

LANTEGLOS-BY-FOWEY PARISH COUNCIL
MINUTES OF THE FULL COUNCIL MEETING HELD
ON TUESDAY 20th FEBRUARY 2024 @ 7pm
IN POLRUAN VILLAGE HALL

Minute	AGENDA ITEMS	Action
	<p>Present – Cllrs. Rooney (Chair), Adams, Ainley, Beresford, Bunt, Clare-Dunbavand, Pyke and the Clerk (via Zoom). PCSO Cocks and PC Ben Woodhead (Beat manager) were also present.</p>	
	<p>Chairman’s Welcome and Public Forum – the Chair opened the meeting and welcomed those present.</p> <p>Mr Peter Parkin spoke regarding Minute 24b/2024; Planning Application PA23/10054 No 9 Ocean View expressed the following concerns:</p> <ol style="list-style-type: none"> 1. Whilst it has been agreed the wall and nib adjacent to No 10 has been moved back 1.138M Mr Parkin requested assurances that the roof overhang associated with this nib would be in line with the nib and not overhang beyond this. 2. There is no information about the patio areas and landscaping to the front of the garden. This is critical as the house is on a slope so any decking or patios extending from the house will be higher than surrounding neighbours gardens and could have significant impact to privacy and related noise and disturbance. One of the issues about this application is that the lack of information given to the Planning office for this overdeveloped site has given scope for planning rules to broken to the detriment of neighbours. We need assurances and protection that any landscape will not mean further impact. 3. There are no clear front elevation measurements and Mr Parkin has requested on numerous occasions, to both the applicant and the Planning Officer, for more detailed plans to enable all concerned to better understand what has been agreed. 4. The supposed independent survey was carried out by the applicant using own plans by AJS surveyors who are not RICs accredited. Only RICs surveys can be used as expert witness in Court if for any reason the application where to go to judicial review. 5. Full A1 sized plans should be provided to enable scaling up and proper measurement form these plans. 6. Any Footing associated with the nib wall should be removed to prevent it being built out further in the future. <p>Mr Vic Truman No 11 Ocean view made the following comments concerning No 9 development:</p> <ol style="list-style-type: none"> 1. He showed a picture of view of the back garden to No 9 showing a very small terrace and bed area to the rear of the building and commented that the reason the house was moved forward was without doing dos there would have been no back garden at all. 2. The house has also moved to the side as well as forward. 3. There is only one soakaway to service this large 5 room property which is not adequate. <p>Cllr. Ainley responded to the concerns raised by the public. She has been assured by the Planning Officer that the east elevation nib and roof overhang are in line and provided an overlay diagram to show how the roof fits over the nib. However, Mr Parkin should still seek clarification in writing from the PO. The plans submitted meet the requirements of CC Planning department albeit that electronic copies lacking clearly labelled elevation heights and measurements do make it very difficult to scale up. In her opinion, given the</p>	

