



Budoock, A Climate Conscious Parish

MINUTES OF THE 968th MEETING OF BUDOOCK PARISH COUNCIL HELD ON MONDAY 26th JUNE 2023 IN THE BUDOOCK VILLAGE HALL

PRESENT: Cllrs Bastin, Brierley, Burnett, Grounds, Hart (Chairman), Hennell and Spear.

IN ATTENDANCE: Miss T Hladkij, (Clerk) Cllr D Saunby Cornwall Council divisional member **Members of the public:** Three

23-65 SAFETY PROCEDURES

The Chairman explained the safety procedures.

23-66 TO RECEIVE AND ACCEPT APOLOGIES FOR ABSENCE

Cllr George and Palmer

It was proposed by Cllr Bastin and seconded by Cllr Burnett and:

RESOLVED: that the apologies from Cllr George and Palmer for non-attendance at the full council meeting held on 26th June 2023 were accepted.

On a vote being taken the matter was approved unanimously

23-67 MEMBERS TO DECLARE ANY DISCLOSABLE PECUNIARY AND NON-REGISTERABLE INTERESTS AND ANY GIFTS OR HOSPITALITY OVER £25

None

23-68 TO CONSIDER REQUESTS FOR DISPENSATIONS FROM MEMBERS

None

23-69 PUBLIC PARTICIPATION

One member of the public spoke on Item 16

One member of the public spoke about PA23/04890 Item 12

23-70 CHAIRMAN'S REPORT

The chairman updated the members on his attendance over the last month on behalf of the parish council.

June 23 Community Area Partnership

23-71 TO RECEIVE AND APPROVE THE MINUTES OF THE FULL COUNCIL MEETING HELD ON 22nd MAY 2023 AND THE CHAIRMAN TO SIGN THEM.

It was proposed by Cllr Bastin and seconded by Cllr Burnett and:

RESOLVED that the minutes of the Council Meeting held on the 22nd May 2023 are received and approved.

On a vote being taken this was unanimously agreed by all those who had been present at that meeting.

The Chairman to sign them.

23-72 TO REPORT MATTERS ARISING FROM THE MINUTES NOT ON THE AGENDA (for information only)

None

23-73 TO RECEIVE A REPORT FROM THE CORNWALL COUNCIL DIVISIONAL MEMBER

Cllr Saunby reported on the Persimmon development, the current enforcement action over fly tipping in the parish. He gave an update on PA22/09575 and the mobile post office and library service.

23-74 TO RECEIVE CORRESPONDENCE AND AGREE RESPONSES – (for information only)

Mrs Irene Clarke sent in a thank you card for the community award she was presented with last month.

23-75 TO NOTE PLANNING DECISIONS RECEIVED FROM CORNWALL COUNCIL

19/05/2023 PA23/01521 Part Approved/Part Refused Location:- The Willows School Lane Budoock Water Falmouth Cornwall TR11 5DJ **Proposal** Works to trees covered by a Tree Preservation Order, namely, T1 Sycamore - fell due to the compromised condition of the base and its lean direction towards structures and parking area; T2 Sycamore - Pollard as per photographs; T3 Sycamore - Pollard as per photographs. **Ward: Falmouth Trescobeas And Budoock Parish:- BUDOOCK**

4/05/2023 PA23/02697 APPROVED Location:- 22 Poolfield Way Falmouth Cornwall TR11 4FY **Proposal** Works to trees subject to a Tree Preservation Order for Oak (T1) - fell. The tree has struggled for light, and as a result has grown tall and thin with no suitable reduction points. Sycamore (T2) - reduce by 1.5m (with nothing above 50mm to be removed). The garden is small and light is an issue, reducing the tree will mitigate this whilst still leaving a green screen. **Ward: Falmouth Trescobeas And Budock Parish: BUDOCK**

31/05/2023 PA23/00574 APPROVED Location:- Mann Plant Hire Little Lamanva Lamanva Penryn Cornwall TR10 9BJ **Proposal** Application for Outline Planning Permission with some matters reserved for the construction of 4 dwellings namely 'access only'. **Ward: Falmouth Trescobeas And Budock Parish:- BUDOCK**

DECISION DATE APPLICATION NUMBER DECISION 09/06/2023 PA22/01708/PRE Closed – advice given Location:- Various Sites (trees) Higher Argal Argal Cornwall **Proposal** Request for a Tree Preservation Order to protect x1 Sycamore, x1 Oak and x1 Elm tree **Ward: Falmouth Trescobeas And Budock Parish:- BUDOCK**

23-76 TO CONSIDER PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL

1. Application PA23/04648 Proposal Alterations and construction of a 2 storey rear extension **Location** 36 Watersmead Parc Budock Water Falmouth Cornwall TR11 5EL **Grid Ref** 178239 / 32098 (**Case Officer - Mark Webb**)

It was proposed by Cllr Grounds and seconded by Cllr Burnett and:

RESOLVED that the following comment be submitted:- This proposed extension will easily be contained within the curtilage of the property it should have no effect on the neighbours and Budock Parish Council therefore has no objection.

