



St MINVER LOWLANDS PARISH COUNCIL
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, ROCK METHODIST CHAPEL
ON MONDAY, 6th JULY 2009 @ 7.30pm

Present: Cllr. Mrs Mould (Chairman) Cllr. Blewett Cllr. Mrs Gibson
 Cllr. Miss Gilbert Cllr. Gisbourne (PC/CC) Cllr. Mrs Morgan
 Cllr. Rathbone Cllr. Strong Cllr. Mrs Webb
 Mrs Thompson (Clerk)

Minute	AGENDA ITEMS	Action
	<p><u>Chairman's Welcome and Public Forum</u> – the Chairman welcomed those present, including Mr Sharpe (member of the public); Cllr. Brian Bartlett (Highlands); Mr Richard Watson (present to answer any questions regarding his planning application).</p> <p>Cllr. Gibson addressed the Meeting, regarding agenda 105a/2009. She pointed out that if traffic isn't able to pass each other, there is a potential for traffic to back-up to the east, which would mean stationary vehicles, impacting on the entrance to the industrial estate.</p>	
100/2009	<u>Apologies for Absence</u> – Cllr. Stone (leave).	
101/2009	<p><u>Council Vacancy</u> – Messrs. Paul Blewett and Chris Taper both addressed Members, regarding their application to join the Council. It was AGREED to co-opt Mr Blewett. The Chairman hoped Mr Taper would stay in touch. The co-opted Member duly signed his Declaration of Acceptance of Office and took the Members' Interest Form for completion.</p> <p>Cllr. Morgan arrived at this point.</p>	
102/2009	<p><u>Members' Declarations:</u></p> <p>a. <u>Declarations of Interest, in Accordance with the Agenda</u> – none</p> <p>b. <u>Declarations of Gifts over £25</u> – none</p>	
103/2009	<p><u>Minutes of Meetings:</u></p> <p>a. <i>Full Council Meeting</i> – 1st June 2009, AGREED as a true record.</p> <p>b. <i>Planning Meeting</i> – 15th June 2009, AGREED as a true record.</p>	
104/2009	<p><u>Outside Bodies/Reports</u> –</p> <p>a. <i>Police</i> – PC Taylor was not present at this point.</p> <p>b. <i>County Council</i> – Cllr. Gisbourne was not present at this point.</p> <p>c. <i>St Minver Highlands Parish Council</i> – a copy of the May and June Minutes and July Agenda, were made available at the Meeting. Cllr. Bartlett indicated Highlands are pursuing the overgrown hedge</p>	

	<p>by Copper's Corner. Cllr. Gilbert will speak to a contact to seek to have the hedge by Plots 1 and 2 Rock Road cut back.</p> <p>d. <i>Padstow Harbour Commission</i> – a copy of the May Minutes were made available at the Meeting. It was noted that additional parking in the Rock Car Park, is being pursued.</p> <p>e. <i>Joint Highways Working Party</i> – there had been no recent meeting. Cllr. Gibson left the Meeting at this point.</p>	Cllr. Gilbert
105/2009	<p><u>Planning Applications</u> –</p> <p>a. <i>2009/00828, Land Adjacent to Pityme Park</i> – FP, erection of 23 affordable residential units including open space provision and associated infrastructure.</p> <p>Members felt strongly that we should write to Mr Adrian Roberts personally, with a copy to Mr Dan Rogerson MP, outlining our concerns regarding the road safety issues. This is to include the timing of the traffic safety audit (understood to have been October 2007). The Chairman and the Clerk were AUTHORISED to compile the letter on the Council's behalf.</p> <p>An abridged version of the objections to be sent to all Members of the Planning Development Committee by the Clerk.</p> <p>It was AGREED to object to the planning application and the following submission was made to the Planning Officer:</p> <p>Although this site is within Highlands' area, Members feel that this development has a higher impact on the lowlands parish than the highlands as the road is the main arterial route into St. Minver Lowlands. We wish to make the following OBJECTIONS. The Clerk to inform Cornwall Council and to circulate the comments made to all Councillors on the Planning Committee.</p> <p>1. <u>Infrastructure</u></p> <p>a. The villages of Pityme, Rock and others in St Minver parish are at capacity for services and infrastructure. Section 3.22 Policy HSG1 states "There are also some main villages where extensive past growth is still being assimilated and further development should be restricted for the time being."</p> <p>b. The content of PPG13 is relevant to this case. This development would not minimise the need for motorised travel, it would not mean an easier access to jobs and facilities as the roads and transports network are not adequate. The planning application states the site is close to a bus route, however, this service is not frequent enough to commute to work or educational establishments outside the village. People therefore relying on private cars and taxis. It would not minimise the impact on the environment as this is a ribbon development on an exception site outside the boundary. Our village cannot absorb the growth of another housing development, as well as the long established housing estates we have had 4 new developments that have been approved and completed within the last 3 years, 2 further approved and 1 pending. To start a new development at this time will exceed the capacity of vital services and infrastructure. The villages of Pityme, Rock and others in St Minver parish are at capacity for services and infrastructure.</p>	<p>Chairman / Clerk</p> <p>Clerk</p>

