



## **Lostwithiel Town Council Meeting Tuesday 07 May 2024**

### **Cornwall Councillor Report**

Cornwall Councillor Colin Martin addressed the meeting and provided an update on the A390 pothole.

Councillor Martin also spoke of the very sad fatality recently on Penpillick Hill and advised that the South East Cornwall Community Area Partnership would prioritise the road safety concerns along this stretch of the A390.

Councillor Martin also spoke on various planning applications in Lostwithiel and asked for a copy of the Town Council's response on PA24/01112 to be forwarded to him directly.

### **Meeting Minutes**

A meeting of Lostwithiel Town Council was held in Lostwithiel Library on Tuesday 07 May 2024 at 7.25pm.

### **Councillors Present**

Mayor Henderson, Deputy Mayor Guiterman, Councillor Anders, Councillor Berryman, Councillor Dixon, Councillor Kent, Councillor Rawlings, Councillor Ross, Councillor Saundry, Councillor Townsend & Councillor Wisdom.

### **In attendance**

7 members of the public were in attendance

Town Clerk Mrs Harris was in attendance.

Acting Assistant Town Clerk Miss Groves was in attendance

### **021/24 Apologies of Absence**

Apologies were received and accepted from Councillor Guy, Councillor Henderson, Councillor Pearce & Councillor Tipton.

### **022/24 Declarations of Interest**

Councillor Kent, Councillor Rawlings & Councillor Ross declared a non-registerable interest in agenda item 4 Planning Applications PA24/01762. Deputy Mayor Guiterman & Councillor Wisdom declared a non-registerable interest in agenda item 11 Lostwithiel Town Team. Councillor Rawling & Councillor Townsend declared a non-registerable interest in agenda item 12.

### **023/24 Public Participation**

Councillors Kent, Rawlings & Ross having previously declared non-registerable interests left the meeting room. The Council was addressed by members of the public regarding Planning application **PA24/01762** Proposed erection of a detached dwelling and the formation of a vehicular access Land West Of 14 Victoria. Councillors Kent, Rawlings & Ross re-joined the meeting.

### **024/24 Planning applications-**

- a) **PA24/01050** Listed Building Consent for re-pointing works and improved capping of parapet wall.  
Bandroom, Old Duchy Palace  
Quay Street Lostwithiel

It was **resolved** to support this application for re-pointing and improved capping of the parapet wall noting that the detail of the proposed works has been amended in line with the recommendations of Cornwall Council's Historic Environment Planning Team. Vote – 11 In favour

- PA24/01513** Proposed extension to form a residential annexe (amended plans)  
Downend Cottage Grenville Road  
Lostwithiel

It was **resolved** to support this revised design. Vote – 11 In favour

Councillor Kent, Councillor Rawlings & Councillor Ross having declared a non-registerable interest left the meeting.

**PA24/01762**

Proposed erection of a detached dwelling and the formation of a vehicular access

Land West Of 14 Victoria

Lostwithiel

PL22 0AX

It was **resolved** not to support this application the Council considers the application does not comply with the National Planning Policy Framework paragraphs 196a) & d), 202, 203a), 204, 206, 209, 210 & 211 or Cornwall Local Plan Policies 12 & 24 or Lostwithiel Neighbourhood Plan policy EH2. Furthermore, the Town Council considers that the removal of part of this historic wall will further dilute the Lostwithiel Neighbourhood Plan Character Zone 4.

As below - National Planning Policy Framework: -

- 196 a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.
- 202 Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 203 a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- 204 In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.
- 206 Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 209 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 210 Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
- 211 Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Cornwall Local Plan: -

#### Policy 12

The Council is committed to achieving high quality safe, sustainable and inclusive design in all developments. Development must ensure Cornwall's enduring distinctiveness and maintain and enhance its distinctive natural and historic character. Development should demonstrate a design process that has clearly considered the existing context, and how the development contributes to the social, economic and environmental elements of sustainability through fundamental design principles.

