



## HAYLE TOWN COUNCIL

**COUNCIL MEETING**

**THURSDAY 18 OCTOBER 2018**

Minutes of the Hayle Town Council Meeting held at the Hayle Community Centre, Hayle on Thursday 18 October 2018 commencing at 7.15pm with a **Public Participation Session**.

### **PRESENT**

Councillor C Polkinghorne (Mayor)  
Councillors H Blakeley, B Capper, P Channon, D Cocks, N Farrar, B Mims, P Nidds,  
A Rance, A Roden and B Wills

Clerk Eleanor Giggall

### **7.15PM PUBLIC PARTICIPATION SESSION**

Victoria Church attended and thanked councillors for allowing her to speak regarding PA18/04577 on behalf of V Fit and the Hayle Gig Club, both of which hoped to continue to be accommodated at the North Quay site. She had attended the architect's presentation earlier in the year and now wanted to hear councillors' thoughts on the application.

Luke Saxby attended to speak regarding his application PA18/08365. He said that it would be the second property he had built and that he had received a complaint from a neighbour, who was worried that two of the windows would overlook their property, but they were small and so high that overlooking would not occur.

### **7.17PM THE MEETING COMMENCED**

#### **107 CHAIRMAN'S ANNOUNCEMENTS (FOR INFORMATION ONLY)**

The mayor thanked everyone who had attended and made the Civic Parade and Service such a successful event.

Members were informed that David Gallie, the former finance assistant, had sent a card to everyone to thank them for his leaving present, which he had used towards the purchase of some Bose speakers. Members were informed that his health was very much improved and he was in theatre for his final surgery.

#### **108 TO RECEIVE APOLOGIES**

Apologies had been received from Councillors Andrewartha, Benney, Coad and Pollard.

[7.19pm Councillor Capper joined the meeting.]

**109 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS**

Councillors Mims, Polkinghorne, Nidds, Rance and Farrar declared an interest in planning application PA18/09183 as they were all trustees of the Passmore Edwards Institute.

**110 TO APPROVE THE MINUTES OF FULL COUNCIL MEETING 4 OCTOBER 2018**

**It was resolved** that the minutes of the full council meeting 4 October 2018 be taken as a true and accurate record, the mayor signing each page before placing them in the record book.

**111 TO DISCUSS MATTERS WHICH WERE RAISED DURING PUBLIC PARTICIPATION 4 OCTOBER 2018**

All matters had been dealt with on the night.

The mayor decided to bring Agenda Item 8a) PA18/04577 forward to this point in the meeting so that Peter Bainbridge, who had attended to answer councillors' questions, could leave the meeting early if he so wished.

**112 PLANNING MATTERS**

a) To consider Planning Application PA18/04577

The mayor welcomed Peter Bainbridge, Principal Development Officer at Cornwall Council (CC), to the meeting and thanked him for agreeing to answer councillors' questions.

Mr Bainbridge advised members that this was a reserved matters application regarding the quayside at North Quay and that other related sites would be addressed in future applications. The application before council was well-designed and of high quality, although a key issue that needed to be considered was heritage impact, with Historic England, CC's Historic Environment Team, the Cornish Mining World Heritage Site (WHS) Office and ICOMOS all objecting on heritage grounds. Mr Bainbridge added that he expected further amendments to the application would be required and that this was not necessarily the final finished scheme, but he did not know what those changes might be. He expected the application would be considered by CC's Strategic Planning Committee on 14 December 2018 and reported that the applicant had committed to retaining businesses on site and keeping the clubs happy.

It was noted that Ben Dancer had left the WHS Office and his position was being covered by James Evans and Dave Slatter.

