

ILLOGAN PARISH COUNCIL

Minutes of the Planning & Environmental Services Committee held on Wednesday 1st August 2018 at 7pm in Penwartha Hall, Voguebeloth, Illogan

PRESENT: Cllr Mrs Ferrett (Chairman), Crabtree (Vice Chairman), Ford, Holmes, Pavey, Miss Pollock (not a member of this Committee), Szoka and Mrs Thompson.

IN ATTENDANCE: Ms S Willsher, Clerk; and 4 members of the public (1 from point mentioned, all until points mentioned)

The Chairman explained the safety procedures.

PM18/08/1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Mrs Roberts and Williams.

Absent: there were no members absent.

PM18/08/2 MEMBERS TO DECLARE DISCLOSABLE PECUNIARY INTERESTS AND NON-REGISTERABLE INTERESTS (INCLUDING DETAILS THEREOF) IN RESPECT OF ANY ITEMS ON THE AGENDA AND ANY GIFTS OR HOSPITALITY WORTH £25 OR OVER

Cllr Szoka declared a non-registerable interest in the planning application for Land South of Stores House.

1 member of the public entered the meeting at 7.01pm.

PM18/08/3 TO CONSIDER APPLICATIONS FROM MEMBERS FOR DISPENSATIONS

There were no applications for dispensations.

PM18/08/4 TO RECEIVE AND APPROVE THE MINUTES OF THE MEETINGS OF THIS COMMITTEE HELD ON 4TH AND 18TH JULY 2018 AND THE CHAIRMAN TO SIGN THEM

It was proposed by Cllr Pavey, seconded by Cllr Mrs Ferrett and

PM18/08/4.2 RESOLVED to receive and approve the minutes of the Planning and Environmental Services Committee held on 4th and 18th July 2018 with the correction of the typos and the Chairman to sign them.

On a vote being taken the matter was unanimously approved.

PM18/08/5 MATTERS ARISING FROM THE MINUTES AND A REPORT ON PROGRESS OF ACTIONS, FOR INFORMATION ONLY

Page 782 – Minute PM18/07/5 – Minutes 06.06.18, Page 772, Minute PM18/06/15.4 – A few personal accounts had been received from Councillors. The Clerk had emailed Cornwall Council and Portreath Parish Council. There had been no response from Portreath Parish Council. A copy of the email to Cornwall Council and their response had been

circulated to members. **It was agreed to invite the Cornwall Council Highways Officer to a meeting of the Planning and Environmental Services Committee to discuss speed limits in Illogan Downs etc.**

Page 787 – Minute PM18/07/10.2 – The Clerk had contacted the South West Ambulance Trust regarding access to Illogan Park and had received the following response:

'Thank you for your email and understanding that I wasn't in the best place to chat on the phone earlier.

Moving forward with this request, there is a possibility that someone could meet with council representatives, but we would be unable to commit 100% due to operational demand, of which we would not know until the hour of the meeting. The Fire and Rescue service attend these types of meetings regularly (as have the resources and time to do so), the most efficient way I believe would be to first liaise with the Fire and Rescue Services. If adaptations are made to the access and egress of the site to accommodate a fire engine pump, then we would have no difficulties in accessing the site with our ambulances.

If you would like us to try and meet with a council representative then we will try to get the duty officer to you, date and time depending.

Please let me know how you get on with the Fire Service.'

The Clerk had contacted Cornwall Fire and Rescue Service. They had confirmed that it was something they could help with. The Clerk was liaising with the service to organise a suitable date to meet on site with a Councillor, a telephone call was scheduled to the Clerk's mobile this Saturday as it had been difficult to contact due to shift working.

Page 787 – Minute PM18/07/11.2 – Notice had been issued to the Illogan RBL 3rd team. There were items on this agenda to consider the correspondence received from them. The notice period ended on the 7th August 2018 and the Club had received a refund for August as per the Agreement. A contract had been sent to the New Inn Titans Reserves.

Page 788 – Minute PM18/07/11.3 – The locks would be arranged to be changed shortly.

Page 788 – Minute PM18/07/11.5 – The New Inn Titans had agreed to paint the football goal posts at Illogan Park. The paint had been purchased and put in the changing rooms ready for use.

Page 788 – Minute PM18/07/11.6 – The letter had been drafted for the letter drop. Cllr volunteers were needed to distribute the letters to the properties neighbouring Illogan Park. **It was agreed that Cllrs Ford, Holmes and Mrs Thompson would deliver the letters to the properties neighbouring Illogan Park.**

Page 788 – Minute PM18/07/11.6 – The following correspondence had passed between the Clerk and the Neighbourhood Beat Manager:

Email from the Clerk to the Neighbourhood Beat Manager – *'Members of Illogan Parish Council have asked me to contact you to highlight some issues we have been experiencing recently in Illogan Park.*

The following reports of vandalism have been received by the Council which I believe have all been reported to the Police:

- *The new bench in the children's play area has been set on fire. One of the slats on the top has been badly damaged.*
- *The door between the toilets has been kicked in and the bottom half of the door destroyed.*
- *Limbs have been pulled off trees.*
- *Small fires have been lit in the Park.*
- *Two signs have been torn down and damaged.*

We have also received reports of motor cycles being ridden in the Park.

