



HAYLE TOWN COUNCIL

SPECIAL COUNCIL MEETING

WEDNESDAY 3 DECEMBER 2014

Minutes of the Hayle Town Council Special Meeting held at the School Hall, Bodriggy Academy, Hayle on Wednesday 3 December 2014 commencing at 7.30pm with a **Public Participation Session**.

PRESENT

Councillor G Coad (Mayor)
Councillors J Bennett, D Cocks, N Farrar, R Lello, H Lyons, B Mims, J Ninnis, O Philp, C Polkinghorne, J Pollard and A Rance

Town Clerk Eleanor Giggall

Cornwall Council Jeremy Content, Senior Planning Officer

Approximately 45 members of the public.

7.30PM THE MEETING COMMENCED

143 CHAIRMAN'S ANNOUNCEMENTS (FOR INFORMATION ONLY)

The Mayor informed everyone of the location of the toilets and fire escapes.

144 TO RECEIVE APOLOGIES

Councillor Capper had submitted a memo, which the Clerk read, explaining in detail his position on why he had declared an interest and why he was not attending the meeting. The memo would be kept on file in the Clerk's office.

Apologies were received from Councillor Coombe, who was attending a specialist medical appointment in London for his recent eye operation and therefore unable to attend the meeting.

145 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

Councillor Mims declared an interest as a member of the Chamber of Commerce, but said that he was not predetermined on either application.

Councillor Bennett declared an interest as Hayle Town Council's representative to the Chamber of Commerce, but said that he had not taken part in any vote at the Chamber relating to the proposed developments. He also declared an interest as a Trustee on other organisations in the town to which the applications would bring no harm or benefit. He said that he was not predetermined on either application.

Councillor Lyons declared an interest as Vice-Chair of the Chamber of Commerce, but said that he had not taken part in any vote at the Chamber relating to the proposed developments. He also declared an interest as a member of the Town Team, as a member of Save Our Sands and as the Chair of the Friends of St Michael's Hospital. He said he was not predetermined on either application.

Councillor Pollard said that the Rugby Club was in his Ward, both as Hayle Town Councillor and Cornwall Councillor. He declared an interest and made the following statement: - 'In commenting on these applications I should make it clear that my comments are based on the information currently available and do not commit me to taking the same position if the matter is discussed at the Cornwall Council Planning Committee and full information is available.' He said he would aim to reflect the views of the town as a whole.

Councillor Farrar said that he used to be a player at the Rugby Club and currently arranges charity events at the club.

146 TO CONSIDER PLANNING APPLICATION PA14/00532 ON BEHALF OF CRANFORD (HAYLE) LLP

ERECTION OF RETAIL DEVELOPMENT COMPRISING CLASS A1 AND CLASS A3 AND/OR A1 UNITS, INCLUDING ALL ASSOCIATED ACCESS, SERVICING AND INFRASTRUCTURE WORKS, CAR PARKING, PUBLIC REALM IMPROVEMENTS AND LANDSCAPING TOGETHER WITH ENHANCEMENT WORKS INCLUDING FOOTPATHS, CAR PARKING, BIRD HID AND LANDSCAPING TO THE NATURE RESERVE AND SURROUNDING LAND AND HYDROLOGICAL IMPROVEMENT WORKS

HAYLE SHOPPING PARK AND MARSH LANE NATURE RESERVE, MARSH LANE, HAYLE TR27 5LX

Jeremy Content explained the current situation regarding the application. It was reported that the Environment Agency had no objection on ecological grounds, nor regarding water quality/storage/hydrological grounds, but it maintained its objections regarding the sequential flood test. The Cornwall Wildlife Trust maintained its objection, but there was no updated response from Natural England. Cornwall Council's website now included statutory consultee comments that The Highways Agency and Cornwall Council Highways had both lifted their objections and that the GVA report regarding its retail survey indicated a 5% diversion of trade from the town centre, which was classed as 'adverse' but not 'significantly adverse' and the application had passed the sequential retail test.

