

LOOE TOWN COUNCIL

MINUTES OF THE PLANNING COMMITTEE MEETING

held in the Council Chamber, The Guildhall, East Looe on
Monday 1st November 2010 at 7.00pm

REPORT TO COUNCIL

PRESENT

Chairman – Cllr K Smith
Cllrs D J Bryan, E B Galipeau, M Gregory
J Hoskin and A Toms

IN ATTENDANCE

Mrs Anne Frith – Town Clerk
Cllr Mrs M Powell
Mr and Mrs J Warne
Mr I Tomlin – Situ8
Various other members of public

39. APOLOGIES

Apologies for absence were received from Councillor J R B Dingle.

40. TO RECEIVE DECLARATIONS OF INTEREST

.1 Personal Interests

All Councillors present declared an interest in Application Number PA10/06279/FUL as the applicant is a fellow Councillor.

Councillors Bryan and Galipeau declared an interest in any matter raised concerning East Looe Town Trust.

Councillor Toms declared an interest in any matter raised concerning Cornwall Council, Looe Harbour Commission and Looe Development Trust.

Councillor Galipeau declared an interest in Mr Warne as a fellow trustee of East Looe Town Trust and friend.

.2 Prejudicial Interest

Councillor Toms declared a prejudicial interest in Application Number PA10/06279/FUL – Mr W Martin, land adjacent to Dawes Lane.

41. TO RECEIVE QUESTIONS OR STATEMENTS FROM MEMBERS OF THE PUBLIC

The Chairman asked the members of the public present if there were any questions or statements other than those relating to Application Number PA10/06279. There were none.

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At this stage the Chairman proposed that the order of the Agenda be altered to enable discussion and recommendation of Application

Number PA10/06279/FUL, seconded by Councillor Gregory it was unanimously agreed.

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42. TO DISCUSS APPLICATION NUMBER PA10/06279/FUL – MR W MARTIN, LAND ADJACENT TO DAWES LANE, EAST LOOE

The Chairman informed the Committee that we had received eleven letters of objection from residents of the area to this application and one petition.

The Chairman then invited Mr Warne, on behalf of the objectors, to speak reminding him that he had three minutes to state the objections. (See attached Appendix 'A').

The Chairman then invited Mr Tomlin, on behalf of the applicant, to state his case.

Mr Tomlin spoke in favour of the application highlighting two other developments which had been permitted in an OALS designated area in the Caradon Area ie a hotel and Leisure Complex at Carkeel, Saltash and also Barclay House.

Councillor Galipeau asked Mr Tomlin if the location of the actual development on the land was intended to leave space for further development, Mr Tomlin replied that this was not the case. Councillor Galipeau also asked Mr Tomlin about boundary disputes on the land in question. The Chairman pointed out that this is not relevant to the Planning Application. He then asked Mr Tomlin about the section of land near the site entrance not being included in the application, was it proposed to develop this land later. Mr Tomlin replied that this parcel of land is in dispute as the neighbour had encroached on it.

Councillor Hoskin asked if access to the land would be along Pendrim Road and if there were to be any trees felled, Mr Tomlin confirmed that neither was the case.

The Committee then looked at the application and various concerns were raised. Councillor Galipeau stated that in terms of the OALS designation it is primarily the responsibility of the local authority (ie Looe Town Council) to protect sites, such as this one and the Wooldown, this is a finger of green space important to Shutta in particular and, although there is a planting plan in the application, the major concerns is the OALS being taken into domestic curtilage. In his opinion policies LO8 and LO11 of the Caradon Local Plan First Alteration 2007 apply.

The Chairman stated that comparison of this site and the Wooldown was inappropriate.

Concerns were also raised by Councillors Bryan and Gregory that the proposed development is out of keeping with the area and the enforcement of Tree Preservation Orders, Councillor Hoskin stated that, irrespective of the application, the proposed turning head would enhance the area for the residents.

The Chairman stated that an OALS designation does not preclude development as long as there is no harm to flora, fauna and wildlife and feels that there are conflicting recommendations from Cornwall Council.

Councillor Galipeau proposed that the Application be called in for Cornwall Council Committee decision and that we recommend refusal of the application on the grounds that the land is designated as OALS and the proposed development is against policies LO8 and LO11 of the Caradon Local Plan First Alteration 2007, there was no seconder for this proposal.

Councillor Gregory proposed that Councillor Galipeau's proposal be accepted but without Policy LO11, seconded by Councillor Galipeau (who withdrew his proposal) it was voted 2/2 against and 1 abstention therefore this proposal was not carried.

Councillor Bryan proposed that the application be called in for Cornwall Council Committee decision and express our disapproval of the

scheme, seconded by Councillor Smith it was voted 2/2 against with one abstention, to resolve this issue. The Chairman, Councillor Smith, used his casting vote to accept Councillor Bryan's proposal and it was therefore:

RESOLVED

With a vote of 2/2 against and 1 abstention plus the Chairman's casting vote to accept Councillor Bryan's proposal.

