

## ILLOGAN PARISH COUNCIL

Minutes of the Climate, Environment and Planning Committee held on Wednesday 17<sup>th</sup> July 2024 at 6pm in Illogan Parish Council Community Office, Trevelyan Road, Illogan

**PRESENT:** Cllrs Cullimore (Chairman), Ekinsmyth (Vice Chairman and from point mentioned), Crabtree (not a member of this Committee), Ford, Hodge (not a member of this Committee), Holmes, Jobson, Ms Kemp, Mrs O'Donnell, Miss Pollock, and Szoka.

**IN ATTENDANCE:** Mrs S Rimell, Clerk; and 1 member of the public (until point mentioned).

The Chairman explained the safety procedures.

**PM24/07/14 TO RECEIVE AND APPROVE APOLOGIES FOR ABSENCE AND AGREE ANY FUTURE ACTIONS**

There were no apologies received.

**PM24/07/15 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 Crabtree declared that he had dealt with the applicant for the planning application for Rayle as a Cornwall Council on various matters.

**PM24/07/16 TO CONSIDER APPLICATIONS FROM MEMBERS FOR DISPENSATIONS**

There were no applications from members for dispensations.

**PM24/07/17 PUBLIC PARTICIPATION**

It was agreed that the member of the public would speak during the agenda item relating to the planning appeal for PA23/07014 for Land Adjacent to Bassett Road.

Cllr Ekinsmyth entered the meeting at 6.03pm.

**PM24/07/18 TO DISCUSS PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL AND AGREE STATUTORY CONSULTEE COMMENTS TO RETURN TO CORNWALL COUNCIL PLANNING DEPARTMENT (REPORTING COUNCILLOR - CLLR MS KEMP)**

- i. **IPC2024/026  
PA24/04851  
55 Sunnyside Parc, Illogan  
Proposed conversion of garage and first floor side extension**

It was proposed by Cllr Ms Kemp, seconded by Cllr Mrs O'Donnell and

**PM24/07/18.2 RESOLVED that Illogan Parish Council supports planning application PA24/04851 for 55 Sunnyside Parc.**

On a vote being taken the matter was approved unanimously.

**PM24/07/19 TO DISCUSS PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL AND AGREE STATUTORY CONSULTEE COMMENTS TO RETURN TO CORNWALL COUNCIL PLANNING DEPARTMENT (REPORTING COUNCILLOR -CLLR JOBSON)**

- i. IPC2024/027  
PA24/04980  
1 The Woodlands, Tehidy Park, Tehidy  
Application for works to a Tree subject to a Tree Preservation Order namely remove T1 Turkey Oak**

It was proposed by Cllr Jobson, seconded by Cllr Ms Kemp and

**PM24/07/19.2 RESOLVED that Illogan Parish Council objects to planning application PA24/04980 for 1 The Woodlands. The tree is healthy, there does not appear to be a great amount of overhanging and the reasoning is not sufficient for the removal of a healthy tree. Illogan Parish Council request that the Cornwall Council Tree Officer inspects the tree and provides a report of their recommendations.**

On a vote being taken on the matter there were 8 votes FOR and 0 votes AGAINST.

**PM24/07/20 TO DISCUSS PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL AND AGREE STATUTORY CONSULTEE COMMENTS TO RETURN TO CORNWALL COUNCIL PLANNING DEPARTMENT (REPORTING COUNCILLOR -CLLR FORD)**

- i. IPC2024/028  
PA24/04580  
Rayle Farm, Bridge Hill, Bridge, Redruth  
Retrospective application for the change of use of land for the storage of a van and shipping storage container**

It was proposed by Cllr Ford, seconded by Cllr Ms Kemp and

**PM24/07/20.2 RESOLVED that Illogan Parish Council strongly object to planning application PA24/04580 for Rayle Farm.**

**The application form is not completed accurately and is misleading. The applicant has ticked to say that the work has not already started and has then contradicted this by the application being retrospective and including photographs of the van and shipping container in situ and trading.**

**The application is for storage of a van and shipping storage container and not for a**

**trading food venue. There is extensive signage in the local area advertising the business.**

**The entrance from the highway was granted planning permission for light agricultural use.; the current and proposed uses are not light agricultural use. The entrance is therefore, being used without planning permission.**

**Biodiversity Net Gain – the Council query how much damage would be done to the environment before the expiry of any temporary permissions whenever they would be deemed to have started.**

**If permission is granted for temporary 3-year consent requested, the start date should be backdated to the commencement of the food trading.**

**The land was quality agricultural land which should not have been altered. Illogan Parish Council request that the van and shipping storage container are removed from the site and that the land is returned to its original agricultural condition.**

On a vote being taken the matter was approved unanimously.

It was agreed that the Clerk would state that it was a unanimous vote when she responded to Cornwall Council.