In the subsequent question and answer session the following information was provided:

- Benefits for Hayle would include generation of employment, income, housing and a higher profile for the town;
- Deficits would be to Hayle's heritage and the negative impact on the Outstanding Universal Value of the site;
- Provision of jobs was up to the developer and not something the planning authority could require, but it needed to be acknowledged that currently the site was generating neither jobs nor income;

- The main objections to the design and layout of the proposal were:
  - a) the excessive height of the buildings, especially those at the quayside (the height diminishing from the cliff side towards the quayside instead of the current layout would make more historical sense and would reduce the visual impact);
  - b) the large imposing scale of many of the buildings and the development as a whole;
  - c) the inadequate provision of roads, access and parking, bearing in mind there were already traffic issues accessing North Quay before the development was built; access to local beaches would also be made more difficult;
  - d) the negative impact on the site's and the town's heritage, including the threat to the World Heritage Site Outstanding Universal Value, and the potential loss of the town's railway heritage, Hayle being the place the steam railway began;
  - e) the development contravened policies SD1, SD2, SD4, BE1, NE1 TR3 and HB1 of the Hayle Neighbourhood Plan (it was advised that these would only affect outline planning, which had already been granted); and
  - f) the creation of what would be a third centre for Hayle would be detrimental to existing businesses in the town;
- The issue regarding transport access had been considered at the outline planning stage and had been considered adequate and that highways improvements would be triggered at Carwin Rise and Loggans by the development;
- Members feared that the 'masterplan' for the development of the whole harbour would not be adhered to, with various areas being developed piecemeal in a variety of styles and it was reported that this could happen as design details were approved on individual area planning applications; there was a further threat to the masterplan if various areas were sold on to different developers, rather than being built by the current owner if plans were approved;
- There was no obligation on the owner to realise the plans even once permission had been obtained and they were free to sell portions of land as they saw fit;
- This application would not trigger the need for the provision of affordable housing as just fewer than the necessary 206 dwellings were proposed in this application;
- The only requirement for open space was a park at Hilltop in the original outline permission, but there was no obligation to develop the Hilltop site;
- Following the granting of outline permission it was not possible to insist on retail impact assessments for any of the related detailed/reserved matters planning applications; and
- Members feared that the retail outlets might not all be filled due to the poor state of the economy and that this might lead to some being converted into further housing.

As councillors had received feedback from residents that people in the town objected strongly to the development there was some surprise that there were not more members of the public in attendance, and that so few had submitted objections to Cornwall Council – at the time of the meeting only 24 objections had been received from members of the public, with a further 17 offering neutral comments.

Peter Bainbridge informed members that there would be a technical briefing in November (possibly 15 November) to which all members of the town council would be invited and at which they could ask questions.

**It was resolved** to submit the following comments to Cornwall Council regarding this application: “Hayle Town Council objects strongly and unanimously to this application on the grounds included in the ICOMOS Technical Review (Annex) and the comments from Historic England and because it contravenes policies SD1, SD2, SD4, BE1, NE1, TR3 and HB1 of the Hayle Neighbourhood Plan. It would have an adverse impact on existing retail outlets and provides inadequate allocation for parking. It does not reflect the town’s industrial or residential history: Hayle is the place where the steam railway began and this railway heritage is not sufficiently protected.”

**It was also resolved** that the mayor and deputy mayor (if he agreed) would represent the town council regarding this planning application at Cornwall Council’s Strategic Planning Committee meeting.

**It was further resolved** that Councillor Roden would draft a press release to state Hayle Town Council’s position on planning application PA18/04577 and to call on members of the public to make their views known to Cornwall Council.

The mayor then decided to bring Agenda Item 8a) PA18/08365 forward for the benefit of the applicant who was in attendance.

b) To consider Planning Application PA18/08365

Councillors examined the plans, including the elevation of the contentious windows, and agreed with the applicant that the windows were not likely to cause overlooking of the neighbouring property due to their small size and high position.

