

Dear Councillor

You are summoned to attend a **Meeting** of **St Austell Bay Parish Council** to be held on **Thursday 21 July 2022** at **6.00 pm** in **The Pattern Hall, Charlestown Road.**

*Julie Larter*

Julie Larter  
Clerk  
14 July 2022

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

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## AGENDA

- 1. Apologies for Absence**
- 2. Minutes of a meeting of the Parish Council held on 16 June 2022**  
*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 4-10*

(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's Report**

*To receive a report from Cllr James Mustoe, CC*

**7. 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.*

**8. Planning Applications and Related Matters**

*(a) To consider a response to the following planning applications any planning applications received after publication of this agenda*

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

*(i) PA22/03359 and 03360 – 14 Quay Road: Construction of glazed roof extension to the rear of existing house and outbuildings*

*(ii) PA22/02532 – Land north east of recreation ground, Church Road: Development of 4 dwellings with associated road, garage/carport and parking*

*(iii) PA22/02533 – Land to east of Charlestown Road: Construction of 2 detached houses with associated drives and parking*

*(iv) PA22/01531 – Charlestown Harbour: Erection of a single camera column and installation of an ANPR camera to aid management of the car park. Erection of signage to allow effective management of the car park*

*This application has been invalidated and Enforcement have been informed*

*(v) PA22/01532 – Charlestown Harbour: Advertisements for parking information signs, informing the users of the car park the enforcement regime utilised on the site. Signs are installed according to the British Parking Association requirements*

*This application has been invalidated and enforcement notified*

*(vi) PA22/01715 – Land known as The Orchard (Adjacent to Lovering Clay Dry), Quay Road: Application for Outline Planning Permission with all matter reserved for the construction of up to 3 dwellings and associated works*

*5-day protocol letter received*

*(vii) PA21/09839 – The Old Orchard, Ropewalk Lane: Formation of a detached dwelling*

*This application has been refused*

(viii) PA21/07841: 179 Charlestown Road: Proposed summer house and decking

**9. South West Coast Path Closure**

*To receive a verbal update on the current situation*

**10. Complaint**

*In accordance with the Council's Complaints Procedure, members will determine an appropriate response to address the complaint*

*Letter to be read out at the meeting*

**11. Working Parties**

(i) Traffic Working Party

*To receive an update following a meeting held on 23 June*

(ii) Environment and Climate Crisis Working Party

(a) *To consider requesting the parish council applies for a TPO on a Sweet Chestnut tree in Church Road*

(b) *To agree to have an index on the council's website giving details of local businesses/initiatives which promote green consumerism*

(c) *To discuss street lighting around Charlestown Harbour*

**12. Highways Matters**

(i) Charlestown Street Trees

*To receive an update*

(ii) To note any Highways concerns

**13. Financial Matters**

(i) Grant Funding Request

*To consider a request for grant funding from Cornish Barbarians Pilot Gig Club* Appendix (i)

(ii) Jubilee Beacon Celebration

*To authorise reimbursement of out-of-pocket expenses and note final expenditure* Appendix (ii)

(iii) To review automated payments

Appendix (iii)

(iv) To authorise payments and note the current balances

Appendix (iv)

(v) *To delegate powers to the Clerk to determine when to put in place additional cleaning of the public toilets*

(vi) *To consider a request from the Clerk to attend the SLCC National Conference in November*

**14. Councillor Co-Option**

*To co-opt to fill the current vacancy in the Duporth ward*

Appendix(v)

**15. Meetings/Training Attended**

*To receive an update from meetings or training recently attended by members or the Clerk*

**16. Correspondence**

*To note correspondence received since the last meeting*

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**17. Dates for the Diary**

*To note any forthcoming dates for members' diaries*

**18. Dates of future Parish Council Meetings**

*15 September, 20 October, 17 November, 15 December*

**MINUTES of a MEETING of ST AUSTELL BAY PARISH COUNCIL held on THURSDAY 16 JUNE 2022 at 6.00pm in The Pattern Hall**

**Present:** Cllrs Bill Leach (Chairman), Sue Leach, Nigel Chatterjee, Richard Hallows, Trudy Reynolds, Nick Foster, Jackie Bull, Sandie Bailey

**In attendance:** Cllr James Mustoe, CC, Julie Larter (Clerk), Lucy Harman (LAH Design), Peter Crawford (Wain Homes), 12 members of the public.

