



MINUTES of the ORDINARY MEETING OF ST JUST-IN-PENWITH TOWN COUNCIL held in the Library, St Just, on Monday 4th September 2023 at 7.00 pm.

Present

Sue James Mayor

Councillors

Kevin Casley

Martin Cavell

Robert Chadder

Fynn Tucker

Also Present: Sue Ninnis (Town Clerk) Hester Hunt (Deputy Town Clerk) and 18 members of the public.

TC.63. PUBLIC PARTICIPATION

Chloe Pitt (Laurence Associate on behalf Mr & Mrs Holman) was in attendance and spoke to pre-app - Proposed Construction of Dwellings Land to rear of Old Foundry Close, Nancherrow, St Just TR19 7QS (21356).

She also spoke regarding Planning Application PA23/05858 Permission in principle for the proposed construction of 2 semi-detached dwellings, Land west of 36 and 37 Nancherrow Terrace, Nancherrow, St Just TR19 7LA. (68/23)

Julian Mills spoke to pre app conversion of an existing barn at Lys Wyn Barns, Leswidden.

Martin Nicholas spoke regarding Planning Application PA23/04892 Proposed dwelling and garage joined to existing office building land north of Bosavern Cottage, St Just. (65/23)

Janet Gardiner, Peter Gardiner and Sheila Leaver spoke regarding Planning Application PA23/05034 Retrospective Construction of a pond. (60/23)

TC.64. APOLOGIES FOR ABSENCE

Chairman's initials_____



Apologies for absence were received from Chris Denley, Farmer Morris, Jess Morris, Brian Clemens, John Swarbrooke, Daisy Gibbs.

TC.65. DECLARATIONS OF INTEREST

Kevin Casley declared an interest in Planning application PA23/04892 (65/23) and left the building during the discussion.

TC.66. DISPENSATIONS

None.

TC.67. MINUTES OF THE ST. JUST TOWN COUNCIL MEETING HELD ON 19 JUNE 2023

Following consideration, it was
Proposed by Martin Cavell and seconded by Robert Chadder
Proposal/Resolution – that the Minutes of the St. Just Town Council meeting held on 24th July 2023, be approved as true and accurate record and signed by the Chair.
Unanimous.

TC.68. MATTERS ARISING

There were no matters arising.

TC.69. PLANNING

a) Applications

60/23 Application: PA23/05034 - Retrospective

Proposal: Construction of a pond.

Location: Land South of Pengelly, Bosavern, St. Just. **(deferred at 24 July 2023 until all consultee comments are received and Airport Bird Management Survey is completed by the applicant).**

Further information from Martin Cavell:

The council should note Objections from;

AONB notes

“Uncharacteristic appearance”

These elements combine to provide a marked domestication of the valley bottom which is at odds with its characteristic pattern of small, enclosed fields

Chairman's initials_____



descending the steep valley sides to the mix of rougher grazing, scrub and woodland at the valley bottom.

WHS Planning

The pond appears as a somewhat incongruous, domestic addition within this section of the WHS that neither conserve or enhances the rural landscape character of this section of the WHS. A degree of harm to the landscape character occurs that is not outweighed by any significant public benefit.

Environment Agency

In the absence of an acceptable flood risk assessment (FRA) we object to this application. The reason for this position and advice is provided below.

At this stage, it would be our view that the proposal fails to comply with the National Planning Policy Framework Chapter 14 or policy 26 of the Cornwall Local Plan

Lands' End airport

Of particular concern are the reports that Canadian Geese are now present at the site - it is well documented that these species are a hazard to aircraft. The Airport has noted a recent increase in the overflight of such birds.

Until this further detail, survey and assurances are received, the Airport cannot support this application due to the potential effect on aircraft safety.

CPRE

CPRE Cornwall objects to this retrospective application.

The pond was constructed without planning permission, 2 years ago and is in an Area of Outstanding Natural Beauty and St Just District Cornish Mining World Heritage Site.