#### Policy 24

Development proposals will be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.

Lostwithiel Neighbourhood Plan: -

#### Policy EH2 Protecting the Heritage of the Town

Development proposals that promote and protect the town's heritage through sensitive renovation and conversion of key buildings and historical survivals will be supported.

Councillors Kent, Rawlings & Ross returned to the meeting.

**PA24/01805**

A new water treatment process plant building and associated works, without complying with conditions 2, 3 and 4 of decision PA22/10795 dated 05/04/2023  
Land At Restormel Water Treatment Works Lostwithiel

It was **resolved** to support this application. Vote – 11 In favour

**PA24/02756**

Erection of new overhead lines  
1 The Uplands  
Lostwithiel Cornwall

It was **resolved** to support this application. Vote – 11 In favour

**b) PA24/01112**

Demolition of the existing 42-bedroom care home and the construction of new 36-unit close care apartment building and a new 77-bedroom care home to replace existing  
Cornwallis Care Services Ltd  
Meadowbrook House  
52 Grenville Road  
Lostwithiel

It was **resolved** to approve the response as drafted.

Lostwithiel Town Council does not support this application. The Council considers the application contrary to the following NPPF, Cornwall Local Plan & Lostwithiel Development Plan policies.

In the context of the National Planning Policy Framework the Town Council considers the following paragraphs pertinent: -

8c). The Town Council considers that the buildings included in this application do not deliver an environmental objective. They do not 'protect and enhance our natural, built and historic environment,.....'

12. The Town Council considers that this proposal contradicts the ethos of the Lostwithiel Neighbourhood Plan and considers there are no ‘material considerations in a particular case indicate that the plan should not be followed.’

20d) The Town Council considers that this planning application does not offer ‘conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure.....’

100. The Town Council does not consider that the existing health infrastructure in the town e.g. doctors, dentist & pharmacy has the capacity to deliver medical services to the increased number of beds to be provided.

124e) The Town Council is of the opinion that the multi floor buildings are not ‘consistent with the prevailing height and form of neighbouring properties and the overall street scene.....’

128d) This application does not maintain the ‘area’s prevailing character and setting.....’

135c) This application is not ‘sympathetic to local character and history, including the surrounding built environment and landscape setting.....’,

165. The Town Council notes the inclusion of SuDS in the proposal. However, based on local knowledge the Council respectively suggests that further consideration is given to both hard engineered and soft landscaping components to ensure that this site would not add to the already not insignificant flood risk level in Lostwithiel. For example, the inclusion of a stormwater attenuation tank with controlled flow release rate to alleviate the potential for run-off water to exacerbate the flood risk to properties further down and closer to the Town Centre.

180a) The Town Council considers this proposal is contrary to ‘protecting and enhancing valued landscapes.....’

193. This proposal cannot be ‘integrated effectively with existing businesses and community facilities.....’ It will have an adverse effect on the town’s current medical infrastructure.

196c). The Town Council considers that the application will not make ‘a positive contribution to local character and distinctiveness. ‘

212. This proposal demolishes an historic structure on site dating from 1700's and would not make a positive contribution to the setting of Lostwithiel's Conservation Area or the multiple Listed Building structures within.

In the context of the Cornwall Local Plan the Town Council considers the following paragraphs pertinent: -

#### Policy 1

The Town Council considers the 'adverse impacts of Granting permission would significantly and demonstrably outweigh the benefits.....'

#### Policy 2 part 1

The Town Council considers that this application shows little regard for 'respecting and enhancing quality of place the design does not a).....demonstrates a cultural, physical and aesthetic understanding of its location.'

#### Policy 5

The Town Council considers the application is not in accordance with part1c) 'be of a scale appropriate to its location. '

#### Policy 12

The Council considers this proposal contradicts part 1a) 'Being of an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape, seascape and townscape setting' and parts 2a)-2c) It will not 'protect individuals and property from:

- 2a. overlooking and unreasonable loss of privacy; and
- 2b. overshadowing and overbearing impacts; and
- 2c. unreasonable noise and disturbance.'