**(22/023) Apologies for Absence**

There were no apologies.

**(22/024) Minutes of the Annual Meeting of the Parish Council held on 19 May 2022**

It was **RESOLVED** that the minutes of the Annual Council meeting held on 19 May be signed as a correct record of the meeting.

**(22/025) Matters to Note**

The Clerk had nothing to report.

**(22/026) Declarations of Interest on Items on the Agenda**

There were no declarations of interest.

**(22/027) Chairman's Announcements**

The Chairman apologised about the length of his announcements.

Firstly the Chairman clarified the situation regarding the Jubilee celebrations

- The idea of organising celebrations was first on the parish council agenda on 18<sup>th</sup> November 2021 and has been an agenda item at every meeting since
- Councillors discussed many ways of celebrating the occasion and eventually decided on a Beacon event (including fireworks and flaming torches), street parties across the parish, a commemorative bench and plaque for each ward, and also a Jubilee tree in each.
- One of the councillors submitted a successful Lottery bid for £7,566 to support the celebrations. The bidding process strongly encourages applicants to show matched funding, and therefore the total cost of the submitted bid was £9461 – the majority of the matched funding to come from the parish council with additional contributions from a couple of other organisations.
- Councillors plus the Clerk organised the bunting, the beacon event and fireworks, the PA and sound system, the first aid cover, insurance, the commemorative benches and plaques and the Jubilee trees. Some councillors volunteered as stewards for the Thursday event.
- 7 street parties took place, 3 in Duporth, 2 in Charlestown, 1 in Higher Porthpean and 1 in Trenarren.
- All were loaned bunting, and 6 bid in for funding to support their parties. Re-usable equipment purchased, such as gazebos and tables, plus the bunting,

now revert to the parish council and become assets which can be loaned out for community events.

- The whole celebration has been a massive success and is probably the best example in recent years of everyone working together
- Many other organisations, such as the Harbour staff and the Regatta Committee, were also involved, and of course many volunteers contributed especially to the street parties and Beacon event – many thanks to them and also to everyone who came out to support any of the events.
- The Chairman formally passed on the council's thanks to the Harbour staff, and to Rolf Munding for the use of the harbour, which provided a marvellous backdrop
- The Chairman commented that it is sad and regrettable that one misguided local individual should have posted on social media that the Beacon event was not organised by the parish council. It most definitely was and could not have taken place without the parish council's input.

The Chairman then turned to planning applications PA22/02532 and PA22/02533 and introduced Peter Crawford, Senior Land Buyer with Wain Homes and Lucy Harman, Director and Architect with LAH Designs. The Chairman then went on to remind members of the background to the applications

- The parish council was first approached by Wain Homes in early July 2019 explaining that the company wished to rationalise its small assets in the Charlestown area
- On Monday 15<sup>th</sup> July Peter Crawford arranged a site meeting for councillors to look at the assets in question
- Mr Crawford explained that Wain Homes were prepared to offer the council the freehold of these assets and in return they would seek planning permission to build a small number of houses on two other plots
- The offer was first made formally and discussed at the October 17 2019 parish council meeting when Peter Crawford gave a presentation to councillors and members of the public
- It was "resolved in principle to progress the transfer/development of the Wain Homes land in line with the proposal outlined"
- The decision was not unanimous but as one Charlestown councillor said in his proposal: "this is a win-win for Charlestown" and the resolution was carried
- The onset of the pandemic in spring 2020 halted progress on the project and it has only recently returned to the parish council for consideration
- In the meantime 2 of the plots originally discussed have now been sold privately. These are: 1. the former village dump (at the end of School Lane, Charlestown) – sold to a private individual and 2. Land opposite Foundry Parc – now also sold privately after the parish council had made it clear that they would not support ribbon-development up Charlestown Road
- The remaining 7 assets where the freehold is offered are:
  - 1) The Ropewalk
  - 2) The Regatta Field
  - 3) The small football field on Church Road
  - 4) The Pattern Hall
  - 5) One of the sites adjacent to the Regatta Field in Ropewalk Lane
  - 6) A small triangle of land at the top of Charlestown Road currently used for advertisement
  - 7) The Church Hall and car park

