

Lostwithiel Town Council

From: [REDACTED]
Sent: 05 April 2018 15:10
To: Lostwithiel Town Council
Subject: Re: Lostwithiel's Neighbourhood Plan
Attachments: scan xx.pdf

Dear Mrs Harris, I refer to your email below and our telephone conversation this afternoon.

We live at [REDACTED] St Nicholas Park, PL22 0BA. This house was built in 2011/2 and at that time the development envelope boundary was along our western boundary in a straight line. The proposed boundary now curves round the house, encircles our garden and rejoins the old boundary in the far south corner. I have shown the location on your plan attached.

When I spoke to David Guiterman I specifically asked if my wife and I could see him personally. He said that was possible but protocol demanded we do that either at the council office or elsewhere but with other persons present. I do not feel a public meeting at the CC is the way we wish to air our views.

Consequently until this question of a personal meeting can be resolved, we would like answers to the following questions.

- 1) Has anyone from the steering group visited the site?
- 2) Has anyone from the group tried to contact us over the boundary change?
- 3) At what stage in the Plan did this amendment surface and by whom was it incorporated into the plan.

We await your response in due course.

[REDACTED]

On 05/04/2018 12:33, Lostwithiel Town Council wrote:

Mr [REDACTED]

Thank you for contacting the Town Council office regarding the Neighbourhood Plan's proposed development boundary.

As discussed on the phone, it would be of great benefit if you could attend a Neighbourhood Plan Steering Group meeting and express your reservations regarding how the proposed development boundary crosses your property to the Steering Group members. Currently there are two meetings scheduled for April one on Tuesday 10 April which as I recall will not be convenient for you and a further meeting on Tuesday 24 April. Both meetings will start at 7pm and will be held at Lostwithiel Community Centre.

I would be grateful if you could please confirm if you are able to attend the meeting on 24 April and look forward to hearing from you.

Sandra

Lostwithiel Town Council

From: [REDACTED]
Sent: 10 April 2018 07:04
To: clerk@lostwithieltowncouncil.gov.uk
Subject: Lostwithiel Neighbourhood Plan Web site enquiry

Lostwithiel Neighbourhood Plan Web site enquiry

name [REDACTED]
email [REDACTED]

comment: within the Neighbourhood Plan, the concept of affordable housing seems to be defined in relation to market value, which does not necessarily make a house affordable. Instead, affordable housing should be defined in relation to average local wages and set at a level where someone earning the average local wage can afford to buy a house. This level would need to be reviewed from time to time, probably annually. Affordable housing must be reserved for people who can demonstrate a close local connection.

Car Parking is a real issue in the town. Businesses in the town are struggling and sadly too often fail. There are too many empty shops, which has a detrimental impact on residents. The town must encourage visitors if it is to thrive and so more public car parking must be provided and it must be kept free of charge. Additionally, all new housing development must provide for adequate car parking (typically 2 per household) in order to help ensure that on-road car parking remains available for visitor use.

[REDACTED]

submit : Send

Lostwithiel Town Council

From: [REDACTED]
Sent: 10 April 2018 10:02
To: clerk@lostwithieltowncouncil.gov.uk
Subject: RE: Lostwithiel Neighbourhood Plan Pre-Submission Draft

Good afternoon,

I am a Marine Officer in the Marine Management Organisation and the reason I am emailing you is to notify you that as Lostwithiel has a tidal river any works that would take place on or over the river and its banks could potentially require a Marine Licence from the Government.

Marine Licences ensure any activities on the coast, at sea, or in tidal reaches are properly considered and licensed in order to provide a balance between protecting the environment whilst supporting the use of marine resources – should you require more clarification this can be found at the below link:

<https://www.gov.uk/topic/planning-development/marine-licences>

Should you have any queries regarding plans that may impact on this please contact our Marine Licensing Team on 0191 376 2791 and they will be able to advise you further,

Kind Regards,

[REDACTED]
[REDACTED]
Marine Officer
Marine Management Organisation

[REDACTED]
Tel: [REDACTED]
Mob: [REDACTED]
Fax: [REDACTED]
Web: www.gov.uk
Twitter: [REDACTED]

Enabling sustainable growth in our marine area.

From: Admin at Lostwithiel Town Council [<mailto:admin@lostwithieltowncouncil.gov.uk>]
Sent: 05 April 2018 14:19
To: clerk@lostwithieltowncouncil.gov.uk
Subject: Lostwithiel Neighbourhood Plan Pre-Submission Draft

Hi,

Please find attached, for your information a copy of Lostwithiel's Neighbourhood Plan Pre-Submission draft documents.

