

Dear Councillor

You are summoned to attend a **Meeting of St Austell Bay Parish Council** to be held on **Thursday 15 July 2021** at **6.00pm** in **The Pattern Hall, Charlestown Road.**

Julie Larter

Julie Larter
Clerk
8 July 2021

07873 383400
enquiries@staustellbay-pc.gov.uk

Please note that under the Openness of Local Government Bodies Regulations 2014 this meeting may be recorded

AGENDA

- 1. Apologies for Absence**
- 2. Minutes of a meeting of the Parish Council held on 17 June 2021**
To resolve that the minutes of the above meeting be signed as a correct record of the meeting.
- 3. Matters to note**
To receive a verbal update from the clerk on matters progressed since the last ordinary meeting
- 4. Declarations of Interest**
 - (a) Pecuniary Interests
Declare those interests which have been declared on your Register of Financial Interests relevant to the agenda of the meeting. Whenever the item is being discussed, including public participation, you must leave the room and not take part in the discussion or decision.
 - (b) Non-registerable Interests
You must declare Non-registerable Interests at the start of the meeting or whenever the interest becomes apparent. Then when the matter is being discussed, even during public participation, you must leave the room and not take part in the discussion or decision.
 - (c) Dispensations
To consider any requests for dispensations relating to items on the agenda

Pages 4-11

(d) Gifts and Hospitality
To declare any gifts or hospitality

Please call the Clerk before the meeting if you have any queries about these matters.

5. Chairman's Announcements

To allow the Chairman to make any announcements.

6. Cornwall Councillor' Report

To receive a report from Cllr James Mustoe

7. Cornwall AONB Monumental Improvement Project

To receive an update from Jacob Parry, Activities Officer, Cornwall AONB Unit

8. Public Participation

The Chairman will invite Members of the public to address the meeting.

15 minutes will be allocated for public participation (this can be extended at the Chairman's discretion). Each person addressing the Council will be allocated a maximum of two minutes.

9. Planning Applications and Related Matters

(a) To consider a response to any planning application consultation by the Planning Authority on any planning applications received after publication of this agenda

(b) To receive an update on the following outstanding planning applications

(i) PA21/01311 – Land South of Duporth Road: Full planning application for proposed 2 units of affordable housing at land adjoining 31 Charlestown Road in conjunction with outline application for 6 open market housing on Duporth Road and proposed off road parking on Crinnis Road

(ii) PA20/08476 – 179 Charlestown Road: Proposed loft conversion to form a bedroom with a balcony
Planning permission has now been granted.

(iii) PA20/09731 – 4 Garden Walk: Construction of single storey extension with new sun terrace above and alterations to existing property

(iv) PA19/08174 – Land Off Mill Lane: Residential dwelling to include associated site works and alteration/formation of vehicular/pedestrian access

10. Wainhomes Land Ownership in Charlestown

To note that a community consultation is in progress

11. South West Coast Path

To note the current situation

- 12. Regatta Playing Field**
To note the current position regarding the regeneration of the toddlers' play area, flooding and progress with devolution
- 13. Environment and Climate Change Working Party**
To receive a verbal report on a meeting held on 6 July
- 14. History Working Party**
To receive an update on a meeting held on 5 July
- 15. Tree Warden**
To receive an update from the Tree Warden and authorise any expenditure
- 16. Charlestown Public Toilets**
To consider a report from the Clerk and authorise expenditure *To follow*
- 17. Highways Matters**
To note any concerns
- 18. Financial Matters**
(a) To consider a request from the Clerk to attend the SLCC National Conference
(b) To note the current financial position and authorise payments *Appendix (i)*
- 19. Parish Councillor Vacancies**
To co-opt to fill a current vacancy in the Charlestown ward
- 20. Meetings/Training Attended**
To receive an update from meetings or training recently attended by members or the Clerk
- 21. Correspondence**
To note correspondence received since the last meeting *Page 12*
- 22. Dates for the Diary**
To note any forthcoming dates for members' diaries
- 23. Dates of future Parish Council Meetings**
16 September, 21 October, 18 November, 16 December, 20 January, 17 February, 17 March, 21 April

MINUTES of a MEETING of ST AUSTELL BAY PARISH COUNCIL held on THURSDAY 17 June 2021 at 6.05pm in St Paul's Church Hall, Charlestown
(The meeting was delayed by 5 minutes in order to ensure the meeting took place in a Covid safe environment).