**It was resolved** to offer no objection to the application.

## **113 CONSULTATION**

a) To consider and note Cornwall Council’s revisions to its Licensing Act Policy document

**It was resolved** to note the revisions.

b) To note that the consultation regarding the schedule of proposed modifications to the Cornwall Site Allocations Development Plan Document (DPD) is underway and that whilst there are some minor changes to text regarding Hayle, there are no substantive changes to the context, ie sites and strategies remain the same

**It was resolved** to note the schedule of proposed modifications.

## **114 HAYLE NEIGHBOURHOOD PLAN**

a) To consider the National Association of Local Councils’ report on the future of Neighbourhood Plans

Councillors discussed and were grateful for recommendations forwarded by John Bennett, former town councillor and chair of the Neighbourhood Plan Steering Group (NPSG). Concern was expressed regarding the challenges to neighbourhood plans which were happening

countrywide and it was acknowledged that it was, therefore, important to re-establish the Hayle NPSG.

It was noted that a few CC planning officers were referring to the Hayle Neighbourhood Plan (NP) during their determination of planning applications, although it was also noted that it would be useful to have a summary of the plan drafted by the NPSG, which had drawn up a very brief summary for the referendum.

**It was resolved** 1) to adopt the following recommendations from John Bennett:

- a) To make sure that Cornwall Council has a robust 5-year housing land supply calculated using the latest Ministry of Housing, Communities and Local Government criteria (constantly under revision) – without this the Local Plan is ‘out-of-date’ and has no weight and this takes the Neighbourhood Plan (NP) with it – and to check with Marcus Healan (and others) to ensure they understand the situation;
- b) The Cornwall Local Plan (CLP) must be reviewed every 5 years. The NP should be reviewed in the light of this to ensure it remains in sync. The NPSG should monitor any work on the CLP in order to anticipate what changes to the NP might be necessary (and to influence the changes in the CLP); and
- c) Possibly to look at creating a ‘legal reserve’ in case it is necessary to mount a legal defence of a contractor/developer challenge to Hayle’s NP;

2) to re-establish the NPSG and ask John Bennett to chair it again; and 3) to ask previous group members, both councillors and members of the public, if they wish to be in the group again and to open the group to everyone.

**It was also resolved** to discuss the issue informally with Marcus Healan at the upcoming planning workshop/meeting on 30 October 2018 to see if there is a consensus to have a formal meeting with him and his colleagues on this issue.

- b) To consider and note the correspondence regarding the North Cornwall Cluster Group and Crantock Parish Council relating to the Cornwall Local Plan Housing Apportionment

It was reported that CC’s Local Plan and its policy regarding housing apportionment did not prevent the allocation of housing from one local council to another. The North Cornwall Cluster Group and Crantock Parish Council were putting pressure on CC to acknowledge the flaw in its own local plan which allowed such allocation and that the policy needed to change as it allowed neighbourhood plans to be ignored successfully. It was agreed that the outcome of the legal challenge remained to be seen and that the town council needed to monitor the issue, which might affect Hayle in the future.

**It was resolved** to note the correspondence, but it was recognised that the situation needed to be monitored.

## **115 PLANNING MATTERS**

- a) To consider Planning Applications: PA18/08365; PA18/08816; PA18/08693; PA18/09183; PA18/06669; PA18/06670; PA18/09190; PA18/09139; and PA18/09347

Members were informed that PA18/08693 had been withdrawn.

[8.50-8.51pm During the discussion and vote regarding PA18/06669 and PA18/06670 Councillors Polkinghorne, Farrar, Rance, Mims and Nidds left the room and Councillor Capper assumed the chair.]

**For the resolutions on individual planning applications see Appendix A attached.**

- b) To note the results of previous applications

There were none.

**116 FOOTPATHS**

- a) Maintenance update

It was reported that all scheduled cuts had been carried out. The only complaints received had been regarding footpaths not in the town council's management, namely footpaths 35 and 36 in Angarrack, which were considered urban footpaths. Cormac workers would be dealing with them in the near future following investigation by CC stewards and Cormac officers, who would be talking to the landowner regarding maintenance of the hedge on the boundary of the footpath.

It was noted that the town council had to be consulted regarding any modifications to the footpath at Carnsew Meadow, that no such notification had been received to date and the clerk would investigate the matter.

The meeting closed at 9.06pm.

Approved by the council as a true record, at its meeting 1 November 2018

**Town Mayor .....**

**Date .....**