Could you please submit any comments either by email to clerk@lostwithieltowncouncil.gov.uk

Response to changes in development boundary in latest draft of the Lostwithiel Town Plan

It is my belief that Lostwithiel Town Council (LTC), through its steering group, has failed to consider the inclusion of Cell 4 within the development boundary properly, they have not applied their own selection criteria, have misrepresented public opinion, provided inaccurate supporting evidence and not considered Cell 4 in parity with other cells in their decision making.

Town Council/Steering group statement on drawing the boundary:

"Drawing the Development Boundary The undeveloped land immediately surrounding the current limits of Lostwithiel's housing boundary was divided into parcels of land (cells) and each was allocated a number. The boundaries of these cells followed field boundaries as far as was possible. In addition, all pieces of land within the current housing boundary were identified and each was allocated a number if it had not already been developed (see fig 1)

The Neighbourhood Planning Steering Group then considered each cell against the following three criteria.

→ 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.

All the cells being considered were photographed from viewpoints around Lostwithiel. Each view point was allocated a number (see fig.2). Some cells were individually photographed. This photographic evidence (see figures 3 to 38) was presented to the Steering Group meeting to assist in judging each cell as to its suitability for housing development. Cells were required to conform to all three criteria to be deemed suitable for development and therefore included within the Development Boundary. Not all cells that conform to all the criteria were included within the Development Boundary. This is because, within the Boundary, there is sufficient land to more than meet both Lostwithiel's Minimum NDP housing target and its own target. The land deemed suitable but left outside the Development Boundary could be used for future development beyond 2030 or be used as Rural Exceptions should there be a demonstrable need for affordable housing that can not be satisfied by building houses on land within the Development Boundary.

All land in the Lostwithiel flood plain was considered unsuitable for housing or commercial development."

Source: Supporting Documents http://www.lostwithielplan.org.uk/data/uploads/253_1469650401.pdf

The extension of the Development Boundary to include Cell 4 does meet the 3 criteria set by LTC as expanded below:

Criterion 1

Cell 4 is not within the 3 valleys defined by criterion 1. Cell 4 covers part of Lostwithiel golf course to the East of Cott Road and North of Millham Lane. It has a Southerly aspect as it sits on the Northern side of a hanging valley created by the stream that runs East-West parallel to Millham Lane (henceforth referred to as Millham Stream and Millham Valley). LTC when developing its criteria specified development should occur only within three valleys, which was ratified by public consultation. Proposals to extend the development boundary outside of these valleys must be rejected as they are contrary to LTC development criteria and have no demonstrable public support.

Cell 4 is in an elevated position and is visible from many parts of the town including LTC Viewpoints 4,6 and 10, Gullbury Hill, Rose Hill and Castle Hill. Any development on this land will certainly be visible from Restormel Castle. Screening is only provided by trees running either side of Cott Road, these are already being thinned. There is nominal height difference over Cell 4 the highest point being 25m and most of the possible development land being 20m. Property apex height is generally in excess of 7 m. Development will not be possible on the lower section as it is taken up with trees and a small lake.

Cell 4 is screened from View Point 5 only by 2 or 3 trees.

Criterion 2

Cell 4 does not round off the existing boundary, it extends the boundary eastwards in a similar way to that which has been rejected for cells 9 and 10.

Criterion 3

A large portion of the lower reaches of cell 4 is covered in mixed deciduous woodland as in cell 5. These trees are in fact substantially older than the 10 years identified for trees in Cell 5 and should be maintained.

Inaccurate supporting evidence

The Town Council and its steering group have provided inaccurate evidence to support its decision in including Cell 4 summarised thus:

1. View from Restormel Castle (View Point 1) -- Figure 3. Cell 4 has been inaccurately placed. Cell 4 is not actually in the view in this picture at all. Cell 4 sits on a bearing of 148° magnetic from Restormel Castle. Figure 3 shows an image taken at 153° magnetic missing Cell 4 by approximately 50m. Cell 4 is in fact visible from Restormel Castle evidenced in LTC photos Figure 4 shows property (1 Millham Lane) at 149° Magnetic from Restormel Castle and the electric pole in the garden of 2 Millham Lane at 147° Magnetic. These features sit at the same elevation as any development in Cell 4 and give clear indication that buildings there

- will be visible. Figure 8 includes a view from Restormel Castle in which properties 1 and 2 Millham Lane are clear and visible.
2. Figure 35 – This evidence has been incorrectly labelled. It shows the view from Cell 3 over cell 4 including the old driving range shelter back, looking over Lostwithiel.
 3. Figure 37 shows trees within Cell 4 not Cell 5 as labelled. The wood contained within Cell 5 is not visible from the field area of Cell 4 as it is obscured by further woodland that extends along the entire Southern perimeter.
 4. When queried over the decision to include Cell 4 LTC responded that “there had been a majority of responses to Newsletter 7 indicating support for future developments for affordable houses” LTC correspondence 5 April 2018. Newsletter 7 only canvassed opinions on Rural Exemption sites not for open market development. Citing this as support for the boundary change misrepresents the data collected, and cannot be taken as community support.

