

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 2nd February 2022 at 7pm in Lanlivery Church

21/126 Present Cllrs Haley (Chairman), Challis, Hemmings, Paterson, Sinkins, Turner and Wright

In attendance The Parish Clerk, Sally Vincent
Cornwall Cllr Colin Martin (part)
Lucy Harman (LAHDESIGNLtd)(part)
15 members of the public (some part)

21/127 Apologies None

21/128 Declaration of Interests

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

21/129 Public Questions

Phil McVey from Little Boslymon, where he had lived since 1995, explained his proposal to stop up part of the highway that runs through his property. He reported that it was a dedicated highway but was not maintained and just passable by somebody on a horse or cycle but not for vehicles. His idea was to stop up a short section, (400/500 yards). He confirmed that neighbouring farmers have no objection and that the route was frequently used by cyclists and riders so would like to maintain this right of way. Mr McVey stated that he would be happy to show Councillors the site if they wished to see it.

Cllrs and members of the public raised the issue of signage at Helman Tor to prevent cars using the footpath and getting stuck; Cllr Martin undertook to follow this up but asked for photographic evidence if possible.

Lucy Harman, the agent representing the applicants who had received pre-application advice for the development of 7 (No.) dwellings (4 (No.) affordable and 3 (No.) self build plots) with village parking. Land North West of Churchtown Cottage Lanlivery, PL30 5BT outlined the application. Lucy said that she was pleased that self-builds featured in the Lanlivery NDP and she asked what the members felt about the provision of a village car park and if members felt all the plots should be self build, with 3 open market and 4 affordable. Cllr Hemmings raised concerns about self build sites at Taphouse, which had never been completed. Cllr Haley stated that previously affordables had to be completed before open market dwellings could be started. Lucy said this was a little different as the landowner would have to invest in the services/roads etc. before any work could be started. Cllr Martin felt that the self build model was good as it was achievable for people and it was also good that people knew that they were buying a service plot. The starting point was

that the price for the plots should be agricultural value and all the houses should be affordable. Cllr Sinkins noted that on the Homechoice Register Lanlivery needs 6 rental properties and none to purchase, although it was accepted that not everybody registered on this platform. Tony Lee confirmed that Cornwall Council do hold a register for people wanting self build plots; it was agreed that this should be checked. Four people at the meeting confirmed that they would be interested in a self build plot in Lanlivery, potentially 3 affordable and 1 open market. Cllr Sinkins asked about the Viability Study; Lucy confirmed that this had not been investigated as yet. Cllr Wright noted that she personally felt that the village needed a car park. Lucy could not confirm at this point if the parish council would be expected to take on the maintenance of the proposed car park or if it would remain the responsibility of the homeowners.

21/130 Minutes of the Meeting held on 5th January 2022

It was proposed by Cllr Hemmings, seconded Cllr Paterson and RESOLVED that the minutes be confirmed and signed by the Chairman.

21/131 Matters arising from the minutes not on the agenda – *for report only*

The Parish Clerk reported the village traffic calming scheme was due to be implemented during the February half term.

Cllr Martin reported that the passing places would be installed on 4th April.

21/132 Accounts for Approval

It was proposed by Cllr Sinkins, seconded Cllr Challis and RESOLVED that accounts to the value £215.97 be approved.

21/133 Resolutions from Councillors

None.

21/134 Correspondence – *for information only*

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

21/135 To Receive the Report from the Cornwall Councillor

Cllr Martin reported

- He had spoken to the school about taxi drivers using the lanes: the school had not received any complaints and Cllr Martin advised that people should register incidents with them. He confirmed that Taxis were employed by CC and not the school so any complaints should also be addressed to CC. The big issue was that CC pay the drivers to use the shortest route, which was probably part of the problem; Cllr Martin would try to get this addressed
- He was continuing to chase up the status of the outstanding enforcement cases in the parish. He would check to see if enforcement notices had been served and, if not, would make sure this was done to ensure the clock was ticking.
- Full Council would be voting on proposed budget cuts on 27th February, although he was dubious about the validity of this as some staff had already received redundancy notices.

Cllr Martin left the meeting

21/136 Reports from Parish Council Representatives

No reports

21/137 Planning

1. PA21/12526. The construction of an affordable detached dwelling. Application for outline planning permission with some matters reserved for the construction of an affordable detached single dwelling namely access, scale and layout only. Land south of Pontsmill Cottages, Pontsmill Road. It was proposed by Cllr Sinkins, seconded Cllr Paterson and RESOLVED that a recommendation of objection should be made to Cornwall Council. *Reason: This is a proposal to build a dwelling on land outside of the settlement of Ponts Mill that would constitute a new dwelling in the countryside, which conflicts with the aims and intentions of Policies 2, 3 and 7 of the Cornwall Local Plan Strategic Policies 2010-2030 and Policies GEN2 and LH1 of the Lanlivery NDP. It is in an unsustainable location, contrary to Policy 7 of the CLP and is partially within flood zones 2,3 & 3B. It is not a rural exception site, nor is it rounding off. The proposed 5 bedroom property does not constitute an affordable dwelling and it would be visually intrusive in the AONB and WHS. Additional vehicular movements associated with this proposal would represent a danger to highway safety, particularly for users of the primary route (A390) and therefore the proposal is contrary to Policy 27 of the CLP.*

