

ILLOGAN PARISH COUNCIL

Minutes of the Planning & Environmental Services Committee held on Wednesday 5th September 2018 at 7pm in Penwartha Hall, Voguebeloth, Illogan

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

IN ATTENDANCE: Ms S Willsher, Clerk; and 1 member of the public.

The Chairman explained the safety procedures.

PM18/09/1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr Szoka.

Absent: there were no members absent.

PM18/09/2 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 Ford declared a non-registerable interest in the item relating to 16 Valley Gardens.

PM18/09/3 TO CONSIDER APPLICATIONS FROM MEMBERS FOR DISPENSATIONS

There were no applications from members for dispensations.

PM18/09/4 TO RECEIVE AND APPROVE THE MINUTES OF THE MEETINGS OF THIS COMMITTEE HELD ON 1ST AND 15TH AUGUST 2018 AND THE CHAIRMAN TO SIGN THEM

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

PM18/09/4.2 RESOLVED to receive and approve the minutes of the Planning and Environmental Services Committee held on 1st August 2018 and 15th August 2018 with the correction of the time the meeting closed and the Chairman to sign them.

On a vote being taken the matter was unanimously approved.

PM18/09/5 MATTERS ARISING FROM THE MINUTES AND A REPORT ON PROGRESS OF ACTIONS, FOR INFORMATION ONLY

Page 801 – Minute PM18/08/5 – a response had been received from Portreath Parish Council regarding speeding at Illogan Downs; the response was included in the list of correspondence.

Page 807 – Minute PM18/08/9.2 – the format for how Cllrs compiled reports for basic planning applications would be considered by the Governance Review Committee on the 26th September 2018.

Page 808 – Minute PM18/08/10.2 – The replacement plank for the picnic bench in Illogan Park would be delivered w/c 10th September 2018.

It was agreed that the Clerk would keep a record of the correspondence received from Liverty re the difficulties they were having finding people with a strong connection to Portreath, St Agnes or Illogan for the development in Ashton Close, Portreath.

PM18/09/6

PUBLIC PARTICIPATION OF ITEMS ON THE AGENDA (MAXIMUM OF 15 MINUTES – EVERY SPEAKER HAS A LIMIT OF 3 MINUTES UNDER THE COUNCIL’S STANDING ORDERS)

A member of the public reported that there was concern regarding a planning application for Mount Whistle Road/Roscroggan. The Clerk confirmed that the Council had not yet received the application.

A member of the public reported that there was a planning application in the pipeline for 3 dwellings at Collingwood. The Clerk confirmed that the Council had not yet received the application.

PM18/09/7

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

- i. **IPC2018/055
PA18/07792
MRS SNEDDON, 22 TEHIDY GARDENS, SOUTH TEHIDY
ADDITIONAL ROOM OVER GARAGE PLUS EXTENSION TO
GROUND FLOOR LIVING SPACE AT THEBACK OF DWELLING
PART SINGLE AND PART 2 STOREY TO ENLARGE MASTER
BEDROOM. JULIET BALCONY TO SOUTH ELEVATION**

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

PM18/09/7.2

RESOLVED that there are no objections to the planning application for 22 Tehidy Gardens.

On a vote being taken the matter was unanimously approved.

PM18/09/8

TO NOTE PLANNING DECISIONS RECEIVED FROM CORNWALL COUNCIL

- PA18/06119 – Mrs Silvester, Featherwhite, Mount Whistle Road, South Tehidy, Camborne – Various works – **APPROVED**
- PA18/06342 - Mr Ricky Lay, 5 Robartes Terrace Illogan TR16 4RX - First floor extension on existing single storey extension. Extension to create third bedroom and first floor bathroom - **APPROVED**
- PA18/05730 - Photo-Me International Plc, Land At Illogan Stores Paynters Lane Illogan Cornwall TR16 4DT - Installation of a modular self-service launderette facility within the