The pond is contrary to the Cornwall Local Plan Policy 2 and Policy 23 and does not comply with Cornwall AONB Management Plan, Policy MD9.

We cannot assess the ecological impact, the environmental impact, the flood risk, and aviation safety based on the information currently available.

National trust

We would therefore request that the local planning authority - before determining this application - is satisfied in respect also to the following material considerations:

That any future water abstraction to maintain the pond does and will not present problems to aquatic life in the river downstream, and that any pollution, including any increased nutrients, entering the river through whatever means due to the creation and retention of the pond, does and will not present problems to the natural environment downstream.

The Trust is supportive of nature enhancements where they are in the right place and provide for biodiversity net gain. We however are not presently convinced, on the basis of what has been submitted and paying regard to the several consultee responses received to this application, that this development

Chairman's initials_____



in the round is appropriate and provides the necessary ecological mitigation and enhancements.

Ecology;

On the application form:

There is a tick box for the applicant to complete for
“Protected and priority species “

“on the development site, on land adjacent to or near the proposed
development “

The applicant’s agent Answered “No “

This is not true.

There is an active badger set on the opposite side of the stream.

Preliminary ecological appraisal of the site (applicants paid consultant)

No invertebrate survey was completed.

There has been no survey of land adjacent (or “near to “) included in the
documents.

(Excerpts from that ecological appraisal)

Running water

5.1.2. During construction there would have been the potential for the release
of sediments into the stream, due to run off from the freshly bare
soil. (There are now cattle walking on the raised bank)

5.1.3. Once dug the main potential impact is the use of water from the stream
in maintaining the water level of the pond. (How will the pond fill in future?)

A channel had been dug between the stream and the pond, but this had been
closed off by the time of the October 2021 visit. (This constitutes abstraction for
which permission is needed)

My comments;

The pond is not naturally viable. It has been stated that it will be filled by
natural “run off “and spring water. the pond has been dry since it was drained
and there has been no evidence of the water source claimed.

The “potential impact “of using water from the stream has been noted in the
client’s own ecology assessment. No ecology survey has taken place on
surrounding habitat including the stream below the pond where damage may
have already been done. As an example, the pond was filled in May and water
abstracted from the stream, which is at a time when Elvers would be likely to
be migrating upstream if the water flow was suitable. At the time the stream
was dammed and its flow further downstream seriously compromised by this. It
has also been noted that sediments could be released into the stream which
can cause damage to the stream bed impacting on things such as
Invertebrate habitat and gravel beds used for Spawning
by native Brown Trout. The pond banks are currently grazed by cattle which
could cause more soil release into the stream in future.

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We cannot ignore the objections raised by the agencies consulted and as a council it is our public duty to object to the application.

It was proposed to object to this application and support all the consultee agencies comments.

Proposed Martin Cavell, seconded Robert Chadder, unanimous
Proposal/resolution: to object to this application

65/23 Application: PA23/04892

Proposal: Proposed dwelling and garage joined to existing office building.

Location: Land North of Bosavern Cottage, Bosavern, St. Just.

(Request to defer until World Heritage Site, AONB and Highways consultees have commented)

Kevin Casley left the room while this application was discussed.

It was proposed to support in principle the proposed dwelling while taking into consideration the AONB comments about the size of the dwelling.

Proposed Sue James, Seconded Martin Cavell, unanimous

Proposal/Resolution: to support in principle

66/23 Application: PA23/05729

Proposal: Listed Building Consent to put up a sign to label the gallery.

Location: Unit A, Penlee House, 8, Market Street, St. Just. (T. Cl. No Objection – Response was needed by 7 August 2023 and sent via email).

67/23 Application: PA23/05213

Proposal: Conversion of annex to form holiday lets.

Location: The Old Vicarage, Church Road, Pendeen, (T. Cl. No Objection. Response was needed by 7 August 2023 and sent via email).

71/23 Application: PA23/05282

Proposal: Listed Building Consent for the siting of a commemorative sign.

