

# LANREATH PARISH COUNCIL MEETING MINUTES

## Date of Meeting

19 March 2024 commencing 19.30

## Present

Cllr Sue Cave, Cllr John Gundry, Cllr Shelley Honeyman, Cllr Peter Seaman – Chairman, Cllr Stephanie Vickery, Mrs Rebecca Warren - Clerk

One member of the public.

The Chairman opened the meeting and welcomed everyone.

## 1. Apologies

Cllr Peter Bartram and Cllr Colin Martin.

Chairman moved that item 4 on the agenda be considered, which was agreed. He addressed the meeting as follows:

“It is with great sadness that we record the recent death after a long illness of Cllr Julie Tamblyn. In commemorating both her life and many years’ service as a Parish Councillor I propose a minute’s silence”

The proposal was seconded and unanimously agreed, and the meeting remained silent for one minute.

## 2. Members of the Public are invited to address the Council

PCSO Cocks expressed his personal sadness at the death of Cllr Julie Tamblyn, and sent his sympathies to her family. He asked for up to date details for all Lanreath Councillors to ensure that he had correct contact details. Clerk confirmed this would be forwarded to him.

He informed the meeting that in the period 1 January to 29 February 2024 there had been one crime in the Parish – malicious communications. There had been a spate of GPS tracking systems stolen off tractors in neighbouring Parishes, and 30 bales of silage taken from a field. He asked that all remain vigilant and report anything suspicious. This can be done by calling 101, or reporting in person at Looe Front Office which is open 10 am to 3 pm six days a week. Emergencies should be reported via 999.

He confirmed that numerous patrols had been conducted around the Parish and all found to be in order, save for the state of the roads, particularly the flooding on the B3359 which he has reported as a safety issue.

He is considering holding a Parish surgery or attending Parish events, such as coffee mornings, to be available to the community.

## 3. Disclosure of Interests

Cllr Cave informed the meeting that her property neighbours the site the subject of planning application PA24/01698 to be considered under agenda item number 10.

**4. Cllr Julie Tamblyn - dealt with previously**

**5. To approve the amended minutes of the meeting held on 20 February 2024**

Cllr Honeyman proposed that the amended minutes be approved, seconded by Cllr Gundry and agreed. Chairman signed the minutes.

**6. County Councillor's Report - none**

**7. Matters Arising**

- Unauthorised building in the Parish – enforcement progress

Chairman reported that he had sent an email requesting assistance from Cllr Martin – who has confirmed that he will follow up with the Enforcement team to determine what is causing the delay in the investigation, and when it may be expected to conclude. There is a further development underway in the Parish for which no planning application has been made, and this was reported last year to Enforcement but no reference number allocated. Chairman proposed that he follow this up with Enforcement and report to the next meeting, Cllr Cave seconded – all agreed. Chairman so tasked.

- Archive documents Lanreath Village Shop

Clerk reported that the undated memorandum of approval for the Village Shop extension has now been endorsed with the date of signing, and countersigned by the original signatories. This document will be retained with the shop deeds.

Clerk thanked John Feesey and Richard Pugh for their assistance in this regard.

- Light for the path to the Village Shop

No progress to report – Chairman will follow up and report to the next meeting.

- D Day 80 – 6 June 2024

Clerk reported that she had written to the new owner of the football pitch land, and spoken to him on the telephone. He has generously agreed that there could be a bonfire on the land subject to his receiving written evidence that Lanreath Parish Council insurance would cover it. Clerk has read through the Insurance Policy which would not appear to cover such an event, and has asked Zurich to call her to provide a quote for cover. The complicating factor is that the current insurance is due for renewal before the event, and Clerk is in the process of obtaining quotes and will report to the next meeting.

Cllr Vickery reported that she continues to work with local groups in connection with this. She has booked singers, and has arranged to have collections for SSAFA veterans. She will arrange to notify the community of a collection point and date for bonfire materials (no painted or varnished wood) and will ascertain if there is any waste wood from the Punch Bowl Inn renovations.

Clerk tasked with forwarding to Cllr Vickery a hand-out from Zurich regarding organising bonfire/firework events for her assistance.

- Plant Stand outside Lanreath Village Shop and Post Office

Chairman reported to the meeting that according to the plans supplemental to the application PA23/05025 it would appear that no parking spaces are planned for the area where the Plant Stand is located. This may mean that it need not be re-located, and Chairman will clarify with the owner of the Punch Bowl Inn.

- Lanreath Parish Council authorised bank signatories, and additional card and card reader authorisation

As there has been no response from Lloyds to Cllr Cave's complaint and request for a call back, Clerk and Cllr Cave will arrange to meet up and then call Lloyds to try and progress this matter.

