



## **Lostwithiel Town Council Extraordinary Meeting Tuesday 15 March 2022**

### **Cornwall Councillor Colin Martin**

Cornwall Councillor Colin Martin addressed the meeting and advised his role in the planning process as Cornwall Councillor for Lostwithiel.

### **Meeting Minutes**

A meeting of the Town Council was held in the Community Centre on Tuesday 15 March 2022.

### **Councillors Present**

Mayor Ross, Deputy Mayor Henderson,  
Councillor Anders, Councillor Barrass,  
Councillor Guiterman, Councillor Guy,  
Councillor Henderson, Councillor Jarrett,  
Councillor Kent, Councillor Marshall Stevens  
Councillor Rawlings, Councillor Townsend  
& Councillor Wisdom

### **In attendance**

37 members of the public were in attendance.  
Town Clerk Mrs Harris was in attendance.

**310/21 Apologies of Absence.**

Apologies were received and accepted from the following Councillors: - Councillor Saundry.

**311/21 Declarations of Interest**

Mayor Ross declared non registerable interests in agenda item 10 Edgumbe House & 11 Lostwithiel Rotary.

Councillors Barrass, Guiterman, Guy & Rawlings declared non-registerable interests in Agenda Item 5 Planning Application PA21/00038.

Councillors Guiterman & Guy declared non-registerable interests in Agenda Item 5 Planning PA21/03338.

Councillor Townsend declared non registerable interests in agenda item 10 Edgumbe House & 11 Lostwithiel Rotary.

**312/21 Public Participation**

Councillors Barrass, Guiterman, Guy & Rawlings having declared non-registerable interests in Gillyflower Farm left the meeting room. It transpired, as the public participation agenda item progressed, that the Council was only being addressed regarding planning applications PA21/03338. Therefore, the two Councillors who had left the room and not declared a non-registerable interest in PA21/03338 were asked if they wish to re-join the meeting. The Members of the Public who had already addressed the meeting were asked to repeat their comments.

**313/ 21 Meeting Minutes 01 March 2022**

It was **resolved** that the minutes of the Town Council Meeting held on 01 March 2022 are accepted, approved and duly signed by Mayor Ross.

Votes – 11 votes in favour, 2 abstentions.

### **314/21 Planning applications**

Councillors Barrass, Guiterman, Guy & Rawlings having previously declared non-registerable interests left the meeting room. Mayor Ross reminded Councillors of the information provided by the clerk and the importance of approaching these planning applications with an open mind.

a)

**PA21/00038**

Gillyflower Farm Education Centre for Horticulture, Agronomy and Cookery (including ancillary café and retail and other associated uses) 19 holiday lodges, golf reception and new access and parking arrangements  
Land at Gillyflower Farm Cott Road  
Lostwithiel

Mayor Ross read to Council comments regarding this application which had been forwarded to the Council office and in accordance with Standing Order 3f and with the agreement of Council during the discussion took comments from Cornwall Councillor Martin.

It was **resolved** to maintain the Town Council's objection to this planning application for all the reasons previously specified namely: -  
In the context of the National Planning Policy Framework

11bii) The Council considers that the adverse impact of this project severely outweighs the benefits, essentially the proposals for this site duplicate the recently announced Eden Project plans to build further education facilities.

30. The policies in the Lostwithiel Neighbourhood Development Plan (LNP) take precedence where it doesn't conflict with the NPPF namely the objective to 'conserve and enhance Lostwithiel' s heritage assets and protect and improve positive features which contribute to the townscape. 'and 'To revitalise the retail and commercial activities of the town centre'

39. The applicant did not explore the opportunity of early engagement with the local community

83c). The Council acknowledges that the revised design reduces the visual impact but considers the height of the hub should be reduced further and that Historic England comments dated 22 July should be addressed.

84. The Town Council notes that the negative impact on the surrounding countryside has been reduced and site access has been improved particularly for alternative modes of transport. However, the Town Council wishes to have the opportunity to make further comment after the consultation response from Highways Development Management Majors has been received by Cornwall Council.

85. This project has the potential to have a negative impact on Lostwithiel Town centre. The applicant is making provision to connect with the Town centre to encourage visitors to visit whilst in the area. But, the Town Council in conjunction with the Town Team (membership includes many prominent town organisations including Lostwithiel Business Group) has recently been awarded Cornwall Council's Town Centre Revitalisation Fund ' Town Vitality Funding.

89. The Town Council wishes to request that the applicant is asked to provide an impact assessment to illustrate how in preparing their proposal, they have given consideration to the impact the proposal would have on the catchment area and town centre vitality and wider retail catchment.

108 The application does promote visiting the site by walking, cycling or public transport. However, the Town Council considers there is still room for further improvement and wishes to make further comment after the consultation response from Highways Development Management Majors has been received.

