

ILLOGAN PARISH COUNCIL

Minutes of the Planning & Environmental Services Committee held on Wednesday 9th January 2019 at 7pm in Penwartha Hall, Voguebeloth, Illogan

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

IN ATTENDANCE: Ms S Willsher, Clerk; 2 members of the public (until point mentioned).

The Chairman explained the safety procedures.

PM19/01/1 TO RECEIVE APOLOGIES FOR ABSENCE

There were no apologies received; all members were present.

Absent: there were no members absent.

PM19/01/2 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

There were no interests declared.

PM19/01/3 TO CONSIDER APPLICATIONS FROM MEMBERS FOR DISPENSATIONS

There were no requests from members for dispensations.

PM19/01/4 TO RECEIVE AND APPROVE THE MINUTES OF THE MEETINGS OF THIS COMMITTEE HELD ON THE 5th AND 12th DECEMBER 2018 AND THE CHAIRMAN TO SIGN THEM

It was proposed by Cllr Crabtree, seconded by Cllr Mrs Thompson and:

PM19/01/4.2 RESOLVED to receive and approve the minutes of the meetings of the Planning and Environmental Services Committee held on 5th December 2018 with the correction of the typo and 12th December 2018 and the Chairman to sign them.

On a vote being taken the matter was approved unanimously.

PM19/01/5 MATTERS ARISING FROM THE MINUTES AND A REPORT ON POGRESS OF ACTIONS, FOR INFORMATION ONLY

Page 869 – Minute PM18/12/11.3 – Cornwall Council had agreed that the volunteer could replace the post on the footpath from Woodbine Lane as long as they checked for underground utilities before they started digging. Cornwall Council had also posted the appropriate signage to the Clerk. The Clerk had left an answerphone message for the member of the public to contact her to arrange collection of the post and the signs.

Page 870 – Minute PM18/12/11.4 – The Clerk wrote to Cornwall Council re the concerns raised about highways issues in Coronation Road and the following response was received:

'Thank you for forwarding the concerns.

I took a quick look at the verges whilst passing this morning and will arrange a formal safety inspection.

I didn't notice any particularly overgrown verges or associated loss of width. There is some weed growth.

CORMAC Solutions Ltd undertakes weed treatment in accordance with Cornwall Council's policy. Weed treatment is not a statutory function. Due to a lack of central government funding, in November 2013, the Council was forced to take the decision to cut the herbicide spraying budget. Consequently, we no longer do this work at Cornwall Council's expense anywhere in the county. We inspect our network on a regular basis. If during these inspections we consider them to be a significant hazard we will organise their removal; otherwise, they will not be treated.

Most of the verges along Coronation Road have been heavily damaged by illegal parking; presumably by residents. In places mud has been trafficked onto the footway. However, the mud was a hazard when I was on site. This trafficking/parking on the footways and verges is causing damage to the footway and probably should be addressed before any works are considered. I understand Cornwall Council is looking to get powers to deal with obstructive parking; until then, this is a police issue.

I am unaware of the schemes to which your members are referring (in Redruth and Camborne). Whilst, I do not hold a budget to address your concerns, the Parish and or Cornwall Councillor (if supported) could forward a scheme for funding from the CNA budget; if these works are one of your priorities.

I am sorry I cannot be of any real help but would be happy to meet, look at your concerns and discuss the above should you wish.'

Members felt that this was not a satisfactory response and requested that it was included as an agenda item for the next Planning and Environmental Services Committee meeting.

PM19/01/6

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

There were no comments from members of the public.

PM19/01/7 TO DISCUSS PLANNING APPLICATIONS RECEIVED UP TO THE DATE OF THE MEETING (CLLR WILLIAMS)

- i. **IPC2019/002
PA18/11364
Ms Jane Parrington-Jackson, Casita, Mount Whistle Road, South Tehidy
T1 Oak – crown reduction. T2 Horse Chestnut – remove dead limb**

It was proposed by Cllr Williams, seconded by Cllr Mrs Roberts and:

PM19/01/7.2 RESOLVED that Illogan Parish Council has no objections to the planning application for Casita subject to the Cornwall Council Tree Officers comments.