Members of the public left the meeting and the Committee returned to the order of the Agenda.

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43. CORRESPONDENCE

.1 Cornwall Council – Revision of Local Validation List

This information was read to the Committee and the Clerk was asked to circulate to all Committee members.

.2 Community Network Manager – Stephen Foster – New Planning Policies Consultation

The Clerk was asked to circulate this information to all Committee members for comment at the next meeting.

.3 DIS Publication – Tree Preservation System

This information was read to the Committee.

.4 Councillor A Toms – Sewage Treatment in Looe

An e-mail copy of a letter sent to South West Water had been received and was read to the Committee.

Councillor Toms reported that a reply to his concerns had been received and he will forward a copy to the office to be circulated to the Committee members.

Councillor Bryan stated that we need to push for improvement of the sewage system with no embargo on future development.

44. DECISION NOTICES

See attached Appendix 'B'.

45. PLANNING APPEALS AND SITE MEETINGS

.1 Mr and Mrs Swain, site at Pennyford, Shutta, East Looe.

Notification of an appeal against Cornwall Council's refusal of the application to retain timber decking had been received.

The Committee support Cornwall Council's decision.

46. PLANNING APPLICATIONS

See attached Appendix 'C'.

47. TO RECEIVE MEMBERS REPORTS OF PLANNING CONTRAVENTIONS

There were none reported.

The Clerk was asked to chase up the progress of previously reported contraventions ie The Harbour Moon – erection of a wooden covered area and the Fish Kitchen in the Wishing Well garden area.

The Meeting closed at 8.35 pm

Signed Date
Chairman of Planning Committee

APPENDIX 'A'

LOOE TOWN COUNCIL: ORAL REPRESENTATIONS TO PLANNING COMMITTEE, 1st NOVEMBER 2010

We and many other residents directly affected are strongly opposed to this application. Because of technical problems many objectors have not been able to submit their representations in time for this meeting. Those objections will seriously challenge many of the assertions in the application. I will summarise some of our main concerns.

First, policy. There are several policies with which this application would be inconsistent. It should be of paramount importance to LTC to seek to maintain the OALS policy. This site clearly separates the Barbican from the Conservation Area it adjoins and provides an important buffer between the two and between the Barbican and Shutta. It is part of a wider area subject to OALS policy extending across the footpath and beyond to the east and is the only such area on this side of the Shutta valley.

Second, impact on the character of the area. This application is in for one house, not the previous two, though (significantly) it has been sited to allow other building if this application is approved. It is a very big house, set high on stilts and would be clearly visible from all around in late autumn through to early summer; it would be visible throughout the year from Dawes Lane, North View, Restormel Road, parts of Bodrigan Road and, of course, extensively from the footpath leading to Bodrigan Road.

Third, trees. I must stress that, apart from the swathe already cut through the site by the applicant, this is a wooded area, not scrubland as sometimes described, with an extensive range of wildlife. There is no major dumping issue. Some of the pictures accompanying the application are of rubbish dumped in the last few months by the builder who is currently using the site as a builder's yard. Experts say that if the application is approved any future occupier would be able to raise legitimate concerns about the danger of falling trees and light deprivation, leading to requests for felling which the Council would find difficult to resist. This would lead to further depletion of tree cover.

Finally, traffic and safety. The proposed public turning area would increasingly attract many more and larger vehicles into the neighbourhood. They would come down Pendrim Road and by using the turning area be able to proceed down into town. Traffic would also come up Shutta from the Globe, turn left into North View, use the turning

area and proceed up Pendrim Road. Together, this would bring traffic chaos and great danger to pedestrians including the many schoolchildren who use this route. Corners are blind and the roads so narrow in places

(including immediately outside the site entrance) that pedestrians and vehicles simply cannot pass each other.

I urge the LTC to object to this application in the interests of the many adversely affected by it and in the wider interests of Looe.

LOOE TOWN COUNCIL
PLANNING APPLICATION LIST
COMM. MTG: 1st November 2010

**IF YOU ARE MAKING A WRITTEN OBJECTION TO CORNWALL COUNCIL
REGARDING ANY PLANNING APPLICATION PLEASE SEND A COPY OF YOUR
LETTER TO LOOE TOWN COUNCIL**

DATE	NUMBER	NAME	DEVELOPMENT & SITE	LTC RECOMMENDATIONS
30.09.2010	PA10/05988	Mr J V Whitting Land Opposite Boscehan Hannafore Lane West Looe	Notification for consent to coppice group of trees within a conservation area.	Approved under delegated powers.
01.10.2010	PA10/06051	Mrs Alison Day 4 Woodlands View West Looe Cornwall	Retention of decking to rear of dwelling	Object. We consider this structure to be oversized and against policy in a Conservation area.
06.10.2010	PA10/05674	Maggie Lilley Primrose Cottage Kellow Plaidy Lane East Looe	Construction of single storey extensions	Approved under delegated powers.
11.10.10	PA10/06245	Mr & Mrs D Barnes Quietways Listowel Drive Plaidy Looe	Alterations to walls and roof of sun lounge	Approved under delegated powers.
12.10.10	PA10/06279	Mr W Martin Land adjacent to Dawes Lane East Looe	Construction of dwelling with parking and adoptable turning head.	Object. We consider this to be out of keeping with the area and would like to call this application in for Cornwall Council Committee decision. We consider it is in contravention of Policy LO8 of the Caradon Local Plan First Alteration.
12.10.10	PA10/05909	Mr Malcolm Brooks Polvellan House The Millpool West Looe	Change of use of Polvellan House to six residential apartments (revised	Support