- PA23/09566

Clerk uploaded Parish Council comments to the Planning Portal on 21 February 2024.

- Document Retention Policy

In the absence of Vice-Chairman, this matter will be deferred to the next meeting.

- Water run off – lane to Bocaddon

Cllr Cave reported that this had not been as bad lately, and no further complaints about it have been made to her. She does understand that a neighbour may have reported the matter to the Environmental Agency.

- Community Garden Access

Clerk confirmed that she had sent a further email to the land owner but had received no response.

- Hedge Cutting Millennium Green

Chairman proposed that the Parish Council proceed to instruct Kendal Courts from whom Cllr Bartram had received an alternative quote of £200 to top the hedge. There are sufficient funds in the Budget to cover this. Cllr Gundry seconded – unanimously agreed. Clerk tasked with instructing Kendal Courts.

- Works on the lane to Bocaddon by CORSERV – follow up of November 2023 meeting

Clerk reminded the meeting that following concerns about road safety, there had been a site meeting after which Will Glassup had stated that road markings would be repainted, and possible hazard signage put in place, if sufficient funds remained in his Budget at year-end. As year-end is approaching Chairman proposed that Clerk chase up Will Glassup – seconded by Cllr Vickery, and agreed by all. Clerk so tasked.

- Swallow protective boards at the Millennium Building – follow up on October 2023 Matters Arising

Chairman reported that these are not in place yet, but his intention was to attend to it before the next meeting.

- Lanreath village conservation area planning requirements for solar panel installation

Clerk reminded the meeting that this had been brought up by Vice-Chairman at the November 2023 meeting, as a Parishioner had approached him asking what the requirements were. Chairman recalled that he had suggested he would look into this, which he will endeavour to do before the next meeting, but his understanding is that planning permission is required.

- Start time for Annual Parish Meeting

Cllr Gundry proposed that the Annual Parish Meeting commence at 6.30 pm, a full hour before the Annual Parish Council meeting, to ensure sufficient time for both meetings to take place on the same evening. Seconded by Cllr Cave, unanimously agreed.

**8. Correspondence** – All correspondence received via email unless otherwise indicated, all circulated by the Clerk, or Chairman to Councillors.

**Cornwall Council**

- Weekly planning lists
- Supplement: Committee updates to the agenda for Strategic Planning Committee, Thursday, 15 February – 14 February
- Supplement: Committee Update to the agenda for East Sub-Area Planning Committee, Monday 19 February – 16 February
- CORMAC Spring workshop sessions – 19 February
- EP & E Local Plan – Call for Sites – 20 February
- Minutes for East Sub-Area Planning Committee, Monday 19 February – 22 February
- 2024 Refresh of the Cornwall Planning Partnership : your invitation to apply 28 February (and from CALC 29 February)
- Cornwall & Isles of Scilly Climate Commission: Call for Commissioners – 5 March
- Agenda for East Sub-Area Planning Committee 18 March – 7 March
- Affordable Housing Newsletter – March 2024 – 8 March
- Town and Parish Newsletter – 8 March

**Other correspondence** – any correspondence of community interest has been uploaded to the Parish website/linked to Facebook by Chairman and Cllr Gundry

- Rural Bulletins: 13, 20, 27 February, 5 March
- Police and Crime Commissioner's correspondence: 12, 13, 26 February, 5, 6 March
- Notification of play area inspection in April from RoSPA – 12 February
- Cornwall Council Online Training Portal (CALC email) – 14 February

- SLCC Bulletin – 14 February
- Invitation to 8<sup>th</sup> ‘Let’s Talk Water’ webinar, 12 March – 16 February
- Member of the community request for Bus timetable and stop location details (Chairman responded) – 20 February
- The Clean Cornwall Newsletter 13 February
- NHS Cornwall Together: February 2024 – 22 February
- CALC D-Day 80 flag of Peace – 28 February
- Liskeard Sector Neighbourhood Policing Teams Newsletter March 2024 – 5 March
- NALC Legal Update – February 2024 – 5 March
- Rural Funding Digest – 8 March

## 9. Councillor Vacancies

Chairman proposed that the meeting move to Part 2 to consider the application received for Councillor vacancy. Seconded by Cllr Vickery, and all agreed.

When the meeting reconvened Cllr Honeyman proposed that Ms Sandie Christiansen be co-opted as a councillor, Cllr Cave seconded, unanimously agreed. Ms Christiansen was duly co-opted as a Councillor.

## 10. Planning: Applications for consideration

PA24/01698 Certificate of lawfulness for existing use of a residential dwelling within bay 3 of the existing barn. Pen Davas Farm Bocaddon – consultee comments to be submitted by 28 March 2024.

Chairman took the meeting through photographs of the site location, and the documents submitted with the application, in particular the drawings showing what works had been carried out, and the two Statutory Declarations in support. He then read out his notes to the meeting as follows:

“This application arose following an investigation by Planning Enforcement.

The application for ‘lawful use’ is based on the ‘4-year rule’ under the Town and Country Planning Act 1990 whereby a property that has been converted without planning approval to Class C3 (a) residential dwelling and has been substantially completed for a period of more than 4 years is immune from planning enforcement action. After this period the owner may apply for a Certificate of Lawful Use. The development will be deemed ‘lawful’ where no enforcement action may be taken and where no enforcement notice is in force, or, for which planning permission is not required.

When assessing the burden of proof that a development meets the requirements of the 4-year rule, planning authorities do not need to have incontrovertible evidence. When reviewing the evidence, the test is that ‘in the balance of probability’ the conditions have been met. The evidence must be clear, unambiguous, and convincing. It does not require independent verification or witness statements and can be decided on the applicant’s own statements.

In this instance, the applicant's statements are supported by a Statutory Declaration of the applicant's daughter.

The Development Officer, reviewing the investigation by Planning Enforcement, has concluded that development is immune from planning enforcement.

The only grounds for objection are where there is proof that the statements made regarding the date of substantial completion (and hence immunity from planning enforcement), are incorrect."

There followed a discussion regarding the lack of evidence supporting the application, such as receipts for kitchen fitting, or details of the applicants' address for voting/Council Tax purposes. Whilst there had been a clear breach of planning – in that the development had been completed without planning permission, the passage of time had effectively made Enforcement impotent to take action.

Chairman proposed consultee comments in terms that "Lanreath Parish Council does not object to the application on the grounds that the building is immune from planning action, providing that Planning Enforcement have seen further evidence in support of the date of completion of the unauthorised works." Seconded by Cllr Gundry and agreed. Clerk tasked with submitting the consultee comments online via Cornwall Council Planning portal.

PA23/05025 Conversion of stone building to 2 apartments and erection of three bungalows on site of existing barns. Tithe Cottage Lanreath – consultee comments to be submitted by 29 March

Chairman took the meeting through location and site plans, proposed elevations, and his own extensive notes, regarding the historical context of the site, its location within the Lanreath Conservation Area (omitted from the Heritage Impact Assessment submitted with the application), and planning considerations. He called attention to a previous Planning Application for converting of the Tithe Barn to residential accommodation which was approved subject to conditions which included bat mitigation measures and the requirement for the fitting of timber doors and windows, neither of which are referenced in the application under consideration. He referenced the Lanreath Neighbourhood Development Plan, in particular amenity space, and parking – which for the proposed development would be the minimum. He confirmed that he and other councillors had attended the site to review the proposed plans against the site area.

Chairman informed the meeting that a resident had contacted him with objections to some of the specifics of the application in so far as they would impinge on the enjoyment of their property, and fears regarding the ability to evacuate their property in the event of a fire. He had researched the fire safety regulations and it was apparent that the proposed development would be compliant with evacuation requirements.

Councillors considered the details of the application with the assistance of notes prepared by Chairman, with contributions from Cllr Gundry. Concerns were raised regarding the narrowness of the private drive to Plot 3, and whether emergency vehicles would be able to access it. Safe access to and from the site for residents, visitors, and deliveries was generally felt to be less than satisfactory with splay lines insufficient to meet national guidelines. Parking spaces were allocated just one per plot, no visitors' spaces, and no space for the resident of Tithe Barn Cottage. This may lead to additional on street parking on the narrow main street through the village.

Additional concerns were raised regarding the lack of private amenity space for the plots, and the internal areas are the minimum size required under the Technical Housing Standards – nationally described space standard 2015. Councillors commented about the number of plots that appeared to have been squeezed into a small space, and whether that was appropriate.

Whilst it was acknowledged that the developer has expressed the intention to sell the properties on the open market, they would be of a size that would be suitable for holiday lets, or second homes, so may not add to the residential housing stock in the village.

Chairman proposed that consultee comments be submitted in terms that

'Lanreath Parish Council does not object to the planning application, but considers that:

1. Access splay arrangements for the development do not meet nationally recommended standards;
2. The floor areas are the minimum required to meet national standards;
3. There are concerns regarding emergency vehicle access to plot 3;
4. There is no provision for visitor parking, and there is already considerable pressure on parking on the village main street;
5. Whereas Cornwall Council do not have a specified standard for amenity areas, the Principal Officer has stated that a garden the same size as the footprint of the property would meet planning requirements. Lanreath Neighbourhood Development Plan Policy H2 (iv) states that :

"The area of a private garden should meet the following minimum requirements:

- For dwellings designed to accommodate 3 or more people, the minimum private garden area is 70 sq.m.
- For dwellings accommodating up to 2 people, the minimum private garden area is 50 sq.m

Areas within the curtilage that do not afford an enclosed private space, typically open-plan front garden areas and driveways, do not constitute garden space."

The proposed plots do not meet the requirements of Policy H2 (iv) of Lanreath Neighbourhood Development Plan.'

Cllr Gundry seconded, and all agreed. Clerk so tasked.

## **11. Preparing for a new Local Plan for Cornwall – meeting 28 February**

Chairman and Cllr Gundry had attended this online event, and the Clerk had circulated Cllr Gundry's notes, and the slide pack presentation. He took the meeting through his notes, and informed the Councillors that there are major changes likely to happen with Planning and Levelling Up, but this was still some way off.

Chairman thanked Cllr Gundry for his detailed notes.

## **12. Asset Inspection report**

Cllr Honeyman had observed a couple of areas where rubbish had been left outside properties, Chairman will follow up. The sign on the entrance to the Community Garden needs attention – Cllr Vickery said that she would put a call out on social media for this. The latch on the gate from Carlyon Close onto the land behind is badly rusted, and she will forward a photo of this to Chairman.

Chairman will be attending to the fitting of the replacement basketball hoop net before the next meeting.

### **13. Village Hall Report**

Councillors had received the latest newsletter.

### **14. Community Area Partnership (CAP) report**

In the absence of Vice-Chairman, this was deferred to the next meeting. Chairman confirmed that three applications for levelling up funds had been circulated by Vice-Chairman for councillors' comments.

### **15. Climate Change – report from Cllr Cave**

The Parish Webmaster has uploaded Cornwall Council's Climate Emergency Carbon Neutral quarterly newsletter onto the Environmental Protection and Nature Conservation page. Cllr Cave suggested that it be posted there each quarter. There is an item on free Climate Change training and Cllr Cave will be attending the morning session on 16 April and will report to the next meeting.

On 25 March there is a food waste, recycling, and rubbish changes road show presentation at Lanreath Village Hall 1pm to 4pm regarding the new arrangements being introduced. Community should be made aware of this via the minutes.

Cllr Cave reported that she had attended the Climate Change and Nature Recovery Network virtual meeting on 27 February. Various County, Parish, and Town Councillors had attended and updated the meeting as to what had been happening locally to them.

There may be guest speakers at future events on subjects such as rights of way, geothermal advancement and energy saving.

Issues discussed included EV charging points, road verge maintenance – safety versus greening - and CORMAC's volunteer scheme.

Cty Cllr Martin advised that the Cornwall and Isles of Scilly Climate Commission had just set up its website and were calling for commissioner applicants. Its publicity states that it is an independent organisation aiming to bring people and organisations together to work to help drive, guide, support, and track climate action.

The CAP environmental team coordinator has made progress in getting email communications consents and permissions, and will set up a system whereby councillor representatives can share news of each other's activities and events.

### **16. Financial report**

Clerk had circulated February bank statements, bank reconciliation, and year to date figures, together with full details of expenditure since the last meeting, and anticipated expenditure before the next meeting, for approval.

Cllr Gundry proposed that the Clerk's expenditure and account transfer requests be approved, Chairman seconded, unanimously agreed.

Chairman reported that the year-end will likely see the existing General Reserve intact with an additional unspent budget surplus of approximately £2,500 – mainly due to Government funded energy grants via EDF. He informed the meeting that grass cutting for the next calendar year has been recently quoted at £110 per cut – up from £90 last year

– for Millennium Green, Carlyon Close play area and Community Garden. This exceeds what was budgeted for. Last year there were a total of 12 cuts, which came in under the budget allowance. Twelve cuts at £110 would allow £215 remaining for a further cut of the Millennium Green hedge in the Autumn. Chairman proposed that Dunn & Dusted continue with the grass cutting at the new figure, Cllr Honeyman seconded, unanimously agreed.

#### **17. Parish Problems**

Chairman referred to parishioners' concerns about the dangers posed to road users by the flooding on the B3359 – simply putting up Flood Warning signs is unlikely to prevent a major incident. Works to the drainage are required for a permanent fix, and Chairman will take it upon himself to write to CORSERV in this regard and report to the next meeting.

The Garden Group's shed on the Millennium Green is too close to the Millennium Building causing damp problems in the store – Chairman will approach the Garden group organisers to seek their co-operation in moving the shed a greater distance away so that a clear gap is maintained.

**18. Any Other Business** - none.

**19. Public Participation** – none.

**20. Date and time of next meeting** – Tuesday 16 April 2024 7.30 pm. Meeting closed at 9.52 pm.