Present: Cllrs Bill Leach (Chairman), Sue Leach, Nick Foster, Nigel Chatterjee, Jackie Bull, Richard Hallows

In attendance: Cllr James Mustoe, CC; Julie Larter (Clerk); 1 member of the press; 40 members of the public

(21/025) Apologies for Absence

Apologies were received from Cllr Trudy Reynolds.

(21/026) Minutes of the Annual Meeting of the Parish Council held on 20 May 2021

It was **RESOLVED** that the minutes of the Annual Meeting of the Parish Council held on 20 May 2021 be signed as an accurate record of the meeting.

(21/027) Matters to Note

The Clerk reported that planning application PA21/02820 relating to land to the rear of West Polmear Court had been withdrawn earlier in the day.

The draft revised Charlestown Conservation Area Character Appraisal and Management Plan is currently with the Historic Environment section of Cornwall Council for review and provided they are happy with the content, the Conservation Officer will draft a report for signing off by Cllr Olly Monk, Portfolio Holder.

(21/028) Declarations of Interest on Items on the Agenda

There were no declarations of interest.

(21/029) Chairman's Announcements

The Chairman said that depending on how many members of the public wished to speak, he may have to limit the length of time that each person could speak.

(21/030) Cornwall Councillor's Report

Cllr Mustoe tabled the following report:

Good evening everyone and I hope you have been able to enjoy some of the lovely weather that we have been having over the past few days.

It's been a busy time for me, getting used to the 'new' parts of my division and meeting with various people and organisations, along with taking part in the first formal meetings of the new Cornwall Council.

In terms of casework received, I have had various concerns raised with me about footpaths, and overgrown verges and hedges around the parish, and have raised these with Cormac who will take action either themselves, if it is their responsibility, or by raising it with the land owners. I have also received a number of approaches from residents with regards to the hybrid planning application that is on the agenda for this evening's meeting. I'd like to thank them for getting in touch and reassure them that I am listening to concerns given, and have already had a lengthy discussion with the planning department about this case. I have also attended Carlyon and Pentewan Valley Parish Council meetings this week and listened to their feedback on this application. There is a strict process involved when Cornwall Council consider any planning applications, of which St Austell Bay Parish Council is a statutory consultee. Please rest assured that if I am asked to call this application in to committee by the Parish Council, then I will certainly do so.

I have been consulted on, and given no objection to the slight rerouting of the footpath that runs up to the vicarage from Charlestown. I took part in a couple of litter picks for Charlestown Chums as part of Keep Britain Tidy's Big Spring Clean that were well attended – thank you to Pat Smith and all concerned for volunteering to look after our area.

Going forward, I am very happy to advertise and promote any litter picks or beach cleans like this on my (newly renamed), Mevagissey, Pentewan, St Austell Bay and Carlyon Community Action Group Facebook page to hopefully increase participation and awareness in the local area. I have also put in a bid to Clean Cornwall for more litter picking equipment to replace some of the older stuff that was reaching the end of its lifespan.

At County Hall I was honoured to be elected as Chair of the Children and Families Overview and Scrutiny Committee. This is one of the main committees that holds Cornwall Council to account in a particular area, and I am looking forward to working with the committee members to ensure our children and young people are best served in the future.

I have cautiously resumed my volunteer community action group, covid safe and outside in groups below the numbers needed under current regulations, and have the first session scheduled for Portmellon on 27 June.

If the Parish Council has any ideas about where to do them, or would like to do one and have me assist, I will be happy to organise or help as appropriate.