128. There has been insufficient discussion between the applicant and the local community regarding this proposal.

170. This application does not protect and enhance valued landscapes. The site of this proposal is in an Area of Great Landscape Value. Lostwithiel is in a valley and the proposed hub will still dominate views from the town, its environs and views from Restormel Castle. The appearance of some of the golf course will be improved by the orchards and other planting.

174. Consideration should be given in the context of the EIA to the glare from all the glass on the buildings, the lights in the buildings and from traffic travelling to from and around the site. The Environmental impact will not be limited to the confines of the site as it is clearly visible from all sides of the valley, from the A390 and the surrounding countryside.

180. This land is currently green fields the Town Council would like to request that the developer provides a light pollution impact survey.

182. This applicant is working more in conjunction with local businesses. The Council welcomes the intention to integrate some local businesses but considers there is still room for further improvement.

189. The Town Council considers that whilst the height and size has been reduced the negative impact on the setting of Restormel Castle and the 1644 Battlefields is still unacceptable.

194b) The Town Council considers that whilst the reduction in height and size has reduced the visual harm the proposal is still significantly intrusive.

In the context of the Cornwall Local Plan

Policy 1 ' The Town Council wishes to express concern that throughout Cornwall there have been a number of unsuccessful holiday parks which have sought permission for all year-round residential occupancy to make the site viable. The Council considers the substantial cross subsidy included in the proposal outweighs the benefits.

Policy 4 ' In the Council's view, this proposal has the potential to have an adverse impact on the vitality and viability of Lostwithiel Town centre, some existing businesses will find themselves in direct competition for trade. Although, the size of the proposal has been reduced the Town Council is of the opinion that the application is not commensurate with the size of the town.

Policy 5 ' The Town Council does not consider this application is of a scale 'appropriate to its location or demonstrates an overriding locational and business need'. It does not provide 'a well-balanced mix of economic, social and environmental benefits'. The educational offer proposed duplicates an offer proposed for Eden and the cross subsidy required on site negates all environmental benefit.

Policy 6 ' This proposal intends to construct 19 x C3 units of housing 'outside the physical boundaries of existing settlement'.

Policy 12 ' The applicant has not engaged with the local community in the design process and it is the opinion of the Town Council that the proposal does not work with the natural and historic environment.

Policy 23 ' This proposal in the opinion of the Town Council does not enhance Cornwall's natural environment. The Council considers it is not of an appropriate scale, mass and design and will instigate light pollution in a hitherto from the perspective of the town dark sky, tranquil, relatively undisturbed area. The proposed site is within an Area of Great Landscape Value and the Town Council requests that a light pollution assessment is provided to the Local Planning Authority by the applicant.

Policy 24 ' The Town Council considers this proposal does not conserve the historic landscape of the Lostwithiel Battlefields and has a negative impact on the vista from Restormel Castle. The Town Council acknowledges that measures have been taken to reduce the impact of this proposed development on the vista. However, the Council considers that the mitigation measures in this revised

proposal are insufficient to conserve this important historic landscape.

Policy 26 ' Lostwithiel experiences flooding and the Town Council would ask Cornwall Council to closely scrutinize the Flood information submitted to ensure the site does not exacerbate flooding in Lostwithiel. The Council considers there is a risk that there will be an increase in surface water run-off in Cott Road

Policy 27 -The Town Council would like to be reconsulted on this application once the consultee response from Cornwall Council Highways has been received.

In the context of the Lostwithiel Neighbourhood Development Plan

The Lostwithiel Neighbourhood Plan has designated a housing development boundary the assessment criteria for this boundary were as follows: -

' Criterion 1: to confine development to the three valleys formed by the river Fowey, the Tanhouse Stream and Coffee Lake along the A390 going East out of Lostwithiel, avoiding upland sites that are highly visible from either the town centre or the surrounding countryside and/or impact on historic assets and their setting.

' Criterion 2: to round-off the existing boundary of the continuous high-density housing; to ensure there is convenient access to the town centre and to avoid excessive ribbon development.

' Criterion 3: to maintain existing woodland areas

The proposed project therefore contradicts the ethos of the Neighbourhood Development Plan to confine development to the valleys, to avoid upland sites and not impact on historic assets and their settings. It also intends to provide 19x C3 units of housing outside the Neighbourhood Development Plan housing boundary. (Lostwithiel Neighbourhood Plan policies HH2b & HH4bi)

This proposal does not meet the following objectives of the Lostwithiel's Neighbourhood Plan: - 'conserve and enhance Lostwithiel's heritage assets and protect and improve positive features which contribute to the townscape. '(Lostwithiel Neighbourhood Plan policies EH2b), EH2d))

The proposal is overbearing in an Area of Great Landscape Value it does not conserve and will have a considerable adverse effect on the historic landscape of the Lostwithiel Battlefields and has a negative impact on the vista from Restormel Castle.