Location: National Trust Counthouse, Botallack, St. Just. (T. Cl. No Objection. Response was needed by 7 August 2023 and sent via email.

This has now had a decision see * below).

68/23 Application: PA23/05858

Proposal: Application for Permission in Principle for the proposed construction of 2 semi-detached dwellings (minimum and maximum of 2 dwellings).

Location: Land West of 36 and 37 Nancherrow Terrace, St. Just.

It was proposed to object to this application as it is outside the settlement boundary contravening the NDP, unless it is an exceptions site with all affordable dwellings. Proposed Robert Chadder, seconded Martin Cavell, unanimous



Proposal/Resolution: to object to this application as it contravenes the local NDP

69/23 Application: PA23/05484

Proposal: Replacement of windows that have already failed after just 5 years.

Location: 2, Gews Farm Barns, Bethany Place, St. Just.

It was proposed that there was no objection this application, Proposed Robert Chadder, seconded Fynn Tucker, unanimous

Proposal/Resolution: No objection to this application

70/23 Application: PA23/06036

Proposal: Proposed ancillary outbuilding to provide additional accommodation to main dwelling.

Location: 8, Jubilee Place, Pendeen.

It was proposed that there was no objection to this application.

Proposed Robert Chadder, seconded Martin Cavell 3 in favour, 2 against

Proposal/Resolution : No objection to this application

72/23 Application: PA23/05392

Proposal: Erection of two garden sheds.

Location: 1, Church Street, St. Just.

It was proposed that there was no objection to this application.

Proposed Fynn Tucker, seconded Robert Chadder, unanimous

Proposal/Resolution: No objection to this application

73/23 Application: PA23/05856

Proposal: Creation of an agricultural gateway onto the public highway in a Conservation Area to include removal of 3.2m of Cornish hedge.

Location: Field No. SW3631-5831, Bosorne Road, St. Just.

It was proposed to object to this application on the loss of 3.2m of Cornish hedge, and the fact that there was another access point.

Proposed Robert Chadder, seconded Kevin Casley, unanimous

Proposal/Resolution: to object to this application

74/23 Application: PA23/06775

Proposal: Extension and alterations without compliance of Condition 2 in relation to Decision Notice PA22/01450 dated 08/04/2022.

Location: Chygwythys, Cot Valley, St. Just.

It was proposed that there was no objection to this application.

Proposer Kevin Casley, seconder Robert Chadder, unanimous

Proposal/Resolution: No objection to this application

75/23 Application: PA23/05084

Proposal: Addition of white, UPVC conservatory, 3.3m 2.5m on south west side of property and replacement of white UPVC windows on south



west side. Conservatory to have dwarf wall, clad with granite to tie in with main, original dwelling.

Location: 40, Boscaswell Village, Pendeen.

It was proposed that there was no objection to this application

Proposed Kevin Casley, seconded Robert Chadder, unanimous

Proposal/Resolution: No objection to this application

76/23 Application: PA23/05796

Proposal: Proposed extension above existing garage to form annexe.

Location: The Heathers, Church Farm, Pendeen.

It was proposed to object to this application due to the materials being used as out of character.

Proposer Kevin Casley, seconder Robert Chadder

4 in favour, 1 against

Proposal/Resolution: to object to this application

b) Decisions:

Application: PA23/03985

Proposal: The renovation and ground floor extension to a detached single occupancy dwelling and replacement of existing garage.

Location: Atlantic View, Carnyorth Terrace, Carnyorth, St. Just.

Withdrawn (T. Cl. Objection – Overdevelopment and wrong use of materials).

Application: PA23/01506

Proposal: The renovation and ground floor extension to a detached single occupancy dwelling and replacement of existing garage.

Location: Pendeen Lighthouse, Pendeen. **Approval** (T. Cl. No Objection).

Application: PA23/00784

Proposal: Agricultural shed for animal feed and machinery storage,

Location: Moorside, Newtown, St. Just. **Refusal** (T. Cl. No Objection).