#### Policy 13

The Town Council consider the proposal is in conflict with part 2 & 3 of this CLP policy as there is limited open space onsite and not enough off-street parking on site 'given the accessibility of the location.....'

#### Policy 21a)

This application includes the demolition of an historic dwelling and 21c) does not take into account 'the character of the surrounding area.....'

#### Policy 23 part 1 & 2

The proposal does nothing to ‘sustain local distinctiveness and character and protect and where possible enhance Cornwall’s natural environment’ and is not of ‘an appropriate scale, mass and design that recognises and respects landscape character of both designated and un-designated landscapes.’

#### Policy 24

The Council considers that this application does not ‘sustain the cultural distinctiveness and significance of Cornwall’s historic, rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings.....’

#### Policy 26

Based on local knowledge the Council respectively suggests that further consideration is given to both hard engineered and soft landscaping SuDS components to ensure that this site would not add to the already not insignificant flood risk level in Lostwithiel.

For example, the inclusion of a stormwater attenuation tank with controlled flow release rate to alleviate the potential for run-off water to exacerbate the flood risk to properties further down and closer to the Town Centre.

In the context of the Lostwithiel Neighbourhood Plan the Town Council considers the following paragraphs pertinent: -

EH2b) The Town Council is of the opinion that ‘the scale, mass and positioning .. ‘does not meet the criteria of this policy.

HH4a) This application does not ‘reflect Lostwithiel’s character and heritage....’

HH5 The proposal does not meet the ethos of the Lostwithiel’s Neighbourhood Plan to mitigate parking problems by providing sufficient off-street parking.

HH6 The Town Council does not consider the density of the proposed units are commensurate/compatible with existing development in Lostwithiel and it will not ‘blend into the countryside and beyond.’

The Town Council also wishes to ask if Cornwall Council Highways department could please provide comment on the safety of the increased



traffic numbers directly onto the A390 from this site and the new housing development directly opposite.

Vote – 9 In favour, 2 Abstentions.

c) None

### **025/24 D-Day 80<sup>th</sup> Anniversary Commemorations**

It was **resolved** that if a donation of £150 for refreshments is made it should be drawn against the Mayor's allowance. Vote – 11 In favour.

Mayor Henderson agreed that up to £150 of the Mayors Allowance could be used for this purpose.

### **026/24 Cornwall Association of Local Councils**

It was **resolved** to approve the renewal of the Council's annual membership at a cost of £924.29 plus VAT. Vote – 11 In favour.

### **027/24 Institute of Cemetery and Crematorium Management**

It was **resolved** to approve the renewal of the Council's annual membership at a cost of £100 (Zero rated for VAT). Vote – 11 in favour.

### **028/24 Cormac Burial Service level agreement**

It was **resolved** to continue with this Service Level Agreement for 2024/2025. Vote – 11 in favour.

### **029/24 Lostwithiel Cemetery**

It was **resolved** to agree to the revised request for a Manchester United Football Club logo outlined in gold leaf to be engraved on the headstone. This is subject to the Stonemason submitting a revised proof and evidence being provided that copyright permission has been granted by Manchester United Football Club. Vote – 10 in favour, 1 Against.

### **030/24 Fowey Estuary juvenile fish sampling from Shirehall Moor**

It was **resolved** to approve the request. Vote – 11 in favour.

Deputy Mayor Guiterman & Councillor Wisdom having declared non-registerable interests left the meeting.

### **031/24 Lostwithiel Town Team**

It was **resolved** not to award the grant. Subject to the Lostwithiel Town Team's agreement that Lostwithiel Town Council can retain ownership of

the existing website's domain name the Council would be pleased to transfer administration of the existing Town Team website to the Lostwithiel Town Team and would be prepared to consider further grant applications for minor modifications. Vote – 8 In favour, 1 Against.