The Council was wondering whether the Police would be able to complete some patrols of the area to hopefully deter this type of behaviour.

The Council is going to include an article in the next edition of its quarterly newsletter to encourage people to report such incidences to the Police etc. The Council are also intending to do a letter drop to all properties backing onto the Park to encourage them to report incidences that they witness to the Police. The Council would welcome a contribution to the article from the Police including any advice/guidance that you may have.

I look forward to hearing from you.'

Email from the Neighbourhood Beat Manager to the Clerk – *'Thank you for getting in touch. This was raised as an issue with us a few months back (possibly as far back as the end of last year?) when we increased patrols in the area however we didn't receive any further reports and didn't come across any issues, so no further action was taken. I'm sorry to hear it has become a problem again.*

I have checked our crime records and can only find the arson to the bench that you mention below for this year. As far as I can tell none of the other damage has been reported to us. Please do let me know if you have log numbers though and I will check that nothing has been missed.

We will happily increase our patrols in the area, but it would be very useful if, as you mention, people could be sure to report any issues to us. There are several ways of doing this now and it will help us to get a better understanding of what is happening and target our work accordingly.

I will ask one of our PCSOs to get in touch soon to contribute to the article you mention – please let me know if there are any deadlines for this'

Pages 788 and 789 – Minutes PM18/07/11.7 and 11.8 – Further to the results of the gas, electrical and discussions re the Fire Risk Assessment and the reviewing of previous plans the quotes for a cleaner, non-slip flooring and wall covering would be issued shortly. The Clubs had been notified of the Council's intentions by letter.

Page 789 – Minute PM18/07/11.9 – The New Inn Titans and Illogan Park Rugby Club had agreed to paint the changing rooms. 2 large tubs of paint had been purchased and were currently stored in the Rugby store the changing rooms. It was agreed that the painting would be commenced once a resolution to the gas situation had been agreed incase items need to be added or removed from walls.

Page 789 – Minutes PM18/07/11.11 and 11.12 – Letters had been sent to the New Inn Titans and Illogan Park Rugby Club re contacting the Council when they wanted to use the facilities and notifying them of their fees from the 1st September 2018 until the 31st August 2019.

Page 790 – Minute PM18/07/12.2 – The Clerk had contacted the owner of Tehidy Mill Farm and provided the relevant Councillors contact details as agreed.

Page 791 – Minute PM18/07/12.2 – The Clerk had confirmed with RoSPA that the Council would like to proceed. A signed contract had been received from RoSPA, signed on behalf of the Council and a copy sent back to RoSPA.

Page 792 – Minute PM18/07/12.4 – The Clerk had booked Cllr Mrs Roberts to attend the Economic Growth and Development DLT - Locality meeting with Cllr Crabtree as stand in if Cllr Mrs Roberts was unable to attend.

Page 793 – Minute PM18/07/18.2 – Further to the results of the gas, electrical and discussions re the Fire Risk Assessment and the reviewing of previous plans the tender for the picnic tables would be re-issued shortly.

Page 793 – Minute PM18/07/19.2 – Healthmatic would be invited to the September meeting.

Page 794 – Minutes PM18/07/21.2 and 21.3 – The gas and electrical safety checks had been completed and were items on this agenda.

Page 794 – Minute PM18/07/21.4 – The fire safety risk assessment was completed 30.07.18.

PM18/08/6

PUBLIC PARTICIPATION ON ITEMS ON THE AGENDA (MAXIMUM OF 10 MINUTES – EVERY SPEAKER HAS A LIMIT OF 3 MINUTES UNDER THE COUNCIL'S STANDING ORDERS)

A member of the public reported that they had attended the Cornwall Council Planning Committee meeting in Monday 30th July 2018. They complimented Cllr Crabtree on his speech. The outline planning application for The Barn was approved by 12 votes for and 1 vote against. The Planning Officer had provided all the reasons for refusing the application; they were amazed and appalled that 1 Councillor said that as the Government wanted them to approved planning that they would propose approval of the application.

It was noted that as the application for The Barn was outline there would be further opportunity to comment when the full, detailed application was submitted.