'To revitalise the retail and commercial activities of the town centre' ' In the opinion of the Town Council this proposal has the potential to have a negative impact on Lostwithiel Town centre, as previously stated a number of the retail proposals duplicate offers currently available in the town. There is no provision to connect with the Town centre to encourage visitors to visit whilst in the area. Lostwithiel's Town Centre is already struggling and the Town Council with support from Town Team members has recently had two Town Centre Revitalisation programme funding bids approved by Cornwall Council.

Paragraph 91 ' This paragraph expresses the 'strong desire in the town to retain a busy and thriving centre for shopping by local residents and visitors and the Town Council supports this desire. Every effort must be made to ensure the survival of the retail centre through ensuring that as many properties as possible remain available for retail use'. The Town Council due to the retail offering included as part of the proposal considers that this proposal has the potential to decimate a number of struggling businesses.

Paragraph 98 ' The Town Council does not consider this overbearing development meets this criterion. It is not a 'sympathetic business venture in the countryside 'which will enhance the local environment and the local economy.' (Lostwithiel Neighbourhood Plan policies EH2b), EH2d))



Paragraph 148 ' The proposal is in conflict with this paragraph, the Town Council considers the scale mass and positioning of the buildings overwhelms noted landmark buildings and the town itself. (Lostwithiel Neighbourhood Plan policies EH2b), EH2d))

Paragraph 151 ' The Council considers this application is in conflict with Policy EH2b) Ensure that the scale, mass and positioning of any new buildings reflects the purpose for which they are proposed, and not overwhelm noted landmark buildings

Having now been re-consulted following Cornwall Council's receipt of the consultee response from Highways Lostwithiel Town Council wishes to add the following paragraphs to the previously submitted response: -

The Town Council has fundamental concerns with the Highways Report received and considers NPPF paragraph 109 '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*'

and Cornwall Local Plan policy 27 part 3 '*Locate larger developments which attract a proportionally larger number of people in the city and main towns or locations which are highly accessible by public transport. Any proposals which do not accord with this will require significant justification and provide clear transport benefits and 4. Be designed to provide convenient accessible and appropriate cycle and pedestrian routes, public transport and road routes within and in the immediate vicinity of the development...*' provide further reasons for refusal. Votes – 9 in favour.

Councillors Barrass & Rawlings re-joined the meeting.

**PA21/03338**

Gillyflower Farm, Cott Road  
Lostwithiel

Temporary access and use of temporary parking area and erection of new pedestrian access to Gillyflower Golf course.

Mayor Ross read to Council comments regarding this application which had been forwarded to the Council office and in accordance with Standing Order 3f and with the agreement of Council during the discussion took comments from Cornwall Councillor Martin.

It was **resolved** to support this temporary application.

Councillor Barrass requested a recorded vote.

Councillors voting in favour were Mayor Ross, Deputy Mayor Henderson, Councillor Anders, Councillor Jarrett, Councillor Rawlings & Councillor Townsend.

Councillors voting against were Councillor Barrass, Councillor Kent, Councillor Marshall Stevens & Councillor Wisdom.

Councillors Guiterman & Guy re-joined the meeting.

b) None

All members of the public, with the exception of one left the meeting.

Due to time constraints and in accordance with Standing Order 1a) Mayor Ross changed the order of items on the agenda and Council considered agenda item 7 Council Insurance, agenda item 11 Lostwithiel Rotary and agenda item 6 Land & Heritage Tree report. All other agenda items were deferred to the Council meeting to be held on 05 April 2022

### **315/21 Council insurance**

It was **resolved** to renew the Council's insurance for a further year at a cost of £4,387.64. The Fire Lightning, Explosion & Earthquake cover was noted by Council. The clerk was instructed to arrange the following: -

- a) Engage a surveyor to value Edgcumbe House, The Guildhall & Taprell House for insurance purposes,
- b) Increase the valuation for Pendour Play equipment to cost

- c) Add (when applicable) the following items to the insurance policy the new laptop & the allotments container,
- d) Cancel the Edgcumbe House Loss of rent cover.

Votes – 13 votes in favour.

### **316/21 Lostwithiel Rotary**

Mayor Ross & Councillor Townsend having previously declared non-registerable interests left the meeting room. The agenda item was chaired by Deputy Mayor Henderson.

It was **resolved** to note that Mayor Ross and Consort Richard Rule have been invited to attend Lostwithiel Rotary's President's night.

Votes – 13 votes in favour.

Mayor Ross & Councillor Townsend re-joined the meeting and Mayor Ross resumed as Chair.

### **317/21 Land & Heritage tree report**

- a) It was **resolved** to authorise a further inspection in June of all trees listed as needing close monitoring or an inspection in leaf.

Votes – 13 in favour.

- b) It was **resolved** to authorise the preparation of a tree tender document for all works identified to be undertaken within the timeframes identified.

Votes – 12 votes in favour, 1 abstention

The meeting closed at 9.00pm.

Chairman

Date