

Dear Councillor

You are summoned to attend a **Meeting** of **St Austell Bay Parish Council** to be held on **Thursday 20 July 2023** at **6.00 pm** in **The Pattern Hall, Charlestown Road.**

Julie Larter

Julie Larter
Clerk
13 July 2023

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 22 June 2023

Pages 4-8

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

(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 note the following planning application and respond to any planning applications received after publication of this agenda

PA23/05082 – The Walled Garden, Charlestown Road: Works to trees within a Conservation Area T3, Cherry Tree, remove; T4 Poplar reduction 40%; G1 mixed shrubs and small trees/pruned, reduced and shaped

For notification only

(ii) To note that under The Electronic Communications Code (Conditions and restrictions) (Amendment) Regulations 2017, Openreach has notified Cornwall Council that it intends to install fixed line broadband electronic communication equipment (poles) adjacent to the cycle park by The Rashleigh and also outside 91 Charlestown Road.

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

(i) PA23/04387 – Land South East of Rashleigh Road, Duporth: Plot substitution and re-plan of Phase 4 of approval 06/02039, which increases the number of units on the south-eastern portion of the site from 5 to 10 dwellings with non-compliance of Condition 2 in relation to Decision Notice PA16/07812 dated 02/02/2017

(ii) PA22/09849 – Former Lovering Clay Dry: Proposed demolition and redevelopment of Clay Dry to provide 15 dwellings and associated works without compliance with condition 2 of decision notice PA19/07235 dated 08/06/2020

(iii) PA22/08067 – Seascape, Porthpean Beach Road: Proposed garage, snug, porch and store

(c) Planning applications received during August: To delegate powers to the Clerk to respond to Cornwall Council on any minor planning applications in conjunction with the Chairman and following email consultation with councillors

9. Social Media

To consider whether the parish council should set up a Facebook page

10. The Ledrah, Trenarren

To note that the current owner intends selling the land and discuss whether the parish council would like to purchase it as the scheme is on Cornwall Council's List of Assets of Community Value

11. Working Parties

(i) History Working Party

To receive an update

(ii) Climate Crisis and Environment

To note the notes of a meeting held on 27 June

12. Highways Matters

(i) *To note whether any progress has been made with Cornwall Council's Portfolio Holder for Transportation regarding residents' parking schemes*

(ii) *To note Cornwall Council's response to a request for a salt bin in Trenarren*

(iii) *To note any Highways concerns*

13. Financial Matters

(i) To consider transferring earmarked funds to CCLA Public Sector Deposit Fund

Appendix (i)

(ii) To enter into new energy contracts for The Pattern Hall and the public toilets

(iii) To consider purchasing a plaque for the coronation tree

(iv) To note current position and authorise payments

Appendix (ii)

(v) To note that Cllr Wright undertook an internal control check on 11 July

14. Parish Councillor Vacancies

To co-opt to fill one of the current vacancies

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

7 September (note change of date), 19 October, 16 November, 14 December 2023

MINUTES of a MEETING of ST AUSTELL BAY PARISH COUNCIL held on THURSDAY 22 JUNE 2023 at 6.00pm in The Pattern Hall, Charlestown

Present: Cllrs Nick Foster, Jackie Bull, Trudy Reynolds, Sandie Bailey

In attendance: Cllr James Mustoe, CC, Julie Larter (Clerk), John Freeland (Blakesley Estates), 24 members of the public

In the absence of the Chairman, Cllr Bill Leach, Cllr Jackie Bull took the Chair.

(23/020) Apologies for Absence

Apologies were received from Cllrs Bill Leach, Sue Leach and Chrissie Wright.

(23/021) Minutes of the Annual Meeting the Parish Council held on 17 May 2023

It was **RESOLVED** that subject to the following amendment, the minutes of the Annual Meeting held on 17 May be signed as a correct record of the meeting.

(23/012) Appointments to Committees Working Parties and other organisations (v) History Working Party should read Cllrs Trudy Reynolds and Nick Foster together with Andy Trudgian and Sue Facey.

(23/022) Matters to Note

There were no matters to note.

(23/023) Declarations of Interest on Items on the Agenda

There were no declarations of interest.

(23/024) Chairman's Announcements

The Chairman had no announcements to make.