It is concerning that a large proportion (75%) of the evidence submitted to support the extension of the development boundary contains errors in identifying the location of Cell 4. As a neighbourhood plan has defined legal status, evidence submitted to support decisions should be accurate and verified by LTC.

5. Figure 32, view of Cell 4 but not labelled. Cell 4 is the lower half of the driving range marked only as Cell 3. Cell 4 is clearly visible above and either side of the tree canopy bottom centre of the driving range.

Inconsistent treatment of development between Cell 4 and other Cells.

1. Inconsistent application of the development boundary.

LTC and its steering group extended the development boundary along Cott Road and to include the golf club after receiving advice from Cornwall Council that the break in developed land along Cott Road between the boundary of continuously developed land of Lostwithiel and Penntlow Golf Cottages was not large enough.

The minutes of the steering group meeting for 27 February 2018 record that the extension of the developed area to include the golf club was on the grounds of contiguity with existing housing and that the gap between Penntlow Golf and the Golf Club was not sufficient. LTC has not applied these criteria equally around the developed area of Lostwithiel:

The Development boundary stops at the driveway of Cowbridge on Rose Hill. Land that is already developed (Cowbridge driveway and gardens) has, in fact, been designated as unsuitable for development. Exclusion of this area is contrary to the advice given by the Cornwall Council Officer, it is clear that all properties and developed land immediately adjacent to the Development boundary should be included.

In Lanwithen Road the development boundary has again been drawn excluding land and property already developed. Adjacent Cells 14, 15 and 16 highlighted as only being suitable for Rural Exemption, this is in line with public opinion canvasses in Newsletter 7 but this has not been applied equally to Cell 4. Again this seems to be contrary to the advice given by Cornwall Council.

2 Inconsistent application of differing Cornwall Council Officers advice.

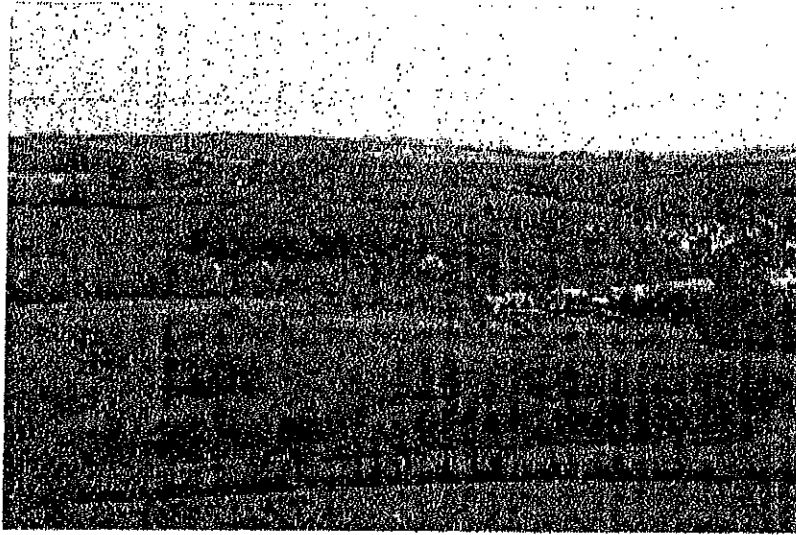
In extending the Development Boundary further than the advice received LTC and its steering group have not properly weighed differing advice from Cornwall Council. The steering group quote that an officer gave advice to include the 8 properties at Penntlow Golf Cottages, they have then extended this to include further properties outside of the boundary seemingly contrary to the recommendation of the officer. In doing so LTC and the steering group are in danger of acting contrary to the advice and opinion of the Principal Public Space Officer, recorded on previous development applications for Cell 4. The Public Space Officer has significant landscape concerns over the area and recommends development be contained to the West side of Cott Road through infill between and behind recent development on Cott Road to prevent loss of landscape character.