- The 2 areas for proposed development would be:
  - 1) The inner of the 2 plots in Ropewalk Lane (i.e. the one not adjacent to Charlestown Road)
  - 2) The triangle of land adjacent to the football field in Church Road
- In July 2021 the council sent out a reply-paid parish survey to all houses in the parish in which we attempted to set out the value and benefits of acquiring the freeholds and the possible disbenefits and cost to the parish.
- The responses were collated and the results published in the parish council meeting of September 2021
- The developers have brought a number of proposed plans to the council for discussion and amendment and the final plans are what we are discussing tonight
- We must accept that there is local opposition to some of the proposals, but the overall view expressed by the parish is strongly in favour of proceeding
- It is the job of the council this evening firstly to consider the merits of the applications on planning terms and then to decide whether the gain to the parish in supporting these applications outweighs the harm that might be caused by allowing two developments which are outside of the formal development boundary.  
The Chairman stated that this would not be easy, but it was important to respect others' opinions.
- The Chairman said that it was important to remember that whatever the decisions taken this evening were, the final arbiter on any planning application is Cornwall Council

The Chairman concluded by saying that he would be extending the time for individual comments from members of the public from 2 minutes to 3 minutes, as laid down in the council's standing orders, and after that time at which time he would move the meeting on. The Chairman specified that the council wished to hear residents' views, but the meeting was not a "discussion forum", it was for the parish council to make a decision.

### **(22/028) South West Coast Path Closure**

The Clerk reported that the Ramblers Association is prepared to withdraw its objection to the proposed order, subject to certain conditions being met.

### **22/029 – Financial Matters**

(i) Pavement weed spraying

Cllr Reynolds asked whether there was an alternative method of weed control to using glyphosate, but Cllr Hallows explained that alternative methods were less effective and more costly. It was therefore **RESOLVED to accept a quote from Complete Weed Control to spray the pavements in Charlestown Road and Porthpean Beach Road.**

(ii) The current financial position was noted and the following payments were authorised:

<b>Method of Payment</b>	<b>Payee</b>	<b>Purpose</b>	<b>£</b>
DD	Blenheims Estate	Foundry Parc Amenity Charge	£ 21.11
DD	Lloyds Bank	Credit card*	£ 216.37
DD	SWW	Water for toilets	£ 193.50

DD	BT	Mobile phone	£	24.00
DD	BT	Telephone and internet	£	45.17
BACS	Cornwall Waste Solutions	Litter disposal	£	23.98
BACS	Lyreco	Stationery and toilet consumables	£	202.54
BACS	Radio St Austell Bay	Grant	£	250.00
BACS	D J Carne	First aid cover for Jubilee event	£	195.00
BACS	Unity Trust Bank	Quarterly bank charges	£	18.00
BACS	Staff/HMRC/CPF	June salaries and oncosts	£	2,985.67

It was noted that Cllr Chatterjee checked the bank reconciliation and credit card receipts on 9 June.

### **(22/030) Cornwall Councillor's Report**

Cllr Mustoe's report had been circulated prior to the meeting. Cllr Mustoe expressed his delight with all the various Queen's Platinum Jubilee celebrations that had taken place and thanked everyone who helped to organise them. Following on from the recent update on the SWCP, Cllr Mustoe highlighted the issue of continued vandalism on both closed sections, which was extremely unhelpful to Cornwall Council and Cormac as they are trying to formalise the route. This is criminal damage and repairing and replacing barriers is a considerable cost to the public purse. Cllr Mustoe reminded people that using the closed section at Duporth is a safety risk due to the instability of the cliff. The Chairman pointed out that when the Duporth section was previously closed for nearly 4 years, there were no incidents of vandalism.

Cllr Mustoe also outlined an application made in 2005 to record an historic public right of way over Quay Road which Cornwall Council is currently working on. Cllr Mustoe said that residents and the parish council will be consulted on this imminently. Cllr Mustoe stressed that residents have protected rights.

Cllr Hallows thanked Cllr Mustoe for getting redundant Covid signs removed.

### **(22/031) Public Participation**

Referring to planning applications PA22/02532 and PA22/02533, a member of the public said that it is regrettable that the parish council had not held a separate public debate regarding the proposed land transfer from Wain Homes, and in his opinion the public survey that the parish council conducted in July 2021 did not present an analysis of costs or liabilities and that the council had not undertaken due diligence. The member of the public referred to the planning history on the plot of land off Charlestown Road and suggested that harm would be caused by the construction of the 2 proposed dwellings.

Referring to applications PA22/02532 and PA22/02533, a member of the public said that the opportunity of obtaining important plots of land in Charlestown was too good an opportunity to miss and the parish council must think of the long term benefits for future generations. The plots of land would be coming to the community, not private developers who would be looking to make a profit from them. The parish council has already decided that the proposed land transfer is worthy of support and should be supported now, but the council needs to be satisfied that the development being proposed on the 2 sites is appropriate. The member of the public went on to say that in his opinion there were too many houses proposed on the Church Road site and as this is a busy road, the houses need to be set back from the road – the site needs

reconfiguring with the footpath extended into the back of the wall adjacent to the football field, to make the field more accessible.

A member of the public said that the church hall and car park are on a 999 year lease and it is hard to see any benefit to the parish council in accepting this offer.

### **(22/032) Planning Applications and Related Matters**

(a) (i) PA22/03359 and PA22/03360 (LBC) – 14 Quay Road: Construction of glazed roof extension to rear of existing house and outbuildings

The Clerk informed members that the Conservation Officer has concerns about damage to the historic fabric of the property and the impact it could have on the outhouse of no 13 and the planning officer is liaising with the applicant to ensure that there is sufficient justification for the work.

Members decided that they would await further guidance from the planning officer before commenting and asked for the Conservation Officer to be consulted again.

(ii) PA22/02532 – Land NE of recreation ground, Church Road: Development of 4 dwellings

with associated road, garage/carport and parking

It was **RESOLVED that the Clerk should respond to the planning authority (Cornwall Council) stating that the parish council supports this application.**

Although mindful of the fact that the site is outside the Development Boundary established in the 2021 Neighbourhood Plan, councillors concluded that the freehold assets offered to the parish as a gain in mitigation constitute a very significant public benefit and more than outweigh the harm caused by developing this small plot outside the development boundary. Having these assets in parish council ownership guarantees their future and protects them in perpetuity for the parish.

In July 2021 the parish council conducted a reply-paid survey of all residents on this Wain Homes proposal, and their responses showed a very high level of support for it. Councillors felt this gave them a mandate to support the application.

However, councillors still have some concerns about the positioning of the proposed dwellings in this small, high-quality development and the developer has agreed to meet with a small working party of councillors and residents to modify plans and ensure best outcome on design and siting. Revised plans will be presented in due course.

At the request of Cllr Hallows a recorded vote was taken:

Support: Cllrs B Leach, S Leach, N Chatterjee, J Bull

Object: Cllrs Reynolds, Hallows, Foster, Bailey

As the vote was tied, the Chairman exercised his right to a casting vote and the motion was carried.

(ii) PA22/02533 – Land to east of Charlestown Road: Construction of 2 detached houses with associated drives and parking

It was **RESOLVED that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council supports this application.**

Although mindful of the fact that the site is outside the Development Boundary established in the 2021 Neighbourhood Plan, councillors concluded that the freehold assets offered to the parish as a gain in mitigation constitute a very significant public benefit and more than outweigh the harm caused by developing this small plot outside the development boundary. Having these assets in parish council ownership guarantees their future and protects them in perpetuity for the parish.

In July 2021 the parish council conducted a reply-paid survey of all residents on this Wain Homes proposal, and their responses showed a very high level of support for it. Councillors felt this gave them a mandate to support the application. However, councillors still have some concerns about the positioning of the proposed dwellings in this small, high-quality development and the developer has agreed to meet with a small working party of councillors and residents to modify plans and ensure best outcome on design and siting. Revised plans, which should also address the design concerns of the WHS and Historic England, will be presented in due course.

At the request of Cllr Hallows a recorded vote was taken:

Support: Cllrs B Leach, S Leach, S Bailey, J Bull

Object: Cllrs Reynolds, Hallows, Foster, Chatterjee

As the vote was tied, the Chairman exercised his right to a casting vote and the motion was carried.

(b) The Clerk updated members on the following planning applications:

(i) PA22/01531 – Charlestown Harbour: Erection of a single camera column and installation of an ANPR camera to aid management of the car park. Erection of signage to allow effective management of the car park

(ii) PA22/01532 – Charlestown Harbour: Advertisements for parking information signs, informing the users of the car park the enforcement regime utilised on the site. Signs are installed according to the British Parking Association requirements  
The planning officer has told the Clerk that she is unlikely to approve the above 2 applications as they stand at the moment.  
The Clerk reported that these applications are to be invalidated as the Planning Officer has not been forwarded the information she requested.

(iii) PA22/01715 – Land known as The Orchard (Adjacent to Lovering Clay Dry), Quay Road: Application for Outline Planning Permission with all matter reserved for the construction of up to 3 dwellings and associated works  
No update was available.

(iv) PA21/09839 – The Old Orchard, Ropewalk Lane: Formation of a detached dwelling  
No update was available.

(v) PA21/11667 – Trevean, Porthpean Beach Road: Outline application for a single dwelling plus associated works  
Cllr Mustoe has spoken to Gavin Smith, Planning Area Group Leader and this application is to be approved under delegated powers.

(vi) PA21/12089 – Southwinds, Porthpean Beach Road: Construction of a single storey, combined use annexe holiday let with associated terrace within the north-west amenity  
This application has been approved.

(vii) PA22/00352 – The Retreat, Porthpean Beach Road: Extensions and general alterations including replacement roof  
Cllr Mustoe has spoken to Gavin Smith, Planning Area Group Leader and this application is to be approved under delegated powers

(viii) PA21/07841: 179 Charlestown Road: Proposed summer house and decking  
The Clerk had been unable to obtain an update from the planning officer and Cllr Mustoe offered to speak to Gavin Smith.

(c) It was noted that an Appeal has been lodged with the Planning inspectorate in relation to planning application PA21/10601 – The Longstore: Retrospective permission for the retention of an existing gabion wall to include new stone cladding and raised planter. As the St Austell Bay Neighbourhood Plan has been passed since the parish council made its original comments, Cllrs Leach and Reynolds were delegated to draft additional comments to be sent to the Planning Inspectorate.

### **(22/033) Highways Matters**

There were no highways concerns

### **(22/034) Meetings/Training Attended**

- 9 June – The Clerk attended an SLCC meeting for clerks to smaller councils
- 9 June – The Chairman, Cllr Chatterjee and the Clerk attended a meeting with Rolf Munding and Peter Whitehead (planning consultant) regarding the Harbour's pre-app – the Chairman took the opportunity to remind them both again that the proposal is outside the Development Boundary
- 15 June – The Clerk attended virtual training on deploying electric vehicle charging infrastructure in towns and parishes

### **(22/035) Correspondence**

A list of correspondence had been previously circulated. In addition, the following has been received:

- Details of CALC training: Code of Conduct and Being a Good Chair
- Invitation to attend a CALC briefing on Protect Duty Implications, event safety and emergency management
- Cornwall Council Town and Parish Council bulletin
- Letter of thanks from Kathy Best
- Letter of thanks from Radio St Austell Bay
- Numerous communications regarding the closure of the SWCP

### **(22/036) Dates for the Diary**

- Thursday 23 June – Traffic Working Party meeting

### **(22/037) Dates of future Parish Council Meetings**

21 July, 15 September, 20 October, 17 November, 15 December

The meeting closed at 7.53 pm

### **Correspondence Received**

The following correspondence has been received since the last meeting

- Details of CALC training programme
- Citizens Advice Cornwall Newsletter
- Details of vacancies on Cornwall Council's Standards Committee
- Details of a Government Review into short term tourist accommodation