Application: PA23/03886

Proposal: Single storey extension, porch, internal and external alterations and changes to windows, doors and roof.

Location: Kitticarn, Escalls Cliff, Sennen. **Withdrawn** (T. Cl. Objection).

Application: PA23/05465

Proposal: Demolition of conservatory, construction of garden room.

Location: Penrose, 1, Nancherrow Terrace, St. Just. **Approval** (T. Cl. No Objection).

Application: PA23/03169

Proposal: Two storey rear extension and internal alterations,



Location: Swallows Nest, 23, Cape Cornwall Street, St. Just. **Approval** (T. Cl. No Objection).

Application: PA23/04441

Proposal: Application for amended design for conversion and extension of existing (now redundant) campsite shower block into a dwelling (previous approval PA20/10430). Change of use of campsite to dwelling as previous approval PA20/10430.

Location: Bosavern House, Bosavern, St. Just. **Refusal** (T. Cl. No Objection).

Application: PA23/03761

Proposal: Demolition of extension, outbuilding and garages, conversion of slaughter house and barn to form two dwellings and construction of dwelling.

Location: Land South East of 8, Boswedden Road, St. Just. **Approval** (T. Cl. No Objection).

Application: PA23/05150

Proposal: Proposed timber summerhouse sited on lower terrace of garden.

Location: 1, Tregeseal Hill, St. Just. **Approval** (T. Cl. No Objection).

Application: PA23/03341

Proposal: Change of use of an existing traditional farm building from sorting, packaging and freezing of beef to a micro butchery and chiller room, including internal changes and addition of a single window.

Location: Higher Keigwin, Pendeen. **Approval** (T. Cl. No Objection).

Application: PA23/05282*

Proposal: Listed Building Consent for the siting of a commemorative sign.

Location: National Trust Count House, Botallack, St. Just. **Approval** (T. Cl. No Objection).

Application: PA23/05340

Proposal: Single storey extensions and alterations previously approved and commenced under PA22/07493. Amendment sought for raising floor level in lounge extension including external steps instead of internal steps.

Location: Favonian, 19, Carrallack Terrace, St. Just. **Approval** (T. Cl. No Objection).

- c) **Appeals** None
- d) **Enforcements** None
- e) **Protocols** None

Chairman's initials_____



TC.70. FINANCE

a) **Accounts for Payment** in the sum of £32362.54.

It was

Proposal/Resolution: To approve payments of £32362.54.