3 Differential protections of wooded areas.

In many other locations LTC have drawn the Development Boundary to protect woodland areas. This has been recorded for Cells 5, 20, 23, 24, 27, 29 and 32; it is also cited within decisions for Land SW of Old Orchard and Land NE of Castle View. A large portion of Cell 4 is covered with deciduous woodland (much of which is all that screens Cell 4 from Lostwithiel) and should be protected as it has been in the other Cells and lands identified.

Supporting photographs

Photo 1



View from Restormel Castle showing Castle View and 3 buildings in Millham Lane (Numbers 1,2,4 and 5)

Photo 2



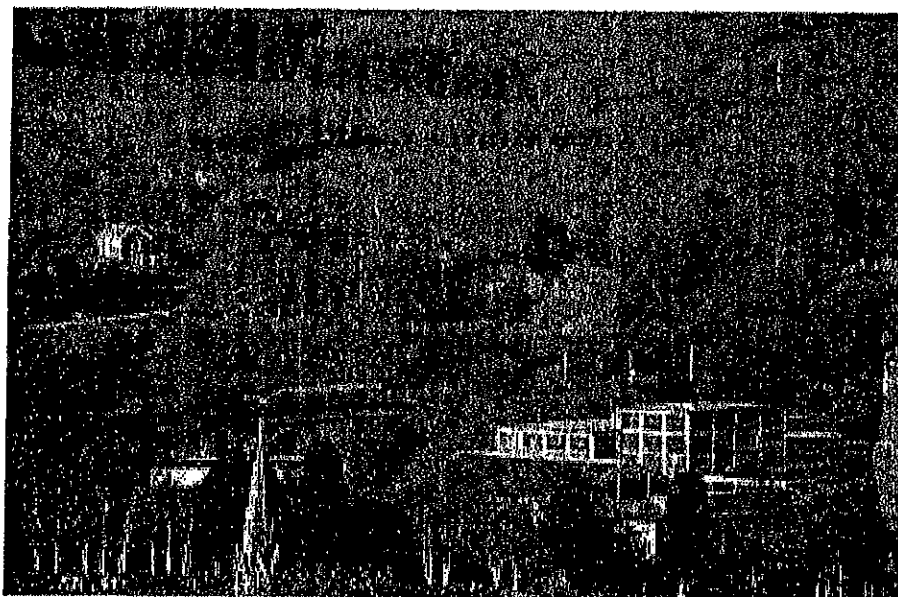
View from Restormel Castle. The field of Cell 4 is obscured from view by the hedgerow running along Cott Road. Line marked A-B. Also in view are properties 4&5, 2 and 1 Millham Lane marked C,D and E respectively. Properties C&D sit on the same contour as Cell 4 and provide visual confirmation that development in Cell 4 will be observed from Restormel Castle. The grassed area