Deputy Mayor Guiterman & Councillor Wisdom returned to the meeting

Councillor Berryman & Councillor Townsend having declared a non-registerable interest left the meeting.

### **032/24 Lostwithiel Rotary**

It was **resolved** to advise Lostwithiel Rotary that the Council has allocated the storage space at the public toilets for use by the Council.

Vote – 9 in favour.

Councillor Berryman & Councillor Townsend returned to the meeting

### **033/24 Guildhall noticeboard**

It was **resolved** to purchase the breeze wall mounted double door noticeboard 1500 1200mm high at a cost of £1,025 plus VAT from the Noticeboard Company. The office was asked to ensure that when placing the order, the noticeboard is ordered in brown powder coated with extra magnets and keys. Vote – 11 In favour.

### **034/24 Second Island stone prices**

It was **resolved** to further consider this agenda item at the next meeting with further prices having been obtained in cast bronze and engraved stainless steel. Vote – 11 in favour.

### **035/24 Maintenance Contract**

It was **resolved** to approve the following maintenance items

Second Island Park

No repairs to benches as the Council has already accepted an offer from Lostwithiel Rotary to repair as required.

Fill in the ravine with type 1 hardcore and introduce a gully/groove just inside the gate to prevent water eroding away the new hardcore.

King George V playing field

Replacement of the rotten post, full refurbishment of bench and replacement of the missing slat.

Coulson Park

Replacement of the various missing slats and refix of loose post.

Shire Hall Moor

Full refurbishment of benches, renewal of fixings on seat slat, replacement of mesh guard and extending to cover side openings & infill of various potholes only on Shire Hall Moor.

and to delegate to the Town Clerk the authority to oversee implementation of the work schedule as provided.

Vote – 11 in favour.

### **036/24 Lostwithiel Community Centre**

It was **resolved** to approve the schedule of payments against cheque number 200104. Vote – 11 in favour.

### **037/24 Accounts & Finance**

a)

Date	Cheque Ref	Payee Name	Amount Paid	Transaction Detail
07/05/24	BACS	Ruth Stead	£10.67	Allotment refund
07/05/24	DD	Biffa	£62.88	Cemetery bin
07/05/24	Online payment	Coastal Construction (Cornwall) Ltd	£14,409.14	Edgcumbe House repairs
07/05/24	Online payment	Clarity Copiers Ltd	£111.22	Copy charges
07/05/24	Online payment	Cornwall ALC Limited	£1072.51	Annual membership
07/05/24	Online payment	DCS Pest Control (Cornwall) Limited	£120.00	King George V pest control 17/12/23 – 17/06/24
07/05/24	Online payment	EDF Energy	£125.80	Electric
07/05/24	Online payment	K Hill & Partners Ltd	£86.40	King George V football pitch cut
07/05/24	Online payment	ICCM	£100.00	Annual membership
07/05/24	Online payment	Npower	£71.21	Electric

07/05/24	Online payment	Rialtas	£922.80	Annual support Omega & Cemetery
07/05/24	Online payment	SLCC	£36.00	Staff online training course fee
07/05/24	Online payment	Source for Business	£111.74	Public toilet & Edgumbe House water charges
07/05/24	300001	Lostwithiel Community Centre	£1,250.00	Fifth monthly payment see minute <b>180/23</b>
07/05/24	Online payments and 1 x Standing Order	Salary related expenses	£7,422.64	Salary related expenses
07/05/24	Online payment	SWPSI Limited	£119.99	Play area inspection charges
07/05/24	Online payment	Westernweb	£342.00	Renewal of lostwithielplan domain and upgrading of underlying coding
07/05/24	Direct Debit	Zen	£34.80	Phone and broadband
07/05/24	Online payment	Karin Henderson	£6.00	Flowers
07/05/24	Online payment	APS Construction Ltd	£6275.75	Monthly inspection fee and maintenance works
		Total	£32,691.55	

It was **resolved** to approve all payments listed.

Vote – 11 in favour.

The meeting closed 9.40pm

Chairman

Date