Chairman's initials_____



St. Just-In-Penwith Town Council

Schedule Of Invoices For Payment

Budget 2022 / 2023

4th September, 2023



Costs - Description							
	Date	Amount	TC	Item	Payee	Description	
	26/07/2023	25.00	Pd	BACS	Centre of Pendeen	Mayors Allowance donation	
1	31/07/2023	£70.00	Pd	BACS	Della Boyns	Cas Leaving buffet	1
2	17/08/2023	£17.89		Direct Debit	Concorde	Inv. No. 558389	2
3	09/08/2023	£1,698.23	Pd	BACS	HMRC	July Tax & N.I.	3
4	09/08/2023	£5,535.84	Pd	BACS	Corserv Facilities Ltd.	Apr - July inc toilet cleaning	4
5	09/08/2023	£5,627.30	Pd	BACS	Cornmac	Car Parks white lining	5
6	09/08/2023	£720.77	Pd	BACS	Cornwall Garden Services	Inv. No. 30586	6
7	09/08/2023	£70.00	Pd	BACS	Cornwall Council	P & G Annual licence	7
8	09/08/2023	£106.80	Pd	BACS	Alarm Guard	Inv. No. 31362	8
9	14/08/2023	£63.25	Pd	BACS	Aquacert	Inv. No. EIN117681	9
10	14/08/2023	£54.99	Pd	Debit Card	Amazon	Inv. No. 143791	10
11	14/08/2023	£33.24	Pd	Debit Card	South West Water	4 July to 01 August	11
12	14/08/2023	£35.00	Pd	BACS	Jacqueline Garratt	Inv. No. 215 window clean	12
13	25/08/2023	£89.54		Direct Debit	Biffa	Inv. No. 76643	13
14	25/08/2023	£138.68		Direct Debit	Biffa	Inv. No. 76644	14
15	25/08/2023	£29.03		Direct Debit	Concorde	Inv. No. 559796	15
16	25/08/2023	£163.02		Direct Debit	British Telecom	Quarterly Phone/B. Band	16
17	25/08/2023	£15.99	Pd	Debit Card	Amazon	Computer supplies	17
18	25/08/2023	£9.99	Pd	Debit Card	Amazon	Computer supplies	18
19	25/08/2023	£23.99	Pd	Debit Card	Amazon	Computer supplies	19
20	25/08/2023	£14.70	Pd	Debit Card	Amazon	Emergency Plan supplies	20
21	25/08/2023	£12.99	Pd	Debit Card	Amazon	Emergency Plan supplies	21
22	25/08/2023	£115.96	Pd	Debit Card	Amazon	Emergency Plan supplies	22
23	29/08/2023	£10.69	Pd	Debit Card	Ebay	Stationery	23
24	30/08/2023	£1,522.97	Pd	BACS	Cornwall Council	August Pension contributions	
25	30/08/2023	£1,504.31	Pd	BACS	HMRC	August Tax and N.I.	
26	30/08/2023	£6,920.30	Pd	BACS	Staff	Net salaries	
27	30/08/2023	£85.00	Pd	BACS	Ian Watling	Inv. No. 57	24
28	30/08/2023	£140.00	Pd	BACS	Cyril Nicholas	Inv. No. 15	25
29	30/08/2023	£75.00	Pd	BACS	Pip Morse Landscaping	Inv. No. 413	26
30	30/08/2023	£1,383.96	Pd	BACS	Corserv Facilities Ltd.	Inv Nos 34393/4 Toilet clean	27
31	04/09/2023	£166.00		BACS	Cornwall Garden Services	Inv. No. 30757	28
32	04/09/2023	£5,907.11		BACS	Goodman Nash	Inv. No. 100111 Rate recovery	29
	Total	£32,362.54					

= Town Council Already Approved

X

04/09/2023 Signed:

BACS payments approved:

Mayor -

Deputy Mayor -

Town Clerk

b) Grant Applications

None received.

Chairman's initials _____



TC.71. CORRESPONDENCE

Road Markings requested at benches by No GO by Hill – to be kept under review, Highways cannot action yellow lines and not enforceable by the Police.

Footpaths – it was agreed to cut the ‘tunnel’ subject to landowners’ permission, but the gold footpath 114/81/2 should not be cut.

Proposed Sue James. Seconded Robert Chadder, unanimous
Proposal/Resolution: to cut the ‘tunnel’.

Community Noticeboard – it was proposed that this be used by the community for the community but policed by the Town council. Keys would be taken back from any members of the public and anyone wishing to put a poster in the noticeboard would need to bring it in to the office for a member of the team to action and decide if it is suitable.

Proposed Martin Cavell, seconded Sue James, unanimous
Proposal/Resolution: This noticeboard to be used for the community events and local information including a map (to be discussed at a later date).

Consultation – 20 mph speed limits – Phase 2 West Penwith CAN

After some discussion it was agreed that the town council would ask the consultation if they would consider the following:

Higher Bojewyan – This doesn’t include Ponds Hill and Stennack. Could consideration be given to include these areas please?

Trewellard & Carnyorth – Members were concerned that the 20mph zone doesn’t start further back from the Carnyorth Centre. As children use the centre, could consideration be given to starting the 20mph zone at Creswell Terrace reviewing the area of road between Carnyorth and Botallack

Proposer Robert Chadder, Seconder Kevin Casley, unanimous

Proposal/Resolution: To request the various changes to the 20mph areas

VAS – additional information

After some discussion it was agreed that more information was required from Sancreed and also to contact Guy Pace regarding warranties and installation costs.

