

Cornwall Council report

Cllr Dick Cole

Time period: 23rd June – 18th July 2014

1. Council meetings

I have attended a range of meetings over the last month. These included: two pre-agenda briefings/meetings for the Environment, Heritage and Planning Policy Advisory Committee (PAC) which I continue to chair, Devolution and Localism PAC (plus associated informal meeting), Health and Adult Care PAC (plus associated informal meeting), Homes and Communities PAC, informal Transport and Waste PAC, a meeting of PAC Chairmen, Central Sub-Area Planning Committee, Constitution and Governance Committee, China Clay Community Network, Planning Training Awareness Day, Neighbourhood Plan training, briefing on future Council strategy, and a forum meeting about the future governance arrangements for the Council.

2. Other meetings

I also attended meetings of the St Austell Bay Economic Forum (SABEF) and the SABEF project team, Summercourt School Governors (twice), the Leader / Community Led Local Development working group, as well as a joint meeting for existing Local Action Groups and for individuals who may be interested in joining the new LAGs in the next phase of European funding.

3. Indian Queens School

On Wednesday 16th July, I attended a public consultation at Indian Queens School concerning the plans for the additional classrooms at the site. I spoke to a number of people and there was support for improvements at the School, though a large number of residents from in and around Suncrest Estate were very worried about existing problems with traffic and congestion. They were also concerned that increasing capacity at the School could make the situation worse.

It is my intention to continue to make put pressure on Cornwall Council to take these concerns seriously and to put measures in place to mitigate the impact of the traffic, etc.

I am also pleased to be able to report that Cornwall Council is presently consulting on a 20 mph speed limit around the Drang and Suncrest Estate from the junction with St Francis Road.

I can also confirm that the actual transfer of the field to the west of the School (following a land swap for a former school site in Camelford) has been completed, which will allow for the School to increase its provision of playing fields, etc.

4. Budget debates

Cornwall Council has estimated that – after four years of swingeing cuts – it needs to cut a further £196 million from its already shrunken financial base. Part of the pressure comes from rising costs and additional pressures, for example because of Cornwall's growing population, but yet more cuts are anticipated from central government.

At meetings throughout July, Cornwall Councillors have been considering a Strategy document which will set out the "direction for the organisation over the course of the next four years." The ruling Liberal Democrat and Independent Cabinet's first draft of the Strategy includes a set of "values and principles" that they claim "will guide and shape how the Council operates" and "provide the grounding for the difficult decisions that lie ahead."

Their values include "inclusive, engaging and empowering leadership," "honesty, respect and ... trust" and being "ambitious for Cornwall." Their principles meanwhile promise close working with partners and communities, as well as flexibility, while "providing choices and opportunities in every aspect of people's lives" and "supporting equality and social inclusion," and "acting in Cornwall's best interest." The document also has a series of "themes," which include "driving the economy," "healthier communities" and the "stewardship of Cornwall's assets."

The document does include fine words, but it is still extremely unclear as to how they will help Cornwall Council take the "difficult decisions" being forced upon it.

5. Works on the local road network

At Parish Council meetings over the last three months, I have reported on a range of planned works on local roads. Works that have been undertaken in the last four-five weeks include:

- Surface dressing along the old A30 between Fraddon and Indian Queens.
- Patching along the road between Whitecross and Lukes Shop.
- Clearance of a road ditch at Higher Fraddon.

In terms of the surface dressing, I have had a number of complaints about the loose gravel and the failure of cars to respect the temporary 20mph limit which I have referred through to Cornwall Council / Cormac.

As I have reported previously, I had hoped that some patching would have been carried out on the road leading from Fraddon Hill to Higher Fraddon last year. But for organisational reasons this did not happen. I have continued to put pressure on the relevant officers and, because of the delay, I have also succeeded in persuading Cornwall Council to undertake a larger extent of patching. This patching should take place in

the very near future and the areas for work have been marked out in recent days.

The following works continue to be planned for 2014-2015:

Burthy and Chytane	-	patching
Carnego Lane, Summercourt	-	patching & surface dressing
Carvynick, Summercourt	-	patching
Halloon roundabout (approach)	-	resurfacing
Narrow Lane to St Enoder	-	patching & surface dressing
Newquay Road, St Columb Road-		patching & surface dressing

A drainage improvement scheme near Melbur Blockworks is also planned to reduce flooding on the highway and I am making further representations about a similar problem at Gaverigan.

I am also continuing to push for patching or further patching in the following areas:

Barton Lane, Fraddon
Trevarren village

6. Old Stamps Hill

I have continued to push for the dumped rubble at the junction of the closed-off Stamps Hill (at the Gaverigan roundabout) to be cleared away. Andy Stevenson (Highway and Drainage Officer) has inspected the site and instructed Cormac to remove the rubble and install gates which will hopefully discourage the ongoing flytipping in this area.

7. Drains in Fraddon

The camera survey of the road drains throughout Fraddon was undertaken in the first week of June and an extremely detailed report has been presented to the local authority. I understand that it has raised serious concerns about the condition of the network and I will be meeting with officers to discuss the document in detail in the next few days.

8. Planning matters – general

I have been in regular contact with planning officers on a range of planning applications, including the application by Rags SW for revised conditions for the warehouse store at Toldish.

9. Planning matters – traveller site at Toldish

I am extremely disappointed that a planning application for two traveller pitches near Toldish has been granted by an "out-of-Cornwall" planning inspector. The original proposal had been turned down by the Central Planning Committee of Cornwall Council (by 14 votes to one) on June 10th 2013. The reason for refusal was that "The proposed use of land as a traveller site would harm the rural character of the area and would

provide a site poorly related to local services ..." Members will recall that I represented the views of the Parish Council and local residents at a hearing in April, and argued that the countryside near Toldish should be protected from development.

The Inspector acknowledged that there would be an adverse impact on the locality and surrounding countryside, but stated that this was outweighed by the need to provide traveller pitches. He also made it a personal consent tied to the two applicants and their families.

The Inspector also ignored the representation from St Enoder Parish Council that there was a disproportionate concentration of traveller sites in the China Clay Area. This consent now means that, of the 120 traveller pitches consented since 2006, 48 (40%) have been within the five parishes of the China Clay Area (Roche, St Dennis, St Enoder, St Stephen and Treverbyn) even though the population of the China Clay Area is less than 5% of that of Cornwall.

10. Planning matters – wind turbines

Applications for wind turbines continue to dominate planning matters in St Enoder Parish. I have been approached by a number of people concerned about the proposal for three turbines on the top of "Pines Tip" near Fraddon and I also attended a Parish Council site meeting to consider the proposed single turbine near Gaverigan.

Further to recent reports about the planning consent for two wind turbines near Goonabarn, which was granted in 2013, I have requested that senior officers meet with those local people who remain concerned about how the application was handled. The enforcement team has also visited the site to clarify whether the turbine that has been erected in the correct location. I can confirm that Chris Cooper-Young (enforcement officer) has responded to me as follows:

Further to our discussion I have been to the site and inspected/measured the wind turbine that has been installed. I can confirm that the turbine appears to be accurately sited in accordance with the approved plans and that the turbine is of the type approved and noted within the plans annotated on decision notice PA13/00848, as such my case will now be closed.

Members will also be aware that an application has been submitted for a wind turbine at Goonhoskyn near Summercourt. It claims that the nearest "non-financially involved property" would be 300m away, and ignores a number of properties within the actual Goonhoskyn complex. I understand that these are owned by the applicant, but occupied by tenants.

I have made inquiries with planning officers to ensure that the tenants are not perceived as being financially involved and I have been supplied with the following guidance:

'Financial Involvement' is a term used in ETSU-R-97 which allows a consideration to be given to increasing the permissible margin above background to be increased to 45dB(A) where "...the occupier of the property has some financial involvement in the wind farm" (ETSU-R-97 paragraph 24).

The term 'Financial Involvement' is not however statutorily defined, there is no further guidance in PPS22 or its companion guide, and while the term has been considered by Planning Inspectors, an assessment of noise will need to be given on a case by case basis. Further, the ETSU-R-97 considers the term in the context of wind farms and not for individual turbines.

The Council believes it would assist both developers and the wider public if further guidance be given on the scope of 'Financial Involvement' for use in the consideration of planning applications for single and multiple turbines ... the Council considers financial involvement to be applicable where the following criteria are satisfied:

- Occupiers of properties who own the land on which a wind turbine/farm is proposed;
- Persons who have invested money in the wind turbine/farm and seek to gain a financial return from it.

It is therefore clear to me that the affected tenants are not "financially involved" and I will make sure that this is reflected in the manner in which the application is handled.

11. Planning matters – land rear of Kilburn, Fraddon

The above planning application (outline planning) was considered at the last meeting of the Central Sub-Area Planning Committee. I challenged many aspects of the application but, because of the outline consent granted on appeal in 2010, there did not appear to be any willingness on the part of councillors to refuse the planning application. They did however vote to defer the application (by eight votes to seven), so that officers could investigate whether the application could be improved (for example, with a better affordable housing offer).

In association with the Clerk and Chairman, I produced the below email setting out the concerns of the Parish Council and sent it to the planning officer.

We still object to the proposal, but would ask that – should Cornwall Council accept the principle of housing in this location – it address the following concerns:

- The scheme granted on appeal was for 60% affordable housing, but the new scheme has been reduced to 55% affordable housing. We do not believe that it is acceptable that the amount of affordable housing is reduced, as this

was an exception site where permission was only granted after appeal because of the 60% affordable content.

- The sale prices of the "intermediate homes for sale" have been shown as: one-bed flat – £69,050; two-bed house – £97,500; three-bed house – £107,000. We do not believe that these prices are fully in line with the former Restormel's SPD on affordable housing. In particular, we note that "intermediate homes for sale" in the eighth application (PA14/01101) on the most recent Planning Committee included two-bedroom units at £82,050 and three-bedroom houses at £88,875 and £106,500. We do not believe that such a difference is acceptable.
- In the illustrative plan presented with the application, the proposed 11 affordable units are very small in relation to the open market units. We understand the 'offered' affordable units would be four 1-bed flats, two 2-bed and five 3-bed houses, but note that there is a lack of clarity as to the composition of the open market units though some past paperwork suggests that most of the units could be four-bed units. We do not believe that such a disparity in property type is acceptable, and would add that if all open-market properties were 4-bed units there would be a total of 36 bedrooms – compared to only 23 bedrooms in the affordable units.
- Some of the open market units in the illustrative plan are shown as large, while the two-bedroom affordable houses would be only 72m² with the three-bedroom affordable houses at only 75m². We do not believe that such a disparity from the open market units can be acceptable.
- Likewise, it is also the view of the Parish Council that it is inappropriate that the 11 affordable homes occupy just 38% of the land-take, compared to 62% of the land-take for the nine open-market units. We do not believe that such a disparity is acceptable.
- It is also the view of the Parish Council that the affordable and open market properties should be incorporated or blended together in an inclusive manner, so that it is not obvious which properties are affordable and which ones are open market.
- The Parish Council appreciates that the application is for outline consent, but notes that it will specify the make-up and price for the affordable units.

We would therefore seek that, if granted, the conditions of the consent or legal agreement should (i) specify decent space standards for the affordable houses, (ii) specify the nature of the open market housing, (iii) set out a more equitable division of land-take between the affordable and open-market properties, and (iv) ensure that there is less of a disparity between the size of the affordable and open market housing units.

Obviously, we would also wish that Cornwall Council looks more closely at the viability information surrounding this application.

The information has been forwarded to the applicant, who has made it clear that he does not wish to enter into any negotiation and it is the intention of the planning officer to refer the application back to the Central Sub-Area Planning Committee on 4th August.

12. Planning matters – quality of planning applications

As discussed at a recent Parish Council meeting, I have written to Cornwall Council about (i) the poor quality of some planning applications (ii) the late submission of additional information, upon which Parish Councils are not given the opportunity to comment. I have raised a number of recent examples and requested that greater resource be made available to ensure that all the information is available, and of a sufficient quality, before the applications are registered and the views of the Parish Council sought.

13. Biogas plant at Higher Fraddon

I have received a number of representations about traffic problems at Higher Fraddon, caused by traffic to the biogas plant or the pig farm which is being redeveloped, and I met with John Deane (Greener for Life) and David Madders from their contractors (FLI Energy) on 10th July. We discussed a range of issues, including the immediate traffic problems but also the planning conditions for the operation of pig farm and plant, once completed.

Mr Madders sent me the following email after the meeting:

I'm glad you can see that for the construction activities the plant is generally complying with the terms set out in the planning conditions. We are currently in week 17/50 and on programme to be practically complete by Christmas. That said the busiest period for deliveries is almost over and by the end of July deliveries to the plant will decrease by approximately half although some big deliveries of steel and tanks taking place before completion of roads and the lorry turning area.

As we discussed there are some points raised by the local residents which I have to say could be vehicles coming to/from the site and to that end all the guys on site had a toolbox talk on Tuesday reminding them to be courteous and to drive slowly when accessing/egressing.

There are quite a significant amount of deliveries involved in the rebuilding of the pig farm which are outside of my control these at present are delivering the farmer stone/concrete and are marked 'Enviro.'

It would be helpful if a resident has a problem with a particular vehicle that they note any company logo and time date so that if it is one that is delivering to us I can do something about it or if its delivering elsewhere at least I can point you in the right direction.

14. Fairview Park, St Columb Road

As suggested at the April meeting, I have undertaken a survey of the residents of Fairview Park about the future of the small open space, where a play area was not provided. I presented four options and asked local residents to list their preferences. The options were as follows:

Option A: Tidy up the open area and landscape it with some bushes and trees.

Option B: Tidy up the open area and make it into a community space with, for example, picnic tables and benches.

Option C: Tidy up the open area and install some play equipment suitable for toddlers.

Option D: Investigate whether any individual residents would like to take ownership of the land themselves.

As previously agreed, options A-C would involve St Ender Parish Council taking full responsibility for the future maintenance of the open space.

A total of 38 households responded to the survey; 17 households preferred option A, six wanted option B, 13 preferred option C while two backed option D. When the two less popular options were discounted, of those households who expressed an opinion, 20 households preferred option A while 15 preferred option C.

I will report more at the meeting, when we can discuss how we take this issue forward.

15. Traveller encampment

In my last monthly report, I reported how a group of travellers had camped on two sites within the Parish, on the very edge of the settlement of Mitchell. At the end of June, the travellers moved on to a site on the edge of Tregoss (in Roche Parish) and you may have seen the newspapers reports about the materials left behind on that site.

16. Parish Council business

I have also assisted the Clerk and other Parish Councillors on a range of issues. This included sorting out the building regulations application for the new Youth Club building.

17. EOI for HLF

I have submitted an Expression of Interest to the Heritage Lottery Fund concerning a grant to mark the centenary of the First World War, as previously agreed by the Parish Council. If successful, we will be able to produce a book about local servicemen and the wider community, as well as new interpretation materials for the three local village halls and the Church and the Chapel.

18. Holyer an Gof book awards

On 15th July, I attended the Holyer an Gof book awards in Waterstones in Truro. My booklet "Looking Back: Indian Queens Pit and St Enoder Parish" was one of the four shortlisted publications in the category relating to booklets published in 2013.

19. Community Fund

This year, I have a total of £2,195 in my Community Fund to allocate to local groups. I have sanctioned the first grant which is £400 to the Indian Queens Under-5s.

20. Inquiries

Throughout the last month, I have also helped numerous people and local organisations with advice and guidance on a wide range of issues.