	<p>sensitivities of the application, it would have been useful to all if the applicant had provided and A1 paper copy. Although the building does appear to have moved about 0.5m to the east this would not be considered as a material issue from a Planning point of view.</p> <p>Cllr. Ainley went on to summarise the situation that a survey had been completed which is admissible and that it does not need to be FICs certified at this stage. If a RICs survey is required, this would need to be at the costs of the neighbours objecting and with the permission of the applicant. The applicants have compromised and cut back the west sing by 0.88M and east wing 1.138M so aligning albeit 'more or less 'with the original plan. However, the lack of landscaping plan and the remaining privacy issues to No 8 (the side access path being on a step slope which was not clear in the original planning application as all had assumed a flat access path to the rear along the border with No8) has led to the response below.</p> <p>Mr Graham Carruthers, owner of The Covey was present regarding (Minute 5d/2024 refers). Cllr. Rooney read a statement from Mr & Mrs Carruthers. See also Minute 23a/2024 below.</p>	
	<p>Outside Authorities / Bodies – Members received reports from outside authorities as follows:</p> <p>a. <i>County Councillor Report</i> – it is with regret that Members learned of the death of Cllr. Edwina Hannaford. A condolence card had been sent to her husband. Cllr. Rooney will represent the PC at her funeral. Members expressed their gratitude for all she had done for the Parish.</p> <p>b. <i>South East Cornwall CAP</i> – next meeting to be held on 5th March 2024.</p> <p>c. <i>Police</i> – PCSO Cocks advised that 1 crime (criminal damage) was reported from 1st to 31st January 2024. Volunteers for the Speed Watch are needed: www.communityspeedwatch.org.</p> <ul style="list-style-type: none"> • Criminal Justice and You – scheme to assist victims. Cllr. Clare-Dunbavand to attend and report back. 	
21/2024	Apologies – Cllrs. Carmichael, Goddard, Kelly and Talling.	
22/2024	<p>Members' Declarations –</p> <p>a. <i>Pecuniary/Registerable Declarations of Interests</i> – none.</p> <p>b. <i>Non-registerable Interests</i> – none.</p> <p>c. <i>Declaration of Gifts</i> – Members were reminded they must declare any gift or hospitality with a value in excess of fifty pounds</p> <p>d. <i>Dispensations</i> – none.</p>	
23/2024	<p>Minutes of Meetings –</p> <p>a. <i>Full Council Meeting</i> – 16th January 2024, AGREED as a true record.</p> <p>NOTE – Public Forum above (The Covey) refers. Cllr. Rooney apologised for going onto the site without permission and added that Cornwall Council's lack of interest had forced the Parish Council to do its job for it. Having made enquiries, we can confirm that the project is proceeding according to the agreed plans.</p> <p>Cllr. Ainley supported Cllr. Rooney's actions and explained that CC Officers had advised that due to funding issues Parish Councillors need to become more involved with potential Planning Enforcement Issues.</p>	
24/2024	<p>Planning Applications – Members considered the following:</p> <p>a. PA24/00516, Land N of Frogmore Farm Lanteglos – erection of new agricultural barn for Livestock purposes. NO COMMENT.</p> <p>b. PA23/10054, 9 Ocean View – Members had been re-consulted under the 5-day Protocol and the following response submitted:</p>	Clerk

We would like to have discussed with you, and had our PC meeting on 20th Feb, before making a response to your recommendations for 9 Ocean View. Given you have been away and the with the protocol deadline falling whilst you are away, we have provided the following response. It is possible that following our Full PC meeting 20th Feb and assuming something can be done to improve the privacy to No 8 and a landscape plan is provided, that the PC would reconsider this response.

In addition, the submission of clear plans with measurements would enable informed decision making and this has been requested on numerous occasions by residents and the PC. This should be possible with a click of a few keys from the architectural software being used by CREATE and given the history of this application does indicate there is some obfuscation going on.

Response: Request that the application is determined by the Planning Committee.

The applicant has made a significant breach to planning rules by building the property out of the agreed plan so 'riding rough shod over the planning process' with disregard to the Cornwall Local Plan and Lanteglos by Fowey NDP and wasting the time of Cornwall Councillors, The Planning Department, the PC and resulting in the detriment of the neighbours' amenity.

When the original application PA21/0743 was discussed in July 2021 the PC had concerns around overdevelopment of the plot. At that time the site plan included land belonging to the NT which was misleading as the plot seemed just big enough to support the proposed large development; in addition, the applicant appeared to have considered positioning of the development east elevation to No10 and west to No 8 *to minimise any loss of amenity to these properties*. The PC therefore made the following comment *'Members request the planning officer looks into the large increase in footprint and ensures there is sufficient green space around the plot'*. It appears that the planning officer at that time was in the process of leaving the Council and a cursory view was given to the PC's concern and the issue of over development of the plot. The resulting situation is a property which is too large for the plot with little wriggle room to absorb changes and consequential impact to the neighbours' amenity.

The PC appreciates the amended plans to reduce the frontage of the property and the front door back to the original plan PA21/07433. This will reduce to some extent the loss of amenity of No 8 and No 10 and reduce the impact to the character of the surrounding area by returning the, albeit disproportionately small, front garden back to the original plan. However, there are still issues surrounding loss of amenity to No 8 and potential loss of amenity to both No 8 and 10 plus potential further design impact to the character of the local area.