Finally, my Community Chest fund will shortly be open for bids and I would encourage anyone who is interested in applying to get in touch with me so I can consider bids.

(21/031) Public Participation

The Chairman said that he would take comments regarding planning applications when that particular planning application was being discussed.

(21/032) Planning Applications and Related Matters

(a)

(i) PA21/03878 – 6 Ridgewood Close: Ground floor extension to house

It was **RESOLVED that the Clerk should respond to the Planning Authority (Cornwall Council) stating that it has no objections to the proposal.**

(ii) PA21/01311 – Full planning application for proposed two units of affordable housing at land adjoining 31 Duporth Road in conjunction with outline application for 6 open market housing on Duporth Road and proposed off road parking on Crinnis Road, Carlyon Bay

Miss Browning, one of the applicants for this application was invited to speak. Miss Browning said that her father sent his apologies for being unable to attend the meeting. Miss Browning said that she appreciates that not everyone would wish to support the application but asked for the proper channels to be used. She said that it was not acceptable for a pensioner or children to be harassed regarding this matter. The Chairman commented that there was no excuse for this type of behaviour. Miss Browning asserted that the parish council had been consulted regarding this development on 6 July 2020. The Chairman corrected her and said that no parish council consultation took place on that date. Cllr Sue Leach said that the meeting on 6 July was held at Mr and Miss Browning's request as part of the 6 week public consultation in relation to the neighbourhood plan. Most of that meeting related to parts of the draft plan that Mr and Miss Browning were not happy with and these are set out in the neighbourhood plan consultation statement. The meeting digressed to cover issues such as the old toilets and the Battery and a suggestion was made that they were considering building houses off Duporth Bay, using the private access road. At the meeting the Mr and Miss Browning were told that access would not be possible off this road. It was simply not true to say that the parish council was consulted. Miss Browning explained that the orientation of the open market houses had to change as they were unable to use the Duporth Bay access road and that the boundary hedge had been cut down by residents. Contrary to comments on-line, regarding green buffer land, the Trust had no intention of building in the remainder of the field and the green buffer would remain. In total they own 75 acres of green buffer land, and 98.5% of this land would remain. Turning to concerns regarding traffic, these had been misrepresented in terms of the Duporth Road exit. The exit will be on the widest part of the road and there is a 2 car width at the exit to the affordable houses. The parish council has a duty of care regarding the safety of children at Charlestown School. Daily traffic along Crinnis Road is dangerous and far overshadows traffic that would be created by this application. There have been 3 near misses at the school within the last 4 weeks. Only a handful of comments have been made about the benefit of additional parking to date. Welfare of the children has been dismissed lightly.

Community Benefit – within planning applications comes a requirement for community benefits. Mr and Miss Browning genuinely thought that they were offering something different and which provided the most benefit. They could have made an off-site s106 contribution or more affordable homes. Community parking could benefit people visiting Campdowns cemetery and outside school term the area could be opened for community use. Cllr Sue Leach read an email from David Houghton, Chief Operating Officer of the Kernow Learning Academy Trust, explaining that the school was unable to take on additional land without permission from the Secretary of State for Education. Miss Browning said that the school had failed to engage with them. She suggested that if there was a desire, the 2 neighbouring parish councils could work together. Miss Browning was also disappointed by the comments regarding footpaths and the Battery. The Trust has recently given another acre of their land to maintain the South West Coast Path and the new section of path on the eastern side of Charlestown is a permissive path until Cornwall Council's legal department finalise a Path Order. The Trust could have refused permission. Miss Browning said that they have not requested any money from Cornwall Council unlike Duporth Bay residents who received compensation a few years ago following a cliff failure. The Chairman

said that he took exception to this, saying that the two situations were not comparable, and that Cornwall Council no longer pays compensation in these situations. Miss Browning said that she wants the public to realise that they are good custodians of land. The Trust is preparing a restoration programme for the Battery costing around £25,000 to restore the land back to a Napoleonic fort and this was not costing the public a penny. The area will continue to be available to the community.

The Chairman said that the principle is that the benefit has to out-weigh the damage caused.