**PM24/07/21**

**TO RECEIVE ADDITIONAL INFORMATION REGARDING THE TOWN AND COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS PROCEDURE) (ENGLAND) REGULATIONS 2009 IN RELATION TO PLANNING APPLICATION PA23/07014 – LAND ADJACENT TO BASSETT ROAD, ILLOGAN – RESERVED MATTERS FOR APPROVAL OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING OUTLINE CONSENT PA18/04738 (APP/D0840/W/18/3210910\_ FOR RESIDENTIAL DEVELOPMENT OF UP TO 9 DWELLINGS WITHOUT COMPLYING WITH CONDITION 1 OF DECISION PA21/09229 (APP/D0840/W/22/3294917) DATED 19/12/2022, AGREE A RESPONSE AND ANY FUTURE ACTIONS**

It was proposed by Cllr Cullimore, seconded by Cllr Ms Kemp and

**PM24/07/21.2**

**RESOLVED**

**that the following response would be sent to the Planning Inspector regarding the appeal for PA24/07014 – Land Adjacent to Bassett Road:**

Illogan Parish Council strongly maintain their objections to the Reserved Matters Planning Application PA23/07014 for Land Adjacent to Bassett Road.

Earlier in 2024, the site was subject to a successful Judicial Review the previous decision being quashed. The Council would like to draw your attention to the following paragraphs from the Approved Judgement:

20. Before dealing with the issues in the case, I shall make some general observations. It is readily apparent from the site plan approved under condition 1 that there is limited room on site for the provision of new hedge and/or connection with retained hedge, not least because of a required 3 meter buffer zone in which no development may be carried out. It is accepted on behalf of the authority that the discharge of condition 1 cannot alter the wording of condition 6. Moreover, it was not suggested in the application before the authority or in the case before me that such provision, or at least more provision, is impossible as opposed to difficult. There is an outstanding application by the developer under section 73 of the Town and Country Planning Act 1990 to vary the approved site plan by the relocation of one of the dwellings which would allow the provision of a longer connected new hedge. That application is still pending and I must not speculate as to the outcome and nothing I say in this judgment should be taken as impacting in any way upon the outcome. The fact that it is made, however, would seem to underline that there is scope for more provision.

28. Condition 6 requires compliance with “the recommendations” in the ecological appraisal, not some of them, or the majority of them. There is no hierarchy of the recommendations in the ecological appraisal or in condition 6. There is no requirement to have regard to every sentence of the ecological appraisal, but simply to comply with its recommendations, read in light of the appraisal as a whole.

29. In my judgment for the reasons set out above, the authority in approaching the application on the basis of whether the ecological plan was acceptable or satisfactory or in accordance with the general requirements of the ecological appraisal, approached its task too loosely. The question it should have asked itself, but did not, is whether the ecological plan complied with the recommendations of the ecological appraisal.

The amendments included in the planning application, PA23/07014, being considered in this appeal process are extremely minimal and still do not satisfy the recommendations in the ecological appraisal.

The appeal decision that granted the outline planning permission for the site was based on the plans for a linear development and not the cul-de-sac as currently proposed. Bassett Road as it passes the appeal site is linear and this development MUST be linear to fit in with the street scene in this area.

There are three- and four-bedroom dwellings in the local vicinity that are failing to sell. This highlights a saturation in the market, a lack of need and affordability in the area. A linear development of smaller more affordable units would be of much greater benefit to the local area.

The Council would like to reference the arguments in the Corbett v Cornwall Council case that as well as regarding the generality of the area it should also have regard to surrounding areas of Great Landscape Value.

## **Illogan Parish Council's Objection**

**that Illogan Parish Council strongly objects to planning application PA23/07014 Land Adjacent to Bassett Road for the following reasons:**

- **Access** – this is defined as accessibility to and within the site for vehicles, cycles, and pedestrians in terms of the positioning and treatment of access and circulating routes and how these fit into the surrounding access network.

**The plans show that the access to and egress from the site is on Bassett Road. Bassett Road is already a busy and congested road with traffic in both directions. There are parked cars along the length of the opposite kerb (south) up to and including the Pharmacy. It is part of the bus route between Redruth and Camborne. The delivery vehicles for Morrisons Daily, obstruct the road when delivering, increasing the congestion.**

**The site lines for exiting the proposed development are severely compromised.**

**The only access to the agricultural field adjacent to the site is through the proposed development. There are concerns with large agricultural vehicular movements through the site during all hours of day and night.**

- **Appearance** – defined as the aspects of a building or place within the development which determine the visual impression the building or place makes, including external built form of the development, its architecture, materials, decoration, lighting, colour, and texture.

Policy 2 of the Cornwall Local Plan sets out that proposals should maintain and respect the special character of Cornwall, recognising that all urban and rural landscapes designated and undesignated are important by ensuring:

- a) That the design of the development is high quality and demonstrates cultural, physical, and aesthetic understanding of its location.

**The proposal shows little understanding of its location in what is proposed. It doesn't respect or enhance the quality of place and is at odds with the prevailing locally distinctive pattern of development which is for single depth plots all with road frontage.**

**In failing to respect the pattern of development locally the proposal causes harm to the character and appearance of the area.**

- b) Considering the impact of development upon biodiversity, beauty, and diversity of the landscape, character and setting of settlements, wealth of natural resources, agricultural, historic, and recreational value.
- c) Identifying the value and sensitivity of the character and importance of the landscape biodiversity and geodiversity and historic assets.
- d) Protecting, conserving, and enhancing the natural and historic landscape, heritage, cultural, biodiversity and geodiversity assets of Cornwall in recognition of their international, national, and local status, in accordance with national legislation and policy, as amplified by the other policies of this plan.

**This application fails to comply with PA18/04738 condition 6. Environmental protection and fails to comply with developers' landscape and ecological plan v2.**

**New sections of hedge (4.5m & 6.4m) to fill existing gate entrances – described in (2026-4DAS-DR-A-104 P02) Boundary Treatment Plan as 'earth & stone mound wall' not a 'Cornish Hedge'? mound wall is only 900mm high. Existing hedge is 1.5m wide x 1.5m high**

**3m Protection of South Hedge not fully provided. 1.5m loss in front of plots 1&2 and 1m loss in front of plot 3&4 required to provide sufficient road/turning/parking area**

**New sections of Cornish hedge (30m & 5m) not 1.5m wide & high as per existing hedge and LEMP p.19. 'T' section of 5m hedge not protected by 3m. Front door/step encroaches. The position of this section of hedge does not 'maximise connectivity across the site'. Unclear if this section of hedge is outside the curtilage of the property?**

- **Landscaping** – the treatment of the land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and area in which it is situated and includes:
  - a) Screening by fences, walls, or other means
  - b) Planting of trees, hedges and shrubs or grass
  - c) The formation of banks and terraces

**This application fails in all points by not providing a sufficiently high standard of landscaping, of having no tree protection plan, by inappropriate tree choice, by not respecting the views across to St Agnes Beacon, an area of Outstanding Natural Beauty.**

**This application does not comply with Condition 6 (Environmental Protection) of PA18/04738, nor the developer's Landscape and Ecological Plan v2.**

**Condition 6 requires Environmental Protection to provide:**

**46m of new Cornish Hedge (to replace 23m removed for site entrance) and must be of the same construction type and width as the hedge lost (existing hedge 1.5m x 1.5m). This Revised Application does not meet this requirement. It proposes 900mm x 900mm new hedges and in some areas, not hedges but earth and stone mound walls.**

**3m protection of all hedges (retained and new) and located outside the boundary of development and dwellings. This Revised Application does not meet this requirement. This plan uses up to 1.5m of the hedge protection to build the access road inside the front hedge. It also plans to use 1.5m of hedge protection outside front door of plot 7.**

**New hedges positioned to maximise connectivity across the site. This Revised Application does not meet this requirement. It proposes a 5m 'T' section of new hedge on the north of the site, directly outside the parking area and front door of plot 7. This will obstruct access and deter movement of wildlife along the hedge line.**

- **Layout** – the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to spaces outside the development.

**The proposal lacks sufficient land/space for each of the houses proposed and is attempting too many houses for the plot/garden ratio.**

**There is insufficient green amenity space included in the proposals.**

**The proposals do not provide sufficient space for large delivery or waste removal vehicles to be able to manoeuvre or turn to leave in a forward direction from proposed plots 7, 8 and 9.**

- **Scale** – means the height, width and length of each building proposed within the development in relation to its surroundings.

**Nowhere on Bassett Road are there houses of this scale, which are so ill fitting into this village open landscape. the plans show meagre gardens around the proposed houses with seemingly more emphasis on hard landscaping and large indoor space.**

**The run-off from the gardens is likely to cause more flooding locally towards Ventonraze.**

- **Illogan Parish Council Neighbourhood Development Plan Policy TT2 Residential Parking**

“Proposals for all new homes should provide for one off road parking space for each bedroom, unless otherwise justified having regard to site specific circumstances and Cornwall Council parking standards.

Any garage facility provided as integral to or part of any single home or development should be of a size commensurate with use by an average sized motor vehicle.”

**The proposal fails to comply with Policy TT2 Residential Parking requirements, namely in that there is not provision for one off road parking space per bedroom.**

- **In summary, therefore, not only does this application fail local planning policy from the Cornwall Local Plan sections 12 Development, 23 Natural Environment, and 25 Green Infrastructure.**

**It also fails Illogan Parish Neighbourhood Development Plans Policy PH3 Design, TT2 Residential Parking, PEH1 Development Outside Settlement Boundaries.**

**And National Planning Policy paragraph 174 – Conserving and enhancing the natural environment.**

On a vote being taken the matter was approved unanimously.

It was agreed that the Clerk would state that it was a unanimous vote when she responded

1 member of the public left the meeting at 6.45pm.

## **PM24/07/22 DATE AND TIME OF NEXT MEETING**

The next meeting would be held on Wednesday 7<sup>th</sup> August 2024, 7pm in Illogan Parish Council Community

There being no further business the Chairman closed the meeting at 6.46pm.

Signed: .....

Date: .....