(23/025) Cornwall Councillor's Report

Cllr Mustoe outlined his role as a director of Duporth Community Interest Company and work that the CIC has been progressing on behalf of residents. He also reported on recent meetings with residents and the planning officer to try to find an agreeable outcome to the current planning application.

Cllr Mustoe's full report can be found on the parish council's website.

(23/026) Public Participation

The Chairman, aware that many members of the public in attendance were interested in planning application PA23/04387, enquired whether any members of the public wished to speak on anything other than this planning application.

One member of the public did wish to speak on enforcement cases and enquired whether there was any update on current cases. The Clerk explained that Cornwall Council's policy was not to divulge information on current cases but suggested that if he had lodged the original complaint, then he could contact planning enforcement with the case number and Cornwall Council would tell him where in the process the complaint was.

(23/027) Planning

(i) PA23/04387 – Land South of Rashleigh Road, Duporth: Plot substitution and re-plan of Phase 4 of approval 06/02039, which increases the number of units on the south-eastern portion of the site from 5 – 10 dwellings with non-compliance of Condition 2 in relation to Decision Notice PA16/07812 dated 02/02/2017

John Freeland from Blakesley Estates outlined the application and apologised for the lack of consultation with residents, but the application had been verified by Cornwall Council much sooner than the company had envisaged. He explained that the substantive application was for a standard house design and now that his company had purchased the site, it did not consider the extant design did the site justice.

The Chairman invited members of the public to express their views and concerns. These included concerns about loss of privacy; noise; loss of light; preservation of trees; access to the beach path; wildlife corridor; 3 storey houses; whether there is a market for houses this large at the current time; lack of parking provision; damage to Rashleigh Road which is unadopted; design is out of keeping with the rest of the estate; concerns about ownership of the land; selective communication with local residents

Mr Freeland addressed the points: A number of the houses on the estate are 3 storey so the proposal is in keeping with the area; because of the topography of the site, it will be possible to cut into the slope thus keeping the height the same as extant permission; the right of way is not being affected; there are 2 parking spaces per house and most houses will also have double garages; all sub soil will remain on the site; they will take into account the wildlife channel and make provision for bats etc; ownership of the land is with the developer and there will be no issues with the woodland. Mr Freeland said that he is listening to residents' concerns and apologised for not consulting neighbours.

The Chairman said that when the original plans for the whole Duporth estate were being drawn up a working party was formed and huge progress was achieved and she suggested to Mr Freeland that he does the same. Mr Freeland said that he was happy to have 1:1 contact with anyone with concerns about the development and he would also like to hold a public consultation in The Pattern Hall. The Chairman suggested that the application should be withdrawn whilst discussions take place.

Cllr Mustoe asked Mr Freeland to liaise with Duporth Community Interest Company.

The Chairman then invited councillors to speak.

Cllr Foster said that the proposed development would create 51 bedrooms, not the 31 approved and there were only 20 parking spaces and some houses did not have garages. He said that parking on the estate is a problem already and the increase in the capacity of the houses would exacerbate the issue further. Cllr Foster said that the Design and Access Statement suggests that this is a minor alteration to the extant permission, but in his opinion it is not. Cllr Foster had concerns about the instability of the land and the incidence of Japanese Knotweed.

Cllr Reynolds did not see how this application could be dealt with under a Section 37 application and suggested it should be withdrawn and a full planning application submitted as this was a significant change to the extant permission.

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

1. **The parish council doesn't believe that these plans are a "minor amendment" and therefore should not be dealt with by way of a s37 application**
2. **The houses are too large and are out of character with the rest of the development.**
3. **There is no need for 5 – 6 bedroomed houses in the parish. In fact the overall housing need for the parish has already been met.**
4. **There is insufficient parking allocated for houses of this size.**
5. **The revised design is overbearing and will impact on the privacy of neighbouring properties by way of overlooking.**

The developer has indicated that he will consult with affected neighbours and the parish council would like the application to be withdrawn whilst these discussions take place.

(ii) PA23/00007/NDP – Carlyon Parish Neighbourhood Plan

It was noted that Carlyon Parish's draft neighbourhood plan is now at the Regulation 16 consultation stage of the process. The parish council did not wish to submit any comments.

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

(i) PA22/09849 – Former Lovering Clay Dry: Proposed demolition and redevelopment of Clay Dry to provide 15 dwellings and associated works without compliance with condition 2 of decision notice PA19/07235 dated 08/06/2020

It was noted that a site meeting with residents had taken place on 18 May which councillors had found very helpful and informative and it was followed by a meeting with the planning officer on 26 May. As a result, the parish council has submitted additional comments to Cornwall Council

(ii) PA22/08067 – Seascape, Porthpean Beach Road: Proposed garage, snug, porch and store

No update was available.

The planning officer has asked what specifically within our neighbourhood plan Landscape policy the application does not comply with, and the Clerk has replied LE1 12.

(c) Appeals Decisions

The decision on the following planning appeals were noted

(i) APP/D0840/W/22/3298052 relating to PA21/08772 – Land North East of St Levans Church

This appeal has been dismissed by the Planning Inspector

(ii) APP/D0840/W/22/3312711 relating to PA21/09839 – The Old Orchard, Ropewalk Lane

This appeal has been dismissed by the Planning Inspector

(23/028) Social Media

This agenda item was deferred to the next meeting.

(23/029) Working Parties

History Working Party

Cllr Reynolds reported that she is still working on the walking booklets and has contacted 2 artists she had previously corresponded with to see if they were still interested in working on the project. The Clerk reported that she is working on the planning applications now that a final design has been agreed and is awaiting final confirmation from Charlestown Harbour about the location on the interpretation sign.

(23/030) Highways

(i) Pavement Weedspraying

Some councillors had reservations over whether to proceed with pavement weedspraying this year and asked if there were any alternative to Glyphosate. The Clerk reported that the other councils have tried torching weeds or using a detergent, but these have not proved totally successful. It was **RESOLVED only to undertake an initial spray now and to have a further discussion before committing to a second spray this year.**

(ii) Highways Concerns

Proposed parking restrictions on Duporth Road, Charlestown Road and Church Road Cllr Mustoe reported that he has spoken to the Portfolio Holder again and he is in the process of drafting a response.

There were no other highways concerns.

(23/031) – Financial Matters

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

DD	BT	Mobile phone	£41.18
DD	BT	Telephone and internet	£61.21
DD	SWW	Monthly water/disposal charge for public toilets	£123.50
DD	Lloyds Bank	Credit card	£59.37
DD	SWW	Monthly charge for water for toilets	£123.50
DD	Blenheims	Foundry Parc estate service charge	£14.87
BACS	SLCC	Clerk's attendance at SLCC national conference	£566.90
BACS	Cornwall Waste Solutions	Monthly waste collection	£28.48
BACS	Lyreco	Toilet consumables	£176.70
BACS	Biffa	Annual contract for Trenarren bin	£312.00
DD	Unity Trust Bank	Quarterly bank charges	£18.00
BACS	Capabilities	Coronation tree for Foundry Parc	£175.44
BACS	Mrs J Larter	Postage 10 February – 14 June 2023	£13.13
BACS	Staff/HMRC/CPF	Salaries and oncosts	£2934.06

It was noted that the Clerk has transferred £15,000 from the interest account to the current account.

(23/032) Meetings/Training Attended

18 May – Various councillors attended a site meeting at The Nest development

26 May – Various councillors attended a virtual meeting with the planning officer regarding The outstanding Nest planning application.

(23/033) Correspondence

A list of correspondence had been previously circulated.

(23/034) Dates for the Diary

11 July – Inaugural Community Area Partnership Meeting (either Cllr Bill Leach or Cllr Jackie Bull to attend)

3 August – Charlestown Carnival judging – the Clerk to check councillors availability and confirm with the Regatta Committee

10 – 14 July – Local Council Clerk week, aimed at raising the profile of parish clerks and recognizing the diverse range of work they do for their community.

(23/035) Dates of future Parish Council Meetings

20 July, 21 September, 19 October, 16 November, 14 December.

The meeting closed at 7.25 pm

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Chairman

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Date

Agenda Item 13

Correspondence Received

The following correspondence has been received since the last meeting

- Cornwall and Isles of Scilly Integrated Care Board – details of the Integrated Care Strategy Consultation
- Cornwall Council's Affordable Housing newsletter
- Details of the Community Capacity Fund
- Invitation to attend Imerys Community Liaison Group
- Invitation to attend CAP training sessions
- Buildings at Risk newsletter