- c. The school is full with a waiting list and families appealing for refused places. We again refer to PPG13, "the central objective is to reduce the need for motorised travel", the school being full will mean that children housed in this development would need to travel outside the village to other educational establishments. The proposed development site does not link to a safe route to school. This point is borne out by a recent project completed by the school children and forwarded to the parish council, asking for help in a getting a safe route to school, relating to a section of road close to this development and a route families will need to take, examples enclosed. We have had meetings with Brian Doney from Highways on this subject and he appeared to share our concerns.

2. Highway Issues

- a. By far the biggest concern that St Minver Lowlands parish council has with this development is the highways issue. We have had conversations with the case officer Mark Evans, Peter Phillips who was case office on the first application, Highways surveyor Kate Stephens and had on site meetings with Brian Doney. There are many points that were considered important enough to refuse the first application that have been watered down to become acceptable at the second application stage, these are:
 - b. Mapping, it has been pointed out previously that the site plan used by Highways and Byways is an old version of the site layout which has been superseded. This is a serious error considering the size and impact of the development and we are concerned that lay people such as parish councillors have to point this out, this will impact on the visibility splays as the junction is nearer to Carousel than shown. The ordinance survey maps have also proven to be inaccurate and the parish council has had to ask why there is no topographical survey which was requested by Peter Phillips at the site meeting of the first application.
 - c. Visibility Splays - In her report on the first application by Sanctuary Housing, Kate Stephens stated "the 2.4 meters by 43 meter visibility splays detailed are based on the standards set out in the manual for streets for accesses within the built up area where vehicle speeds are 30mph. I do not think that these standards are entirely applicable to this site as it is on the edge of the developed settlement and outside the 30 mph limit where vehicle speeds are likely to be above 30mph particularly from the East" I accept that visibility standard set out in the design manual for roads and bridges for accesses within 60mph limits would also be inappropriate given that vehicle speeds will be much less than 60mph approaching the village. Subject to 30mph speed limit to be relocated I will accept splays of 2.4 by 70. In the most recent application Sanctuary Housing have submitted reduced visibility splays from 70 meters to 55 meters. Obviously having realised that 70 meters was not achievable as parish councillors previously pointed out. There has been no change to the 2nd application that would explain or support her relaxation of her initial recommendations.

