MEVAGISSEY PARISH COUNCIL

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Minutes of the Parish Council Planning Meeting held at the Mevagissey Activity Centre

On Friday 22 April 2022 at 7pm

Present Cllrs. M Roberts (Chairman), M Facey (Vice-Chairman), K Chamberlain, A Christie, J Gann, C Leiser,

J Morgan, G Shephard, J Whatty, A Williams, G Williams..

In Attendance P Howson (Clerk to the Council), 7 members of the public

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*UNRATIFIED UNLESS SIGNED*

1. Apologies for absence had been received from Cllrs. Barham and Mustoe (Ward Member).

2. Cllr. Gann declared an interest in agenda item 4e (PA22/03164).

Cllr. Facey declared an interest in agenda item 4d (PA22/00303).

3. Public participation.

Rodney Ingram spoke on agenda item 7a (alleged breach of planning on land adjacent 38 Kiln Close). He was representing a resident who was unable to attend and was concerned that a notification of breach of planning had not been received. He acknowledged that the disputed right of access was a civil matter.

Jon Gann spoke on agenda item 4e (PA22/03164) and showed a series of historical photographs to show that S106 agreements relating to Polkirt Heights had been continually breached and that the LPA had failed to take enforcement action despite being instructed to do so by the Local Government Ombudsman. He said that this application would also breach the S106 agreements and urged the Council to refuse the application.

4. Proposed by Cllr. Gann, Seconded by Cllr. Christie that agenda item 7a (alleged breach of planning on land adjacent 38 Kiln Close) be brought forward. Cllr. Facey asked for it to be minuted that contrary to what is allegedly being claimed the Council had never stated that there was a right of access. Proposed by Cllr. Gann, Seconded by Cllr. G Williams that the Council should write to the LPA case officer pointing out that the issue of right of access had been raised by the Council at the planning stage of the development and that the officer, having failed to resolve it at the time, should take responsibility for resolving it now. Carried.

5. Planning applications.

5a. PA22/01389 : Listed building consent to replace 4 x single glazed metal windows with wooden units. 26 Cliff Street Mevagissey Cornwall PL26 6QJ

Proposed by Cllr. Morgan, Seconded by Cllr. Leiser that the Council supports the application. Carried.

5b. PA22/02546 : Single storey side extension to create elderly relative accommodation and alterations to existing dwelling. 10 Higher Well Park Mevagissey Cornwall PL26 6XA

Proposed by Cllr. Facey, Seconded by Cllr. Shephard that the Council has no objection. Carried.

5c. PA22/02169 : Single storey porch and garage. Former Trevalsa Court Hotel School Hill Mevagissey St Austell Cornwall PL26 6TH

Proposed by Cllr. Shephard, Seconded by Cllr. Gann that the Council objects to the application. The site lies within what was designated by a saved policy of the Restormel Local Plan 2001 as an Area of Special Character which has already been compromised by allowing the construction of what was presented as owner’s accommodation, and the proposed garages would further erode the special character by not complying with Policy HC2 of the Mevagissey NDP. The removal of the round porch entrance is out of keeping with the building. It should also be established whether the proposed development is to provide domestic rather than commercial use, in which case a change of use application is required; and how the proposal relates to the neighbouring property, formerly the owner’s accommodation. Carried.

5d. PA22/00303 : Partial demolition of existing dwelling, rebuild of external walls from First Floor up. External works to rear garden including new soak away to rear and stair access. Surface to existing side alleyway to be resurfaced. 15 Polkirt Hill Mevagissey PL26 6UR (amended plans).

Cllr. Facey withdrew for this item having declared an interest.

Proposed by Cllr. Shephard, Seconded by Cllr. Gann that the LPA should be reminded that the Chair of the Central Planning Committee had used their casting vote to refuse the previous application on non-planning grounds, ie severe disruption to traffic and access, as had the Appeal Inspector, and that this remains a key consideration. The Council has no objection to this proposal on condition that the Construction and Traffic Management Plan is developed in full consultation with the Council and prior to planning approval being granted. Carried.

5e. PA22/03164 : Construction of a single-storey rear extension and conversion of the garage to a bedroom. Alterations to external fenestration, doors and materials and the inclusion of a Juliet balcony, as well as other internal alterations. 5 Polkirt Heights Mevagissey Cornwall PL26 6TT

Cllr. Gann withdrew for this item having declared an interest.

Proposed by Cllr. Facey, Seconded by Cllr. Chamberlain that the Council objects to the application on the following grounds:

1. Breach of conditions 3, 4 and 7 of C2/89/01320 and associated S.106 Agreement as follows:

Condition 3: the garage shall only be used for the parking of motor cars;

Condition 4: windows shall be wooden, side hung casement type, vertical sliding sash or fixed glazing;

Condition 7: approved planting scheme to be maintained (note that Condition 7 has been subject to enforcement action in December 2000 and February 2019, but still the planting is missing).

2. Permitted Development Rights are removed to avoid excessive development and keep the property true to the original approved scheme and protect the amenities of the area

3. The property is in the Conservation Area and the works proposed will cause significant harm to the character and appearance of the same, conflicting with Policies 12 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and the Cornwall Design Guide 2013 and Policy HC1 of the Mevagissey NDP.

4. The works adversely impact upon the amenity of the neighbouring properties because of new overlooking and noise and disturbance resulting from the use of the larger terrace areas. The works conflict with the aims of Policy 12 of the Cornwall Local Plan Strategic Policies 2010-2030 points 2 a and c and paragraph 127 point f of the NPPF 2019.

Carried.

5f. PA22/02964 : Alterations to Mayflower, Mevagissey, including removal of eastern roof hip to be

changed to gable end and alterations to existing dormer windows. Associated landscaping works and new summerhouse. Mayflower Tregoney Hill Mevagissey Cornwall

Proposed by Cllr. Chamberlain, Seconded by Cllr. Shephard that the Council has no objection. Carried.

6. An update was provided on current planning enforcement cases.

7. Planning decisions (for information).

PA21/11357 : Proposed single storey extension and replacement of existing garage with workshop/store and non-self contained annexe accommodation. Bosprennis Bodrugan Hill Portmellon. APPROVED WITH CONDITIONS

PA22/01192 : Replacement of a PVC conservatory with a single storey oak frame Garden Room.

8 Myrtle Court Polkirt Hill APPROVED

PA21/12720 : External works including replacement of roof covering, installation of roof lights, removal of cement render and replacement of UPVC windows and doors. 60 Church Street. APPROVED

8. Other planning matters.

8a. Alleged breach of planning on land adjacent to 38 Kiln Close (Cllr. Barham). It was noted that residents had been advised that any alleged breach of planning would be for them to pursue with the LPA. See also minute #4 above.

8b. Appeal against enforcement notice EN20/01563: Refusal of PA19/09527- part retrospective works relating to the creation of two new recreation areas. 41 Cliff Street Mevagissey St Austell.

The Clerk declared an interest in this item and withdrew, leaving the Vice-Chairman to record the resolution as follows: The Council wishes to withdraw its objection based on the amended nature of this application, and is satisfied that the appellant has addressed the Council’s concerns regarding the external area at the rear of the property.

8c. PA22/00456 : The Jays Nest, Trevarth. Outcome of 5-day protocol letter and site visit.

Proposed by Cllr. Facey, Seconded by Cllr. Morgan that the Council has no objection. Carried.

9. The meeting ended at 8.55pm. Date of next planning meeting: 20 May 2022.

Signed ......................................................................................... Dated ....................................