

Minutes of the Ordinary Meeting of Gwinear-Gwithian Parish Council held on Monday 23rd January 2023 at Gwinear-Gwithian Parish Hall, Copper Meadows, Reawla, Gwinear, Hayle, TR27 5FN commencing at 7.00pm.

Present	Councillors	A Burt C Gill R Norman S Rowe (Vice-Chairman) J Tovey	D Cupples P Mattu L Pascoe M Smith (Chairman)
Others present		10 members of the public, Mrs Vida Perrin, Clerk to the Council	

1. Routine matters

- a) Safety Procedure. The Chairman advised of the fire exit and stated questions through the Chair only.
- b) Apologies for absence were received for Cllrs Jones and Bawden.
- c) To receive personal and prejudicial interests (including the details thereof) and preapproved dispensations in respect of any items on this Agenda.
 - i. *Cllr Pascoe declared that "In commenting on any item on this agenda I should make it clear that my comments are based on the information currently available and do not commit me to taking the same position when the matter is discussed at Cornwall Council and full information is available".*
- d) Public Participation.
 - i. The agent for agenda item 3e spoke in favour of the application.
 - ii. The agent for application PA22/08747 advised new plans had been produced which had not been presented to Cornwall Council as yet as they wished to work with the Parish Council regarding their objections.
 - iii. Several members of the public spoke regarding agenda item 3b objecting to the application.

2. Minutes

- a) To confirm the Minutes of the Ordinary Meeting of the Parish Council held on 9th January 2023. Cllr Rowe proposed the minutes be accepted as a true and accurate record of the meeting. Cllr Cupples seconded with all in favour and the proposal was RESOLVED.
- b) Business arising from the Minutes. None.

3. To consider planning matters

- a) [PA22/08411 | Proposed Extension & change of use of land to additional domestic land | The Barn Wall Road Wall TR27 5HA - Mr & Mrs Jonty Noon](#) *Planning Zone Councillors (PZC) Cllr Gill (lead) Cllr Bawden (Support)* Cllr Gill outlined the application proposing the Parish Council has no objection assuming any further permitted development rights are removed. A tree protection plan and advice should be sought from a recognised arboricultural consultancy, identifying potential impacts on the retained trees and specifying measures for damage avoidance prior to construction commencing, seconded by Cllr Tovey with 8 in favour and 1 abstention the proposal was RESOLVED.
- b) [PA22/11068 | Outline planning permission with all matters reserved: Erection up to 5 dwellings with associated works | Land Adj To 10 Wall Road Wall Road Wall Hayle Cornwall TR27 5HA - Mr J Lawley](#) *PZC Cllr Tovey (lead) Cllr Norman (Support)* Cllr Tovey outlined the application proposing This is an outline planning application for 5 four bed properties on land adjacent to 10 Wall Road. The access to the proposed properties will be via a 3 meter wide single track which will divert from the route to the existing house and run behind the gardens of the 4 houses which border the plot, and which have on the dividing border a line of Leylandii trees. There is no mention of the future of this hedge. The plot slopes toward the existing houses and drains into a manhole which at times is unable to cope with the run off and has to be manually opened by an occupant nearest to the manhole. At times the water floods the rear hard standing of their property. The access track is un-adopted therefore the waste disposal lorry will collect from bins brought to the pavement which borders the main road, this is an area which is serviced by at least 3 school buses which stop twice a day, together with the normal bus activity and therefore many pedestrians who will have to negotiate their way through the bins by stepping into the road. At the point of exit from the proposed properties into the main road is a raised street surface, and a junction, there is also limited visibility at that point. It is reasonable to expect each house to have 2 cars which means that traffic both on the single width track and behind the existing houses will be considerable. Also Emergency vehicles would be forced to reverse back down the lane as there is nowhere to turn a large vehicle. There are a lack of amenities in this location, regards doctors, dentists, school places and hospital support. For these reasons, which are supported by the public comments on the CC website, the Parish Council strongly objects to this application. The proposal was seconded by Cllr Mattu with 8 in favour and 1 abstention the proposal was RESOLVED.
- c) [PA21/11901 | Application for full planning permission for proposed development of 1 dwelling \(reduced from 2 dwellings\) with off-road parking. | Land North East Of 1 Wall Vein Wall Road Wall Cornwall TR27 5HA - Mrs J James](#) *PZC Cllr Tovey (lead) Cllr Gill (Support)* Cllr Tovey outlined the application proposing that the Parish Council has no issue with the principle of one dwelling at this location but does still raise concern over the parking arrangement and the safety of pedestrians and other road users, seconded by Cllr Gill with 8 in favour and 1 abstention the proposal was RESOLVED.