On a vote being taken this was agreed with one abstention

2. Application PA23/04890 Proposal Conversion of Barn to Dwelling **Location** Land Off Treill Lane Budock Water Cornwall TR11 5DY **Grid Ref** 178436 / 31604 (**Case Officer - Nigel Brabyn**)

It was proposed by Cllr Spear and seconded by Cllr Hart and:

RESOLVED that the following comment be submitted:- Budock Parish Council has no objection to this application and is pleased to see that a redundant building is being brought back to life in the form of much needed housing, we would wish to add a condition that bridleway 202-12-01 be fully re-instated upon completion of the build.

On a vote being taken this was agreed with one abstention

Two members of the public left the meeting at 8.03 pm.

3. Application PA21/09638 Proposal. Erection of 40 residential properties, which includes 14 affordable houses with associated infrastructure, access to the existing development and public open space to the west and north. **Location** OS Field 4569 Bickland Hill Falmouth Cornwall APP/D0840/W/23/3319223

It was proposed by Cllr Hart and seconded by Cllr Brierley and:

RESOLVED that the following comment be submitted:- Budock Parish Council submit the following comments to the Planning Inspectorate regarding MHCLG ref.AppD-0840/W/23/3319223 Cornwall Planning Application PA21/09638. We note Cornwall Council's reasons for refusing the Application in September 2022, following various representations at their Planning Committee meeting, including from a Parish Council representative.

Blue Fox Planning, acting as Agents for Persimmon Homes –the proposed developer but not the landowner maintain an approach that attempts to devalue the validity and weight of the Budock Parish Neighbourhood Plan in respect of this site. In their opening statements Blue Fox Planning acknowledge that the proposed site falls entirely within the Parish of Budock, abutting its principal village namely Budock Water. They also acknowledge the fact that the Neighbourhood Plan was ratified by referendum of Parishioners. But in para.3.20 they are soon adopting a different stance; *Given that the application site is seen as part of Falmouth there would be little harm to the aims of the NP. So, it is considered that greater weight in this instance should be given to the Local Plan policies.*

Budock Parish Council believe this is in conflict with the following guidance.

From gov.uk/guidance/neighbourhood-planning

Does a neighbourhood plan have the same legal status as the local plan?

A neighbourhood plan attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (see [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#)).

Paragraph: 006 Reference ID: 41-006-20190509 Revision date: 09 05 2019 See [previous version](#)

Additionally in the original application, prior to refusal, Cornwall Council Planning Report stated that *“the site is **not** allocated for development according to the Budock Neighbourhood Development Plan”* and acknowledged further that *“if this application is approved it would result in the loss of a greenfield site”* Budock Neighbourhood Development Plan was formally adopted by Cornwall Council in the Autumn of 2020.

Around this time parts of Budock were given up to Falmouth following the Community Governance Review and ensuing Boundary Changes. It was agreed that the two fields under discussion today would be left in Budock Parish to maintain a clearly defined boundary between

Budock and Falmouth, thereby preventing coalescence which is contrary to both the Cornwall Local Plan and the National Planning Policy Framework. Extracts from these two fundamental works read as follows.

Cornwall is characterized by a dispersed settlement pattern. Our communities are equally diverse with strong local identities and traditions. A clear division between town and villages should be kept.

Where a green space is demonstrably special to a local community and holds a particular local significance, historic significance, or richness in wildlife it should not be considered for development.

We repeat that this site is categorically within Budock Parish, its boundaries defined by traditional Cornish Stone Hedges – increasingly recognized as in-situ promoters of biodiversity. Additionally, on its Western aspect the site abuts a Parish Green Buffer Zone. On its Southern boundary is a further ancient Cornish stone hedge and drover's road-now an access road to Budock Water. Immediately beyond that runs a public footpath. Blue Fox planning quotes in part the Chief Planning Officer's Advice Note on Infill and Rounding Off (para.6.23 p25) but omits the need to "understand where the physical and logical boundaries of the settlement are." In this context the notion that a neighbour might "round off" a building development by encroaching over a Parish boundary into a rural Parish beyond threatens not only this particular site but could send out an unintended message with consequences far beyond. We note that our neighbouring Authority – Falmouth Town Council - have consistently supported our stance in this respect.

As building in these fields cannot be considered as 'infill' or 'rounding off' then any building would be in the countryside which is contrary to the NPPF.

This site is agricultural land BMV grade 3. It has been used for centuries for grazing animals and haymaking, only neglected in the last couple of years. Blue Fox planning state that the fields have not been used for food production for 60 years (Statement para.6.56 page 31.)

We challenge this assertion. We have been advised by a local farmer that his father was farming those fields only 20 years or so ago.

Budock Parish is a rural community with swathes of agricultural land of varying size. These particular fields have been used for rearing and feeding various grazing animals for centuries. We contend that feeding farm animals has been and remains an obligation for all rural communities down the ages including our Parishioners.

We ask that this appeal be dismissed.

On a vote being taken this was agreed with one abstention.

23-77 REPORTS FROM COMMITTEES AND REPRESENTATIVES

Footpaths and rights of way – No report

Tree Warden - Nothing to report.

Budock Village Hall – The committee met on the 19th June. The letter from the clerk re the legal opinion on trustees was accepted as clear and definitive, as was the comment on posters in bus shelter. It was agreed to employ a 'project manager' to oversee all aspects of the hall refurbishment.

Treverva Village Hall – On 25th May 2023 Treverva Village Hall hosted a community resident' get-together to discuss the Viva Treverva project.

Playing Field – No report

23-78 TO APPROVE THE PAYMENT OF ACCOUNTS FOR THE MONTH OF JUNE 2023

It was proposed by Cllr Bastin and seconded by Cllr Hart and: -

RESOLVED that accounts totalling **£3,172.42** for the month of June 2023 are approved for payment. This total includes salaries, contractual payments, legal advice, hall hire, footpath cutting, annual subscriptions, grant, and stationery.

On a vote being taken this was unanimously agreed

23-79 TO DISCUSS COMMUNITY ADVERTISING

Councillors discussed having a community advertising board. The suggested site was opposite the village hall. It was agreed that the clerk would investigate the site and the costs and the actual costs of the board and report back to a later meeting.

It was proposed by Cllr Brierley and seconded by Cllr Hennell and: -

RESOLVED that the clerk approach Cornwall Council to confirm a site to place the community notice board and source costs for the purchase of the board and installation.

On a vote being taken this was unanimously agreed

23-80 TO DISCUSS ENFORCEMENT -OUTSTANDING ISSUES AND CONCERNS

After much discussion it was agreed that the clerk will write to Cornwall Council to request a meeting with the head of enforcement and the chief executive to discuss the enforcement process in general. The fact-finding meeting will allow councillors to raise concerns that they have about the current process in handling certain issues within the parish.

It was proposed by Cllr Burnett and seconded by Cllr Hennell and: -

RESOLVED that the clerk arranges the meeting with Cornwall Council

On a vote being taken this was unanimously agreed

One member of the public left the meeting at 8.58 pm

23-81 TO CONSIDER A TIMETABLE FOR BOUNDARY CHANGES

Councillors discussed and it was agreed that Cllr Hennell would investigate the change to be submitted and that boundary change would be taken to a future meeting for approval then forwarded to Cornwall Council.

23-82 TO CONSIDER COMMUNITY SPEED WATCH

The council discussed this and agreed that Cllr Spear will be the coordinator he would head this group separate from Budock Parish Council, he will arrange a meeting for the parish and then selected volunteers would continue with the project. Budock Parish Council agreed to fund the hall costs for the initial first public meeting.

23-83 TO APPROVE THE REGULAR PAYMENT SCHEDULE FOR THE YEAR 2023/24

The regular payment schedule was presented and approved.

. It was proposed by Cllr Hart and seconded by Cllr Burnett and: -

RESOLVED that the regular payment schedule for the year 2023 / 2024 be approved and adopted.

On a vote being taken this was unanimously agreed

23-84 TO CONSIDER A REQUEST FOR A BENCH TO BE DONATED TO THE PLAYING FIELD

As part of the Annual Parish meeting the playing field asked if the parish council could purchase a bench. It was agreed that the preferred option would be for the existing one to be repaired Cllr Brierley will report back at next months meeting with quotes for this work.

23-85 TO UPDATE ON THE CURRENT VACANCY AND AGREE THE CO-OPTION TIMETABLE

The process has been started and the vacancy will be advertised with a view to a Co Option at the September 23 meeting.

23-86 TO COUNCILLORS' AND CLERK'S ITEMS

None

23-87 DATE AND TIME OF NEXT MEETING

The next scheduled meeting will be held on Monday 31st July 2023 at the Budock Village Hall at 7.30 pm (adhering to all government guidelines current at the time).

There being no further business the meeting closed 9.20 pm.

Signed:31st July 2023

Chairman