The Chairman then opened the floor to members of the public and points raised were:

- If you are concerned about school parking, why did it have to be part of this application?
- Did not feel that there was sufficient justification to build on the green buffer
- The housing target for the parish has been met
- This is not infill
- There is ecological damage
- Statements in the application relating to footpaths relate to existing arrangements
- New entrances and exits onto Duporth Road increase the risk to pedestrians on this busy road
- A petition containing 119 signatures was presented to the parish council and the Clerk is to forward it to Cornwall Council
- The development contravenes the Cornwall Local Plan and the Neighbourhood Plan
- This is not rounding off
- Problems with water run off and flooding in relation to the proposed affordable homes
- A member of the public spoke on behalf of the residents of the terrace of houses in Duporth Road which she felt were under-represented. Furthermore the land required to access the affordable homes is privately owned and is not for sale
- Has a traffic impact survey been undertaken on the impact of traffic on Crinnis Road? There could be an increase in traffic with the creation of a car park

Rebecca Cave, Community Governor with stakeholder specific responsibilities for Charlestown School introduced herself and said that governors are to reignite a programme to look at parking issues at the school and there will be a proper consultation with all stakeholders.

The Reducing Road Casualty Officer for Devon and Cornwall Police, whose children attend Charlestown School commented that the school is not the worst in St Austell regarding traffic problems and these are caused not just by parents but also by local people driving inappropriately. The school have an option to park at Tesco but this is not well used. Potentially an additional car park could result in more cars in the area. He went on to say that he is working with the neighbourhood team to address parking issues.

It was **RESOLVED** that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council objects to the proposal for the following reasons:

- The proposed sites are outside the Development Boundaries for Charlestown and Duporth established in the St Austell Bay Parish Neighbourhood Plan (NP) which is awaiting referendum. They were established to prevent "development

from gradually extending into the surrounding countryside” as well as “to preserve the historic nature and settlement boundaries of Charlestown” and the separate identity of Duporth and the other settlements in the parish

- The proposed sites for 6 dwellings and the car park are in Green Buffer Zones established in November 2019 as part of the Cornwall Site Allocations DPD. The purpose of this is a) to maintain the separate identities of communities b) to protect the setting of the World Heritage Site of Charlestown
- The proposed site for the affordable houses also extends into the Green Buffer Zone
- The NP in its own Green Buffer policy seeks to prevent the coalescence of settlements as well as to provide benefits to biodiversity. Development on the proposed site would not be compatible with these; neither would it “maintain the visual separation of settlements”
- The Local Landscape Character Assessment (2020) states that “these undeveloped fields are key to the setting of the village”
- The application is in conflict with many of the points made in the existing Charlestown Conservation Area Appraisal and Management Plan (CCAMP) and in the successor document recently out for consultation
- The proposed community benefit designed to offset the harm these developments would cause is completely inadequate for the following reasons:
 - The school has made it clear to the applicant in writing that it is not allowed to accept the car-park, either the freehold or the leasehold, could not manage it and does not want it.
 - The work to the SWCP is made to sound dependent on the success of this application. This is factually incorrect – it has all been agreed and we have written confirmation of this from Cornwall Council
 - The parish has no housing target to meet for the duration of the NP, having already exceeded the target set in the Cornwall Local Plan.
 - The need for affordable housing to purchase is small in the parish as many were recently established in the two major estates in Duporth and Charlestown. The need for rented affordable housing is a greater priority, but even that is small scale. Details are in the NP.
 - There are issues with additional traffic on an already busy Duporth Road with only a virtual pavement for much of its length
 - Access to the affordable houses would be over a privately-owned drive and the owner would not be willing to grant it. Access here would also be too close to a blind bend
 - Creating a car park from a greenfield site, especially to address an hour a day issue does not meet any sustainable transportation aim as linked to the Climate Change Action Plan, the NPPF and our NP
- The council wholly endorses all the points made in the WHS objection, including the objection to the principle of building on this site.