- 1) The proposal does not provide privacy to No 8 as the foot path to the West border is raised from the front to the back of the property (this was not clear in the original plans). With a proposed 400mm high fence above the wall the neighbours at No 8 will still be able to see the top half of people walking down the path which will invade their privacy from the kitchen/dining area and rear garden. It is unfair that to mitigate the intrusion caused by No 10's raised path that No 8 will have to erect higher visual barriers on their side, and at their costs, taking away light & potentially breaking planning rules. *Cornwall Local Plan Policy 12.2 Design and protection of neighbouring properties. NDP Policy 9 'does not cause detriment to the residential amenity of any existing or neighbouring properties....'* . If the applicant simply reduces the height of the path constructed at the west border this would remove the issue of overlooking and loss of privacy.
- 2) Although this original planning application cannot be amended the PC wants to ensure that any further impact to neighbours' amenity is protected. The house has been squashed into a small plot and in retrospect does represent overdevelopment and there is very little

	<p>green space surrounding the property to be used as garden and for outdoor enjoyment. As stated in the PC's objection:</p> <p><i>There is a concern that the applicant has plans to introduce a raised terrace to the front of the property originally laid to lawn. Not only will this be out of character with the surrounding properties it would lead to a loss of privacy and create noise disturbance to neighbouring properties. There has been mention made of some original decking that was put up by the applicant prior to demolition and without planning permission so this should not be allowed to take any precedent.</i></p> <p>To mitigate this situation the PC made the request:</p> <p><i>The PC requests a condition that what is remaining of the front garden to No 9 is put back to lawn with no hard landscaping (raised terraces, patios etc) or walls adjoining allowed adjoining either No 10 or No 8.</i></p> <p>We note that your recommendation is that:</p> <p><i>.....With regards to the area to the front of the dwelling, this remains as the previous application, and it doesn't appear that any conditions were included to this effect. Given there was no previous condition for this area to be put back to lawn, it is not considered to be justified to introduce this condition now.</i></p> <p>Given the PC's objection and history of the applicant's manipulation of the planning process, if a condition cannot be applied to the front garden being laid to lawn, then the PC demands a full landscaping plan for the front garden is included as part of this application. This should show the position of any hard landscaping, terraces, walls, fences, and lighting, and should include a significant area of green lawn to fit with the character with neighbouring properties.</p> <p>The result of this overdeveloped site with such a small proportion of garden space to use means the front garden could easily be developed into raised decking and sitting areas adjacent to neighbours' properties so impacting neighbours' amenity to light , noise and privacy and also impact the character of the local neighbourhood all of which have large green lawns to the front of their properties.</p> <p>Without an agreed landscape plan the neighbours' amenity remains unprotected from contravention of the policies <i>Cornwall Local Plan Policy 12.1a) Design and Character 12.2 Design and protection of neighbouring properties. NDP Policy 9 'does not cause detriment to the residential amenity of any existing or neighbouring properties....</i></p> <p>It was AGREED that if the requested full landscaping plan is provided and the path to west elevation bordering No 8 is reduced in height to improve privacy to No 8, then Members would be satisfied the neighbours are offered the necessary planning protection and would withdraw their request to take the application to CC's Planning Committee.</p>	
25/2024	<p>Other Planning Matters – details previously emailed.</p> <p>a. <i>Section 106 Funding</i> – Cllrs. Adams spoke of the history of the s.106 money he believes had been allocated to the Parish. Members felt the only way forward is to arrange a meeting between Nick Marsden, CC Affordable Housing Manager and the Working Group. There are three possible projects (including The Winklepicker and an empty property on Fore Street, Polruan).</p> <p>Section 106 Working Party: Cllrs. Rooney, Ainley and Adams NOTE – Ms Vicky Halls is the PTT contact for The Winklepicker.</p> <p>b. <i>Preparing for a new Local Plan for Cornwall</i> – Members to receive an update following the meeting held on 28th February. Cllr. Ainley to attend.</p> <p>c. <i>CC Call for Sites</i> – CC are seeking information on potential sites suitable for a broad range of uses. For further consideration.</p> <ul style="list-style-type: none"> • Housing (which could include market-led housing, affordable housing, supported living, residential institution, student accommodation, 	<p>Clerk</p> <p>Cllr. Ainley</p> <p>Clerk</p>