- d. Road Widths - Having read the email from Byways and Highways to Kate Stephens we are extremely concerned that by allowing ploughing of the road they feel they can achieve maximum 5.1m carriage way and a 900mm footway. Whilst they acknowledge 100mm short of the desired 5.2m stated they have quoted a previous case and ask that CCC highways accept the new reduced measurements and treat this as an exception case because it is local housing delivery. We feel all of this is totally unacceptable and that she has made a decision that seriously impacts on the safety of the users of this stretch of road. We feel disappointed that we have not been consulted fully given our serious concerns with the first application. We have previously pointed out that we do not feel that the visibility is actually achievable, even reduced to 55m. To accept less than the minimum requirement for road width and footway on such a busy road will make this area significantly more dangerous. This would expect this to be proven if an onsite safety audit was carried out on this road because of pedestrians accessing the parish on the narrowest pavement acceptable and the heavy duty traffic including wide wheel based lorries, boat trailers and HGV's that service the industrial estate. All this is exacerbated by the heavy influx of seasonal traffic.
- e. As stated in the Byways and Highways report a meeting was held with themselves, Kate Stephens and Adrian Roberts (safety auditor). Despite not visiting the site Adrian Roberts felt the combination of narrow footway and heavy lorries passing on a reduced width of carriageway over the 20 meter length would be unacceptable. We are concerned that his advice seems to have been disregarded by Kate Stephens. We feel it imperative that an onsite safety audit is commissioned before a decision is made. The families that may be housed here would have their safety put at significant risk in order to meet housing stock targets.

3. Other

- a. The positioning of this development is at the "gateway" to the village. A development of this scale and bulk, given that there is an industrial estate on the other side of the road, does not give a first good impression of a village that relies heavily on tourism. It would appear the building line is not being followed. The block of flats, at the entrance, is not following the building line of the houses next door and will be positioned approximately 2 meters in front. This large building will be imposing and as it is positioned next to the main road, could generate dangerous parking on the roadside, as occurs at Above Town Close. It is noted that no double yellow lines are included in the proposal.
- b. The inclusion of a play area in this development is of concern as the proposal states that it would "benefit the public realm". This will significantly increase the number of pedestrians using this dangerous stretch of road on an extremely inadequate pavement width. The parish councils have just recently opened a brand new play area which is located in a safe location and will easily service both St. Minver Highlands and Lowlands's parishes.

	<p>c. The amenity space of surrounding houses would be compromised unless a condition to obscure glass is enforced, particularly for properties 18-21 looking directly into Highfield and Carousel.</p> <p>d. Members note the internal pavement widths have been set to accommodation possible future development of the adjacent field. We strongly object to the implication that there could be yet more housing at this dangerous.</p> <p>4. <u>General Comments</u> –</p> <p>a. Members feel there has been excessive growth in recent years, with 13 council/affordable housing sites in St Minver parish (a list can be provided, if required). We understand the pressure to provide affordable housing, but we do not feel that the parish of St Minver specifically needs it in view of other recent developments. We are sure there are other parishes which could be found in our network area that would have more suitable exception sites villages, rather than overload parishes (such as St Minver) simply to meet housing targets, again we refer to PPG13.</p> <p>b. <i>2009/00844, An Lys, Rock</i> – OP, four new dwellings. Mr Watson was asked about the access road to the proposed development site and assured Members this was more than adequate. Members were concerned about this and the volume of traffic, which would be using an unadopted road, with additional concerns about the ever increasing pressure on the infrastructure. Mr Watson advised Members that the road had recently been improved by the residents living there and he has personally promised his neighbour that he will repair any damage to the road, during construction. NO OBJECTION, but Members wish the Planning Officer to take note of their concerns.</p> <p>The Police representatives arrived at the point and informed Members that the policing at Polzeath commences tonight. There was some discussion about open air events in the area.</p> <p>c. <i>2009/00874, Cashel, Rock Road</i> – FP, amendment to 2007/01607, namely to raise ground datum of house B by 500mm. OBJECT on the grounds this would make the buildings far too high.</p> <p>Cllr. Gisbourne arrived; and the Police and Mr Watson, left at this point.</p> <p>d. <i>2009/00892, Flat 2 St Moritz Court, Trebetherick</i> – FP, extension as garden room. NO OBJECTION.</p> <p>e. <i>2009/00852, Greenaway Reach, Trebetherick</i> – amended details to previously approved application under 2008/02174 namely the lowering of ground floor level and variations to fenestration and dormer roofs. NO OBJECTION.</p>	<p>Clerk</p> <p>Clerk</p> <p>Clerk</p> <p>Clerk</p>
<p>106/2009</p>	<p><u>Traffic Matters</u></p> <p>a. <i>Penmayne</i> – Minute 87a/2009 refers. Noted Mr Richard Beeks, Highways, advises the road has been temporarily repaired. Mr Colin Lewis, Highway Steward will be monitoring the road surface.</p> <p>b. <i>Tradewinds, Trebetherick</i> – Mr Richard Beeks, Highways, advises a site visit is to be arranged to inspect the potholes, and any repairs required will be enacted. The Clerk to advise Mr Beeks this matter is now urgent.</p>	<p>Clerk</p>