- demise of the Illogan Stores and Kebab House (retrospective) – **APPROVED**
- PA18/01685/PREAPP - Mr C P Hancock, Redundant Store Churchtown Illogan Cornwall TR16 4SW - Pre-application advice for conversion of store to dwelling – **CLOSED – ADVICE GIVEN**
- PA18/06775 (previously approved under PA14/01774) - Mr Anthony Bennetts, 1 Penrose Court Tolvaddon Camborne Cornwall TR14 0EN - New garage adjacent to the existing residential property - **APPROVED**

PM18/09/9 TO RECEIVE THE PLAY INSPECTION REPORTS FOR ILLOGAN PARK, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

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

PM18/09/9.2 RESOLVED that the Clerk would check whether the loose springs at the base of the Whale Springer in Illogan Park are covered by warranty. That the Clerk would arrange for the top brackets of the swings to be lubricated and that grass matting from the pirate ship to be replaced and pinned down at a maximum cost of £200.

On a vote being taken the matter was unanimously approved.

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

PM18/09/9.3 RESOLVED that the Clerk would thank the Councils contractor for the thorough job he has been doing with the visual inspections and that she would discuss the contents of the reports with him.

On a vote being taken the matter was unanimously approved.

PM18/09/10 TO RECEIVE THE FIRE RISK ASSESSMENT 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

PM18/09/10.2 RESOLVED that the Fire Risk Assessment for the facilities at Illogan Park is received, that the padlock on the gas cage has been changed and that no further actions are taken at this stage as they are low risk and Full Council has already agreed to demolish and rebuild the facilities. It was also noted that Cornwall Council should have had a fire risk assessment completed when they owned the facilities.

On a vote being taken the matter was unanimously approved.

PM18/09/11 TO CONSIDER 'OUT OF HOURS' ARRANGEMENTS FOR ILLOGAN PARK; TO RECEIVE A REPORT FROM THE CLERK DETAILING VARIOUS OPTIONS; TO RECEIVE INFORMATION OF 'OUT OF HOURS' CONTACT ARRANGEMENTS IN PLACE BY OTHER LOCAL CORNISH COUNCIL'S; AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

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

PM18/09/11.2 RESOLVED to note the 'Out of Hours' report from the Clerk detailing various options and the arrangements in place by other local Cornish Councils and that the Clerk would check with the Fire Service whether they need any out of hours contact details for the Council.

On a vote being taken the matter was unanimously approved.

PM18/09/12 TO RECEIVE THE RESPONSE FROM CORMAC'S HIGHWAY AND ENVIRONMENTAL MANAGER TO THIS COUNCIL'S REQUEST THAT THEY ATTEND A PLANNING AND ENVIRONMENTAL SERVICES COMMITTEE MEETING TO DISCUSS ISSUES RAISED AT ILLOGAN DOWNS, SPEED LIMITS ETC., AND AGREE ANY FUTURE ACTIONS

Cormac's Highways and Environmental Manager had said that, regrettably, he was unable to attend an evening meeting. He did attend the Community Network Area meeting on request. He was happy to meet with a couple of councillors during the day around noon.

Cllr Ekinsmyth reported that he had discussed Illogan Down highways issues with Cormac and was told that there was not much that could be done. The proposals for the roundabout at Travellers Rest had been put on hold as there had been insufficient accidents to justify the expense. It was noted that there had been a death caused by a car accident at the top of Alexandra Road by East Lodge.

It was noted that there was a previously agreed scheme for a 40mph limit to Tregea Hill that was going to be funded equally by Cornwall County Council and the owner of Gwel an Mor. The scheme was not implemented as it was lost in the change to a unitary authority.

It was suggested that the junctions of Travellers Rest and Alexandra Road should be 'stop' rather than 'give way'. It was agreed that Cllr Ekinsmyth would discuss this with Cornwall Council.

A member of the public had reported that there were visibility issues at the junction partly due to overgrown hedges and the tree canopy between Alexandra Road and the old telephone exchange, the area was dark, and drivers did not turn their car lights on. Most of the traffic travelled from Portreath to Camborne.

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

- PM18/09/12.2 RESOLVED** that the Clerk would write and invite Portreath Parish Council and the Cornwall Councillors for the Illogan Highways area to a joint meeting to discuss highways issues at Illogan Downs and a joint approach to try and get something done to improve safety etc.

On a vote being taken the matter was unanimously approved.

