

**MINUTES OF THE EXTRA ORDINARY ST SAMPSON PARISH COUNCIL  
MEETING HELD ON TUESDAY 15TH JANUARY 2019 AT 7:15PM IN GOLANT  
VILLAGE HALL, GOLANT**

**Present:** Councillors R Anderson (Chairman), D Pugh-Jones, D Johns, A Van den Broek and D Jenkinson.

Sue Blaxley (Parish Clerk)  
16 members of the public  
Mr I Tomlin and Mr Gelston

The Chairman opened the meeting at 7:15pm.

The Chairman explained that a parish councillor cannot take part in the debate or vote on an item on an agenda if they have an interest in that item. He said that as Councillor S Phillis had declared a non-registerable personal interest in planning application reference number PA18/11399, he must step out of the meeting and take no part at all even during the public participation section of the meeting. Councillor S Phillis left the meeting at this point and did not return. The Chairman said that Councillor D Johns had submitted comments on Cornwall Council's Planning Portal in which he detailed three issues of concern regarding planning application reference number PA18/11399. The Chairman said they were clearly objections to the planning application. The Chairman explained that Councillors are allowed to have a predisposition on a matter before them and can have a general opinion but if their mind is deemed to be closed at the start of the meeting, this would be regarded as a pre-determination. If a councillor has a pre-determination, he or she cannot take part in a debate. He explained that he had sought the advice of the Clerk in this matter and that she had said that as Councillor D Johns had made clear objections to the planning application in a public forum, he should be declaring an interest in the item and take no part in the debate or the vote and should leave the meeting as Councillor S Phillis had done. The Chairman said that the onus was on Councillor D Johns to make a decision as to whether his views constitute pre-disposition and therefore, he is open minded or whether his views constitute pre-determination. Councillor D Johns said his views were pre-disposition, he had an open mind and was willing to change it in light of what he heard at the meeting. The Chairman said that he was satisfied that the views of Councillor D Johns constituted pre-disposition as opposed to pre-determination and therefore, it was not necessary for him to declare an interest and leave the meeting with the advice of the Clerk on this matter being recorded in the minutes. The Chairman gave an opportunity for the other councillors to comment on this issue. Councillors said they agreed with this decision.

**Public Participation**

Ivan Tomlin spoke in respect of planning application reference number PA18/11399. He explained that work commenced on preparing the planning

application in 2017. He said that Cornwall Council accept that the site is a brownfield one and that there is therefore a presumption in favour of redevelopment. He said that a planning performance agreement process has taken place which involves an impartial consultation process with the design review panel. In addition, he said that a public consultation event was held in Golant. He said that all the feedback from all the pre-application processes has been considered and resulted in the planning application as submitted. He said that the principle of the site being a brownfield one was accepted by the Planning Inspector during the appeal process in respect of the previous planning application for the redevelopment of the site for residential development. He said that the appeal was dismissed on more detailed matters such as the negative impact the proposal would have on the AONB and the lack of offsite affordable housing provision. He said that a financial contribution for offsite affordable housing provision has now been agreed with Cornwall Council and that extensive negotiations have taken place with the AONB team at Cornwall Council in an attempt to submit a proposal which preserves and enhances this special landscape designation. He said that the proposed development is for the demolition of the existing buildings on the site and the replacement of those buildings with nine new dwellings. He said that the proposal will utilise the existing access and that it has been designed to respect and enhance the AONB and to be in keeping with the character of Golant. He said that the proposal includes improving the PROW through the site and, in this respect, will improve connectivity with Golant. In addition, he said that the dwellings on the site will result in a more connected development with the village than the existing hotel which is somewhat divorced from the community.

Jason Cross said that the proposed development shows some of the proposed dwellings to have an eaves height of 27m at the rear of the site. In addition, he said that a number of windows are proposed on the rear elevation of the dwellings to the rear of the site. He said that the height of the proposed development and the proposed windows will result in an unacceptable loss of privacy and cause overshadowing to his dwelling. Martin Faire commented that the proposed construction traffic management plan, which proposes that construction traffic will use Church Hill, needs addressing as the roads on that route into the village are unsuitable for large vehicles. He said that the developers will also need to be aware of noise and dirt disturbance to residents of Golant during the construction phase. He commented that, in design terms, unit 1 seems to be visually intrusive. Annemarie Phillis said that she lives behind the site and is concerned about the height of the proposed development and the issue of vehicles turning in their private area in Gumms Lane. Graham Estlick asked how many parking spaces will be provided. The Chairman said that 1.5 car parking spaces per dwelling will be provided. Graham Estlick asked if the residents will be allowed to park in the car park. The Chairman said they would if they paid the appropriate parking charge. Graham Estlick said that he considers that the new dwellings will be purchased by second home owners. Councillor D Johns asked if the parking spaces will be allocated to the dwellings. Ivan Tomlin said that every dwelling will be sold with the relevant number of car parking