The agent for Land South of Stores House showed members copies of illustrations that had been drawn of the outline proposals. They stated that the application was outline with all matters reserved for a 2 storey dwelling. There was good access to local facilities and amenities and there was a bus stop on the pavement. There was ample private amenity space with over 60 metres squared. The site was surrounded by residential properties. There would be no overlooking. The plans were for a family home, the family would renovate Stores House and then build and move into the proposed dwelling. There were 2 trees on site which were not covered by a TPO and which would need to be removed. The landscaping would form part of the full, detailed planning application which would need to be submitted later.

PM18/08/7

TO DISCUSS PLANNING APPLICATIONS RECEIVED UP TO THE DATE OF THE MEETING (CLLR MRS THOMPSON)

- i. **IPC2018/051
PA18/05493
Mr Ian Dustdow, Land South of Stores House, Churchtown,
Illogan, Cornwall
Outline planning for a single residential dwelling**

Cllr Szoka left the meeting at 7.13pm.

It was proposed by Cllr Holmes, seconded by Cllr Ford and

PM18/08/7.2

RESOLVED that **Illogan Parish Council supports the outline planning application for Land South of Stores House in principal. Members would expect to see a condition regarding the security of the amenity space and the replacement of the trees in the detailed planning application when it is received.**

On a vote being taken on the matter there were 5 votes FOR and 0 votes AGAINST.

- ii. **IPC2018/052
PA18/06342
Mr Ricky Lay, 5 Robartes Terrace, Illogan
First floor extension on existing single storey extension.
Extension to create third bedroom and first floor bathroom**

Cllr Szoka re-entered the meeting at 7.20pm.

3 members of the public left the meeting at 7.20pm.

It was proposed by Cllr Mrs Thompson, seconded by Cllr Pavey and

PM18/08/7.3

RESOLVED that **Illogan Parish Council supports the planning application for 5 Robartes Terrace although they are mindful of the increase in traffic if the dwelling was occupied by a family.**

On a vote being taken on the matter there were 6 votes FOR and 0 votes AGAINST.

iii. **IPC2018/053**
PA18/06194

The Church Council of Paynters Lane End Methodist Church, Paynters Lane End Methodist Church, Paynters Lane, Illogan Change of Use from D1 to C3. Proposed demolition of two non-original extensions. Conversion and refurbishment of chapel building to create 1 x two-bedroom dwelling, 1 x three-bedroom dwelling, and 1 x four-bedroom dwelling with associated external works

It was proposed by Cllr Pavey, seconded by Cllr Mrs Thompson and

PM18/08/7.4

RESOLVED

that Illogan Parish Council does not object in principal to a development at Paynters Lane End Methodist Church. However, the Council objects to the proposals contained in this application due to highways and parking issues. There are not enough parking spaces, the roads either side of the site are narrow, the entrance is too close to a road junction, the area is already congested, and 3 parking spaces cannot support three flats.

On a vote being taken the matter was unanimously approved.

PM18/08/8

TO NOTE PLANNING DECISIONS RECEIVED FROM CORNWALL COUNCIL

- PA18/03100 – Mr and Mrs Stephens, 34 Bosvean Gardens, Illogan – Extension and new rooflight to rear. Fenestration alteration including additional window to front – **APPROVED**
- PA18/04708 – Mrs Harrison, Ashington Reach, Clifton Road, Park Bottom – Proposed porch – **APPROVED**
- PA17/01621 – C Williams, Land Adj Wenappa, Bassett Road, Vogue Beloth, Illogan – Outline planning application with all matters reserved: Residential development of up to 8 dwellings – **REFUSED**
- PA17/11849 - Mr Randle, Downs Farm Cottage, Trevelyan Road, Illogan – Outline planning permission with some matters reserved: New dwelling – **APPROVED**
- PA18/03422 – Mr and Miss Barrant, OS Field 5865, Halgoss, Tehidy – Outline planning permission with some matters reserved: Formation of new access and construction of two dwellings – **WITHDRAWN**
- PA18/03677 – Mr Jones, 11 Polwheal Road, Tolvaddon, Camborne – Application for a proposed three-bedroom house – **APPROVED**
- PA18/04915 – Chycoose, Mount Whistle Road, South Tehidy, Camborne - Various tree works – **Part Approved/Part Refused**

- PA18/04931 – Mr and Mrs Martin, Tallem, South Drive, Tehidy – Proposed kitchen/dining room, mezzanine level extension including balcony – **APPROVED**
- PA18/04738 – Mrs P Powell and Mrs E Holmes, Land Adj Fair View, Harmony Terrace, Bassett Road, Illogan – Outline consent for residential development (up to 9 dwellings) with all matters reserved – **REFUSED – Reason for refusal** *'The site forms part of the countryside which abuts the settlement to the north of Bassett Road and east of Robartes Terrace. The property Fair View provides a clear edge to Harmony Terrace and the proposed development would extend residential development beyond the existing built form of the settlement along the northern side of Bassett Road into the countryside. The encroachment into this gap would form a harmful intrusion into the surrounding countryside gap thereby eroding the rural undeveloped countryside character and appearance of the site. The proposal conflicts with the aims and intentions of Policies 1, 3 and 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 17 and 109 of the National Planning Policy Framework 2012.'*

It was agreed that the Clerk would file the reasons for the refusal of the planning application for Land Adj Fairview for easy future reference.

