall Council. *Reason: While the parish council has no objection to this proposal in principle, providing adequate safeguards are in place and remain in place to prevent contamination of the Treemill stream below, this application only addresses the position with regard to the existing herd and should be considered in conjunction with the live applications for the significant expansion of this farming enterprise.*

17/120 Budget 2018/2019

The Parish Clerk had provided details of expenditure against budget for 2017/2018 and using this information and projecting future income and expenditure, members calculated a budget for 2018/2019. Resulting from this it was proposed by Cllr Richards, seconded Cllr Haley and RESOLVED that the parish council should request a precept of £8217.00 for 2018/2019.

17/121 To receive reports (if any) from Parish Councillors (at the discretion of the

Chairman).

Cllr Paterson reported that he had recently attended meetings on planning and affordable housing.

Cllr Challis reported that the road from Bokidick to Helman Tor had been closed for repair; it was likely the road level would be raised, which would hopefully go some way to alleviate the flooding problems.

Date of Next Meeting 3rd January 2018

Meeting Closed 8.31pm