On a vote being taken the matter was approved unanimously.

- ii. **IPC2019/005
PA18/12114
Mrs Holly Webb, Keepers Gate, Mount Whistle Road, South Tehidy, Camborne
T2 Beech – Fell because of decay in lower trunk. T1 Oak – no work. T3 Beech – No work**

It was proposed by Cllr Williams, seconded by Cllr Pavey and:

PM19/01/7.3 RESOLVED that Illogan Parish Council has no objections to the planning application for Keepers Gate subject to the Cornwall Council Tree Officers comments and that a replacement tree is planted to replace the one being felled.

On a vote being taken the matter was approved unanimously.

- iii. **IPC2019/001
PA18/10924
Mr and Mrs Mark Kessell, Tressingham Meadow, Rosewarne Downs, Camborne
Demolition of existing garage, domestic storage and ancillary accommodation and erection of replacement garage, store workshop and annex including link to existing dwelling**

It was proposed by Cllr Williams, seconded by Cllr Ford and:

PM19/01/7.4 RESOLVED that there are no objections to the planning application for Tressingham Meadow, subject to there being a planning condition, (as supported by the applicant in the Design and Access Statement submitted with the application), 'that the annex shall only be occupied by members of the family, or non-paying guests, of the occupiers of the dwelling known as Tressingham Meadow and shall not be used or sold at any time as a separate residential unit of accommodation.

On a vote being taken the matter was approved unanimously.

iv. IPC2019/003

PA18/11553

**Mr C P Hancock, The Old Coach House, Churchtown, Illogan
Conversion of store to dwelling (revised scheme)**

It was proposed by Cllr Williams, seconded by Cllr Mrs Thompson and:

PM19/01/7.5

RESOLVED

that Illogan Parish Council objects the application for the The Old Coach House. This building is immediately adjacent to a listed Grade II building and its appurtenances. The suggested increased vertical scale of roof design and new openings negatively impact upon the setting and character of the adjacent Grade II listed features. These proposals are inappropriate from an historic environment perspective and do not meet the requirements of the NPPF sections 193 and 198 and conflicts with section 24 of the Cornwall Development Plan. Additionally, despite the revisions there is no evidence of an appropriate Heritage Impact Assessment being undertaken. Also there is a conflict with section 16 of the NPPF particularly pages 192 and 193 and there is no clear or convincing justification for the harm to or loss of a heritage asset as laid out on page 193. Illogan Parish Council continues to stress the case for road traffic conflict at this tight double corner immediately adjacent to the entrances and exits of Illogan School and Curnow School. It would be over-development of a small and restricted site which would result in an overbearing and inappropriate dwelling where one would not normally be allowed. There is no provision for linked off-road parking in this very congested area which is on a sharp bend with limited visibility and is also used for the children at the school which is situated across the road. The proposals are most unlikely to receive listed building consent on the grounds of damaging the setting, character and appearance of a listed building. It would cause damage to the visual amenity. It would cause damage to the historic environment. There is no outside space at all, there is nowhere to store bins etc. The proposals are out of keeping with the existing environment. By reason of its two storey scale and design and use of materials the proposed development would cause material harm to the designated and undesignated historic asset. The development would be an incongruous and contrived addition to the street scene in this location and would clearly not add to the overall quality of the area and would not sufficiently integrate with the historic environment of this part of Illogan Churchtown. It is considered that whilst less than substantial harm, the setting of

surrounding heritage assets, including the Listed buildings will be harmed by a proposal of such poor design and scale in this prominent location. On balance there is not considered sufficient public benefit to justify this harm. The proposal would therefore not accord with paragraphs 7, 14, 17, 56, 58, 60, 61, 64, 128, 129, 131, 132 and 133 in the National Planning Policy Framework (NPPF) 2012 and policies 1, 2, 12, 13 and 24 in the Cornwall Local Plan. Illogan Parish Council considers that (as per the previous appeal decision) that the issues are so fundamental that this application should be refused.