- PA18/01493/PREAPP – Mr Michael Beard, Land SSE of the Cottage, Tolvaddon, Camborne – Pre-application advice for planning permission with some matters reserved: Erection of four dwellings and associated parking spaces – **Closed – advice given**
- PA18/04286 – Ms Sharon Kemp, Peak View, Bassett Road, Voguebeloth, Illogan, Redruth – Demolition and rebuild of a derelict mundic bungalow - **APPROVED**

PM18/08/9

TO REVIEW HOW CLLRS COMPILE REPORTS ON PLANNING APPLICATIONS, CONSIDER STANDARDISING THE FORMAT, CONSENT AND LENGTH OF THE REPORTS, CONSIDER WHETHER REPORTS FOR CONTENTIOUS APPLICATIONS SHOULD BE SENT TO ALL MEMBERS OF CORNWALL COUNCIL'S PLANNING COMMITTEE AND THE CRITERIA FOR DOING THIS AND AGREE ANY FUTURE ACTIONS

It was proposed by Cllr Pavey, seconded by Cllr Mrs Thompson and

PM18/08/9.2

RESOLVED

that there should be a standardised format for how Cllrs compile reports for basic planning applications. That the Governance Review Committee would draft a form including headings for members to follow when reporting on basic planning applications and that the Governance Review Committee would report back to the Planning and Environmental Services Committee.

On a vote being taken the matter was unanimously approved.

It was proposed by Cllr Mrs Ferrett, seconded by Cllr Mrs Thompson and

- PM18/08/9.3 RESOLVED** that Illogan Parish Council comments on planning applications would be sent to every member of Cornwall Council's Planning Committee when the Planning and Environmental Services Committee resolves for them to send for contentious planning applications and for all planning applications that are being considered by Cornwall Council's Planning Committee.

On a vote being taken the matter was unanimously approved.

- PM18/08/10 TO RECEIVE A QUOTE FOR REPLACING THE VANDALISED PLANK ON THE PICNIC TABLE AT ILLOGAN PARK; AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Ford, seconded by Cllr Pavey and

- PM18/08/10.2 RESOLVED** that the quote for replacing the vandalised plank on the picnic table at Illogan Park is received and approved and that Cllrs Crabtree and Pavey would fit the plank at the end of the school summer holidays to reduce the risk of it being vandalised again.

On a vote being taken on the matter there were 6 votes FOR and 1 vote AGAINST.

- PM18/08/11 TO CONSIDER 'OUT OF HOURS' ARRANGEMENTS FOR ILLOGAN PARK, RECEIVE A REPORT FROM THE CLERK DETAILING VARIOUS OPTIONS, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Ford, seconded by Cllr Mrs Ferrett and

- PM18/08/11.2 RESOLVED** that the Out of Hours contact arrangements for Illogan Park are deferred for written reports from other local Cornish Council on the out of hours arrangements they have in place for outside spaces they manage.

On a vote being taken the matter was unanimously approved.

- PM18/08/12 TO CONSIDER CORRESPONDENCE RECEIVED FROM ILLOGAN RBL REGARDING THE TERMINATION OF THEIR CONTRACT AT ILLOGAN PARK, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was proposed by Cllr Pavey, seconded by Cllr Mrs Thompson and

- PM18/08/12.2 RESOLVED** that the following response is sent to Illogan RBL regarding the correspondence received from the further to the termination of their contract at Illogan Park:

'Further to the various emails received from various representatives and sections of Illogan RBL AFC, the Council has agreed the following response:

Illogan RBL AFC having their contract terminated was nothing to do with the New Inn Titans setting up a second team.

The Illogan RBL AFC lost the use of the facilities at Illogan Park due to the actions of their officials and players and the way they treated the premises.