	<p>community-led, self-build plots, or other types of specialist housing) and Gypsy and Traveller pitches</p> <ul style="list-style-type: none"> • Employment • Commercial (including offices, retail, leisure, hotel and mixed commercial uses) • Community • Energy generation • Nutrient neutrality mitigation land • Biodiversity Net Gain 	
26/2024	<p>Planning Applications Approved by CC – for information only.</p> <p>a. PA23/09784, The Old Sunday School School Lane Polruan – demolition of garage and addition of additional storey to dwelling.</p> <p>b. PA23/09315, Old Ferry Inn Old Road Bodinnick – retrospective application for fencing and decking North of The Old Ferry Inn.</p>	
27/2024	<p>Planning Applications Refused by CC – for information only.</p> <p>a. PA23/09086, Coombeland Highway Fowey – extension and retrofit of existing cottage plus enlargement of garage.</p> <p>b. PA23/09586, Sailaway 9 Hockens Lane Polruan – demolition and replacement 2-storey front extension, single storey rear extension and Juliet balcony to first floor bedroom.</p>	
28/2024	<p>Environmental / Amenity Matters – including any items received after the agenda had been published.</p> <p>a. <i>Public Conveniences</i> – Members considered:</p> <p>i. <u>St Saviour’s WCs</u> – Cllrs Adams and Kelly had arranged for repairs to the disabled toilet door after a user was trapped inside. He had also cleared the toilets; a large toilet roll was rammed up the bend!</p> <p>ii. <u>Frogmore WCs</u> – Mr Andrew Davey, National Trust (NT) advised their position is that they wish to continue with the current split with the NT taking responsibility for maintenance of the physical structure, and the PC bears the operational running costs. He added that he agrees the interior of the building is looking a little jaded and he will suggest to his property-based colleagues that some improvements should be considered to coincide with the lease renewal. Before Members consider continuing with the Lease, the Clerk to enquire what form the “improvement” work would take.</p> <p>NOTE – the lease expires 31st May 2025.</p> <p>iii. <u>The Quay WCs</u> – see also Closed Session below. Cllr. Pyke had reported a meeting had been held with the Polruan TT at which Cllr. Rooney also attended. Research is now underway to ascertain if some funding is available.</p> <p>NOTE – Cllrs. Beresford and Pyke are the PC’s representatives and Ms Vicky Halls for the Polruan TT.</p> <p>iv. <u>Legionella Testing</u> – the water temperatures are all at 10°.</p> <p>b. <i>Whitecross Land Registration</i> – Cllrs. Adams and Talling had met with Ms Helen Furneaux Principal Solicitor, CC. The road junction was changed after the land was conveyed to the PC and that explains why the little parcel of land was not included. Ms Furneaux had been instructed to include this in the Land Register and her formal response is expected.</p> <p>c. <i>SW Water</i> – Members received an update:</p> <ul style="list-style-type: none"> • <u>Water Quality Testing</u> – the Environment Agency (EA) had advised that anyone can apply for a beach to become bathing water designation. Details on: Designate a bathing water: guidance on how to apply - GOV.UK (www.gov.uk). Deferred to the Summer to “prove” that 100 people use the beach for swimming. 	<p>Clerk</p> <p>Clerk</p>

	<ul style="list-style-type: none"> • <u>Planned Desalination Plant at Par</u> – Ms Catherine Thomson confirmed she will take this to CAP. Members had concerns and queried why it was needed in such a wet county. <p>d. <i>Changes to Household Waste Collections</i> – Gina Varcoe, Cornwall Waste Dept. advised that any resident provided with a wheelie bin may request it is replaced with a waste collection sack. Casework: CAS-05284-K2N0B7.</p> <p>e. <i>PROW Contract</i> – the Local Maintenance Partnership (LMP) contract with CC had been signed and returned by the Clerk.</p>	Cllr. Rooney
29/2024	<p>Highway Matters – including any items received after the agenda had been published.</p> <p>a. <i>Road Closure</i> – details previously emailed.</p> <ul style="list-style-type: none"> • Old Road, Bodinnick– 11th to 12th March 2024 (19:00 to 06:00 hours). • The Quay, Polruan – 13th to 15th March 2024 (19:00 to 23:30 hours). 	
30/2024	<p>Administrative Matters – not covered elsewhere on the agenda.</p> <p>a. <i>Adoption of Policies and Strategies</i> – Members RESOLVED to re-adopt the following policies:</p> <ol style="list-style-type: none"> i. <i>Standing Orders</i> – latest version adopted June 2018. No changes. ii. <i>Statement of Internal Control</i> – No changes. iii. <i>Asset Register</i> – copy circulated. iv. <i>Freedom of Information Act (publication scheme)</i> – copy attached. No changes v. <i>GDPR Data Audit</i> – copy attached. No changes vi. <i>Unreasonably Persistent and/or Vexatious Complaints</i> – copy attached. No changes. vii. <i>Communications Strategy</i> – copy attached. No changes. viii. <i>Social Media</i> – copy attached. No changes ix. <i>H&S Policy</i> – copy attached. No changes x. <i>Complaints Policy</i> – copy attached. No changes. xi. <i>Financial Regulations</i> – latest version previously adopted. No changes. xii. <i>Social Housing Policy</i> – revised January 2024. NFA. xiii. <i>Asset Maintenance Policy</i> – changes agreed Oct 23, Cllr. Goddard to action. Revised document will then follow. xiv. <i>Harassment Policy</i> – NFA needed. <p>b. <i>Charitable Trust</i> – Cllr. Edgar had been booked to attend this training course at a cost of £60.</p> <p>c. <i>CC Online Training Portal</i> – <i>CC Online Training Portal</i> – a range of training is available as a cost of £35 per delegate. Details previously emailed.</p>	Cllr. Goddard Information
31/2024	<p>Financial Matters –</p> <p>a. <i>Accounts for Payment</i> – February payments to a value of £4,552.77 was APPROVED for payment. The Clerk to place a copy on the website.</p> <p>b. <i>Savings Account</i> – Cllr. Adams said that the bank signatures can transfer money into the existing Savings Account. It was AGREED the Clerk to advise of the sum to be moved.</p> <p>c. <i>Bank Reconciliation</i> – copy of the Bank Reconciliation was emailed.</p> <p>d. <i>Internal Audit</i> – the Clerk advised Hudson Accounting Ltd. had given notice they are unable to continue after this financial year. An alternative provider needs to be appointed for 2024/25. Members to provide the Clerk with contact details of people who may be able to undertake the role.</p>	Clerk Clerk Members / Clerk