On a vote being taken the matter was approved unanimously.

It was agreed that when the Clerk returned the Council's comments to Cornwall Council she would note that it was a unanimous vote.

**v. IPC2019/004
PA18/10621**

**Mr Murgatroyd B and A Developments Cornwall Ltd., Silver Lyne, Nettles Row, Trevelyan Road, Illogan
Reserved matters application for access, appearance, landscaping, layout and scale following outline application PA16/03715 for detached dwelling and garage**

It was proposed by Cllr Williams, seconded by Cllr Mrs Ferrett and:

PM19/01/7.6 RESOLVED that Illogan Parish Council objects to the planning application for Silver Lyne subject to the non-consideration of the previously informally agreed conditions between the original applicant and the neighbour. Due to concerns of overlooking and it being un-neighbourly we request that the rear windows are replaced with velux windows as previously agreed between the former applicant and neighbour.

On a vote being taken the matter was approved unanimously.

PM19/01/8 TO NOTE PLANNING DECISIONS RECEIVED FROM CORNWALL COUNCIL

- PA18/06006 – Rosemary Johnson, Collingwood, Mount Whistle Road, South Tehidy – Erection of three dwellings, alterations to existing access and installation of sewage treatment plant – outline with some matters (appearance, landscaping and scale) reserved - **APPROVED**
- PA18/08648 – Mr and Mrs Simon and Eleanor Griffiths, Land South East of Tallem, South Drive, Tehidy TR14 0EZ. Reserved matters Application for construction of 3 dwellings including access, appearance, landscaping, layout and scale (Details following outline application no PA15/09516 dated 13/01/17 allowed on appeal Ref. App/DO840/W/16/3169295 dated 18th July 2017) – **APPROVED**

- PA18/10905 – Mrs Claire Doble, Carron, Clifton Road, Park Bottom, Redruth – Extension to dwelling and erection of detached garden studio – **APPROVED**

It was confirmed during the meeting that the garden studio had been tied to the main dwelling by a planning condition.

- PA18/09326 – Mr and Mrs Caddy, Land NW of Tranquil Cross, South Drive, Tehidy – Outline planning permission with some matters reserved: Erection of 5 detached dwellings and improvements to existing access lane – **REFUSED**

Cllr Holmes left the meeting at 7.30pm.

PM19/01/9 TO RECEIVE THE TREE SAFETY INSPECTION REPORT FOR MANNINGHAM WOOD AND AGREE ANY FUTURE ACTIONS

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

- PM19/01/9.2 RESOLVED** to receive the Full Health and Condition Tree Inventory Inspection report for Manningham Woods and all the advice contained within it particularly points 3.3, 3.5, 5.4, 5.8 and 5.9. That the Clerk makes a diary note that quotes for an additional survey needs to be completed in 12 months' time and that the next survey needs to be completed in 15 month's time. That the Clerk would obtain quotes for all Emergency Safety Works, High Priority Safety Works, Medium Priority Safety Works and High Priority Management Works. That advice and quotes are sought for an appropriate tree planting plan to ensure the future of the Woods.

On a vote being taken the matter was approved unanimously.

PM19/01/10 TO RECEIVE A REPORT FROM CLLR EKINSMYTH ON THE GREEN RIPPLE PROJECT AND AGREE ANY FUTURE ACTIONS

Cllr Ekensmyth reported that the Illogan Green Ripple was created as a result of the award of a Demonstrator Project to Illogan Parish and Cornwall Council in 2010. Total funding of £180,000 was allocated to the project.