- PM18/09/13 TO RECEIVE THE CORNWALL COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL) ALLOCATION AND SPEND SURVEY, AGREE A RESPONSE AND ANY FUTURE ACTIONS**

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

- PM18/09/13.2 RESOLVED** that the following responses and additional comments are sent to Cornwall Council for the Cornwall Community Infrastructure Levy (CIL) Allocation and Spend Survey:
- *Should areas where there is no levy be automatically allocated a share of the 70-80% funds held by Cornwall Council? Yes*
 - *How do you think the levy should be spent? A mix of local and strategic, but in favour of local, e.g. 75% to local projects and 25% for strategic projects*
 - *Who do you think should decide which projects the 70-80% should be spent on? Town and Parish Councils*
 - *How should the 70-80% be allocated? Evenly between areas in Cornwall*
 - *Which infrastructure do you think CIL funds (and therefore, not S106) should be spent on? Parks and open space, Sport provision, Community facilities*
 - *Additional Comment - If Parish and Town Council cannot decide which projects the 70-80% should be spent on, Illogan Parish Council's second option would be The Local Community Network Panels (19 existing partnership groups across Cornwall).*

On a vote being taken the matter was unanimously approved.

PM18/09/14 TO NOTE THE CORNWALL COUNCIL PLANNING CONFERENCES FOR LOCAL COUNCILS, AGREE WHETHER TO SEND REPRESENTATIVES, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

It was proposed by Cllr Crabtree, seconded by Cllr Mrs Roberts and

PM18/09/14.2 RESOLVED that Cllrs Ford, Mrs Thompson and Williams would attend the Cornwall Council Planning Conference for Local Councils on Tuesday 11th December 2018 in St Austell and that Cllrs Holmes and Miss Pollock would attend the conference on Thursday 4th October 2018 in Penzance and that the associated expenditure is approved.

On a vote being taken the matter was unanimously approved.

PM18/09/15 TO NOTE THAT AN APPEAL HAS BEEN MADE UNDER THE TOWN AND COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATION PROCEDURE) (ENGLAND) REGULATIONS 2009, FOR PA17/08290 – MISS TONI WHATLEY – 16 VALLEY GARDENS, VOGUEBELOTH, ILLOGAN – RETENTION AND COMPLETION OF IMPROVEMENTS TO CARPORT AND WALKWAY. IMPROVEMENTS AND REPLACEMENT OF DECKING AREA. CHANGE OF STRUCTURE OF GARDEN/REAR BOUNDARY WALL, INCLUDE CHANGE OF LOCATION OF GARDEN GATE. AGREE WHETHER TO MAKE ANY FURTHER REPRESENTATIONS OR FURTHER COMMENTS AND AGREE ANY FUTURE ACTIONS

Cllr Ford left the meeting room having declared a non-registerable interest.

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

PM18/09/15.2 RESOLVED to note the appeal has been made under the Town and Country Planning (Appeals) (Written Representation Procedure) (England) Regulations 2009, for PA17/08290 – Miss Toni Whatley – 16 Valley Gardens, Voguebeloth, Illogan – retention and completion of improvements to carport and walkway. Improvements and replacement of decking area. Change of structure of garden/rear boundary wall, include change of location of garden gate.

On a vote being taken the matter was unanimously approved.

PM18/09/16 TO NOTE CORRESPONDENCE FROM TEHIDY RESIDENTS ASSOCIATION CONCERNING A LIKELY COMPLAINT TO THE LOCAL GOVERNMENT OMBUDSMAN REGARDING THE CLEARANCE OF TREES AT ADDRESSES ADJACENT TO SOUTH DRIVE AND AGREE ANY FUTURE ACTIONS

Cllr Ford re-entered the meeting room.

The correspondence had been circulated to members. A further email had been received this morning from the Tehidy Residents Association containing further explanation of the issues for the Ombudsman.

It was noted that Parish and Town Council were only statutory consultees on some types of planning applications.

There were concerns that there would be a precedent set for the ownership of the disputed strip of land along South Drive and also that a precedent would be set for cutting down trees with a Tree Preservation Order (TPO).

Cllr Ekinsmyth had spoken to Cornwall Council's planning department who confirmed that Pinetops had planning permission for the removal of the trees that were felled this week. Cornwall Council were confident that they were not guilty of maladministration. He had also spoken to Cornwall Council's legal department who had explained that planning policy was superior to the Living Hedge/Ancient Hedge policies etc. The Planning Department believed that they had looked at every aspect and that their decisions were fully legal and justified. If there was any evidence which it was felt that the Planning Department had not had they would look at it if it was sent to them.

A member of the Tehidy Residents Association updated members on a conversation they had had with the Ombudsman. The Ombudsman had strict parameters with which to consider the complaint. They explained that the boundaries on Land Registry maps were indicative and not exact. There was another application submitted that was withdrawn and then resubmitted which showed 2 different boundary lines on each application which was never queried by Cornwall Council's Planning Department. They explained the Ancient Cornish Hedge and Living Hedge boundaries. They had been unable to obtain any of the Kerrier District Council records as they had been archived at County Hall. The Ombudsman would make their decision on the 12th September 2018.

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

PM18/09/16.2 RESOLVED to note the correspondence from Tehidy Residents Association concerning a likely complaint to the Local Government Ombudsman regarding the clearance of trees at addresses adjacent to South Drive.

On a vote being taken the matter was unanimously approved.

PM18/09/17 TO CONSIDER CORRESPONDENCE RECEIVED UP TO THE DATE OF THE MEETING, AGREE RESPONSES AND ANY FUTURE ACTIONS

- 1.** Email from Portreath Parish Council – *'Thank you for your email. The speed of cars on this section of road is concerning, I witnessed the aftermath of an accident at Travellers Rest last week where a member of the public was trying to direct traffic around the accident but putting themselves in danger of the fast-moving traffic. I have circulated this to our councillors and will add it to the agenda for our next meeting for discussion.'*

2. Copy of an email from a member of the public regarding trees being cut down without permission at Pinetops – sent to Cornwall Council, Local Government Ombudsman and some Cllrs
3. Email from Cornwall AONB – Survey on Review of Designated Landscapes and other AONB news from partners

Cllrs Ford and Holmes requested a copy of the email from the AONB.

4. Cornwall Council Neighbourhood Planning E-Bulletin
5. Response to the article 'Highway Concerns' in the Illogan Parish Review. *'I have been concerned about this stretch of road for a long time. The road in question has a speed limit of 60mph, which I believe is too much. I would be very happy to see the speed limit reduced.'*

On numerous occasions when driving out of my property and turning right onto Cot Road 'Speeding' (60mph) cars from the Portreath direction are upon me before I have time to accelerate away from them safely.

Local 'speedsters', in cars and motorbikes, know they can legally go full throttle along this stretch of road. Which is crazy with the number of residential driveways, the junction of Cot Road with Alexander Road. The pedestrians, horse riders and dog walkers that cross from Alexander Road to the Pine Walk, and the entrance from the Council Carpark, with the pedestrians crossing from the old Mineral Tramway.

To add even more hazard to the mix we have regular road runners and walkers that go along Cot Road, without the safety of a pavement. And we have the tree canopy that obscures natural light and in bright sunlight the dappled effect of the canopy, camouflages fast moving vehicles and pedestrians. Also, at night there is no street lighting at all.'

6. Cornwall Rural Housing Association Limited invitation to Annual Review on 17th September 2018, 10.30am at Royal Cornwall Showground.
7. Email from Cornwall Council – Neighbourhood Planning Proposal to Cornwall Council for Regulation 16 consultation code PA18/0016/NDP expiry 10 Oct 18
8. Email from a member of the public concerned about water treatment of the proposed holiday units in Well Lane
9. Email from the North Coast Cluster Group re Neighbourhood Plans, Affordable Housing and Cornwall Local Plan Housing Apportionment – *'You may recall correspondence on this issue before, and we wish to thank those councils who have written in support, and those who have provided us with their examples of the problem/concern.'*

A letter was sent to Cornwall Councillor Bob Egerton on 13th August, to which a reply has now been received. The letter is attached herewith, and the reply from Cllr Egerton can be seen below. The Cluster Group continues to have concerns over this issue of Neighbourhood Plans, Rural Exception Sites, and Local Plan Housing Apportionment.'

