

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 a Meeting of Lanlivery Parish Council held on Wednesday 4th August 2021 at 7pm in Lanlivery Church

21/45 Present Cllrs Haley (Chairman), Challis, Hemmings, Sinkins and Turner

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

21/46 Apologies Cllr Paterson, Cllr Wright

21/48 Declaration of Interests

- i. Pecuniary – None**
- ii. Non Registerable – None**
- iii. Dispensations - None**

21/49 Public Questions

A member of the public queried the position regarding the passing places. The Parish Clerk reported that the latest information available from CC was as follows. *‘The easiest and cheapest way to sort this is by CC adopting the formal passing place; via a section 228 notice. A section 228 is where the council puts up notices in the area highlighting our intention to dedicate a section of land as highway. It is normally used as a last resort to adopt an area should the land owner not be known. The notice stays up for around 6 weeks and should no one come forward claiming the land as theirs then it becomes highway maintained at public expense. As stated above it is not normally a process we would use however, I feel that a Section S278/38 Agreement would be a bit overkill and expensive for this scheme. I have got permission to use the S228 process which I can do my end once the passing place is constructed and a six-month monitoring period is over. What is now needed is a note from the land owner (email is fine) confirming that they will not object to the dedication of the passing place as highway maintainable at public expense once the S228 notices go up. Once I get the confirmation, I will confirm technical approval of the passing place so that the Redmoor School contractor can begin constructing it. Once the construction is complete there will be a six-month monitoring period to ensure the construction of the passing place does not fail and I will then begin the Section 228 process.’*

Neighbours to Longhorn Barn voiced their objections to PA21/05236 including, *inter alia*, 1. The officer dealing with the application has had prior involvement with the applicants 2. Previous conditions attached to the property 3. Significant work has already been done. 4. A new bat survey has been uploaded but it refers to the original one. 5. A lot of other new work is taking place on the site. 6. The plans that are online are as it is now, not what they had permission for. 7. There is a Covenant on the property to protect the owner of

Penpell Farm, stating the barn should stay as agricultural. 8. The barn is directly attached to the building that they use as a garage. 9. The application states the building will be ancillary but the plans suggest a holiday let

21/50 Minutes of the Meeting held on 7th July 2021

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

21/51 Matters arising from the minutes not on the agenda – *for report only*

The Parish Clerk confirmed that John Truscott had been asked to supply and install the new gate to the playing field.

21/52 Accounts for Approval

It was proposed by Cllr Sinkins, seconded Cllr Challis and RESOLVED that accounts to the value £58.49 be approved.

21/53 Resolutions from Councillors

None

21/54 Correspondence – *for information only*

Electronic correspondence had been circulated. Correspondence was left ‘on the table’ for Councillors attention.

21/55 To Receive the Report from the Cornwall Councillor

No report

21/56 Reports from Parish Council Representatives

Luxulyan Valley Partnership Cllr Sinkins reported that she had Chaired the previous Partnership meeting but on the basis that she would not take on the role permanently. Cllr Martin, the former Chair, was present at the meeting but had been told by CC that he would no longer be a formal representative. The new CC representatives were Cllr Alvey (Feock and Kea), who is the Portfolio Holder, and who had been instructed to attend and was present and Councillor Cruse (Blisland and Bodmin St Lawrence) who did not attend, neither of whom had any knowledge of the valley. However, Cllr Sinkins confirmed that the constitution allowed for three CC members and FOLV had written to CC urging that Cllr Martin return to the Partnership as a CC representative. Cllr Hemmings agreed and felt that it was wrong that the local CC Ward Member, Cllr Colin Martin, was not a member of the group. A separate issue was that Ed Harradence was of the view that CC officers are failing to consult with local groups and members and had referred the Partnership to the Ombudsman.