The objectives were:

- To engage households on the Illogan Green Ripple, in positive choices to reduce energy and fuel consumption;
- To ensure that buildings in Illogan Parish directly benefited from energy saving interventions;
- To develop local champions, tools, demonstrators and operating models which could confidently provide a legacy for Illogan Parish and wider;

- iv. To develop a wider understanding of the relative values of a range of physical and behaviour change interventions which would reduce energy consumption and carbon emissions; and
- v. To invest in the Parish of Illogan promoting sustainable practices.

The project plan was:

- i. To set up a project team, advised by Cornwall Council Regeneration Team members;
- ii. Form Green Ripple into an organisation able to raise and receive funds;
- iii. Work with Community Energy Plus to raise support and interest in Tolvaddon;
- iv. Install and operate PV panels; and
- v. Use the Shop as central point.

Outcomes:

- i. Project was successfully launched with members of the local community elected to the Board of Directors, of Illogan Green Ripple Ltd., and Community Interest Company. The bulk of the groundwork and technical detail was dealt with by Community Energy Plus, an organisation set up specifically to encourage and develop green energy projects in Cornwall.
- ii. All the properties in Tolvaddon were canvassed and resulted in 8 properties being selected for installation of PV panels. The deal being that their properties would be fully insulated and made ready for operation and that they would benefit from the reduced cost of power to their homes. The Government feed-back tariff payment went to the Green Ripple. 7 properties were still operating, 1 having been sold and the new owner did not wish to continue.
- iii. Subsequent to this the project fell foul of the type of events that created great operational difficulties and there had been no further progress since 2015. The sort of matters were the redundancy and non-replacement of the Community Regeneration officer. The wind down of the funding for Community Energy Plus and the redundancy of staff working on the Green Ripple. The movement from the area of the community Board members and the inability of the Company to find new ones.
- iv. Income was still regularly received through the Feed-In tariff payments and the main expenditure had been legal fees, tax, FCA bills and payments to Kabin for operational services.
- v. There was a balance of £22,840 in the bank.

Proposed way forward:

- i. Merge operations of Illogan Green Ripple Ltd with Community Power Cornwall Ltd (CPC). Both were mutual societies set up as vehicles for community energy projects.
- ii. Current local Director, David Ekinsmyth, needed to be joined by others to ensure the development of the project in Illogan Parish.
- iii. Merge the operations of the Illogan Regeneration Group that still existed but had been moribund in recent years.
- iv. Work closely with Community Power Cornwall Ltd (CPC) to develop new project streams and funding.

In response to a question Cllr Ekinsmyth confirmed that other than some fines for late payments, Green Ripple Project had not breach any requirements whilst it was not operating.

It was confirmed that if Green Ripple Ltd merged with Community Power Cornwall Ltd or Illogan Regeneration Group that there would not be any merging of funds; Green Ripple Ltd would maintain control of their bank account and balances. The mergers would be for administrative and maintenance type duties.

There had been varying successes for the other Demonstrator Projects awarded in Cornwall at the time the Green Ripple project received their grant. The projects had not been helped by the Governments cut backs on green energy project funding.

Members discussed the economics and the outcomes of the projects.

Members thanked Cllr Ekinsmyth for his report.

PM19/01/11

TO CONSIDER THE FEES CHARGED BY CORNWALL COUNCIL TO REMOVE LARGE HOUSEHOLD ITEMS AND AGREE ANY FUTURE ACTIONS

Cllr Crabtree had circulated a quote he had received from Cornwall Council for the collection of four bulky waste items at a total of £84.50 as Cornwall Council classified the items as 2 standard, 1 special small and 1 special large and there were different charges for each category of item. Cllr Crabtree explained the sizes of the items that he wanted collected and that the special large item was smaller than the standard item. He felt that the Cornwall Council website was misleading as it suggested that 4 items would be collected for £25 when there were actually different costs for each category of items. He thought that it would be clearer if there was a set fee for all items to be collected.