Photo 5



View of Cell 4 from View Point 4

Photo 6



View of Cell 4 from Top of Rose Hill

Photo 7



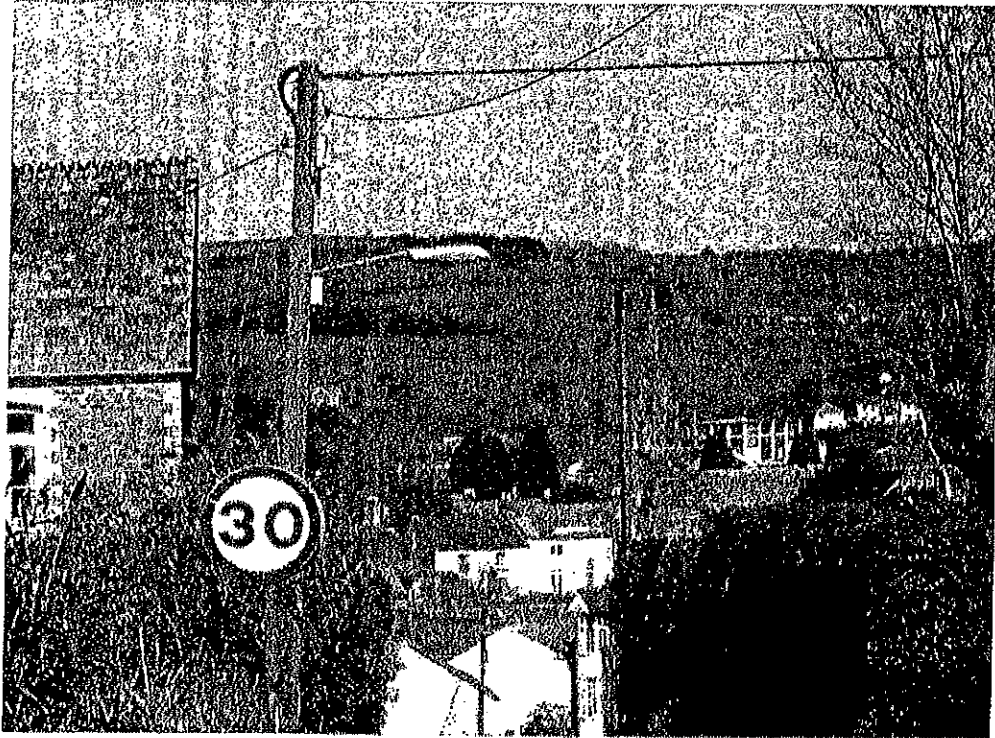
View of Cell 4 from Middle of Rose Hill

Photo 8



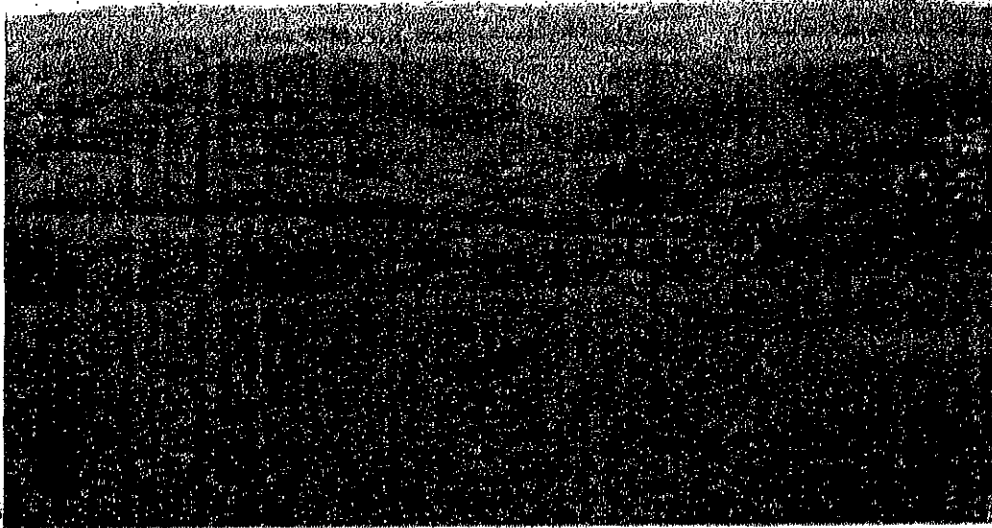
View of Cell 4 from Gilbury Hill

Photo 9



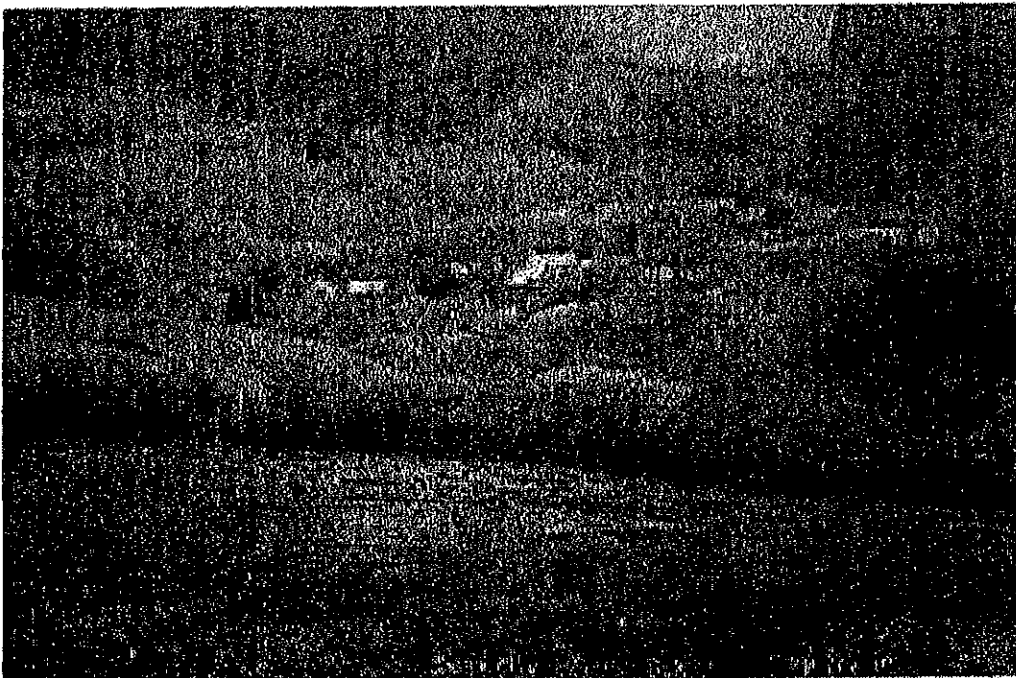
View of Cell 4 from Castle Road/Old Orchard