21/57 Planning

1. PA21/05236. Conversion of existing outbuilding into annexe as ancillary accommodation to the main dwelling house. Longhorn Barn, Road from Trethevey to Penpell, Penpell, Par, PL24 2SA. It was proposed by Cllr Sinkins, seconded Cllr Hemmings and RESOLVED that a recommendation of objection should be made to Cornwall Council, but noting that if the application should be approved there must be a condition limiting it as

ancillary to the parent dwelling and not used as a separate unit. Additionally, that Building Regulations approval is sought for the rainwater collection on the south side of the roof and the structural integrity of the party wall to the South and the East is confirmed. *Reason: 1. The parent dwelling, Longhorn Barn, was a conversion as part of the development of the Penpell Barns under PA19/01051, PA18/06536 and PA17/06536, all of which show that the building was to be demolished. PA17/06536 was an application that originally included an extra dwelling but the officers report stated that this must be removed 'following concerns over the principle of this dwelling.'* PA21/05236 is a further attempt to create a third dwelling on the site. 2. The application refers to an 'annexe for ancillary accommodation' but the structural report shows the application is for holiday accommodation. Longhorn Barn itself is already being used as a high-end holiday let so the need for ancillary accommodation is not demonstrated. 3 Given that work has already started on the conversion (cladding/ windows/an electric charging point) this should be a retrospective application. 4. Dwellings should not be less than 7 metres from any sewage facility and although section 9 of the application states that the building is 7 metres away, the structural report and photographs suggest that this is not the case; the building is, in fact, immediately adjacent to the treatment plant and not as shown in the site plans. 5. The building has already been fitted with extremely intrusive outside lighting, similar to that on Longhorn Barn, which remains on all night. Should planning be approved there should be a condition requiring either that this lighting is switched off across the whole site at 10pm or motion sensors are fitted. 6. The building is immediately adjacent to the Luxulyan Valley WHS and the inappropriate building materials specified in the application, particularly the orange-coloured cladding, are not in keeping with the local vernacular and compromise the WHS. Should planning approval be given there should be a condition that the building is stone clad. 7. There is a recommendation in the application that a hazel tree on the eastern wall be removed, but the neighbour does not support its removal. 8. The structural report stated that due to internal building works the South wall and part of the Eastern wall could not be seen and these should be checked to see if they are sound before further development is permitted. 9. The development is not compliant with Policy GEN2 and LH4 of the Lanlivery NDP.

2. PA21/06016. Single storey conservatory on the SW side of existing dwelling. Picklington, Access to Picklington, Redmoor, Bodmin, PL30 5AT It was proposed by Cllr Challis, seconded Cllr Turner and RESOLVED that a recommendation of no objection should be made to Cornwall Council.

3. PA21/05775. Remove roof and part demolition - new raised roof, two storey extension and external wall insulation to existing building. The Stables, Road from Bridge Hill to Sturta Lane, Tredinnick Pits, Bodmin, PL30 5AP. It was proposed by Cllr Haley, seconded Cllr Turner and RESOLVED that a recommendation of no objection should be made to Cornwall Council.

4. PA21/06492. Demolition of existing garage/store; construction of annexe accommodation on existing footprint. Pelyn Barn Farm, Fowey Cross, PL22 0JG. It was proposed by Cllr Challis, seconded Cllr Sinkins and RESOLVED that a recommendation of no objection should be made to Cornwall Council, subject to a condition that the building remains ancillary to the parent property and is not used as an independent, separate dwelling.

21/58 To Receive Reports (if any) from Parish Councillors

The Parish Clerk confirmed that footpaths are the responsibility of Cornwall Council as the parish council is not a member of the LMP.

Sadly, following Ed Veermans death his business would cease to trade on 6th August; the Parish Council would need to find another contractor.

Oliver Challis had cut the picnic area at Helman Tor.

Cllr Haley had received a complaint about vegetation at Fowey Cross junction obstructing vision. She would report this on fixmystreet.

Cllr Sinkins confirmed that the Defra RPA Guidance to Cross Compliance 2021 states that hedges should not be cut until 1st September unless they are causing an obstruction on the highway.

21/59 Enforcement Issues

The following enforcement issues were currently at stage 1.

- **EN20/00637, EN21/00205, EN21/00206, EN20/01437, EN20/01437, EN21/00207, EN21/00352, EN21/00817**

Date of Next Meeting 1st September 2021 @ 7pm

Meeting Closed 7.46am