On the 24th April 2017, Illogan RBL 3rd team played Falmouth Town. Illogan Park Rugby Club were training at the same time as the match was being held. The Rugby Clubs training finished before the end of the Illogan RBL match. The Illogan RBL keyholder had left their set of keys in the changing rooms and as the rugby club had followed the correct procedures and locked the changing room door for security, the football teams were therefore locked out of the facilities when their match had finished. A member of Illogan RBL tried to contact a Parish Councillor, who was in a meeting and as this Councillor received five missed calls within as many minutes, he came out of the meeting to ring the person back, at which time he left the meeting and headed to the Park as he had a spare set of keys in his car. Mr Cartwright (the match official) was not very happy with the situation and asked the Falmouth Town 3rd team goalkeeper to kick the door in so that he could get his things and go. Unfortunately, the goalkeeper proceeded to kick the centre out of the door, which was only fitted August 2016 during a refurbishment of the facilities. A member of Illogan RBL could carry out a temporary repair to the door. It was reported that Falmouth Town said that they would pay for and arrange for the door to be repaired as it was their goalkeeper who carried out the act. Falmouth Town AFC have since refused to repair the damage and the door has never been repaired despite Illogan Parish Council's efforts. Illogan RBL AFC have made no effort to assist in getting the door repaired.

Despite numerous requests the keys have not been returned to Cllr Crabtree by Illogan RBL AFC since November 2017. Cllr Crabtree has had lengthy discussions, quite often late at night, regarding the keys when they were within your organisation.

The Council has had to write to the Illogan RBL AFC on numerous occasions regarding the lack of cleaning and removal of waste.'

On a vote being taken the matter was unanimously approved.

PM18/08/13

TO REVIEW THE PLANS FOR POTENTIAL NEW FACILITIES AT ILLOGAN PARK AS DRAWN UP A FEW YEARS AGO AND MAKE RECOMMENDATIONS TO FULL COUNCIL; AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

1 member of the public left the meeting during this item at 7.57pm.

Members discussed:

- The various options for new facilities previously completed that the public had be consulted on;
- Demolition and re-building;
- Potential locations for a new build;
- Connection of new and existing utilities and the cost implications;
- The Council Office and that Illogan Park is not the correct location due to the anti-social behavior and vandalism and that Council Officers regularly lone work;
- That the Finance and Resources Committee were making enquiries about purchasing the current Office, this would reduce costs and potential risks to lone workers etc.;
- That the MUGA was not popular with the majority of the public and the possibility of swapping it out for a tennis court;
- Agreeing the format of the project and approaching organisations such as the Lottery for funding;
- The condition of the current building bearing in mind the recent results of the gas and electrical safety checks and the fire risk assessment;
- The installation of a temporary facility whilst the current facilities are not suitable and during any demolition and re-build;
- Keeping the momentum going by setting dates and deadlines; and
- Carefully considering all the details i.e. what the Council wants and the future management of the facilities etc.

It was proposed by Cllr Mrs Thompson, seconded by Cllr Holmes and

PM18/08/13.2

RESOLVED

to recommend to Full Council that the following actions are taken regarding the facilities at Illogan Park:

- **Firstly, that Outline Planning permission is sought for the demolition and re-building of the facilities and changing the access onto Trevelyan Road;**
- **That the current buildings are demolished, and new facilities built in the same area;**
- **That the Clerk contacts the architect to ask if they can modify the plans as detailed in 'Option A' of the previous public consultation paperwork so that the buildings remain in the**

same location, that there is not a Council Office included, that the MUGA is changed to a tennis court and that the building accommodates basic changing facilities that meet all current fire regulations etc.;

- That the Clerk investigates access arrangements for lorries etc. that would need to deliver materials etc. for a new build;
- That the Clerk obtains costings, information on the type of temporary facility, where they could be located, delivery options/requirements etc. for temporary changing facilities and showers for one football and rugby season;
- That the Clerk obtains quotes for the removal of asbestos in the current buildings; and
- That the Clerk obtains quotes for the demolitions of the current building.

On a vote being taken on the matter there were 5 votes FOR and 1 vote AGAINST.

PM18/08/14 TO RECEIVE THE GAS SAFETY CHECK FOR THE FACILITIES AT ILLOGAN PARK, NOTE THAT THE SYSTEM HAS BEEN CONDEMNED, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

It was proposed by Cllr Pavey, seconded by Cllr Crabtree and

PM18/08/14.2 RESOLVED that the Gas Safety check is received, that it is noted that the system has been condemned; that the Clerk purchases a chain and padlock to put on the gas cage to ensure the gas can't be reconnected; and that the Clerk gets quotes for the remedial works required to repair/reinstate the gas system.

On a vote being taken the matter was unanimously approved.

PM18/08/15 TO RECEIVE THE ELECTRICAL SAFETY CHECK FOR THE FACILITIES AT ILLOGAN PARK, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

It was proposed by Cllr Pavey, seconded by Cllr Mrs Thompson and

PM18/08/15.2 RESOLVED that the electrical safety check is received and that any future actions are considered after the Full Council has considered the Planning and Environmental Services Committees recommendations regarding potential new facilities being erected in Illogan Park.

On a vote being taken the matter was unanimously approved.