Public Participation

Several members of the public addressed the meeting raising the following points:

- the use of this site would be detrimental to the Hayle Runners, who currently run in the vicinity;
- it would mean the loss of the potential better facilities and accommodation at the new sports club promised by the developers of PA14/02920 (see below) if only the Cranford's development goes ahead;
- there are better sites (North Quay and the Rugby Club) available;

- the development will cause traffic problems in an area that already gets gridlocked occasionally – it is believed that the Highways Agency modelling is open to question and that traffic lights will make the current situation worse not better;
- the local roads will become more dangerous for pedestrians;
- it will impact wildlife and will lead to a 20% loss of the Cornwall Wildlife Trust site;
- it will be built upon a level 3 flood plain and will increase the flooding problems of Angarrack residents – the Environment Agency’s flood sequential test points towards the benefit of the Rugby Club site; the issue of who would be responsible if Angarrack properties flooded was raised;
- it will be built upon a greenfield site;
- the proposed buffer zone is not adequate and the development will encroach upon the village of Angarrack, which would become a ‘rat run’ and a ‘suburb’;
- it would impact the viability of Hayle’s town centre, its retailers, cafés and restaurants;
- it is too large in scale;
- there is not enough parking in the plans if restaurants are to be allowed;
- Councillor’s decisions should be based upon planning merit not on grounds of deliverability – retailers will not care which site they are located on;
- this site is not as well linked with the current West Cornwall Retail Park as the Rugby Club site, which is more tucked away and whose development would cause less detrimental impact upon Angarrack and more benefit to the community;
- this application is further along and will benefit the town of Hayle as a whole;
- it will create jobs for local people and choice for consumers, which will attract people into Hayle;
- the Environment Agency has accepted all the documents submitted by the applicant and has now withdrawn its objection to the application ‘on the basis that the applicant has proposed a financial contribution towards the Hayle Flood and Habitat project to deliver off-site compensation, [which] is a strategic project comprising flood risk improvements, habitat creation and enhancements in Hayle’; any water would be moved to the new wetland site to enhance it, there would be no effect on the groundwater and water flow meters would be introduced;
- Cornwall Birding is disappointed with the Cornwall Wildlife Trust because the development will be built only on an old waste site (from the building of the A30) and lorry park and the new reserve will be good for wildlife;
- a footpath to Angarrack will be built to minimise danger to pedestrians;
- the proposed site for the new Rugby Club is greenfield;
- the retail impact assessment prepared by GVA shows that this development would not have a significant adverse impact on Hayle (although it would on some other towns in Cornwall) and is more favourable than that proposed for the Rugby Club site;
- Hayle Chamber of Commerce is not objecting to this proposal – since the opening of the West Cornwall Retail Park more shops in Hayle’s town centre are full and the town has fewer vacant shop premises than other towns in West Cornwall;
- Cranford’s have never objected to the Rugby Club application and Mr Oakley said that he was happy to offer Mr Walker all the help he could, other than withdrawing his own application, to get the Rugby Club application approved too;
- Debenhams has a lease agreement with the applicant to provide a flagship store and a number of other retailers have also signed lease agreements and
- if the application is approved by Cornwall Council at its Strategic Planning Committee meeting in December the developer could be on site next summer and the development could be open for Christmas 2016.

In the subsequent debate amongst Councillors the following views were expressed:

- disappointment that so few of the 8,000 residents of Hayle were present;
- it would bring a significant number of jobs to Hayle in the near future;
- new jobs would bring money into the local economy;
- the growth of Hayle is dependent upon new businesses;
- Hayle is a good central location for all of West Cornwall;
- according to Planning Policy greenfield sites should not be favoured if brownfield sites are available;
- this development ticks all the boxes except the sequential flooding test;
- the GVA report supports the type of retailers signed up by Cranford's and concludes that there would be no significant adverse retail impact on the town;
- this development is the most advanced and ready to go;
- sadness at conflict and hostility regarding the two applications;
- support for both applications;
- doubt regarding the reassurances that flooding at Angarrack will not increase;
- the creation of a new nature reserve which will protect Angarrack and mitigate flooding is a bonus;
- provision of parking and footpaths will attract shoppers and tourists to Hayle and will stop some leakage to Plymouth;
- concern regarding increased traffic of and access for heavy vehicles;
- disappointment regarding the lack of information submitted by the other applicant;
- development of the Rugby Club site would have been the most natural addition to the existing West Cornwall Retail Park (which has proven to be a benefit to the town), but this application is ready and there appear to be no real grounds for objection;
- reluctance to vote on emotional, not planning, grounds;
- the improvements to the highway are beneficial to the town;
- a Town Manager for the town is also beneficial;
- the consultation had been exemplary and
- the outstanding details/approvals are not significant and therefore there are no real reasons to turn the application down.