Proposer Robert Chadder, Seconder Martin Cavell unanimous

Proposal/Resolution: to seek more information and bring back to full council

Revised Grant application form

After an addition of reduction of carbon emissions, it was proposed to accept the new grant application form.

Proposed Sue James, seconded Robert Chadder, unanimous

Proposal/Resolution: To accept and publish the new application form.

TC. 72. INFORMATION ITEMS AND MATTERS TO REPORT

Chairman’s initials_____



a) Cornwall Councillor report

As the Local Government Association have recently held their AGM I thought I would share some of the points raised at the meeting with you.

Nearly 9 in 10 local Authorities fear that Nursery closures could affect them in the near future.

While all concerned are in favour of the Government funding package many fear it does not go far enough to protect the service in the long term.

Many of you will have seen the Council offering bus travel at a reduced cost over the last twelve months in an attempt to encourage more people to use public transport,

Nationally this scheme has cost local authorities £452 million in the last year the LGA believe the concessionary scheme is not fit for purpose and is preventing Councils from investing in the future of the service.

82% of councillors who responded to a recent survey said they felt at risk some or all of the time while carrying out their role.

The number of councillors who said they have suffered abuse has doubled in the last twelve months.

The LGA reports that increasing number of Councils are keen to introduce Hybrid meetings to support the retention of Councillors and also to enable more disabled members of the community to become members and fully engage with able bodied members.

One in ten councils said they had lost at least one member since the return to Face-to-Face meetings, However this would need a change In the laws that councils have to abide by at present.

The LGA have identified a funding gap of £3 billion that we would need to bring service levels back to pre-cut levels. There are many factors to consider as to why this has escalated in recent years.

Locally this last year has seen the levelling up funds in one guise or another give significant support to many local councils and other community groups and the next round will no doubt be oversubscribed again so my advice would be to do your homework early and build a robust application and business plan now that you know the pitfalls and the process should hopefully be a little easier.

With the CAP in mind the sub groups for the funding bids and the Highway schemes have been selected and we have a sub with a lot of experience who



will sit across both groups so I am confident that they are in a good place going forward.

I would like to personally thank those members that have taken up the challenge and I am confident in their ability to deliver for the benefit of all members. I recently attended the quarterly meeting of the Cornwall youth Council as a Councillor advocate and was very impressed with the progress made since our last meeting.

They have decided that the chair will stay in post for twelve months as opposed to changing every quarter.

Some of the group attended the last full council meeting and have decided to follow a similar format with regards the meetings they hold, although they were less than impressed with the way some members conducted themselves in the chamber so have made it clear that they will not tolerate such behaviour.

They intend to canvas all local schools to broaden membership of the youth council so if any of you know someone who may be interested, please let me now and I will contact the youth council officer to make the initial introduction.

Some of you will have no doubt seen the press release regarding an extra £9.1m that has been secured by the council for Highway improvements across the county although some of this extra funding has been earmarked for the Penwith CAP area. I have no knowledge of what schemes are proposed at present but as soon as this information is live I will make sure to inform you all.

Cllr. Brian Clemens

Land's End Division

Cornwall Council

- b) Arrangements for Feast and Remembrance Sunday 2023
Sue James and the Deputy Clerk to follow up arrangements for Feast, including health and safety marshals for the parade.
Two wreaths need to be ordered for Remembrance Sunday.
- c) Community Land Trust AGM – 12th September Sue James to attend
- d) Casual Vacancy – The clerk to arrange advertising and interview times
- e) Business Rates – The Library. A refund of £14786 has been received from Cornwall Council and the rates are now 0.00 for the 2023/24 year.

Chairman's initials_____



The clerk will also look into the rates for the car park and the toilets which should be zero.

- f) Good Growth – Rural Fund – Community Infrastructure and Assets – The deputy clerk to continue attending meetings as and when they happen.

The meeting closed at 21.05

Chairman's signature _____ Date _____

Chairman's initials _____