A member of the public asked whether Illogan Parish Council kept a record of flytipping. The Clerk replied that there was a record of any flytipping that the Council were notified of; some reports would be sent straight to Cornwall Council in which case this Council would have no record of them.

It was proposed by Cllr Ford, seconded by Cllr Crabtree and:

PM19/01/11.2

RESOLVED

that the Clerk contacts the Community Link Officer and requests that the Cornwall Council bulky item collection fees are included on the agenda for the next CPIR Community Network Panel meeting.

On a vote being taken the matter was approved unanimously.

PM19/01/12

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

1. Letter from a member of the public regarding the telecommunications mast in Bassett Road and requesting the Council's consideration and comment on the letter drafted to Vodafone before it was sent.

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

PM19/01/12.2 RESOLVED that the Clerk writes to the member of the public advising that the Council will be writing to Vodafone to support their request that the cabinet and plinth in Bassett Road are painted green.

On a vote being taken the matter was approved unanimously.

2. Inspection report from the Council's contractor

It was agreed that this would be an agenda item in March 2019.

3. Collingwood – Emails attached. Cllr Crabtree to report.

Cllr Crabtree reported that the planning application for Collingwood went to the Cornwall Council Planning Committee meeting on the 17th December 2018, where despite Illogan Parish Council and members of the public objecting to the application it was granted planning permission. During the meeting the planning officer and legal officer advised the Planning Committee that at this stage the Illogan Parish Neighbourhood Development Plan carried no weight and should be ignored as it would leave Cornwall Council open to a possible appeal if the Neighbourhood Plan was used.

Cllr Crabtree explained the Government and Cornwall Council guidelines regarding Neighbourhood Development Plans; as the plan progressed through the public consultation and examination stages its weight increased and that a local authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application.

Cllr Crabtree reported that the Secretary of State could intervene in the neighbourhood planning process in the following 3 circumstances:

- Where the local planning authority had failed to take a decision to send a plan or Order proposal to referendum within 5 weeks of receipt of the examiner's report, or within 5 weeks of the end of the period for representations;
- Where the authority did not follow all of the examiner's recommendations; or
- Where the authority modified the plan or Order in a way that was not recommended by the examiner (except where the modification was to ensure compatibility with EU or human rights obligations or to correct any error).

The parish or town council, or neighbourhood forum, must submit the request in writing and give reasons for making the request.

Cllr Crabtree felt that although Illogan Parish Council did not comply 100% with all the above requirements, Cornwall Council had 100% ignored all the hard work carried out by the Illogan Parish Neighbourhood Development Plan Steering Group. He felt that this Council had nothing to lose and plenty to gain by submitting a request in writing with the reasons for making the request to have the approval for Collingwood overturned. He requested assistance from the Illogan Parish Neighbourhood Development Plan Steering Group to help draft the letter.

Cornwall Councillor Ekinsmyth reported that he became aware of the potential issues around the recently submitted Illogan Parish Neighbourhood Development Plan. He was aware that the Cornwall Council Planning Officers had taken a lot of advice and that there was a legal officer present at the meeting. It appeared that Neighbourhood Development Plans did not have the final say weight that they were originally promoted as having. There was a long debate on the planning application including discussion on the Illogan Parish Neighbourhood Development Plan and it was a close vote.

A representative from the Illogan Parish Neighbourhood Development Plan Steering Group expressed their disappointment and explained that Cornwall Council could still object to the Illogan Parish Neighbourhood Development Plan and make additional comments although the correspondence they had received indicated that there would not be any objections to the plan. Unfortunately, at the time of the Cornwall Council Planning Committee meeting the Illogan Parish Neighbourhood Development Plan had not been confirmed as being legally compliant. They were concerned that Cornwall Council had given the plan no weight when all the guidance stated that it should have increased weight at this stage.

Another representative of the Illogan Parish Neighbourhood Development Plan Steering Group felt that Illogan Parish Council should refer to the Illogan Parish Neighbourhood Development Plan when commenting on planning applications and that they should be picking out and stating the individual policies.