- d) PA22/11155 | Siting of a chalet to provide seasonal site manager accommodation | The Old Stables Back To Basic Camping Site Gwithian Road Connor Downs Hayle Cornwall TR27 5EA - Mike Allen - PZC Cllr Cupples (lead) Cllr Burt (Support) Cllr Cupples outlined the application and after a discussion proposed This is a proposal to build a large residential property on a greenfield site in the countryside outside of the nearest settlement boundary (Connor Downs). There are currently 40 pitches, 2 pods, 2 Shepherds huts and 2 buildings – a toilet block and an office. The unit would be highly visible from the road
The Parish Council cannot support this application in its current form for the following reasons:-
1-the location and scale of the proposed accommodation
2-This is development in the open countryside
3-An office is already on site which could be enlarged to suit
“the proposals relate to a single storey mobile unit which will be located within the corner of the application site which already contains existing buildings and other mobile units in associated with the established touring and camp site use. The site also has established boundaries, preventing visibility into the site from public vantage points.” If CC is minded to approve the application the following conditions should be attached:-
1) Can only be occupied by an employee of the site for the holiday period
2) Must remain vacant out of season
3) Limited in size and scope, remove permitted development rights
The proposal was seconded by Cllr Burt with 8 in favour and 1 abstention the proposal was RESOLVED.
- e) [PA22/11175 | The use of the dwellinghouse without compliance with an agricultural occupancy condition, as an unfettered dwelling | Four Winds Prosper Hill Gwithian Hayle Cornwall TR27 5BW - Craig Sharp Wilson and Sharp Investments - PZC Cllr Smith \(lead\) Cllr Burt \(Support\)](#) Cllr Smith outlined the application proposing the present dwelling known as ‘Four Winds’ was granted planning permission in 1983 by the then Penwith District Council, planning reference 1/82/P/0794/0, as a dwelling for agricultural workers.
In 2021 the then owner and resident applied for a Certificate of lawfulness for existing use as an unrestricted dwelling house in breach of Condition 5 in relation to Decision Notice W1/82/P/0794/O. The Parish Council did not object, consequent upon the applicant proving that they had resided in the property for a period longer than 10 years, whilst not being employed in the agricultural industry, a ‘Certificate of Lawfulness was granted to the then applicant. It would appear that the current applicant wishes to have ‘Condition 5’ completely removed from this property, in that the ‘Certificate of Lawfulness’ was granted to the previous owner, and did not remove ‘condition 5’ from the actual property.
Enabling the Parish Council to determine a response to this application, there is a precedent within our Parish that is PA16/01012 & PA17/10174. The first application (PA16/01012) was refused in that the applicant could not prove that there was no demand within a reasonable distance for an ‘agricultural workers dwelling’. The applicant was required to provide evidence supporting that there was no demand for a ‘agricultural workers dwelling’, in that instance it required proof of the property being advertised for 12 months at a discount of 30% less than open market value to applicable potential buyers. The second application PA17/10174 was granted consequent upon evidence being submitted that there was no demand.
In relation to this application the County Land Agent concludes in their submission – *‘Whilst there is a CLUED in place on this property there is a potential that somebody may purchase the property that would comply with the condition and therefore reawaken the condition that relates to occupation. The property has not been marketed and therefore no assessment can be made of the wider demand for the property and therefore until marketing has been completed the removal of the condition cannot be supported.’* (CLUED is an abbreviation for Certificate of Lawfulness for Existing Use or Development)
Therefore the Parish Council objects to this application in that the property known as ‘Four Winds’ has not been marketed and advertised as an ‘Agricultural Workers Dwelling’ at an appropriate discounted price for a reasonable time. Until such evidence can be supplied condition 5 should be retained. The proposal was seconded by Cllr Tovey with 7 in favour and 2 abstentions the proposal was RESOLVED.
- f) [PA22/11384 | Conversion and extension of former agricultural barn to two self-contained residential units | Land And Buildings NE Of Woodfield House High Lanes Road Praze An Beeble Camborne Cornwall TR14 0NH - Mr Gough - PZC Cllr Norman \(lead\) Cllr Gill \(Support\)](#) Cllr Gill outlined the application and after a debate proposed the Parish Council cannot support the application in its current form as it does not meet policy 9 of the GGP Neighbourhood Plan and Policy 7 of the CLP due to the following:-
i. The new extensions to each dwelling more than doubling the size of the existing development
ii. The access track is very narrow and visibility coming onto the main highway is an issue
The proposal was seconded by Cllr Norman with 8 in favour and 1 abstention the proposal was RESOLVED.
- g) [PA22/11416 | First Floor Extension to form En-suite Bathroom to existing dwellinghouse | Leth Krow Coswinsawsin Lane Carnhell Green Camborne Cornwall TR14 0LW - Mr Andrew Powell - PZC Cllr Rowe \(lead\) Cllr Norman \(Support\)](#) Cllr Rowe proposed no objection seconded by Cllr Norman with 8 in favour and 1 abstention the proposal was RESOLVED.
- h) [PA23/00167 | Retention of existing incidental use first floor to be used for annex and holiday accommodation use | 56 Deveral Road Fraddam Hayle TR27 5EP - Mr N Morris - PZC Cllr Bawden \(lead\) Cllr Rowe \(Support\)](#) Cllr Rowe proposed no objection seconded by Cllr Mattu with 8 in favour and 1 abstention the proposal was RESOLVED.