Photo 10



View of Cell 4 from SX125598 (public highway below viewpoint 10). In it can be observed the driving range shelter and the mount of earth placed there from the construction projects on the golf course -- both significantly smaller than a dwelling.

Photo 11



View from SX125598 of Cell 4 with driving range shelter and earth pile circled.

Photo 12



Reference photo of driving range shelter and mobile home in Cell 4.



ANDREW BEARD
PLANNING

Lostwithiel Town Council
Freepost Lostplan

27th April 2018.
ABP/0039

Dear Town Clerk,


LOSTWITHIEL NEIGHBOURHOOD PLAN – Pre-Submission Plan.

I write on behalf of [REDACTED] to lodge comments on the Pre-Submission Plan.

[REDACTED] owns land at cell number 23 and made previous representations to include this within the development boundary. The development boundary has not been changed in this regard in the pre-submission plan.

In response to the Pre-submission Plan, we have undertaken a further review of the background paper "Drawing the Development Boundary"

Cell no. 23 is set out as –

23	15, 20, 21, 22	Most of this cell is a steep wooded valley	
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We object to this classification because -

Criterion 1 – the cell is within the existing town and valley form of development with all three adjacent sides containing existing houses. This cannot therefore result in a cross under the evaluation. The site whilst upland is only visible in relation to the top of the tree canopies, development within the site will not be visible within photo 15.

The pictures used are also so small in scale, that accurate assessment cannot be made. This point will be raised with the Inspector. Details are also required of the calibration of the photographs and the verification process along with the detailed Landscape and Visual Impact Assessment of each cell. If this has not been undertaken and published, then the plan is unsound on that basis.

[REDACTED]



ANDREW BEARD
PLANNING

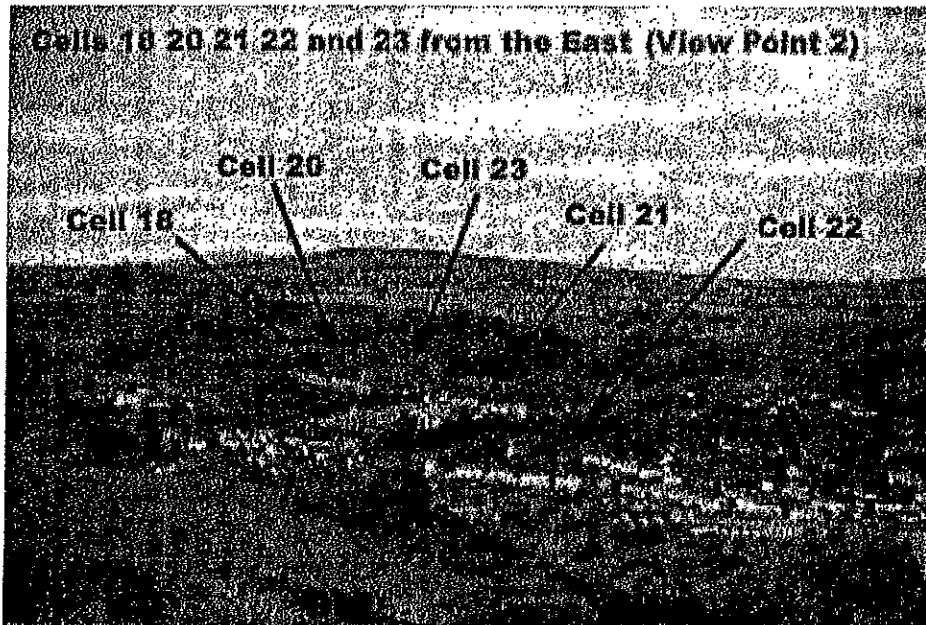


Figure 15

(Detailed assessment to rule out development at this scale is 'Unsound')

Pictures 20 and 21 do not reflect the open part in the centre of the site as previously submitted. The tree canopy will not be adversely affected by new houses.