	<p>c. <i>Tree Preservation Orders</i> – Council to consider if any additional trees, in the parish, require TPOs. Item deferred to a meeting when Cllr. Gibson is present.</p>	
107/2009	<p><u>Financial Matters</u> –</p> <p>a. <i>Accounts for Payment</i> – schedule No.2009/10-04, to a value of £2,633.11 were APPROVED for payment. The Clerk apologised that she had been unable to provide copies of the Schedules for Members as the office photocopier was out of ink. This was queried as the machine is little used.</p> <p>b. <i>Investment Account</i> – Members completed the paperwork, to enable a change of signatures on the account. Clerk to submit.</p> <p>c. <i>Asset Register</i> – Minute 88c/2009 refers. The Clerk reported she has yet to resolve Members queries: (1) Land with current use permission - surfaces (excess £125); (2) items relating to the cemetery; and (3) the “other surfaces”. It is, therefore, not possible to accept the Revised Asset Register. She is pursuing.</p> <p>d. <i>Annual Return</i> – the Audit Commission has accepted the accounts for 2008/9. They do, however, comment: “(1) <i>The Council must ensure the Internal Auditor prints their name in section 4 as well as signing and entering the name of the firm.</i> (2) <i>Although the cover has been increased the Council should once again review its level of fidelity guarantee insurance cover. The current level of £35,000 is still below the Audit Commission’s guideline level of £37,000, i.e. cash balances plus half the precept.</i>” This was not felt to be an issue.</p>	<p>Clerk</p> <p>Clerk</p>
108/2009	<p><u>Risk Assessments</u> – Minute 89/2009 refers. It was AGREED to accept the Clerk’s risk assessments on the following.</p> <p>a. <i>Council Chamber</i> – copy circulated previously.</p> <p>b. <i>Trewint Playing Field / Bottle Bank</i> – copy circulated previously.</p> <p>c. <i>Financial Risks</i> – copy circulated previously.</p>	
109/2009	<p><u>Trewint Playing Fields</u> –</p> <p>a. <i>Children’s Play Area</i> – Minutes 90a/2009 refers. Cllr. Gilbert reported the roof of the shelter is not up to standard and is being pursued through the principal contractor. She confirmed Mr Mark Meneer is carrying out regular H&S checks.</p> <p>b. <i>Dog Control Order, Trewint Playing Field</i> – Minute 90b/2009 refers. Mr Paul Williams, Cornwall Council has raised no objection to the proposal to introduce a dog ban in the Trewint Playing Field. Cllr. Rathbone advised it will be necessary for those who issue fixed penalty tickets to be trained. It was AGREED the Clerk will draft an advertisement, to enable the creation of a Dog Control Order, and to check it for accuracy with Mr Paul Williams.</p>	<p>Clerk</p>
110/2009	<p><u>Environmental Matters</u> –</p> <p>a. <i>Agency Agreement</i> – Minute 91d/2009 refers. Cllr. Morgan has not yet had time to look into the reduction in the annual payment. The documentation to be returned to the Clerk on completion.</p> <p>b. <i>Footpath adj. to Skippers Close</i> – Minute 91b/2009 refers. Cllr. Mould advised she has been seeking letters from residents to state</p>	<p>Cllr. Morgan</p>