PM18/08/16 TO CONSIDER THE MANAGEMENT, MAINTENANCE AND FUTURE DEVELOPMENTS IN ILLOGAN PARK AND OTHER PARISH

FACILITIES, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

The Clerk reported that the top of the picnic table had been graffitied. It was agreed that this would be removed at the end of the school summer holidays.

The Council's contractor had reported that the ground had slightly sunk either side of the picnic bench in Illogan Park. It was felt by members that this was probably due to the extremely dry weather being experienced and that it should return to normal with some rain.

PM18/08/17 TO AGREE HOW THIS COMMITTEE WILL MONITOR THE INSPECTION SHEETS PRODUCED BY THE COUNCIL'S CONTRACTOR FOR LITTER COLLECTIONS, PLAY INSPECTIONS ETC, AGREE HOW TO DEAL WITH ANY POINTS THAT ARISE, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

It was agreed that when the Clerk receives a report that she goes and inspects the area, that an item is included on the next Planning and Environmental Services Committee agenda for members to consider and agree what, if any, future actions they want to take.

PM18/08/18 TO REVIEW THE RESULTS OF THE 'GREEN AREAS' SURVEY; AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

It was proposed by Cllr Mrs Ferrett, seconded by Cllr Ford and

PM18/08/18.2 RESOLVED that the Clerk would contact all the members of the public who responded to the 'Green Area' survey explaining that all the areas raised were in private ownership which means that it is outside of this Council's jurisdiction and that nothing could be done without landowner permission. As the areas raised in the survey were not in this Council's ownership, the Council unfortunately would be unable to complete any maintenance and that any decision that this Council took to take these areas on would result in additional expenditure and therefore additional council tax.

On a vote being taken the matter was unanimously approved.

Cllr Pavey reported that he had been approached by a member of the public regarding Coastline writing to residents of Kennedy Close advising that after 37 years they were no longer going to cut the grass verges.

PM18/08/19 TO CONSIDER CORRESPONDENCE RECEIVED UP TO THE DATE OF THE MEETING, AGREE RESPONSES AND ANY FUTURE ACTIONS

- 1. RE: Local Council Protocol for PA18/04318 - Discharge Section 52 Agreement in relation to decision notice W2/87/00376/FD01 dated 7th April 1987 at Little Trengale, Parklands, South Drive**

'In respect of the above application the Parish Council provided the following comments:

'Illogan Parish Council opposes this application as it falls outside of the settlement boundaries of the emerging Illogan Parish Neighbourhood Development Plan. Illogan Parish Council notes that the Government's current own proposed changes to the written text to NPPF to implement policy changes as previously consulted having been revised includes the following:

i) 'Protecting the 'green belt' (presumably meant in its ordinary understanding and not the strict technical definition) remains sacrosanct. Only in exceptional cases should there be releases.'

ii) 'Strengthens protection for ancient woodland and other irreplaceable habitats, making it clear that development resulting in their loss or deterioration should be wholly exceptional and maintains a high level of protection for individual aged or veteran trees'

This is an application to discharge a Section 52 agreement in relation to decision notice no. W2/87/00376/FD01 dated 7 April 1987 which involved the removal of an agricultural occupancy condition. The agricultural occupancy condition was removed but the permission was subject to a Section 52 Agreement dated 2 February 1988. The agreement included the following two provisions relating to the retention of existing trees on the property with any trees which die or are removed to be replaced within a period of 6 months from the date of the agreement from the District Planning Officer, and, no further dwelling(s) to be erected on any part of the land shown edged red on the plan.

Section 106A of the Town and Country Planning Act 1990 (as amended) sets out the modification and discharge of planning obligations. Section 122 of the Community Infrastructure Levy Regulations 2010 sets out the limitations on the use of planning obligations and confirms that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

In respect of the proviso to prohibit the construction of a dwelling/dwellings within the curtilage of the dwelling and adjoining land to the west and north this is considered to be unnecessary as such proposals would require a planning application regardless of the Section 52 agreement, and any application would need to have been assessed against the relevant policies at that time. The Section 52 agreement would not prevent an application being submitted. In respect of the current time any proposal for residential development on the land within the red line of the original application would be assessed against the relevant policies within the Cornwall Local Plan

and NPPF. As such the Section agreement is not necessary to make the development as approved in 1987 acceptable in planning terms.

The Council's Tree Officer has visited the site and recommends that a Tree Preservation Order is placed on the woodland at this location should the Section 52 Agreement be removed. In light of this the Council's Legal Team have been instructed to make a TPO on the site. Once this has been confirmed then PA18/04318 can be determined. The TPO will negate the need for the Section 52 agreement and therefore in light of the above it is recommended that it be discharged.

I will not determine PA18/04318 until the TPO has been confirmed.

In accordance with the Protocol for Local Councils, you now have three options as follows: -

- 1. Agree with the recommendation above;*
- 2. Agree to disagree; or*
- 3. Disagree with the recommendation and request consideration by the Planning Committee, which I will then discuss with the Divisional Member who may or may not agree with your views.*

Please tell me which option you wish to choose within 5 working days from the date of this communication. If option 3 is selected, please note that the Protocol explains the importance of a representative from your Council attending and speaking at the Planning Committee meeting, so the Committee can fully understand your Council's reasons for proposing a decision which is contrary to that of the Case Officer.

If I do not hear from you within 5 working days, a delegated decision will be issued in accordance with my recommendation.

I look forward to hearing from you at your earliest convenience.'

It was proposed by Cllr Pavey, seconded by Cllr Ford and

PM18/08/19.2 RESOLVED that the Council disagrees with the Cornwall Council Officers recommendation and requests that PA18/04318 – Discharge of Section 52 Agreement in relation to decision notice W"/87/00376/FD01 dated 7th April 1987 for Little Trengale, Parklands, South Drive is considered by the Planning Committee.

On a vote being taken the matter was unanimously approved.

2. Emails from Highways regarding the bus shelter at Tolvaddon:

'I have investigated the requirements for a Bus Stop marking and have gained approval from Cornwall Council. The only stipulation was I need to undertake a brief consultation with yourselves at the parish, the local County Councillor and erect some site notices as an informal consultation prior to laying the lines.

Can you please pass the attached plan to your members and reply indicating your Parish Councils Support or Objection. I will contact Philip Desmonde and seek his views and erect the notices on site shortly.'

Copy of plan was circulated to members.

It was proposed by Cllr Mrs Thompson, seconded by Cllr Pavey and

PM18/08/19.3 RESOLVED that Illogan Parish Council approves the bus stop markings by the bus shelter in Tolvaddon.

On a vote being taken on the matter there were 6 votes FOR and 0 votes AGAINST.

Email from Cllr Desmonde to Cornwall Council (Illogan Parish Council were copied into the email):

'Thank you for the Notice – I shall visit the site and make a personal inspection to acquaint myself of the setting and potential impact on site lines and possible traffic disruption.

In the meantime, could you help me with the following queries:

- 1. What type of bus is the bay intended to support (do you have a photograph of it)?*
- 2. What are the dimensions of the bus bay?*
- 3. What attendant facilities are to be provided – for example: updated/improved shelter, lighting, provision for the poor sighted or those with ambulatory issue, drop kerb?*
- 4. What is the impact likely to be on traffic flow?*
- 5. What enforcement would apply to those who park on the bus bay or within its access and egress lines?*
- 6. What timetable will be the bus attend the bus bay?*
- 7. By way of comment only, the word "proposed" on your Notice is incorrectly spelt: could this have an impact on its legal status?'*

3. Email from the North Coast Cluster Group re Neighbourhood Plans, affordable housing and Cornwall Local Plan housing apportionment:

'We believe that there is over delivery of affordable housing in the Cluster Group area. The Cluster Group has received a number of e-mails and letters of support in this issue, and we greatly appreciate the support given by those councils and councillors that have responded. We have not received a direct reply from Cornwall Council on the matter (although a significant number of Cornwall Councillors have replied). Time has moved on and we see further Rural Exception Site activity vying for even more green field sites outside of small village boundaries, in excess of the local parish connection needs. Any further support by e-mail or letter from your council would be much appreciated, there does seem to be a disconnect between policy and reality on this issue, that brings any worth of a neighbourhood plan into serious doubt, unless the over delivery of Rural Exception Sites issue is sorted quickly.'

4. Email from a member of the public highlighting a two-vehicle collision at Travellers Rest crossroads on the 24th July 2018.
5. Copied email from a member of the public to Cornwall Council regarding a serious collapse of a concrete windowsill 2-3 metres above the Manha shop window. *'This collapsed onto the pavement on Sunday 8th July afternoon with a large thud - the section is about 3-4 metres long and solid concrete which could have caused a serious injury to a pedestrian / child. This needs urgent inspection as other adjacent businesses have the same frontage and could suffer the same structural problems. Basically, the steel reinforced structure has rusted and expanded and weakened the concrete leading to the collapse. The pavement is immediately below the collapsed concrete sill hence the dangers to public.'*
6. CALC – Panel to look at Enforcement matters:

'Following the recent decision by Cornwall Council to withhold information on enforcement matters under GDPR I am looking to put together a small panel of clerks to come to a workshop to look at practical solutions. We hope to cover:

- i) *The enforcement process i.e. a timeline for how an enforcement case is handled from the initial reporting and how this engages with local councils*
- ii) *The impact of GDPR on enforcement notifications to local councils.*

This will be a small panel of probably no more than 10 clerks and will not be open to councillors. The purpose is to look at the administration of enforcement and the engagement with local councils and will not look at how cases are considered or enforced.