- i) [PA23/00209 | Depositing of soil and alterations to ground levels without compliance of Condition 1 in relation to Decision Notice PA18/04781 dated 14/11/2018 | Land East Of Roseworthy Farm Old Mill Lane Roseworthy Cornwall TR14 0DX - Mr Lee Miles PZC Cllr Norman \(lead\) Cllr Tovey \(Support\)](#) The meeting agreed to defer this item until the 13th February Parish Council meeting.
- j) [PA23/00211 | Erection of agricultural building for housing livestock and formation of access lane to serve it without compliance with condition 2 in relation to Decision Notice PA20/01126 dated 07/04/2020 | Land East Of Roseworthy Farm Old Mill Lane Roseworthy Cornwall TR14 0DX - Mr Lee Miles LTC Builders PZC Cllr Norman \(lead\) Cllr Tovey \(Support\)](#) The meeting agreed to defer this item until the 13th February Parish Council meeting.
- k) [PA23/00263 | Retention of caravan used for ancillary accommodation to main dwelling. | 10 Horsepool Road Connor Downs Hayle Cornwall TR27 5DZ - Mr G Prisk PZC Cllr Gill \(lead\) Cllr Bawden \(Support\)](#) Cllr Gill outlined the application and a debate ensued with the meeting agreeing to defer the item until the 13th February Parish Council meeting.
- l) Planning Correspondence
 - i) Pre Planning Consultation – Proposed base station installation upgrade – Trevarnon, Gwithian Lane. Noted.

4. Reports

- a) Verbal reports from Parish Councillors/representatives
 - i. Cllr Burt outlined the recent Towans Partnership meetings which included discussion about an NNR from Carbis Bay to Godrevy and that the Dynamic Dunescape project had been extended for another year to include the ponies. A report on the NNR will be provided at the next meeting.

Reports from Cllr Pascoe as Cornwall Council Local Member:-

- ii. Cllr Pascoe updated the meeting on the meeting with the Carnhell Green Streetscape Community Group and Highways, a report will be provided at the next meeting.
 - iii. Cllr Pascoe outlined a meeting he attended regarding the community leveling up fund, the big deal meeting for CC and pot holes in Ellis Meadows
 - iv. Cllr Pascoe advised he had spoken to CC planning regarding item 5b on the agenda.
- b) Written reports – None.

5. Correspondence received

- a) Local resident – speeding Wall Corner. A discussion about the issues took place with Cllr Norman proposing the Parish Council take the following action;
 - i. Write to the Police about the current parking of cars close to the bend
 - ii. Ask the Local Member for CC, Cllr Lionel Pascoe to arrange a meeting with the CC Transport Portfolio Holder
 - iii. Write to the local resident updating them accordingly
 The proposal was seconded by Cllr Mattu with all in favour the proposal was RESOLVED.
- b) Local resident – Planning Upton Towans. After a debate Cllr Pascoe proposed the Parish Council send a list of questions to CC planning regarding the current planning status of the site, seconded by Cllr Smith with all in favour the proposal was RESOLVED.

6. Other matters requiring decisions of the Council

- a) To discuss The King's Coronation (Cllr Smith) A debate ensued with the meeting agreeing that further information be put together for two new benches in each play park to commemorate the Kings coronation.
- b) To receive an update on the Jubilee Parish Trees and agree the way forward. A debate ensued with Cllr Cupples proposing Cllrs Gill and Smith be given delegated authority to move the project forward with final tree species and locations being brought back to the Council for approval, seconded by Cllr Tovey with all in favour the proposal was RESOLVED.
- c) To receive and approve the draft budget and set the precept for 2023/24. The Clerk outlined the updates. Cllr Cupples proposed the budget be approved with the amendments put forward, seconded by Cllr Tovey with all in favour the proposal was RESOLVED.
- d) To consider undertaking the Civility and Respect Pledge. The Clerk advised Councillors of the link to the information and the meeting agreed to defer the item.
- e) Dispensation for Councillor leave of absence
 - i) Cllr Bernard Jones. Cllr Pascoe proposed the Council give Cllr Jones a 3 month dispensation for leave of absence, taking the time to 23rd April 2023, seconded by Cllr Cupples with all in favour the proposal was RESOLVED.
 - ii) Cllr Parm Mattu – Present so no dispensation required.

- 7. Late or urgent items not on the agenda The meeting agreed to ask CC highways to replace the missing bollard on the Wall Vein build out.

- 8. Agenda items for future meetings Cllr Rowe advised he may put forward an application for a dispensation to the Parish Council in the future that he may require for a potential development at Lanyon.

The Chairman closed the meeting at 8.57pm.