spaces according to the size of the dwelling. Councillor D Johns asked if the dwellings will be freehold. Ivan Tomlin said they would be freehold. Councillor D Johns asked how maintenance of the site will be managed when the dwellings are built. Ivan Tomlin explained that there will be a Resident Management Company. Councillor D Johns asked if the applicants are claiming ownership of the PROW. Ivan Tomlin said they are only claiming ownership of that part which is within the red line of the application site as shown on the submitted plans. Exchanges on the details of boundaries continued between Mr Tomlin and Councillor D Johns until the Chairman encouraged all too allow the meeting to move on. Mr Tomlin commented that he finds it difficult to understand how Councillor D Johns' views expressed prior to the meeting do not constitute pre-determination as opposed to pre-disposition.

### **1. Apologies**

Apologies were received and accepted from Councillor J Pomeroy who is out of county.

### **2. Declaration of interest in items on the agenda**

Councillor S Phillis declared a non-registerable personal interest in planning application reference number PA18/11399 prior to the meeting and did not attend.

### **3. Planning**

**PA18/11399 – Application for redevelopment of existing hotel premises including demolition of existing buildings and replacement with new residential development comprising nine detached residential properties, including associated ground works, provision of external amenity/garden areas, vehicular parking and drainage works at The Cormorant Hotel, Golant**

Councillor D Pugh-Jones said that she had spoken to a wide range of parishioners and said that she wished to summarise those views. She said that it is unfortunate that Cornwall Council do not have concerns regarding the change of use of the land to residential as the hotel provides employment opportunities for the parish and is a village amenity. She said that surprise has also been expressed by parishioners that the design panel thought that the development is acceptable in design terms especially the large flat roofed building to the rear of the site which is of an incongruent design and leads to a loss of privacy to the occupiers of the neighbouring residential properties. She said that concern has also been expressed that there is no affordable housing provision on the site as Golant needs affordable housing which will attract families and assist in keeping the village alive. She said that concerns have also been expressed that there is insufficient amenity space and insufficient on-site parking. Councillor A Van den Broek commented that the hotel may not be profitable due to its management as

opposed to not being a viable business. He said that once it is lost, it will never be replaced. He said that the proposed change of use represents the loss of an essential village amenity. Councillor D Johns said that a change of use to residential should not be assumed as the hotel is a valuable asset to the village. He said that he considers the proposed development to be too high a density for the site. He said the proposed development comprises large houses on small plots which will not appeal as family homes. He said that unit 1 at the north end of the site is significantly higher than the end of the existing building and there are windows on unit 1 which will overlook the neighbouring residential properties. He said the design of unit 1 is inappropriate and that it is also proposed to access it from Gumms Lane where there are existing parking and access issues. He said that unit 6 is imposing in design terms and appears to have no amenity space. He said that unit 9 is proposed to be constructed right up to the boundary of the site which will leave no maintenance space. In addition, he said that he was concerned about the lack of affordable housing provision on the site.

Councillor D Jenkinson commented that the effort made in submitting this application is commendable. He said that one of the main issues is whether the new occupiers of the proposed dwellings would be occupying them as their principle residence. He said it would be a good idea to establish their use as principle residences. He said that the village needs to attract younger people and the only way is through the provision of affordable housing. He said that parking in the village is often difficult especially during the summer months and therefore, a minimum of two car parking spaces per house is needed. He said that the proposed development does not provide garages so if the occupiers are to be families, he questioned where they might store their bicycles, trailers, canoes and boat equipment. He said that the proposed amenity space is insufficient. He said that the impact on the neighbouring residential properties needs to be considered. In addition, he commented that any development approved on this site is setting a precedent for future development in the parish so it is imperative to get this right. He concluded by saying that the parish council understands, through the NDP surveys and from their local knowledge, what parishioners expect and that the proposal does not match how we, as a village, would develop the site. He said that if the aim is to achieve maximum profit, then the proposal to build nine dwellings suitable for second home owners will do just that.