In addition, the parish council would like to point out that the application contains several errors and misleading statements, including “the application follows initial consultation with the Parish Council” which is completely untrue. No such consultation took place.

(iii) PA21/02820 – Land rear of West Polmear Court: Formation of 2 detached dwellings

It was noted that this application has now been withdrawn.

(iv) PA21/01636 – Trevean, Porthpean Beach Road: Tree works to Holm Oak subject to a TPO; Coppice to 1.5m stumps to allow regeneration and manage as such
It was **RESOLVED that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council has no objections to the proposal.**

(v) PA21/04412 – 12 Ridgewood Close: Front Porch Extension
It was **RESOLVED that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council has no objections to the proposal.**

(b) An update was provided on the following planning applications

(i) PA20/08476 – 179 Charlestown Road: Proposed loft conversion to form a bedroom with a balcony

The Clerk reported that the World Heritage Site Planning Officer and the Conservation Officer are now happy with the proposed rooflights and the Planning Officer is trying to get agreement from the applicant for the proposed window in the gable end to be removed.

(ii) PA20/09731 – 4 Garden Walk: Construction of single storey extension with new sun terrace above and alterations to existing property

No update was available.

(iii) PA19/08174 – Land Off Mill Lane: Residential dwelling to include associated site works and alteration/formation of vehicular/pedestrian access

A refusal notice has been written up and is likely to be issued next week.

(21/033) Wainhomes Land Ownership in Charlestown

Cllr Bull reported that a very courteous meeting was held on 28 May between a number of Charlestown Road residents and Cllrs Hallows, Chatterjee and herself. Residents raised concerns but were very concise with their wishes. They asked for a reply to a letter sent to the parish council if only to clarify the process of analysis of the benefits and disbenefits which they wanted carried out in a non-time constrained way. Cllr Bull said that the parish council needs to respond. She suggested that once the council has decided on the benefits/disbenefits a parish wide consultation needs to take place so that the council can scoop up as many views as possible. The Clerk reported that she has started to do a cost benefit analysis. Cllr Sue Leach said that Wainhomes made a presentation to the parish council at its meeting on 17 October 2019 when the council resolved in principle to progress the transfer/development of Wainhomes land in line with Wainhomes' outlined proposals. However she was mindful that since that time the parish boundary had changed and only 4 councillors who were present at that meeting remain councillors. She offered to draft a consultation document and circulate to members for their comment. Cllr Leach said that she would need a statement from Wainhomes and confirmation of what land was on offer. Cllr Hallows said that both the council and land ownership has changed and it was particularly important that the council quantifies the proposal in a transparent way. It needs to justify the community gain as the outcome will affect a lot of people across the parish and it was important that residents understand the process. The Clerk was asked to contact Wainhomes and ask the company to provide an updated map of the plots currently under discussion and give an indication of the current land value.

A member of the public reminded the council that residents had commissioned an independent planning appraisal and wanted to reiterate their concerns to the council. She felt that some residents may not be aware of Wainhomes' proposal to develop a

plot off Charlestown Road. She noted that historically the parish council has been supportive of residents' concerns.

A member of the public said that predetermination is an issue for all councillors and accepts that opinions were not made at a meeting on 28 May when plans for the plot of land were outlined. He was concerned that members of the public were not able to speak at that meeting. The Chairman stated that nothing was predetermined as no decision was taken at that meeting.

(21/034) South West Coast Path

The Clerk reported that the Countryside Officers have held many discussions with residents of Duporth Bay affected by the proposed roll back of the South West Coast Path. If agreement can be reached with all affected landowners then the programme of work can be drawn up. The Countryside Officer has commented how accommodating the Residents' Association and residents have been and the project is their top priority.

Reparation work to the east cliff in Charlestown is still due to commence at the beginning of September.