	<p>they remember this as a footpath. Until this is to hand, no further action can be taken, regarding placing this footpath on the definitive map. Cllr. Gilbert will ask Mr Peter Keat if he has any suitable photographs.</p> <p>c. <i>Coastal Footpath</i> – Minute 91c/2009 refers. Cornwall Council is investigating the provision of signage advising that cyclists are not permitted to use the footpath on the footpath between Daymer and Polzeath.</p> <p>d. <i>Footpath Complaints</i> – noted a number of complaints have been received regarding the footpaths around Trefessa; Daymer Lane and Trebetherick. The Clerk has advised the complainants of the maintenance schedule.</p> <p>e. <i>Footpath Maintenance</i> – footpath 28 was inadvertently omitted from the schedule of footpaths for cutting. Mr Tom Fletcher, County Environment Services has asked for Members views on which part of the path needs cutting and how often. The Clerk has requested the contractor to provide an estimate for the additional cuts and to identify any similar paths, which may have been omitted.</p> <p>It was AGREED to look into this fully in November and that Cllrs. Mould and Morgan will walk the footpaths and report to Council.</p>	<p>Cllr. Gilbert</p> <p>Cllrs. Mould / Morgan</p>
111/2009	<p><u>Polzeath</u> –</p> <p>a. <i>Police Fund</i> – Minute 92a/2009 refers. See also 105b/2009 above. Prior to the Planning Meeting, Cllr. Shepherd (Highlands) and Cllr. Mould (Lowlands) met to discuss the Policing at Polzeath. Cllr. Shepherd reported £800 in contributions has been received to date. She has spoken to Police Sgt. Moorcroft who has informed her that £700 will buy 2 extra days in August and £912 will buy 3 days extra. It was AGREED to additional dates in August. If no further funding is received, this means the Council is committed to contribute a further £60 to the Police Fund.</p>	
112/2009	<p><u>Website Links</u> – Minute 95/2009 refers. Council to consider how to take forward the proposal to create “links” with suitable sites, such as Tourist Information Centres, etc. This was deferred to the next Meeting.</p>	
113/2009	<p><u>Freedom of Information Request</u> – Minute 96/2009 refers. The Clerk reported that no further communication had been received from the Solicitors requesting information under the FoI Act. No further action at this stage.</p> <p>The Clerk to write to Padstow Harbour Commissioners and request the toilets are opened as soon as possible in the morning and to remind the Commissioners they have promised to keep the toilets open during the summer months until the last ferry.</p>	<p>Clerk</p>
114/2009	<p><u>Documentation</u> –</p> <p>a. <i>Victoria County History of Cornwall</i> – Minute 12h/2008 refers. Whereabouts of the book <i>Cornwall and the Cross, Christianity 500-1560</i> to be monitored. Cllr. Morgan to return this book.</p> <p>b. <i>War Memorials Trust</i> – May 2009 Bulletin.</p> <p>c. <i>Village SOS</i> – leaflet, regarding a BBC fundraising initiative.</p> <p>d. <i>Clerks & Councils Direct</i> – July 2009.</p>	<p>Cllr. Morgan</p>

115/2009	<p><u>Diary Dates –</u></p> <p>a. <i>Planning Meeting – 20th July 2009.</i> Noted no Full Council Meeting will be held in August.</p> <p>b. <i>Network Area Meeting – 10th October 2009.</i> It was AGREED to appoint Cllr. Mould as the permanent representative to attend these meetings and vote on the Council's behalf and Cllr. Morgan will act as Deputy. Other Members are welcome to attend, but cannot vote.</p>	
116/2009	<p><u>Information Only/Future Agenda Items: –</u></p> <p>a. <i>Salt Water Café –</i> it was pointed out that two new signs had been erected. The Clerk to contact Mr Gwyn Morley, Cornwall Council to enquire if they require planning permission.</p> <p>b. <i>County Council –</i> Cllr. Gisbourne reported on the budget deficit facing the Council. He reported the Planning System is changing. When the Parish Council makes their comments, and these differ with the views of the Planning Officer, the officer will contact the Council and try to sort out the differences, even offering to make a site visit. If the matter cannot be resolved the application will go the Planning Committee.</p>	Clerk

Signature: (Cllr. Mrs Carol Mould)
Chairman

Date: 7th September 2009