Councillor R Anderson said that each dwelling is shown as having a garden. He said that Cornwall Council have to determine this application in accordance with policies contained within planning law, the NPPF and the CLP. He said that the Planning Inspector did not object to the change of use of the site to a residential use so questioned why Cornwall Council should object to it now on that basis. He said that the Planning Inspector considered that there were two main issues in respect of the previous planning application for the site: the negative impact on the AONB and the lack of affordable housing provision. He said that the latter issue has been addressed as £114,000 has been agreed to be given to Cornwall Council for affordable housing provision off site as there is no registered housing

need in Golant. He said that this money will be used in areas of Cornwall where there is a housing need. He said there are currently two affordable homes in Golant and others could be built. He said that he personally thought it would be a lovely place to live. He said that he admires the vast effort made by the Applicant and Agent in submitting this application and considers that the proposed development nestles into the landscape and is sympathetic to the village and the AONB. He said that he does have a number of concerns. First, the construction traffic management plan is unrealistic as the use of Church Hill is unsuitable for construction traffic. Secondly, unit 1 is the same height as the ridge line of the existing hotel which is too high. Units 1 and 2 overlook the properties to the rear and taken together units 1 and 2 do not, in his opinion, resolve the north end of the development very well. Lastly, the proposed on-site parking provision is inadequate. Parking provision is a material planning consideration. He said that in the NDP survey, 20% of respondents said that the lack of parking in Golant was the worst thing about living in the village. This was recorded as the single worst thing about living here. He said there is no on street parking overspill capacity and insufficient space in the car park. He said that a possible solution would be to omit unit 1 from the development so that the orientation of unit 2 could be changed to overcome the overlooking issue and face it towards the river more and provide additional parking spaces. He said this would also result in overcoming the access issues from Gumms Lane. He said another alternative if unit 1 is to be retained, is to make this a smaller affordable housing unit. Councillor D Pugh-Jones said that the views of the villagers should be reflected in the debate as she had done and asked who the Chairman had consulted about this application. The Chairman said it is commendable to engage with residents but he is entitled to his own opinion as are others. Councillor D Pugh-Jones said this application should be considered afresh and not on the principle that the change of use is acceptable. Councillor D Johns said that six units would be acceptable as opposed to nine as nine is too high a density. He said that the change of use should not be taken as a given and in addition, affordable housing should be provided on the site.

It was proposed by Councillor D Pugh-Jones and seconded by Councillor D Johns that an objection be made to the application for the following reasons: the principle of the change of use from a hotel to residential use is not accepted as the hotel is a valuable community asset and employment opportunities will be lost, the lack of physical affordable provision on site, insufficient parking is proposed for the development, the density of the development is too high, unit 1 is of an inappropriate design and will result in an unacceptable loss of privacy to the occupiers of neighbouring residential properties. All Councillors voted in favour of this proposal except for Councillor R Anderson who voted against. The proposal was therefore carried. It was proposed by Councillor D Johns and seconded by Councillor D Pugh-Jones that two further objections be made to the application on the following grounds: the construction traffic management plan is inappropriate and that starting work at 8am on a Saturday is too early and that this should be amended to 9am. Three councillors voted in favour of this proposal and two against. The proposal was therefore carried.

**PA18/11420 – Application for erection of replacement dwelling at Williams Acre, Golant**

The Chairman explained that the previous planning application for a replacement dwelling on the site was approved but it proved impractical to implement as the walls of the existing building on the site - a cornish unit - were unsuitable to be reused. He said this application seeks to erect a replacement dwelling as a completely new build. It was proposed by Councillor D Pugh-Jones and seconded by Councillor D Johns that the application be supported. All Councillors voted in favour of the proposal. The proposal was therefore carried.

**5. Date of next meeting**

**To confirm the date and venue of the next meeting on Tuesday 22nd January 2019**

The date of the next meeting will be on Tuesday 22nd January 2019, commencing at 7:15pm in Golant Village Hall.

There was no further business and the meeting was closed at 8:20pm.