If you would be interested in taking part could you please register your interest by sending me a quick email.'

7. Cornwall Council – Draft Validation Guide including the Local list –

'The Planning and Sustainable Development Service is in the process of updating its Local Validation List. A draft Validation Guide has been produced (including the local validation list) with the aim of providing applicants and agents with as much information as possible to submit an application 'right first time' and avoid any delays at validation or during the planning process.

Main changes include:

- *A single guide for both the public and internal staff.*
- *A more concise guide achieved through reducing the amount of duplicated information.*
- *Increase in information and guidance achieved through links to useful documents, webpages and guidance*

- *More detailed information regarding specific plans with the aim of improving quality*

Significant updates have been made with regards to:

- *Contaminated Land*
- *Air Quality*
- *Noise*
- *Odour*
- *Affordable Housing*
- *Plans*

The Draft Validation Guide can be viewed via the below link, comments can be submitted by completing the below form and returning to Planning and Sustainable Development, Cornwall Council, Pydar House, Pydar Street, Truro, Cornwall, TR1 1XU or emailing the form to planning@cornwall.gov.uk by 5pm Friday 24 August 2018.

Link to document -

<http://www.cornwall.gov.uk/media/33710999/draft-validation-guide-2018.pdf>

Link to representation form -

<https://www.cornwall.gov.uk/media/33711000/validation-guide-representation-form.docx>

8. Email from Liverty:

'We have a 2 bed 4-person house available in Ashton Close, Portreath. The S106 requires that we let this property to an individual with a strong local connection to Portreath, St Agnes or Illogan.

Unfortunately, we have not received any bids from customers within these areas who meet the criteria.

I would be grateful if you could let me know if you are aware of any 2 bed households (registered on Cornwall Homechoice) who are looking for social housing within Portreath.'

9. Letter from a member of the public with a map highlighting the comments they had made on the Cornwall Council website re PA18/01144 – Tehidy Mill Farm

10. Cornwall Council Planning Newsletter Issue 4 – July 2018

11. Email correspondence from a member of the public regarding verge cutting:

Email from a member of the public – *'Can you please tell me when the grass verges are going to be done. They are an absolute disgrace come to beautiful Cornwall you say, it doesn't look beautiful. you walk the roads on a prayer that cars can see you. I'm sick of the state of the verges and the council tax I pay which goes up every year. We get less and less for our money.'*

Email to the member of the public from the Council Office –
'Many thanks for your email. Cornwall Council are responsible for cutting the majority of the verges, if you can tell me which verges you are referring to I will contact them to request they are cut.'

Email from a member of the public –
'Thanks for reply i received this from the council so they are not doing the up keep of the verges it looks a total eye saw I wonder what would happen if I refused to pay my council tax, as it seems they use that to go on holiday they should be ashamed.'

Email the member of the public received from Cornwall Council –
'Thank you for your email dated 18th July 2018 regarding verge maintenance. Our verge cutting programme has commenced. On the rural network, main roads will receive only limited swathe cutting and visibility cutting on junctions for safety purposes only. On other routes we will continue to inspect and cut visibility splays; although priority must be given to the main routes. Reports of severely restricted visibility at junctions will be investigated by the Area Steward who will arrange treatment where we consider highway safety is being compromised and in accordance with Cornwall Council's Highways Maintenance Manual. Such junctions will be treated when resources permit. If there is a particular location which is causing you concern, please let me know and I will forward to our Area Steward for inspection and works as deemed necessary.'

12. CALC – Planning enforcement investigation process flowchart

13. Cornwall Council – Town and Country Planning Act 1990 – The Town and Country Planning (Tree Preservation) (England) Regulation 2012 – Little Trengale, Parklands, South Drive, Tehidy, Camborne – Tree preservation order 2018 – copy of the notice and order for Illogan Parish Council's information which had been served on the appropriate persons having an interest in respect of the above. As part of Cornwall Council's consultation process any comments you may wish to make in relation to the order should be forwarded to Cornwall Council by the 11th September 2018

PM18/08/20 TO NOTE ANY INFORMATION REGARDING THE CRICKET FIELD AT MARY'S WELL AND AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

There was no information.

PM18/08/21 TO CONSIDER ITEMS TO BE DISCUSSED AT FUTURE MEETINGS

There were no items raised.

PM18/08/22 DATE AND TIME OF NEXT MEETING

The next meeting will be held on Wednesday 15th August 2018, time to be confirmed in Penwartha Hall.

There being no further business the Chairman closed the meeting at 8.38pm.

Signed:

Date: