

Cornwall Council report

Cllr Dick Cole

Time period: 22nd February to 20th March 2016

1. Council meetings

I have attended a range of formal meetings at Cornwall Council over the last month. These included: Strategic Planning Committee (plus an associated technical briefing), Central Sub-Area Planning Committee, Planning Policy Advisory Committee (2) plus two additional pre-agenda meetings, an all-member briefing on housing, the Remuneration Panel, a training session for PAC Chairmen, and two preparatory sessions for a meeting with a visiting Advisory Committee from the Council of Europe to discuss the Framework Convention for the Protection of National Minorities and the Cornish.

In addition to the meetings listed above, I have had numerous informal meetings with council officers and others to discuss a range of issues.

2. Other meetings

I have also attended meetings of the Incinerator Liaison Group and the Executive of the Cornwall and Isles of Scilly Rural Partnership, as well as the Annual General Meeting of the St Piran Trust, which is responsible for St Piran's Oratory near Perranporth.

3. Indian Queens Recreation Ground

Over the last month, I have continued to work with Amanda Kendall, the Clerk of St Enoder Parish Council, on consulting local people on the layout of our proposed new play area in the Indian Queens Recreation Ground.

A drop in session for children and parents took place on Friday 4th March at the Indian Queens Victory Hall, at which Cllr David Hearl also helped out. I also sought feedback from both the Indian Queens Under-5s and the Wesley Pre-School.

A separate update report on this project setting out a proposed way forward has been produced and will be tabled at Tuesday's Parish Council meeting.

4. South West Water works at Trevarren

As reported at previous Parish Council meeting, South West Water will soon commence works to realign part of the foul sewer near Trevarren and construct an associated attenuation tank (with a capacity of 280,000 litres) to prevent flooding in the area.

I understand that South West Water will be on site from Monday 4th April.

5. Planning and related matters

I have been actively involved with a large number of ongoing applications, as well as related planning matters. Listed below are a few examples, though this list is by no means exhaustive:

- Pines Tip, Fraddon (PA15/00955)

The application for three wind turbines on Pines Tip was considered by the Strategic Planning Committee on 10th March, following a technical briefing on 1st March.

In advance of the meeting, I prepared a letter for the residents of Pedna Carne which was forwarded to all members of the Planning Committee.

At the actual meeting, the Parish Council was represented by Cllr Michael Hopkins, while local residents Mel Morcom and Jenny Pickles spoke against the development.

The officer recommendation was for refusal, which was supported by councillors by twenty votes to nil. The two agreed reasons for refusal were as follows:

1. It is considered that the proposal is contrary to planning guidance contained in the Written Ministerial Statement issued on 18 June 2015 and paragraph 14 of the National Planning Practice Guidance by reason that the proposal does not have the backing of the affected communities and their concerns in respect of the harm to the historic environment and landscape including cumulative impacts have not been fully addressed.

- 2 The proposal by reason of its size, scale, location and proximity to other operational wind turbine development within the vicinity would generate an unacceptable cumulative visual impact on the wider landscape, to the point where turbines would become the dominant feature of the local landscape detracting from public views of the locality and cumulatively increasing the perceived human influence on the landscape resulting in a wind turbine landscape. The proposal is therefore contrary to Paragraph 97 of the National Planning Policy Framework 2012 and Policies 6, 10, 11, and 24 of the Restormel Borough Council Local Plan 2001-2011.

An application for a further three turbines on Scarcewater Tip in St Stephen Parish was also refused on 10th March, by twenty votes to nil.

- Pig farm application (PA15/04252)

The range of conditions for this application have almost been agreed and the decision notice will probably be issued this week. As previously reported, the conditions will include the insertion of bio-filters or

equivalent odour treatment measures into all the livestock buildings and enhanced measures to control surface water.

- AD plant at Penare (PA15/03073)

Since the decision of Cornwall Council's Strategic Planning Committee to defer the above application on 11th February, officers have been in regular contact with representatives of Greener for Life for additional information about the nature of the application and the scope of their requested traffic movements.

It is my understanding that the planning officers have not received all the information that they had requested, but have re-written the report and referred it back to a meeting of the Strategic Planning Committee on 7th April.

Greener for Life have also written to me stating that they no longer wish to take part in Forum meetings and have proposed a new arrangement to liaise with local residents and other. The email was as follows:

As you know GFL decided not to attend any further residents liaison group meetings as these had regrettably reached a point where the meeting itself was causing more problems than it was resolving and we thought it best to have a re-think.

We are still very committed to having a regular dialogue with residents both to provide a means for us to give updates on activity at the plant and also for residents to raise issues.

We feel that the best way to achieve this is to have a smaller group which would involve people directly involved with the plant working together to resolve issues but also to plan new initiatives such as educational visits.

Our proposal is as follows:

- less than 10 attendees
- no audience
- chaired by Greener for Life, most likely Darren Stockley or a senior manager from our operations team
- other attendees to include:
 - 1) one member of existing liaison group (we would welcome a new face to represent this group)
 - 2) one member of the Fraddon supporters group
 - 3) one or two immediate neighbours
 - 4) yourself
 - 5) Dan Johns from the pig farm
 - 6) Nigel Doyle, CC (as required)
 - 7) Sarah Taylor, EA (as required)
- deputies could be nominated when it was not possible for someone to attend.
- the meetings could be in a smaller venue

- the group could set its own terms of reference at the first meeting
- it would be incumbent on members to feedback to their respective groups

We would like you to consider this new approach as we feel that it could provide a fresh start and ensure that we provide a forum where things can be openly discussed. Assuming you agree, we would make the necessary arrangements.

We would also like to propose the first date for this group to meet as 12 May 2016 at 5pm.

It would be understatement to say that the residents who have regularly attended the Forum meetings are less than pleased with the suggestion.

- Outline application for three houses on School Road, Summercourt (PA15/03068)

It is quite some time since I produced a statement on behalf of the Parish Council for the [written representations] appeal for the above application. I am pleased to be able to report that the appeal has been dismissed.

The conclusion of the Inspector included the following:

The harm to the open countryside setting to the village that I have identified would breach the core planning principle to take account of the intrinsic character and beauty of the countryside set out at paragraph 17 of the [National Planning Policy] Framework, leading to environmental harm. On this basis the proposal could not be considered a sustainable development and the presumption anticipated at paragraph 14 of the Framework does not prevail.

I conclude therefore that while there would undoubtedly be some benefits that the proposal would bring, these are significantly and demonstrably outweighed by the considerable harm I have identified in respect of countryside character. The proposal would therefore amount to an unsustainable development that conflicts with criterion (2) of saved Policy 3 of the [Restormel] Local Plan and the sustainability objectives of the Framework taken in the whole.

- Redevelopment and extension of Kingsley Village (PA15/04129)

The relevant Section 106 has been signed for the above application and the planning consent has been issued.

- Mobile homes on the Kelliers (PA15/06186)

In January I reported that, following the refusal of the second (part-retrospective) application for mobile homes on the Kelliers, a series of

enforcement notices were served by the unitary authority in the first week of January 2016.

Now that the landowner has appealed against both the refusal of planning permission and the enforcement notices, I am working on a detailed statement on behalf of the Parish Council which must be submitted by 28th March. The appeal would be heard through a hearing.

- Former Post Office, Fraddon (PA15/08012)

This change of use application to turn the former Post Office in Fraddon into a takeaway was considered at a meeting of the Central Sub-Area Planning Committee on 14th March.

It was recommended for approval, with the case officer arguing that the former Post Office already had consent as a shop and the change of use to a take-away was a limited shift.

At the actual meeting, the Parish Council was represented by Cllr Jackie Baker, who raised concerns over traffic and parking problems, as well as the potential adverse impacts from the take-away being open late into the evening when there would be fewer options for parking available in the general area.

I gave support to the Parish Council's objections but added that, if they were minded to approve the application, they should consider modified or additional conditions about traffic and opening hours.

The application was approved by ten votes to four, and though the councillors declined to add controls on traffic they did slightly limit the requested opening hours. The applicants requested 11.00am to 11.00pm, but the following was agreed:

Monday – Thursday	11.00am to 9.30pm
Friday – Saturday	11.00am to 11.00pm
Sunday	11.00am to 8.00pm

- Pre application advice for energy storage facility at Higher Fraddon (PA16/00186/PREAPP)

A company called AES recently submitted a request for pre-application advice for a large energy storage facility at Higher Fraddon – which is not related in any way to the AD plant at Higher Fraddon. The case has given advice to the applicant which is less than favourable. Part of the conclusion was as follows:

I would have concerns regarding the location of the proposal in terms of accessibility of construction traffic and the close proximity to a number of residential properties.

A number of objections have been raised from the residents within the area concerned regarding visual impact and highway safety.

The Parish Council have also raised an objection to the proposal and have highlighted that there is land at Indian Queens substation big enough to accommodate the proposed building and therefore area questioning the siting of the proposal.

The proposal site is not located within any settlement or within an allocated or existing employment/industrial site and therefore the proposal would be considered development within the Countryside.

A justification would therefore need to be submitted as to why the application has to be sited in this location and should be supported with site selection information. Due to the constraints regarding the location of residents and the highways infrastructure and the pressure on that at present I would not consider this to be a suitable location for the development.

Any submission would need to demonstrate how the development would be considered a sustainable form of development. I would also advise that significant mitigation and landscaping provision would be expected in this location to limit any impact.

6. Highway and related issues

In my last monthly report, I updated members of the Council on a range of traffic matters. And last week, I separately met with the headteacher of Indian Queens School (15th March) and a local representative of Cormac (17th March) to discuss a range of traffic and parking issues. I am taking forward a number of action points and I will report more next month.

I can also report that Barton Lane, Fraddon, has just been resurfaced and similar works on Beacon Road, Summercourt, will be taking place this week (21st-24th March).

7. Indian Queens Under-5s

I helped the Indian Queens Under-5s to submit a funding application to the China Clay Area Community Fund towards the cost of the new surface in their enclosed play area. I am pleased to be able to report that we were successful and secured a grant of £1,000.

8. Inquiries

In the last month, I have also helped numerous people with advice and guidance. Issues have included housing problems, speeding traffic, various enforcement matters and more.