- 10.** Complaints regarding rats in the Cornish hedge near the picnic bench in Illogan Park.

The Clerk had spoken to a pest control company who had visited Illogan Park and had walked and inspected the whole line of Cornish hedge by the children's play area and he didn't see any signs of rats, he even climbed in and under the bush. There were no rat holes or runs. He thinks that the rats seen by the member of the public had come in from the surrounding area.

He wouldn't recommend that the Council baited the area at this stage. He did suggest removing the large bush in the play area as this would be a harbourage area for rats and there was food being thrown/blown into/under the bush. If the bush was removed it would reduce the attractiveness of the area for rats.

As the area was an open public play space it would be a high-risk area for baiting and the Council would need to erect rent a fence and signs before any bait could be laid.

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

PM18/09/17.2

RESOLVED

that the Clerk would respond to current and future complainants regarding the siting of rats in the Cornish Hedge near the picnic bench in Illogan Park; that 'a pest control company who visited Illogan Park and has walked and inspected the whole line of Cornish hedge by the children's play area didn't see any signs of rats, he even climbed in and under the bush. There were no rat holes or runs. He thinks that the rats seen by the member of the public had come in from the surrounding area.

He wouldn't recommend that the Council baited the area at this stage. He did suggest removing the large bush in the play area as this would be a harbourage area for rats and there was food being thrown/blown into/under the bush. If the bush was removed it would reduce the attractiveness of the area for rats.

As the area is an open public play space it would be a high-risk area for baiting and the

Council would need to erect rent a fence and signs before any bait could be laid.

The Council would monitor the situation and review when necessary.'

On a vote being taken the matter was unanimously approved.

- 11.** Email from a Cllr following a telephone conversation with a member of the public – *'I have had a telephone conversation with a constituent who is concerned about traffic issues and visibility along Cot Road, particularly under the dense tree canopy in the proximity of the entrance to the golf course and the public carpark. They made the point that so many drivers fail show any lights along that stretch of road which can be dark on the brightest day. He also highlighted other 'blind' spots on the approach to and from Illogan Downs, and in general visibility as we know is not good. There were two serious accidents at the Travellers Rest cross roads in late July, early August.'*
- 12.** Email from a member of the public re highways concerns at Illogan Downs to Gwel an Mor – *'The section from East Lodge/ Alexandra Road to the Tehidy Park parking - entrance - has large over hanging trees which block the light on the road. People cycle and walk on this road and is very dark even in day time - so dangerous. Cars do not all turn on their headlights and speed along this section with NO speed restrictions. Suggest cut back the trees - with instructions to the land owners as responsible - at no cost to the Parish Council. And enforce a 40mph limit along the whole road.'*
- 13.** Cornwall Council Local Town and Parish Council Newsletter July 2018 – items included Welcome to the planning newsletter; CIL charging schedule adopted; Consultation on the allocation and spend of Community Infrastructure Levy money; Planning enforcement; Planning conferences 2018/2019; Useful links; Useful information for planning consultees

PM18/09/18 TO CONSIDER MANAGEMENT, MAINTENANCE AND FUTURE DEVELOPMENTS IN ILLOGAN PARK AND OTHER PARISH FACILITIES, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE

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

- PM18/09/18.2 RESOLVED** **that an item is included on the next Full Council agenda for consideration of the creation of a Task and Finish Group consisting of 4 Cllrs to discuss and make recommendations regarding the ongoing management and maintenance of Illogan Park in a timelier manner and that all Illogan Park items should be discussed by Full Council and not the Planning and Environmental Services Committee.**

On a vote being taken the matter was unanimously approved.

PM18/09/19 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 regarding the Cricket Field.

PM18/09/20 TO CONSIDER ITEMS TO BE DISCUSSED AT FUTURE MEETINGS

There were no items raised.

PM18/09/21 DATE AND TIME OF NEXT MEETING

Wednesday 19th September 2018, time to be confirmed; in Penwartha Hall

There being no further business the Chairman closed the meeting at 8.25pm.

Signed:

Date: