

Minutes of the Ordinary meeting of St Erth Parish Council held on Tuesday 6 February 2018, in The Vestry Rooms, Fore Street, St Erth, commencing at 7.00pm.

Councillors present: K. Buzza, Mrs. W. M. Chappell, E.B. Jenkin, Ms. J. Kersey, P. Rodda, A. Spencer-Smith and E.T. Taylor (Vice-Chairman in the Chair)

Others present: 5 members of the community and Peter Rylett (Clerk to the Council)

Apologies for absence: Councillor M.J. Hanley (Chairman) and CC L. Pascoe

138/17-18 Declarations of interest

None.

139/17-18 Community participation

Three matters were raised:

1. PA17/12089: Outline consent for the construction of up to 55 dwellings, provision of access, allotments, village green, community orchard and associated ancillary works: Land east of Treloweth Lane.

A resident addressed the Council on this application from two perspectives: as Chair of the Governors of St Erth Community School; and as a resident of the parish.

2. Storage space for St Erth Feast Committee equipment.

The Chairman of the Feast Committee informed the Council that they were looking for somewhere in the village to store a container to house the Christmas Lights and related equipment and suggested Parish Council-owned land at Battery Mill Lane.

3. Planning Application PA18/00918: Construction of two dwellings and formation of new vehicular access: Land east of Vicarage Gate.

A resident pointed out that whilst there appeared to be a mix up with the planning application numbers for two developments at Vicarage Gate, (the Council would, in fact, be considering PA17/10407: Construction of two affordable dwellings, one open market dwelling and associated works: Land east of Vicarage Gate), he wished to object to planning application PA18/00918.

The Clerk apologised for this oversight and whilst the Chairman confirmed that application PA18/00918 would be considered at the Parish Council's next meeting in March, the resident could outline his concerns at this meeting.

(One of the concerns raised related to the existing problem of speeding traffic along Fore Street and traffic congestion generally in that area and Councillor Buzza informed the resident that speed monitoring was due to be undertaken by Cornwall Council in the very near future).

140/17-18 Action required on matters raised during community participation

1. PA17/12089: Outline consent for the construction of up to 55 dwellings, provision of access, allotments, village green, community orchard and associated ancillary works: Land east of Treloweth Lane.

The Chairman confirmed that the residents' comments would be taken into account when the Council came to consider this application.

2. Storage space for St Erth Feast Committee equipment.

The Clerk invited the Chairman of the Feast Committee to contact him to start discussions on potential sites for this purpose.

3. Planning Application PA18/00918: Construction of two dwellings and formation of new vehicular access: Land east of Vicarage Gate.

The Chairman thanked the resident for raising his concerns about this application which would be taken into account at the next meeting in March.

141/17-18 Planning and Listed Building applications

a) PA17/12089: Outline consent for the construction of up to 55 dwellings, provision of access, allotments, village green, community orchard and associated ancillary works: Land east of Treloweth Lane.

RESOLVED - that St Erth Parish Council objects to this application on the following grounds:

1. The application proposes a comprehensive residential development without phasing and with a single point of access throughout the development. It does not, therefore, accord with policy HI 1 of the St Erth Neighbourhood Plan which is a material consideration deserving weight when deciding the application;
2. In itself and taken together with other sites for new housing identified in the St Erth Neighbourhood Plan, the application will result in a level of residential development out of scale with the village and its facilities; and
3. The application is not acceptable as a "rural exception" site under St Erth Neighbourhood Plan policy HI 1 and Cornwall Local Plan policy 9 because it does not justify the overall proportion of open-market housing it proposes to cross-subsidise the affordable housing.

Whilst the Parish Council objects to this application, it would welcome dialogue with the applicant about a proposal which is not in conflict with the St Erth Neighbourhood Plan.

b) PA17/11727: Proposed garage for domestic use: Killanoon, 12 Tolroy Road, St Erth Praze (revised).

RESOLVED - that St Erth Parish Council supports the applicant's suggestion for moving the external stairs to the rear elevation, removing the dormer entrance altogether and with conditions to prevent: residential use; tying the garage to the main building (i.e. not selling it off as a separate unit); and no further window openings.

c) PA18/00253: Removal of condition 2 in respect of Decision Notice W1/88/P/0591 in order to allow full residential use: 52 Strawberry Hill, Tolroy Manor Holiday Park, St Erth Praze.

The Chairman read out a letter he had received from the Manager of Tolroy Holiday Park.

RESOLVED - that St Erth Parish Council objects to this application because:

1. it conflicts with the St Erth Neighbourhood Plan which states that:
"The importance of retaining a level and choice of holiday accommodation as part of the tourism resource is acknowledged. The loss of tourism accommodation will be resisted.

Seasonal occupancy conditions imposed on holiday accommodation once lifted could result in permanent change to residential use. Purpose built holiday accommodation is not built to the standard required for permanent occupation. There is particular concern over change of use to main residence either by formal application or by long term letting at Tolroy Manor Holiday Park. It is important that such a change of use is not allowed because it can, in effect, permit housing in a location that would otherwise be unacceptable and erode the stock of holiday accommodation. Accommodation levels at the Tolroy Manor Holiday Park should not be reduced.

(Evidence/justification: St Erth Parish Economic Profile 22 September 2015.)

POLICY ED 9 Support of tourism

Proposals for new tourism accommodation facilities or the expansion of existing tourism accommodation facilities will be considered where:

- i. the proposal would not have a harmful effect on the natural or built environment; and
- ii. it can be supported by existing local infrastructure or provide appropriate infrastructure to support the use; and
- iii. it would not lead to the net loss of tourist accommodation.

Change of use from purpose built holiday accommodation to residential will not be supported; and
the following condition be imposed (and enforced): to confirm holiday use only:

The development hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of each individual unit on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To accord with development plan housing policies under which permanent residential accommodation would not normally be permitted on the site and the accommodation, by reason of its construction and/or design, is unsuitable for continuous occupation and in accordance with the aims and intentions of Policies 1 and 5 of the Cornwall Local plan Strategic Policies 2010- 2030 and paragraphs 17 and 28 of the National Planning Policy Framework 2012.

d) PA17/11072: Continued use, consolidation of existing permissions and proposed year-round use of land as Holiday Park: River Valley Caravan Park, Relubbus

RESOLVED -that St Erth Parish Council makes the following recommendations:

1. the change of year-round use to holiday accommodation is supported for 17 units (10% of the total static caravans (168) plus chalets(2)) and with the remainder restricted to the current 10 month occupation (excluding 5th January to 1st March).
2. whilst the Parish Council recognises the applicants desire to have holiday accommodation accessible across the whole year, it would prefer to see a limited number of units available to meet a more limited holiday market and to allow for maintenance to be undertaken. As there are 170 units on site (statics plus chalets) it would seem reasonable to permit all year round holiday use in 10% to meet the more limited all year round demand of units which have clearly been constructed primarily as seasonal holiday accommodation;
3. the Case Officer's proposal to restrict permitted use to holiday purposes with appropriate agreements to enable enforcement action if required is supported; and
4. the following condition be imposed (and enforced): to confirm holiday use only:

The development hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of each individual unit on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To accord with development plan housing policies under which permanent residential accommodation would not normally be permitted on the site and the accommodation, by reason of its construction and/or design, is unsuitable for continuous occupation and in accordance with the aims and intentions of Policies 1 and 5 of the Cornwall Local plan Strategic Policies 2010- 2030 and paragraphs 17 and 28 of the National Planning Policy Framework 2012.

e) ~~PA18/00918~~ PA17/10407: Construction of two affordable dwellings, one open market dwelling and associated works: Land east of Vicarage Gate.

RESOLVED - St Erth Parish Council objects to this application on the following grounds:

1. the outline application does not contain details demonstrating that the proposal satisfies current local housing need;
2. the outline application does not contain details demonstrating that housing is needed in addition to the sites allocated in policy HI 1 in the St Erth Neighbourhood Plan;
3. the outline application does not contain details demonstrating that an open market dwelling is justified to deliver the affordable housing;

St Erth Parish Council:

4. supports objections from the community about traffic congestion and parking problems in Vicarage Gate and Fore Street approaching the site, which will be made worse by the traffic generated by the proposal (in itself and its precedent effect). This is the principal reason why development on this side of the village is not supported in the St Erth Neighbourhood Plan;
5. maintains that the proposal (in itself and its precedent effect) will harm the rural appearance and character of the well-used public right of way leading to and past the site and is concerned about the likelihood of vehicular and pedestrian conflict because of the well-used play park and allotments opposite the site entrance; and
6. requests that the application is referred to the Planning Committee for decision if officers are minded to recommend approval.

[142/17-18 Minutes](#)

RESOLVED - that the Chairman signs, as a true and correct record, the minutes of the ordinary meeting held on 6 February 2018.

[143/17-81 Reports from Councillors/Clerk on other meetings held during the previous month](#)

The Chairman highlighted and the Council discussed, the main points contained in the [notes of the meeting of the South West Water Odour Liaison Group](#), which he and the Clerk had attended on 17 January. These included:

- An update on customer complaints monitoring and the text complaints reporting system
- Site actions progress
- Odour Management Plan
- Ultra-violet treatment of waste water
- Pest control

- Flood prevention

During the discussion, Councillor Spencer-Smith suggested that if SWW decided not to introduce its own text complaints reporting system, the Parish Council should consider introducing its own monitoring system.

The Chairman advised that SWW's reluctance to develop and roll-out the text complaints reporting system had already been raised by the Clerk with the MP and the Council agreed that it would await the outcome of the MP's intervention before considering Councillor Spencer-Smith's suggestion further.

[144/17-18 Highway/transport related matters - update](#)

The Council considered the report of the Clerk which set out all of the points raised with Cornwall Council on various outstanding matters together with the responses received.

Whilst the Council noted the responses received, Councillors remained concerned that there were enough issues of concern to escalate the matter to Cornwall Councillors for support and intervention. To that end, it was

RESOLVED - that the Clerk writes to:

1. CC John Pollard and CC Jim McKenna who had supported the Parish Council's original attempts in 2012 to secure improvements for the community as a consequence of the Hub;
2. CC Lionel Pascoe as Divisional Ward Councillor, to keep him informed;
3. Derek Thomas MP, seeking his support;
4. CC Geoff Brown, Portfolio Holder for Transport; and
5. Natalie Warr to establish the extent of Nigel Blackler's continuing involvement with the Hub and related projects in St Erth.

Nut Lane: The Chairman had agreed to include a further item under this agenda heading concerning proposals for a new traffic flow system in Nut Lane. Circulated at the meeting was correspondence received from Mr. Adam O'Neill Project Manager, Cornwall Council) and from Mr. Jeremy Edwards (Cornwall Council Transport and Infrastructure) which stated that following a meeting held during the previous week, to which the Parish Council had not been invited, "*road space for the following works had been booked by Cormac for the two aspects of work:*

- *Drainage etc. - day time lane closure from 19th Feb to 2nd March; and*
- *Surfacing - full night time closure from 8th to 12th March.*

Mr Edwards continued that: "In respect of a possible footpath on the garden centre side, we can't excavate due to the utilities and the timeframe. What we therefore propose is to remove 100mm topsoil and replace with recycled planning's with the intention to formalise it as part of the A30 works, funding permitting in a couple of years' time. It would be 260m long, 1.2m wide, positioned as far back from the carriageway as possible. It would run between Griggs Quay mini roundabout and the St Erth A30 Highways England boundary. Due to the boundary it won't connect with existing footways properly, so is just a minor upgrade to the majority of the existing muddy verge path which was what we looked at.

The other request was the additional road text on the Tempest exit. If the straight/left arrow remained drivers could be confused to travel left onto Griggs Quay so we would do a minor change as shown below. On the approach to Griggs Quay mini roundabout, we would still keep the left/straight on arrow without text.”

A scheme drawing had accompanied the email and in summary, it was clear that as far as the drainage and resurfacing works were concerned, it was proposed to move the drainage/channel to the side of the carriageway, out of the wheel line. Cornwall Council would not be widening further because they were already as close as possible to the gas main in the verge and that any further widening would require a pipe diversion which wasn't feasible within the existing budget.

Following discussion of these proposals, Councillors expressed concerns that they had not been invited to participate in the meeting and regarding the proposals themselves and accordingly,

RESOLVED - that the Clerk requests a copy of the Road Safety Audit used to support these proposed measures and that any further information be reported to the next meeting of the Parish Council.

[145/17-18 Highways England consultation](#)

Councillor Spencer-Smith reported that he had attended part of a meeting arranged by Derek Thomas MP on 2 February in Marazion and learnt that the Department for Transport was consulting on the Highways England document 'South West Peninsula Route Strategy' and that a response had been sent to the Minister, signed by various Cornwall Councillors, which is set out below and updated the Council on some other points discussed.

*“Dear Mr Grayling,
Support for A30 improvements in West Cornwall*

We are aware that Highways England published the 'South West Peninsula Route Strategy' in March 2017. As part of this route strategy we note that the key challenges for this section of the A30 are: junction capacity issues at St Erth; further capacity issues from St Erth to Newtown roundabout and community severance issues along this length of A30.

Within Chapter 5, 'Future challenges and opportunities' we would like to challenge the issues raised within the study area between Penzance and Camborne, particularly the bullet points on p24 of the report. We do not agree that they fully encompass the range of issues on this section of road. We would like you to note:

- 1. The economy and growth of Penzance and the surrounding areas in West Cornwall depends on effective transport links to the rest of Cornwall and England.*
- 2. The current A30 ceases to be an effective trunk road at the end of the dual carriageway West of Camborne with particular difficulties from St Erth to Newtown on the outskirts of Penzance.*
- 3. Significant investment has been made in improving public transport services to Penzance but little major improvements in improvements to the A30 in this area.*
- 4. Proposed measures being undertaken between St Erth and Newtown are welcomed and will improve road safety, however a major stretch of the A30 will be limited to 30 or 40 miles per hour.*
- 5. Much of the far West of this route, between St Erth and Crowlas, is single carriageway and passes in close proximity to houses.*
- 6. Improved transport links are vital to help Penzance meet Government growth and*

housing targets.

We would therefore ask that Highways England include the above as issues raised by stakeholders within the study area. We also ask to have sight of the draft recommendations of the Road Network Initial Report, which we note is due to be published later this year. As part of the Road Network Initial Report we would hope that it would recommend an investigation of the feasibility of a dual-carriageway solution; to alleviate the current extensive traffic issues and facilitate the growth that the economy in the West of Cornwall needs, and in particular the stretch between St Erth and Newtown in the first instance.

We believe that this should be a priority project and considered for completion at the earliest opportunity.

Yours faithfully,

Simon Elliott, Cornwall Councillor for the Ludgvan division (Conservative)

Tim Dwelly, Cornwall Councillor for the Penzance East Division (Labour)

Mario Fonk, Cornwall Councillor for the Gulval and Heamoor Division (Liberal Democrat)

Jim McKenna, Cornwall Councillor for the Penzance Promenade Division (Independent)

Sue Nicholas, Cornwall Councillor for Marazion and Perranuthnoe Division (Conservative)

Roger Harding, Cornwall Councillor for the Newlyn and Mousehole Division (Conservative)

Cornelius Olivier, Cornwall Councillor for the Penzance Central Division (Labour)”

In view of the timescale for response (i.e. the following day), the Council

RESOLVED - that the Minister for Transport be informed that the Parish Council supports the letter from the Cornwall Councillors set out above and that he be requested to ensure that all future proposals which impact on the parish of St Erth be notified to the Parish Council to provide an opportunity for consideration and response.

[146/17-18 Cornwall Council Boundary Review](#)

The Council considered:

1. the original option it had agreed at previous meetings but which had been determined by Cornwall Council as unviable due to the elector numbers being outside the permitted range;
2. a new, four parish option (St Erth, St Hilary, Breage and Germoe) being proposed by the Electoral Review Committee of Cornwall Council; and
3. a reworked version of the Council's original option which had been proposed by Councillor Spencer-Smith (which was referred to as the 'hybrid' version of the Parish Council's original option), which although received by the Clerk, later transpired had not been forwarded to Cornwall Council for evaluation due to an oversight.

Councillor Spencer-Smith outlined the details of the 'hybrid' version and following discussion, it was proposed and seconded that "the hybrid version be supported." The Chairman put that proposition to the vote and declared it to be lost.

The proposition that "Cornwall Council's four parish version be supported" was also proposed and seconded. The Chairman put that to the vote and declared it to be carried and so the Council

RESOLVED accordingly.

[147/71-18 Receipts and Payments for January 2018](#)

The Council considered the report and

RESOLVED - that the payments due be authorised.

The following had been received

Cemetery fees	£830.00
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TOTAL	£830.00

The following had been paid by Direct Debit or Standing Order

Utility Warehouse	£17.12	Electricity - Vestry Rooms
Chris Bray	£840.00	Grass cutting - parks, churchyard and cemeteries
SeaDog IT	£18.95	Website hosting fee
Google	£23.76	Gmail account
South West Water	£22.50	Water - Public Conveniences
British Gas	£25.00	Electricity - Public Conveniences
NEST pension scheme	£91.89	Employer contribution of £51.05 and employee contribution of £40.84
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TOTAL	£1,039.22	

The following payments were due as at 31 January 2018

P Rylett	£1,389.77	Clerk's salary (net pay - see Note 1 below)
P Rylett	£338.20	Clerk's expenses (see Note 2 below)
HMRC	£412.23	PAYE and NI
Cormac Solutions Ltd.	£447.04	Cleaning - Public Conveniences (December)
Jon Pender	£25.00	Advice on consultee response to Hayle NDP
Zurich Municipal	£791.04	Annual insurance premium
St Erth School	£100.00	Annual grant
Hayle Day Care Centre	£100.00	Annual grant
St Erth Christmas Lights	£100.00	Annual grant
Cornwall Council	£121.56	Open space map updates for NP
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TOTAL	£3,824.84	

Note 1

The gross monthly pay was £1,515.83 + £186.00 for Neighbourhood Planning work undertaken in January.

The net pay of £1,389.77 was the amount payable following deductions of tax and national insurance and with a deduction from the net pay for the employee's contribution to the NEST pension scheme of £40.84 as shown above.

Note 2

The sum of £338.20 was comprised of:

Reimbursement of:

Telephone calls	£0	
Postage/stamps	£0	
Consumables	£5.00	Copier paper
Office equipment	£264.12	No Parking signs
Expenses	£0	
Mileage	£51.08	St Austell to collect No Parking signs

148/17-18 Neighbourhood Plan

The Council noted that the Examiner's draft report was now awaited.

149/17-18 Lining scheme at the public conveniences

The Council considered a proposed scheme design following a site visit with CORMAC but expressed concerns about the potential for the disabled bay being obstructed and the access route to the Gents toilet. On consideration, the Council

RESOLVED - that the Clerk draw up an alternative scheme to address these concerns.

150/17-18 Business Plan

The Council noted the current version of its Business Plan.

151/17-18 Agenda items for a future meeting

1. Councillor Ms. Kersey requested an update on the enforcement action being undertaken on the mound of soil and rubble left on private land adjoining the Church Street development;
2. Councillor Ms. Kersey asked that 3MS Construction be asked to return to the Church Street development site, as promised, to undertake further drainage improvement works to the current ineffective 'French Drain' which was not alleviating the flooding of that part of the site; and
3. Councillor Taylor requested a meeting of the Open Spaces Committee to start considering the potential uses of the S106 funds secured from DCH as part of the Church Street development.

152/ 17-18 Exclusion of the Press and Public

RESOLVED - that in accordance with S.1 (2) of the Public Bodies (Admission to Meetings) Act, 1960, the Press and Public be excluded from the meeting during the consideration of the following business owing to the confidential nature of that business.

153/17-18 Vestry Rooms

The Clerk reported an update from the Council's Solicitor.

154/17-18 Continue to sit

The Council, having sat continuously for three hours

RESOLVED - to continue to sit in order to complete the business on the agenda.

155/17-18 Chenhalls Road Cemetery

The Council considered the report of the Clerk and

RESOLVED - that the Clerk be requested to discuss the alternative responsibility arrangements with Cornwall Council and report back to the next meeting.

The Chairman closed the meeting at 10.14pm

Signed by

Chairman.....

Date.....

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