Access to site with internal open areas



ANDREW BEARD
PLANNING

On assessing the site further, it is accepted that the inclusion of the whole cell 23 into the development boundary is not suitable, given the valley, trees and slopes. However, a smaller central area (on a plateau with existing power lines) is suitable for development.

Criterion 3 - Development on this central plateau would not be above the existing tree canopy level and whilst some trees may need to be removed, they can be compensated by new planting at a rate of 200% to enhance the woodland area further.

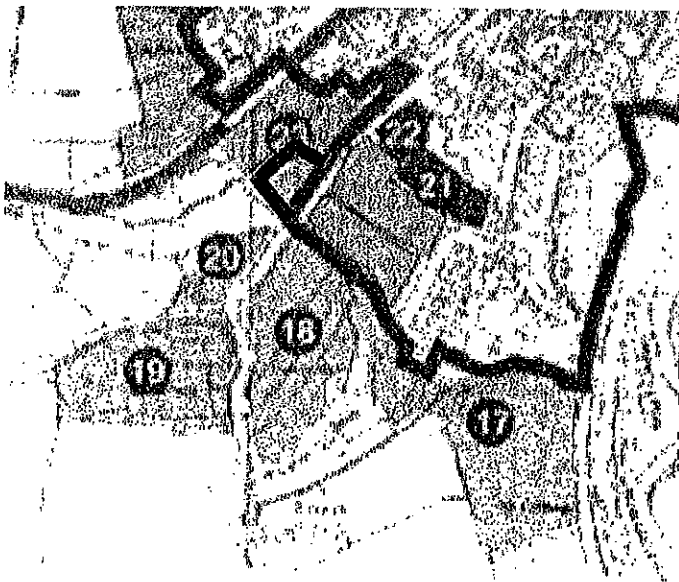
Criterion 3 therefore should not be a 'cross' as the development would sit within the woodland not remove it, or harm it.

It is accepted that the previous submission to deliver 4 to 6 houses is not suitable and that the whole site should not be drawn within the boundary.

However, the site is suitable for a smaller area of development for 1 to 4 houses which would not be contrary to the three criteria.

The Pre-submission Plan should amend the development boundary in relation to cell 23 as shown below. This will

- Create houses in context with new housing opposite
- Develop the plateau below the trees
- Remove the overhead powerlines (underground)
- Increase tree planting



Amend boundary to include part of cell 23, retaining the remainder as open valley and woodland



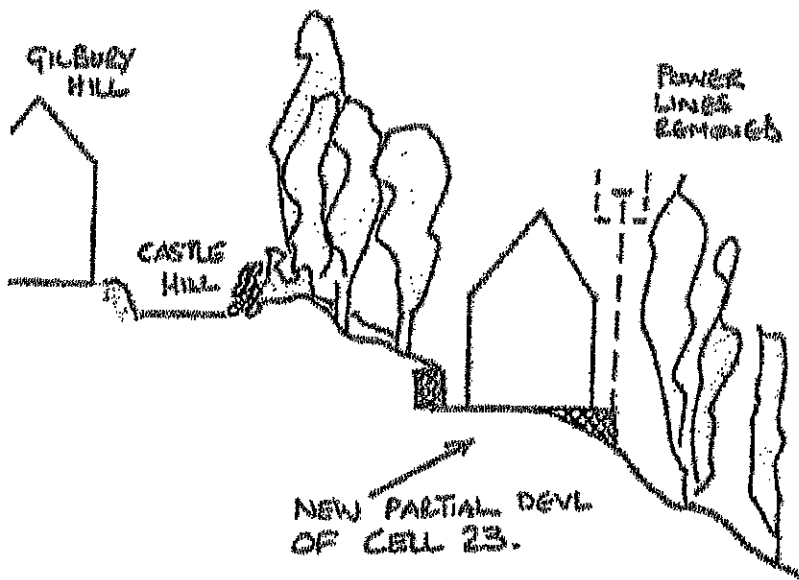
ANDREW BEARD
PLANNING

The new houses can have tiered gardens leading down to the stream, with retained trees and the valley protected, similar to the way existing No 7 Old Orchard's garden sits within the valley. Illustrative section below shows how limited new housing within a small extension of the development boundary can sit comfortably within the valley to ensure woodland protection and no visual impact. The correct analysis should be -

Cell 23 A small part of the cell with development acceptable

below the tree line and within the valley sides.

Suitable for housing as within walking distance of town centre.



I would be grateful if you would take these representations on board to amend the boundary within cell 23 for the Submission Plan.

Please acknowledge receipt of this submission.