It was proposed by Cllr Crabtree, seconded by Cllr Williams and:

PM19/01/12.3 RESOLVED to recommend to Full Council that the Council submits a request in writing to the Secretary of State requesting that the planning approval for Collingwood is overturned; that letters are also sent to the MP, CALC, NALC, the planning inspectorate and Cornwall Council; and that the Council queries the minutes of the Cornwall Council Planning Committee meeting held on the 17th December 2018.

On a vote being taken the matter was approved unanimously.

4. PA18/02936/PREAPP - Chyryn Harris Mill Illogan Redruth - Pre-application advice for 2 dwellings

5. The Planning Inspectorate – Appeal decision for 1 Railway Terrace, Paynters Lane End, Illogan – appeal dismissed, and planning permission refused.
6. Copy of an email from a member of the public to CC Cllr Ekinsmyth regarding speed bumps – *'With reference to reducing traffic speeding through Illogan - Paynters lane - Bassett Road etc. The newly installed speed bumps in Redruth next to the main town traffic lights junction at West End leading to Tesco's are ideal. Within the government guidelines of a max height of 75mm do not damage the vehicles suspension - allow buses to pass safely and slow the traffic to about 25mph and stop the aggressive driving we see locally. Ideal cheap solution for Illogan - still being used by Cornwall Council successfully.'*
7. Cornwall Council – Adoption of the Cornwall Minerals Safeguarding Development Plan Document
8. Cornwall Council Street works Team – notification of the closure of the A3047 dual carriageway from the 18th - 19th February 2019
9. Cornwall Council Neighbourhood Plan E-Bulletin – items included Cornwall Site Allocations Development Plan Document (DPD) update; Neighbourhood planning in Cornwall; Designations; Strategic Environmental Assessment Screening (SEA); Pre-submission consultation; Plan proposals statutory consultation; Examination; Referendum; Made neighbourhood plans; Toolkit and guidance notes; Useful weblinks; Government legislation; Other information

PM19/01/13 TO NOTE ANY INFORMATION REGARDING THE CRICKET FIELD AT MARY'S WELL AND AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENSES

There was no information.

PM19/01/14 TO CONSIDER ITEMS TO BE DISCUSSED AT FUTURE MEETINGS

There were no items raised.

PM19/01/15 DATE AND TIME OF NEXT MEETING

Wednesday 16th January 2019, 6.40pm in Penwartha Hall

PM19/01/16 THAT UNDER THE 1960 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT THE PRESS AND PUBLIC ARE EXCLUDED DUE TO THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE DISCUSSED

It was proposed by Cllr Pavey, seconded by Cllr Mrs Roberts and:

PM19/01/16.2 RESOLVED that under the 1960 Public Bodies (Admission to Meetings) Act the press and public are excluded due to the confidential nature of the business to be discussed.

On a vote being taken the matter was approved unanimously.

2 members of the public left the meeting.

PM19/01/17 TO RECEIVE AND APPROVE THE DRAFT TENDER PAPERWORK FOR FOOTPATH AND OPEN SPACE MAINTENANCE AND AGREE ANY FUTURE ACTIONS

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

PM19/01/17.2 RESOLVED to receive and approve the draft tender paperwork for the Footpath and Open Space Maintenance with the amendment to the last line of the specification for Parsonage Well to read 'No strimming will be completed whilst the spring bulbs are in flower and the appropriate time thereafter'. That the deadline for the tenders to be returned would be Monday 28th January 2019. That Cllrs Mrs Thompson and Williams would attend the Council Office and open the tenders on Tuesday 29th January 2019. That the returned tenders would be considered at the Planning and Environmental Services Committee meeting on Wednesday 6th February 2019 and the Full Council meeting on the 20th February 2019.

On a vote being taken the matter was approved unanimously.

There being no further business the Chairman closed the meeting at 8.42pm.

Signed:

Date: