

LANTEGLOS-BY-FOWEY PARISH COUNCIL

MINUTES OF THE FULL COUNCIL MEETING HELD

ON TUESDAY 25th JULY 2023 @ 6.30pm

IN WHITECROSS VILLAGE HALL

Minute	AGENDA ITEMS	Action
	<p>Present – Cllrs. Rooney (Chair), Adams, Ainley, Beresford, Bunt, Clare-Dunbavand, Kelly, Pyke, Talling and the Clerk.</p>	
	<p>Chairman’s Welcome and Public Forum – the Chairman opened the meeting and welcomed those present.</p> <p>Mr Graham Palmer and Ms Victoria Halls, Polruan Town Trust were present.</p> <p>Several neighbours were present regarding PA23/04661, Ferry Climb Townsend Polruan (Minute 130d/2023 below refers). Objectors maintained that the proposal contravened Policies 1, 3, 6, 7, 9 of the Lanteglos by Fowey Neighbourhood Plan and Policies 7 and 23 of CC’s plan. Mr Mitchell, owners of Greenhill said this hotel sized development would overlook their property.</p> <p>The applicant’s agent said he had made some comparisons with nearby properties and maintained they are comparable in size. He pointed out that Ferry Climb would occupy 12% of its site, other nearby properties occupy 14%. Cllr. Adams said the properties used in the comparison were built before the Neighbourhood Plan was adopted. Cllr. Ainley said the PC would support a property of a similar size to the existing dwelling. Members pointed out the footprint of the proposed new build is 3.5 times the original dwelling.</p> <p>Mr Alistair Shakerley spoke regarding 130h/2023 (Hall Farm). He sought support in maintaining the height at 12.5M instead of the 15M proposed. A letter from the landowners, Mr & Mrs Gavin Shakerley had previously been circulated.</p> <p>The owner of the Old Ferry Inn was present and offered to answer any question. (Minutes 130b and 130c/2023 refers).</p>	
	<p>Outside Authorities / Bodies – Members received reports as follows:</p> <ol style="list-style-type: none"> a. <i>County Councillor Report</i> – in the absence of Cllr. Edwina Hannaford no report was available. Cllr. Beresford arrived at this point. b. <i>Liskeard & Looe and Cornwall Gateway Community Area Partnership</i> – Minutes of the meeting held on 6th June 2023 were previously emailed. The Clerk was asked to include links to various funding pots in the next issue of the Parish News. Members to appoint a representative to the Climate Change and Ecological Emergency Network. Details emailed on 30th June 2023. A copy of a letter to the Secretary of State for Transport regarding A38; and one from CC Portfolio Holder for Transport, Cllr Connor Donnithorne, to the CEO of National Highways was previously circulated. The CAP Terms of Reference were circulated via email. c. <i>Police</i> – PCSO Cocks sent his apologies, he is on leave. He advised that from 1st to 30th June 2023 there was one crime reported: that of fraud. The Clerk had written to C. Toms & Son offering Members’ sympathy and support following the recent arson attack on their merlo. The Clerk to seek an update from the Police, about an apparent escalation of arson incidents. 	<p>Clerk</p> <p>Clerk</p>

127/2023	Apologies – Cllrs. Carmichael, Goddard.	
128/2023	Members' Declarations – a. <i>Pecuniary/Registerable Declarations of Interests</i> – none. b. <i>Non-registerable Interests</i> – none. c. <i>Declaration of Gifts</i> – Members were reminded they must declare any gift or hospitality with a value in excess of fifty pounds d. <i>Dispensations</i> – none.	
129/2023	Minutes of Meetings – a. <i>Full Council Meeting</i> – 20 th June 2023, AGREED as a true record.	
130/2023	Planning Applications – Members RESOLVED to form an informal Planning Group to meet prior to a Full Council meeting and review the applications in detail and bring the key points to the Full Parish Council meeting. This to be for a six months trial period Cllrs. Adams, Ainley, Rooney (Bodinnick applications only) and Kelly were appointed to the Planning Group. Members considered the following planning matters: a. PA23/03657, 7 Fore Street Polruan – existing extension roof to rear of property to be raised 600mm to accommodate head height to existing mezzanine floor. Existing link corridor between existing dwelling and existing extension to be extended in line with current dwelling and extension to fill in existing court yard. NOTE – this application was considered at the June meeting but Ms Georgia Rowe advised: <i>“This application has now been made invalid again, as there are a number of errors with the plans that need correcting. Once these are all amended and accurate the application will be re-validated and yourselves re-consulted on this one.”</i> b. PA23/03996, Old Ferry Inn Old Road Bodinnick – proposed parking and alterations to West elevation. The applicant confirmed the Juliette balconies are there to permit windows to be opened without risk of falling. NO OBJECTION. c. PA23/04640, Old Ferry Inn Old Road Bodinnick – Change of Use of Part of the Old Ferry Inn to Dwelling – Variation to Approval PA22/07129. The applicant advised there is no room for a vehicle turning circle. NO OBJECTION. d. PA23/04661, Ferry Climb Townsend Polruan – replacement dwelling. The agent advised the building will be of local stone and wood cladding but this has to be confirmed. Colour in the plan drawing is representative. Changes by the applicant compared to the previous application are minimal: <ul style="list-style-type: none"> • Removing the garage does reduce some of the bulk of the property but this has been replaced by a parking area and a large raised patio area which still results in the destruction and development of the former undeveloped paddock. Given the past actions of the client the PC is sceptical that the applicant will simply build a garaging area in the future as a ‘permitted development’. • The reduction in glazing on southern elevation has made some improvement but there is still a significant glass on the south elevation and a large incongruous glass balcony which will have a significant negative impact to the views into the entrance of village and from the SWCP, plus significant light pollution to the night sky. Lanteglos by Fowey PC STRONGLY OBJECTS to the proposed development based on the following: <u>Cornwall Local Plan</u> Policy 7: Housing in the Countryside	Clerk NFA Clerk Clerk Cllr. Ainley / Clerk

The boundary of the Lanteglos by Fowey Neighbourhood Development Area runs directly through the proposed development site with the undeveloped paddock area – east are of the site- falling outside of the boundary of the NDA. This highlights the strategic importance of this countryside site in an AONB at the entrance to the village. This previously undeveloped meadow/paddock area was originally an adjoining plot to the current Ferry Climb property - so the proposed development physically extends to what was countryside.

2.32 The key housing need in the Lanteglos by Fowey area is Social Housing and Affordable Housing to support the community both socially and economically, priority needs to be given to this type of housing and lastly to Marketable housing; this building has been recorded in the planning application as MARKET HOUSING.

2.34 The replacement property is not comparable in size scale and bulk to the property being replaced at more than 3 times the size of the current dwelling (see comment NDP Policy1.1)

Policy 12: Design

The development sits awkwardly in the site being disproportionately close to Greenhill to the West. There is significant impact to Greenhill resulting in overbearing and overshadowing. There is loss of privacy from the window on the west elevation of the proposed development overlooking the neighbour's lounge area. The large balcony which overlooks Greenhill's garden will result in loss of privacy and substantial light and noise pollution. Therefore, there will be a significant impact to the amenity of Greenhill and the enjoyment of their property by the current long-term owners.

The proposed development has been moved significantly closer (18 meters) to the neighbouring property to the north – Langdon - and could impact light to the lower floors and as well as nuisance noise resulting from the proximity of the proposed driveway and parking area.

Policy 22: Protected Sites

2.147 and 2148 The current plans do not follow guidance from the Cornwall AONB development plan.

2.157 A Seascape Character Assessment should be undertaken.

Policy 23: Natural Environment

23.1. The development does not protect or enhance the natural environment.

or

23.2a enhance the natural beauty of the AONB or provide for an identified local need

23.3 the extent of the removal of key species trees and hedges will have a significant impact on biodiversity in the area.

Lanteglos by Fowey Neighbourhood Development Plan

Policy 1: Design and Character of Lanteglos by Fowey parish

1.1 The proposed development is not comparable in bulk, scale and character due to large scale footprint and bulk, with the property being 3 times the size of the original dwelling. It will dominate the entrance of the village and does not enhance or support the character of the village in this visible AONB. The amount of glazing and the large glazed balcony (with outside lighting) on the coastal/water side of the property does not blend into the landscape and will impact treasured views of the entrance to the village as well as pollute the night sky.

1.2 Given the overdevelopment and out of character nature the proposal it does not comply the AONB Development Plan. LBFPC support the comments made by the Cornwall AONB unit.

1.3 There will be substantial light pollution of the night sky due to the multiple glazing panels on the south elevation and the large glazed balcony (with outside lighting) This will result in light pollution at the entrance to the village, from the coastal path and to neighbouring properties. There could

also be an impact to maritime operations and LBFPC request Cornwall planning ensure the necessary maritime assessments are completed.

Policy 3: Important and Special Views

Significant impact to the special views designated in NDP – *SW Coastal Path and main route into village*. The size of development and the amount of glazing and large glazed balcony on the coastal/water side of the property does not blend into the landscape and will have a significant impact to views into the village from the east and from the SWCP.

Policy 4: Energy Saving

The excessive development of a 5-bedroom house with 5 bathrooms etc supposedly for one person to live in does not support energy saving e.g. usage of fresh water supplies, energy.

Policy 6: Protection and Enhancement of Biodiversity

The extent of the removal of trees and hedges will have a significant impact on biodiversity in the area. Whilst the plans provide new planting the sheer size of development, particularly on the previously undeveloped meadow, will require further planting consideration with reference to Policy 6 NDP. LBFPC support the comments made by the Tree Officer (20th Jul) on this application. The ecological report indicates that a bat survey is not required based on initial electronic camera survey. However, the LBFPC request a full bat survey is carried out as local neighbours have seen evidence of bat activity when the key trees on the site were cut down.

Policy 9: Small scale ‘infill and rounding off’ housing development

The development on the previous developed land is not appropriate to its size and role.

The development extends into the previously undeveloped meadow area which was an adjoining paddock/meadow to the current Ferry Climb property and is outside of the Neighbourhood Development area boundary, so the proposed development now physically extends to what was the open countryside.

Other Comments

The Planning officers report for the Pre- Application makes it clear that removal of trees will be a planning consideration. The removal of two key trees on the site during nesting season (after 1st March), in the early hours of weekend morning, is perceived as an underhand action by the applicant to steam roll the application through. This action does not give the PC and residents any confidence that the applicant and agents will follow guidelines and constraints made by the Planning Authority. The Tree Officers concern over the removal of these trees and recommendation for a large canopy tree to be replanted should be noted.

A traffic management plan is required – given the size of the development and the propose digging out this could result in considerable congestion in the one largely single-track road entering the village particularly during the holiday season.

The PC would not object in a more modest development of a similar size and profile to the current property

If this development is permitted, the Cornwall Local Plan 2010 - 2030 and the LBF NDP would be declared void!

- e. PA23/05380 47 Fore Street Polruan – works to trees within a conservation area - removal of a Holly tree.

Information

NOTE – as this application is for works to trees in a Conservation Area, it will be decided under delegated authority. There is no need for Members to submit any comments to the local planning authority.

- f. PA23/05623, 39 Fore Street Polruan – application for tree works within a Conservation Area: Full removal of 1 Ash tree.

Information

	<p>NOTE – as this application is for works to trees in a Conservation Area, it will be decided under delegated authority. There is no need for Members to submit any comments to the local planning authority.</p> <p>g. PA23/00842/PREAPP, The Old Sunday School Polruan – pre-application advice for extension and alterations.</p> <p>The Lanteglos by Fowey parish Council (LBFPC) thank the applicant and their representatives for the Pre-Application and response to the concerns, made by LBFPC and Cornwall Planning, from the previous application.</p> <p>Whilst the Applicant, through the DAS, indicates they have addressed the issues cited in the LBFPC objections to the original application, we do not believe from the information provided that there are any significant changes to mitigate the majority of the PC’s original concerns. Key comments include:</p> <ul style="list-style-type: none"> - The development is still considerably larger in size, scale and bulk than the current property and ridge height has not been altered significantly from the previous application with the majority of the ridge still at 46.4 so the bulk of the property has not changed significantly. - The metal roof material is not in keeping with the surrounding area, it will be seen prominently from many areas of the village and most worryingly from ‘the Bound’ which is a key entrance and view into the village from St Saviours car park with the estuary view being interrupted by a higher bulkier and incongruous roof line. Although there is one metal roof in the area – part of a ground floor extension - this is not large or visible and should not be used as precedent as at the time of development there was not a NDP in place. If the bulk of the roof could be reduced with a traditional slate tile roof covering this could make a significant improvement. - There are still concerns around the extend of glass (although reduced slightly) and large balcony on westerly elevation which will impact the view of Polruan from the Estuary - There could be privacy issues for the neighbouring properties as a raised balcony will undoubtedly increase the extent of overlooking. <p>LBFPC feel the applicant should consider a full redesign to reduce the above issues and would welcome the opportunity to informally discuss alternative options with the applicant and/or representatives.</p> <p>h. PA23/05333, Hall Farm Old Road Bodinnick – proposed development by telecommunications code system operators for proposed removal and replacement of existing 12.50m high T-Range dual stack structure with proposed 15.0m unshrouded A12RV2 pole on T9 foundation. Installation of 3No. antennas, 1No. GP’s module and 2No. racks. Existing 1No. 300 dish to be relocated. Existing 1No. cabinet to be refreshed and re-used and associated ancillary works.</p> <p>Members noted the height had been reduced by 2.5M from the original proposal, however, it was not clear why the proposal is necessary, i.e. what are the gains that would be made. Members are unable to determine their comments until they understand the need for the change.</p>	<p>Cllr. Ainley / Clerk</p> <p>Clerk</p>
131/2023	<p>Planning Applications Approved by CC – for information only.</p> <p>a. PA23/02157, Rose Cottage 16 Old Road Bodinnick – proposed garage reconstruction.</p> <p>b. PA23/03780 Overferry Old Road Bodinnick – the complete demolition of the existing house and the construction of a new 4 bedroom replacement dwelling and detached garage with associated landscaping works with Variation of Condition 2 of decision PA22/02753 dated 24/05/2022 with non-compliance of condition 2 in relation to decision notice PA22/06525 dated 02.11.2022.</p>	

132/2023	<p>Planning Applications Refused by CC – for information only.</p> <p>a. PA23/02950, Mole's House Old Road Bodinnick – construction of a balcony.</p>	
133/2023	<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> – nil to report.</p> <p>ii. <u>Frogmore WCs</u> – meeting had been arranged with Mr Andy Simmons, Lead Ranger, National Trust and Cllrs. Beresford and Pyke for Saturday, 29th July 2023, Frogmore at 10.30am.</p> <p>NOTE – works to the toilets are deferred and are now due to be undertaken by August. The blockage in the gents had been cleared.</p> <p>iii. <u>The Quay WCs</u> – see also Closed Session below. There had been no response to Members' grant application for £4,000 towards the running of the toilets in 2022/23 that had been made to Polruan TT.</p> <p>Polruan Town Trust had agreed to set up a Working Group with two representatives from both the PC and PTT with a view to them taking back responsibility for the toilets.</p> <p>NOTE – the PTT Members are Mr Graham Palmer + Ms Vicky Halls with Cllrs. Beresford and Pyke as the PC's representatives.</p> <p>iv. <u>Public WC Funding</u> – Ms Sally Vincent, Fowey TC advised: <i>"As a Council we have found it beneficial to charge for the toilets as it clearly helps with the significant cost but you can also set the machinery to lock the facilities at night and open them in the morning, which helps prevent late night vandalism. We charge 20p but there has been some talk recently of increasing this during the summer months. The downsides are mainly that somebody needs to empty the coinpays and bank the cash, although we have recently installed a card system, which alleviates this to some extent."</i></p> <p>v. <u>Free Water Saving Audit</u> – SW Water are offering a free survey of the WCs. No further action.</p> <p>vi. <u>Legionella Testing</u> – the water temperatures are all at 10⁰.</p> <p>b. <i>Whitecross Land Registration</i> – Minute 115c/2023 refers. Members to action the response from Ms Jessica Bishop, CC's Legal Dept.</p> <p>i. <u>Statement of Land Value</u> – Cllr. Rooney duly signed the document and the Clerk to submit to Ms Jessica Bishop.</p> <p>ii. <u>Aerial Map</u> – Cllrs. Adams and Ainsley to meet on site and mark the rights of way and the Clerk to submit to Ms Bishop.</p> <p>c. <i>Betty Hewans Footpath</i> – Minute 66/2023 refers. Mr Chris Monk, Countryside Access Team (CAT) advised he had received authorisation from Cornwall Council to proceed with the re-surfacing of the path. It is now with the Surfacing Operational team to set a date in their programme.</p> <p>d. <i>Defibrillators</i> – Members provided the Clerk with a list of defibrillators to register on https://www.thecircuit.uk/ to assist emergency services to know where defibrillators are located and how to access them.</p> <ul style="list-style-type: none"> • On the wall, next to entrance door, Old Ferry Inn, Bodinnick. • Whitecross • Polruan VH • Fire station • The Quay – ferry office • Veverly car park 	<p>NFA</p> <p>Clerk</p> <p>Clerk</p>

	<p>e. <i>Safer Cornwall Annual Have Your Say Survey</i> – can be found at: https://safercornwall.co.uk/have-your-say/. Details emailed.</p>	
134/2023	<p>Highway Matters – including any items received after the agenda had been published.</p> <p>a. <i>Fore Street Drains</i> – Members received the report from Cllr. Ainley (copy on file) following the meeting on 27th June with SW Water.</p> <p>In her report Cllr. Ainley explained: <i>So basically, we now need to monitor what is happening down at the bottom of Fore St, the Quay and the outlet into the sea. If any overflow near the manholes is seen we must report to SWW as this indicates a weakness in the surface water system and a risk of further sewage discharge, and obviously any form of sewage discharge must be reported!</i> She offered to keep a record of incidents that Members supply to her.</p> <p>Fixed everything on the list.</p> <p>b. <i>Review of the Status of Highways / Footways / Byways, incl. Chapel Lane</i> – Mr Will Glassup had responded to Members request that Highways reverts Chapel Lane to its previous status as a highway and to clarify why its status was changed and when. Deferred from the March meeting. He said: <i>This is not a question that I can instantly answer. I will make enquires with Cornwall Council directly and reply back to the Parish Council separately.</i> Email previously sent to Members. The Clerk to chase for September meeting.</p> <p>c. <i>Potholes</i> – potholes on Pont Hill and along the road to Essa and around Triggabrown had been reported to Highways. NOTED – this has been referred to the Highway Steward to inspect but the surface is breaking up again, following recent patching.</p> <p>d. <i>Public Rights of Way</i> – the contractor had cut the footpath opposite Greenbank is cut.</p> <p>PROW No.25 – the Clerk to seek an update for the September meeting.</p>	<p>Clerk</p> <p>Clerk</p> <p>Clerk</p>
135/2023	<p>Administrative Matters – not covered elsewhere on the agenda.</p> <p>a. None.</p>	
136/2023	<p>Financial Matters –</p> <p>a. <i>Accounts for Payment</i> – the July payments to a value of £3,564.22 was APPROVED for payment. The Clerk to place a copy on the website.</p> <p>NOTE – as no meeting is planned for August it was RESOLVED to authorise the Chair and Vice Chair to approve the payments, with a copy circulated to Members.</p> <p>b. <i>Bank Reconciliation</i> – the Chair signed the Bank Reconciliation.</p> <p>c. <i>Budget Monitor</i> – – the Chair signed the Budget Monitor.</p> <p>d. <i>Grant Application</i> – CPRE Cornwall. Hardcopy only available and will be made available to view at the meeting. No further action.</p>	<p>Clerk</p>
137/2023	<p>Documentation / Correspondence – not covered elsewhere on the agenda</p> <p>a. <i>Community Capacity Fund</i> – grants of £2,000 to £25,000 and support project development costs e.g. feasibility studies, business plans, architects' drawings, concept plans or other professional support to determine the concept of a project. Details previously emailed.</p> <p>b. <i>Integrated Care Strategy</i> – survey closes 30th September 2023: https://letstalk.cornwall.gov.uk/integratedcarestrategy. Previously emailed.</p> <p>c. <i>CC Affordable Housing Team</i> – summer newsletter, previously emailed.</p>	

	<p>d. <i>Cornwall Buildings at Risk</i> – 2023 edition, previously emailed. The Clerk to seek an update regarding Townsend Farm.</p> <p>e. <i>International Gateway Study</i> – previously circulated.</p> <p>f. <i>Clean Cornwall Newsletter</i> – July 2023, previously emailed.</p> <p>g. <i>Cornwall Planning Newsletter</i> – July 2023, previously emailed.</p>	Clerk
138/2023	<p>Diary Dates –</p> <p>a. <i>Parish Council Meeting</i> – 26th September 2023, 6.30pm. Apologies from the Chair.</p> <p>NOTE – a meeting will <u>only</u> be held in August if there is something urgent to discuss. Whitecross VH had been provisionally booked for 29th August in case of need.</p> <p>b. <i>Clerk's Leave</i> – 29th July to 6th August 2023 and 19th August to 4th September 2023, both periods inclusive.</p>	
139/2023	<p>Information Only / Future Agenda Items –</p> <p>a. None.</p>	
140/2023	<p>Closed Session – in view of the confidential nature of the business about to be transacted, namely quotations, it was RESOLVED that it is advisable in the public interest that the press and public be excluded and they were instructed to withdraw.</p>	
141/2023	<p>Standing Contracts – the Clerk had provided copies of the existing documentation. Members received a report following the meeting of the Working Group held on 17th July 2023. A further meeting is to be held shortly.</p> <p>Working Party – Cllrs. Ainley, Clare-Dunbavend and Goddard.</p>	Working Group
142/2023	<p>St Saviour's and The Quay WCs – Members considered Cllr. Ainley's proposal to apply for funding to the Community Ownership Fund (COF) to refurbish the public WCs and this will be borne in mind for future projects.</p> <p>Mr Rob Kelly had returned the signed pages of the contract. A meeting will now be held with him to further this project.</p>	
143/2023	<p>Cornwall Housing – there had been a technical hitch but the complaint had now been submitted to Cornwall Housing. Deferred to the September meeting.</p>	
144/2023	<p>Vexatious / Hostile Emails – Cllr. Goddard reported he had reviewed the policies (below) and said he believed they are complementary but not the same. One deals with vexatious complaints (i.e. persistent, unreasonable), and while it does refer to threatening and abusive behaviour, it is only one paragraph.</p> <p>The harassment policy addresses threatening, abusive and intimidating behaviour specifically, which may be a feature of 'vexatious' complaints but also may not be anything to do with a complaint.</p> <p>Members RESOLVED to accept his proposal that they should be separate,</p> <p>a. Policy on Unreasonably Persistent and/or Vexatious Complainants</p> <p>b. Harassment Policy</p>	NFA
145/2023	<p>Meeting Closed – 8.35pm.</p>	

Signature: (Cllr. Rob Rooney)
Parish Council Chair

Date: 25th September 2023