2. PA21/12621. Application for Outline Planning Permission with some matters reserved for the construction of a single dwellinghouse and garage namely access and layout. Penpell Row, Land West of Penpillick Farm, Road from Penpillick Farm to Penpell Farm, Penpillick, Par PL24 2RT. It was proposed by Cllr Sinkins, seconded Cllr Wright and RESOLVED that a recommendation of objection should be made to Cornwall Council. *Reason: Permission was granted on this site on 29th March 2019 (PA18/07319) for a replacement storage building and offices on the same SW corner of site as the shed shown in the design statement photo. The new building was to be approx. 15m x 7.3m. Condition 4 of this approval – to close the top access before development commenced was discharged 24/7/19. Condition 6 of the approval – written landscaping scheme on SW boundary must be submitted & approved before development commences has not been done, but the site has been cleared and a new concrete base laid. The SW boundary is being worked on to provide support to the bank where the site is higher than the field to the SW. A new septic tank has been installed in a different area to that stated in PA18/07319. The septic tank plan shows the run off going uphill when there are multiple underground streams on and around the site. The Design Statement suggests that a dwelling & garage would enhance the WHS. The WHS is characterized by woodland and small scale industrial workings/remains and a new domestic dwelling cannot be seen to enhance this. The site has already had two applications for dwellings refused and an appeal against refusal of the last residential application was dismissed as the site is not in a sustainable location.*

*The Design Statement also states Penpillick is a hamlet and points to the new barn conversions across the A390 as examples of development that has been allowed. However, there is no other existing development on this SW corner of Penpillick and the other surrounding dwellings are not within the WHS, as this one is. There is currently no development on this side of the road where open fields give way to the Luxulyan Valley WHS. This proposal would constitute sporadic development in the open countryside, which makes the proposed development unsustainable within the meaning of the CLP and NPPF. This view is supported by the appeal decision of February 2016 15/00304/REF (APP/D0840/W/15/3133703), which was for outline planning on the same site for 2 houses. This appeal was dismissed for reasons which are still valid. **“ 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 a 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.”

After permission for shed granted in 2019, the site was cleared and has been used as a car park by residents of Penpillick cottages and Penpell Row with no use as a builder’s yard. This has helped to alleviate parking on the lane to Penpell, which had become very congested.

There is a serious issue with lack of parking in the area outside the vehicular access to the site as there is parking 6 cars for 6 houses. However due to the fact that most households now have more than one vehicle, as well 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 the photos provided with the application). This is a particular 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. It 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 characterised by high speed traffic. Since the use of the builders yard as a car park these issues have stopped but would inevitably recur and be exacerbated if the site is developed.

It should also be noted that a residential application for the water reservoir NE of the site at Penpillick has recently been refused at appeal due to Highways issues on this very dangerous stretch of road (APP/D0840/W/18/3207379)

21/138 The Platinum Jubilee of HM The Queen

Cllr Sinkins reported that Hotdog can supply and print the children's tee shirts (heather grey or white) for £3.35 each, zero vat. There is a charge for the screen of £25.00 plus vat. The shirts are Uneek, adult sizes can be done at £4.20, which will be subject to vat. This is on the basis of the Jubilee logo with "Lanlivery" added all in purple printed on them and a quantity of 120-130 shirts. Cllr Wright agreed to find out how many primary children were attending Lanlivery School. Cllr Haley reported that the Feast Committee was meeting on the following Wednesday to discuss possible events and did not want to replicate anything arranged by the parish council for the Jubilee. It was agreed that it would be useful to source a gas beacon; the Parish Clerk would get price for this. A barbeque in Chapmans field, weather permitting, was agreed; Cllr Turner confirmed that this could be held in the Church if wet.

21/139 Children's Play Equipment

It was proposed by Cllr Challis, seconded Cllr Hemmings and RESOLVED to accept the recommendation from Andy Inglefield that the play equipment can be cleaned and refurbished and that his quote for the work should also be accepted. Andy would also take on the RoSPA checks when the Cormac contract ended.

21/140 Churchyard Grass Cutting

It was proposed by Cllr Paterson, seconded Cllr Hemmings and RESOLVED to accept the quote from the Truscott's to strim and cut the Churchyard twice a year.

21/141 To Receive Reports (if any) from Parish Councillors

It was noted that the reported potholes at Loving Lane had still not been dealt with by CC Highways.

21/142 Enforcement Issues

The following enforcement issues were presumably still at stage 1. However, it was noted that Cllr Martin was following this up.

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

Date of Next Meeting

Meeting Closed

8.31pm