Kind Regards

[Redacted signature]

[Redacted signature]

Consultant

[Redacted footer text]

Lostwithiel Town Council

From: [REDACTED]
Sent: 27 April 2018 20:18
To: clerk@lostwithieltowncouncil.gov.uk
Subject: Lostwithiel Neighbourhood Plan Web site enquiry

Lostwithiel Neighbourhood Plan Web site enquiry

name [REDACTED]
email [REDACTED]

comment: I am a member of the Steering Group but I would like to make a response as a member of the public, having thought over an issue and had discussions with others in the town. My comment concerns Policy BE2, where I think that the time limit should be extended beyond the 12 months currently shown. This is especially important in times of protracted recession, when short-term decisions on change of use might be made that have damaging long-term consequences for the town. My suggested changes give proper reflective and decision-making time.

The policy currently reads:
'Policy BE2.

Apart from changes allowed under permitted development rights, proposals to convert present business or commercial properties into residential properties will be resisted; and applications for a change of use to an activity that does not provide employment or trading opportunities will only be permitted if it can be demonstrated that: (i) the commercial premises or land in question has not been in active use for at least 12 months; and (ii) the commercial premises or land in question has no potential for either reoccupation or redevelopment for employment generating uses and as demonstrated through the results both of a full valuation report and a marketing campaign lasting for [a] continuous period of at least 12 months.....'

Thus, paragraph (i) should refer to 24 months and paragraph (ii) should be altered to read: 'the commercial premises or land in question has no potential for either reoccupation or redevelopment for employment generating uses and as demonstrated through the results both of a full valuation report and a marketing campaign lasting for a continuous period of at least 12 months commencing at the end of the period specified in paragraph (i).'

I have also inserted a correction, adding an indefinite article before 'continuous'.
submit : Send

Re Lostwithiel Proposed / Amended Town Development Plan

Dear Steering Group Members

I am writing to strongly object to the amended Lostwithiel Town Development Plan which now includes Lostwithiel Golf Club on the opposite side of Lower Polscoe on Cott Road.

1. This land has a natural boundary from the small development and the actual barus pertaining to the redundant Golf Club i.e. the road (Cott) and small stream that runs through Millham.
2. This newly proposed development land sits in an open green field site in an area of outstanding beauty and is an historical battle site.
3. The proposed site does not even meet the criteria as it can be seen from the castle (please refer to an extensive document with evidence submitted to you by [REDACTED])
4. It will destroy woodland with trees in the proposed development some trees are over 10 years of age and will destroy the beauty of Millham lane and its tree lined lane. It will destroy the natural habitat of much wildlife including protected wildlife.
5. The proposed changes exceed the number of houses required and needed by 2030.
6. In April 2017 the full Lostwithiel Council voted not to support planning for the development of a hamlet in Millham, to include 48 houses, this seems to be completely ignored by a small group within a small steering party of council representatives and is a complete reversal of the full council held view. The full council did not support the planning application as it was located in open countryside will have an adverse affect on the visual impact of the town, and was too big. Please note this application has now been withdrawn!
7. I believe that the amended town plan is inaccurate therefore should not have been on offered to the residents of Lostwithiel during the consultation periods people of the town have not been given correct infotmation to make an informed choice to support or object on the amended proposal.

Yours faithfully

[REDACTED]

[REDACTED]

Lentwihel Town Council
Local Development Plan Steering Group

30th April 2018

Dear Sir/Madam,

I am writing to register my opposition to the inclusion of the the land to the east of Cott Flood (formerly golf club driving range).

Myself and some other residents attended a meeting with the steering group on the 10th of april when it was pointed out to the councillors present that the plan was inaccurate and did not even meet their own criteria. Subsequently a report was sent to the group by [REDACTED] failing the inaccurate and misleading information contained in their plan.

I was appalled to hear on Saturday last (28/4/18) that this report had not been shared with the rest of [REDACTED] and misleading information was still being presented to the public.

This parcel of land clearly lies outside any sensible area for future development and has already been the subject of a planning proposal which was rejected by the town council and subsequently withdrawn.

Any development here would plainly be visible from both Plesherel Castle and from various town viewpoints, it also lies within an area of Outstanding Natural Beauty. Environment studies have proven it is the habitat for several protected species.

This area is clearly crossing a boundary (Cott Road) another of planning guidelines and would allow precedents to be set for future planning on this upland site.

While fully understanding the need to provide housing for future needs I feel that it is of extreme importance to get this right in the first instance as any plans made now could and would have an enormous effect for the future of our town.

You're a faithfully,

[REDACTED]