25.10.10	PA10/06670	As above	scheme to approved appn E2/99/01243/ FUL) Notification for consent for 15% crown reduction no greater than 2-2.5m to Oak Tree within Conservation Area	Do not object or support. Please refer to County Forrester.
12.10.2010	PA10/03133 APP/DO84 O/ D10/213792 3	Mr and Mrs J Swain Site at Pennyford Shutta East Looe PL13 1JD	Proposed timber decking to rear garden area	The Committee support Cornwall Council's decision to refuse this application.
18.10.10	PA10/05738	Mr and Mrs Padfield 1 Topview Chapel Ground West Looe Looe	Replacement of part of roof on rear elevation with pitched roof	Support
18.10.10	PA10/05760	Miss Jacqueline Martin 33 Churchlands East Looe PL13 1NR	Construction of two storey rear extension and replacement porch on front elevation	Approved under delegated powers.
18.10.10	PA10/06248	Tretac Ltd Polvellan Manor The Millpool West Looe Cornwall	Notification for consent to remove two overhanging limbs from one Oak Tree within a conservation area.	Do not object or support. Please refer to County Forrester.
18.10.10	PA10/06460	Mr John Greehouse Quarry House Hannafore Lane West Looe Looe	Consent to remove 5 Leylandii Trees and 1 Lawson Cypress Tree within a conservation area	Do not object or support. Please refer to County Forrester
18.10.10	PA10/06470	West Looe Town Trust The Downs	Notification for consent to remove 1 Sycamore	Do not object or support. Please

		West Looe Cornwall	(1), 3 Alder bushes (2), 2 Sycamore and 3 Oak (3), half topped Pines (4), 5 Monterey Pine (6), 8 Hawthorns (7), split branch from Eucalyptus (5) and variety of tree limbs along Downs Road (8) within a conservation area	refer to County Forrester. We would query the level of work being carried out and have concerns about the oak trees.
18.10.10	PA10/06463	Mr Alan Palin Little Fieldhead Hannafore Lane West Looe Looe	Notification for consent to remove 2 Cornish Palm Trees, 1 Eucalyptus Tree, 1 Allora Pine Tree, 2 Laylandii Trees and 1 Apple Tree within a conservation area	Do not object or support. Please refer to County Forrester.
18.10.10	PA10/06481	Ms Lydia Anne Hoskin Lowender Cottage North Road West Looe Looe	Replacement windows	Approved under delegated powers.

DATE	REFERENCE NO:	NAME AND ADDRESS	LOOE TOWN COUNCIL RECOMMENDATIONS	CORNWALL COUNCIL DECISION
<i>DATE RECEIVED LTC</i>			<i>PERMISSION FOR DEVELOPMENT 1st November 2010</i>	
21.10.2010	PA10/04145	Mr P Davies Trenoweth Barbican Hill East Looe PL13 1BG	Object. We consider the proposed balustrade to be out of keeping with the area and would recommend that the wall is rebuilt further back to create a parking bay without the balustrade. Please refer to the Conservation Officer.	Grant of Conditional Planning Permission
21.10.2010	PA10/05237	Mr John Burton Westings West Looe Hill West Looe PL13 2HP	Support subject to the approval of the County Forester.	Notification for consent
21.10.2010	PA10/04804	Mr Michael Cotton Land adjacent to Portlooe Barton Farm West Looe Hill Looe	Support with conditions. No future use for residential purposes, it should be kept as agriculture use/stables only. (Delegated decision).	Grant of Conditional Planning Permission
21.10.2010	PA10/04440	Ms Tina Hicks The Harbour Office The Quay Looe PL13 1DX	No Planning Application Required.	Certificate of Lawfulness for Proposed Use or Development
21.10.2010	PA10/05027	Mr Phil Brown Heathcote Darloe Lane West Looe PL13 2BG	Do not object or support. Refer to County Forester.	Grant of Conservation Area Consent

21.10.2010	PA10/04431	Mr I Bath Pine Ridge West Looe Hill West Looe PL13 2HW	Support	Grant of Conditional Planning Permission
21.10.10	PA10/04432	Mr I Bath Pine Ridge West Looe Hill West Looe PL13 2HW	Support	Grant of Conservation Area Consent
			<i>REFUSAL OF PLANNING PERMISSION 1st November 2010</i>	