32/2024	<p>Documentation / Correspondence – not covered elsewhere on the agenda</p> <p>a. <i>Cornwall Together</i> – monthly bulletin from NHS Cornwall and Isles of Scilly Integrated Care Board. Previously emailed.</p> <p>b. <i>Gypsy, Roma & Traveller Strategy</i> – consultation, deadline 5pm on Friday, 26th April. Details emailed.</p> <p>c. <i>Devolution expectations with a caution</i> – Members considered the email from Mr Alan Percy and it was AGREED to support the campaign.</p> <p>d. <i>Clean Cornwall</i> – February newsletter.</p>	Cllr. Rooney
33/2024	<p>Diary Dates –</p> <p>a. <i>Parish Council Meeting</i> – 26th March 2024.</p> <p>b. <i>Parish Meeting</i> – it was RESOLVED to hold the Meeting on 16th April 2024, in Polruan WI Hall. The Clerk to book the Hall. Members to provide the Clerk with the contact to enable her to order drinks and nibbles and to check the contact list for her to send invitations to local organisations.</p> <p>c. <i>CORMAC Spring workshop sessions</i> – open to Members and Clerks. Details previously emailed:</p> <ul style="list-style-type: none"> • Launceston Rugby Club on Friday 22nd March (10.00 – 13.00) • St Johns Hall, Penzance on Friday 12th April (10.00 – 13.00) • Bodmin Rugby Club on Friday 19th April (10.00 – 13.00) • New County Hall, Truro on Friday 26th April (18.00 – 21.00) 	Members / Clerk
34/2024	Information Only / Future Agenda Items – none.	
35/2024	Closed Session – in view of the confidential nature of the business about to be transacted, it was RESOLVED that it is advisable in the public interest that the press and public be excluded and they were instructed to withdraw.	
36/2024	<p>Standing Contracts – tender documentation had been sent regarding:</p> <p>i. PROWs</p> <p>ii. Weed spraying</p> <p>iii. Whitecross</p> <p>iv. WC Cleaning – Members RESOLVED to defer the start of this contract to October 2024 and AGREED to then extend the contract from 15 October 24 to 31 March 26 (18 months).</p> <p>Working Party – Cllrs. Ainley, Clare-Dunbavend and Goddard.</p>	Clerk
37/2024	St Saviour's and The Quay WCs – Members AGREED to a deferment to March 2024 to allow time for an update to the tender specification.	Working Party
38/2024	Planning Enforcement Cases – Cornwall Council had deemed planning enforcement matters to be confidential. No update was given.	
39/2024	Meeting Closed – 20.45pm.	

Signature: (Cllr. Rob Rooney)
Parish Council Chair

Date: 26th March 2024