It was resolved that Hayle Town Council supports application PA14/00532 with the proviso that the following conditions are incorporated into any consent, if given:

- a town manager, with a significant budget, is provided for a period of 5 years, to be appointed within 3 months of planning consent;
- Hayle Town Council does not support the principle of restaurants on this site, cafés are acceptable and
- that the developer be encouraged by all concerned to cooperate with and facilitate the future development of Hayle Rugby Club.

This resolution was by recorded vote as follows:

For: Councillors Bennett, Cocks, Lello, Mims, Polkinghorne, Pollard and Rance (7)
Against: Councillors Coad, Farrar, Ninnes and Philp (4)
Abstained: Councillor Lyons (1).

[Approximately 20 members of the public left the meeting.]

147 TO CONSIDER PLANNING APPLICATION PA14/02920 ON BEHALF OF HAYLE COMMUNITY RUGBY FACILITIES LTD

OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR PROPOSED DEVELOPMENT OF UP TO 15,539 SQ M (GROSS) RETAIL DEVELOPMENT (A1/A3), ASSOCIATED INFRASTRUCTURE, ACCESS ARRANGEMENTS, SERVICING, PARKING AND LANDSCAPING

HAYLE RUGBY CLUB, 10 MARSH LANE, HAYLE

Jeremy Content explained the current situation regarding the application. It was reported that the Environment Agency had no objection on ecological or flood risk grounds. The GVA report regarding its retail survey indicated that the retail impact was significantly adverse and the Highways Agency maintained its holding direction.

Public Participation

Several members of the public addressed the meeting raising the following points:

- this application includes a significant financial investment in a new relocated Rugby Club with improved facilities for club members and other users, including a new running track for Hayle Runners and an all-weather pitch available year round, which will attract new members, more income and lead to better development of players;
- profits from the Rugby Club will be spent locally;
- the new Rugby Club will also bring social, emotional and health benefits for the whole community;
- there was concern regarding the lack of information available regarding this application in comparison to that regarding the Cranford's application;
- there was no clear business case showing benefit to the whole town;
- there was not a detailed design of layout because the developers want to liaise with the owners of the existing West Cornwall Retail Park so that a properly worked up addition to the Retail Park can be provided;
- this development would have no impact on Marsh Lane and therefore would not require pedestrianisation and
- the application will bring benefit to the whole community as it will provide retail opportunities and sports facilities.

In the subsequent debate amongst Councillors the following views were expressed:

- this is a fantastic opportunity for a new sports facility, new jobs and new shops, so it gives Hayle the best combination of benefits;
- this development is welcome, although unlike the application from Cranford's, it could allow the retail of food and this is undesirable as it would be detrimental to existing business in Hayle;
- there are no flooding issues on this site;
- it is disappointing that this application is not at a detailed stage as it allows for uncertainty, especially regarding the type of retailers and possible highways issues and
- Councillors would like to see both developers working together to bring the best benefit to all parties.

It was resolved that Hayle Town Council strongly supports application PA14/02920 subject to there being a restriction on food retail sales and on condition that significant support is provided for the town.

This resolution was by recorded vote as follows:

For: Councillors Bennett, Coad, Cocks, Farrar, Lello, Mims, Ninnes, Philp, Pollard and Rance (10)
Against: (0)
Abstained: Councillors Lyons and Polkinghorne (2).

The meeting closed at 9.30pm.

Approved by the Council as a true record, at its meeting 18 December 2014

Town Mayor.....

Date.....