(21/035) Regatta Playing Field

The Clerk reported that work should be complete tomorrow and it appears that there is just some tarmac to be laid. Wicksteed has arranged for an independent safety inspection to take place early next week and subject to Cornwall Council being happy, the play area can open. The Clerk is unsure whether any progress has been made regarding the flooding issue yet. It was **RESOLVED to purchase a sign to go on the fence in the toddlers' play area indicating who funded the project.**

(21/019) Highways Matters

The Clerk reported that the white lines on the virtual pavement in Duporth Road have been reinstated.

Cllr Foster said that the issue of parking on Duporth Road needs to be revisited. There had been parking on both sides of the road this week. Cllr Hallows asked Cllr Mustoe to approach Cornwall Council and ask them to do something about the parking in Duporth Road and Charlestown. Cllrs Bull, Foster and Hallows will meet with Cllr Mustoe to inform him of previous discussions with the Highways Manager.

(21/036) Environment and Climate Change Working Party

A report from a meeting held on 8 June had been previously circulated.

(21/037) Financial Matters

Current balances were noted and the following payments were authorised:

Payee	Purpose	Amount
Mrs L J Coles	Internal Audit fee	£ 225.00
	Grant towards memorial plaque Higher Porthpean	
K A Still	(21/020 (iv))	£ 100.00
BT	Monthly mobile phone charges	£ 24.00
Cornwall Council	Business rates for toilets	£ 77.00
SWW	Water for hall	£ 27.50
SWW	Water for toilets	£ 103.50

Lloyds Bank	Credit card - <i>see note</i>	£	96.47
BT	Telephone and internet	£	83.28
ITEC	May Printing charges	£	53.09
SSE	Quarterly electricity charges for public toilets	£	95.91
BT	Monthly mobile phone charges	£	24.00
Blenheims Estate & Asset Management	Monthly estate service charge	£	12.00
ITEC	Laptop and software	£	1,169.10
Lyreco	Toilet Supplies and Stationery	£	113.75
Complete Weed Control	Pavement weed spraying	£	252.00
Staff	Salaries and oncosts	£	2,869.62

It was noted that Cllr Chatterjee has checked the bank reconciliation.

(21/038) Parish Councillor Vacancies

It was **RESOLVED** to co-opt Michael Norris to fill the vacancy in the Duporth ward.

(21/039) Meetings/Training Attended

28 May – Cllrs Bull, Hallows and Chatterjee met with a group of residents from Charlestown Road to discuss their concerns about the Wainhomes proposal.

10 June – Cllr Foster and the Clerk attended the St Austell and Mevagissey Community Network Panel meeting

Cllr Chatterjee has attended Code of Conduct training

(21/040) Correspondence

A list of correspondence had been previously circulated and the following correspondence had been received since publication of the agenda:

- Details of CALC training
- Several letters of objection to various planning applications

(21/041) Dates for the Diary

22, 23 and 24 June – Cllr Chatterjee to attend Cornwall Council’s planning induction training

(21/042) Dates of future Parish Council Meetings

15 July, 16 September, 21 October, 18 November, 16 December 2021, 20 January, 17 February, 17 March, 21 April 2022

The meeting closed at 7.40 pm

.....
Chairman

.....
Date

Agenda Item 21 - Correspondence Received Since 17 June

- Citizens Advice Cornwall newsletter
- Minutes of St Austell and Mevagissey Community Network Panel meeting held on 10 June
- Cornwall Council's Town and Parish Council newsletters
- Complaint from some residents of Quay Road regarding fencing erected by the Harbour
- Letter from Blenheims to residents and tenants of Foundry Parc regarding anti-social behaviour on the estate
- NALC newsletter
- Correspondence regarding planning application PA21/01311
- Correspondence regarding filming in Charlestown
- Monthly update on progress on The Nest
- Email from Cllr Barry Jordan CC seeking views from parish councils on Cornwall Council and its services – this can be discussed at a future parish council meeting if it is the wish of councillors
- Correspondence regarding parking and activities on the green at Porthpean beach
- Correspondence regarding overnight camping on Carrickowel Point
- Update on the Cornwall Council Community Network Highways Scheme and information regarding a Highways consultation
- Correspondence regarding the parish consultation