

## LANREATH PARISH COUNCIL EXTRAORDINARY MEETING MINUTES

### Date of Meeting

11<sup>th</sup> April 2023 commencing 19.30

### Present

Cllr Peter Seaman – Chairman, Cllr David Heard – Vice Chairman, Cllr John Williams, Cllr John Gundry, Cllr Sue Cave, Cllr Peter Bartram, Mrs Rebecca Warren - Clerk.

The Chairman welcomed everyone to the Meeting.

### 1. Apologies

Cllr Eileen Lee

### 2. Members of the Public are invited to address the Council

None

### 3. Disclosure of Interests

None

### 4. Planning - PA23/01878 Application for discharge of a planning obligation entered into on 22<sup>nd</sup> March 2004, pursuant to the grant of planning permission under reference E2/01/00976/FUL. Land South West of Bosuen Manor Herodsfoot. Consultee's comments to be submitted by 14<sup>th</sup> April 2023.

Chairman gave a presentation to the meeting giving brief details of the planning history for the site, including the 22<sup>nd</sup> March 2004 Legal Agreement under section 106 (s.106) of the Town and Country Planning Act, 1990, and a site position plan, showing the extent of the land covered by the s.106 Agreement.

By the provisions of s.106A of the Town and Country Planning Act 1990, it is permitted to apply to modify or discharge such obligations after a five year period. The application before the Council is to discharge the s.106 obligation.

The s.106 Agreement had been entered into by the applicant and Caradon District Council, and subject to that he had been able to secure planning permission for the construction of a meat processing building. This building is now redundant and the applicant has secured planning permission to convert it for residential use, but the s.106 Agreement precludes him from any subdivision of the site whether by sale, lease, or in any other way to part with possession of part of the land.

The councillors were divided as to whether the application should be granted, and concerns were expressed about losing the perceived protection of the rural environment that the Agreement may afford. It was clear from the Planning Consultant's statement, submitted with the application, that the granting of the application for change of use of the meat processing building PA22/10506 had given rise to this application, because with the s. 106 obligation in place there could be no sale, lease, or other disposal of that building.

Councillors considered the link between the redundant meat processing business, and the s.106 Agreement – if the Agreement had been entered into to secure the business then as the business is no longer in operation it could be argued that the s.106 Agreement is no longer serving its purpose, and should be discharged.

Alternative views were put forward that there was no indication of the reason for the s.106 Agreement being entered into, save that it gave general protection to the site, preserving it as a whole, and meaning that it could not be split up and sold off piecemeal. Also that it was more likely that the site would remain in agricultural use because of the restriction.

Concerns were expressed that there are other disused buildings within the site that may then be subject to planning applications (and the appropriate planning rules and regulations then in force) for conversion to residential use. A hamlet of four or five dwellings may then be created, and doubts were expressed as to the suitability of the site for this.

After lengthy discussion, and all councillors stating their views, Chairman proposed consultee's comments that:

“On balance Lanreath Parish Council considers that the original intention of the s.106 planning obligation no longer serves a useful purpose and therefore has no objection to the application.”

Cllr Cave seconded, and after a casting vote from the Chairman, the meeting resolved that the Clerk should submit the consultee's comments as proposed.

## **5. Coronation Commemorative Gifts**

Chairman reported to the meeting that he had been advised that there were 20 toddlers who attended Ladybirds (five of whom live outside the Parish but have family within), and an additional 15 children on a list in the shop – who were all eligible for the gifts. The Clerk informed the meeting that she had received two names via email. 40 mugs of a design incorporating a photo of the King, and wording that it was a gift from Lanreath Parish Council would cost £250 plus VAT. The meeting all agreed that the five toddlers who attended Ladybirds, but lived outside the Parish should be included. Cllr Williams proposed that 50 mugs be ordered to ensure that all eligible children received the gifts. The Chairman reminded the meeting that an allocation of £300 exclusive of VAT had been made for this in the Budget, and 50 mugs would fall within this. The proposal was seconded, and unanimously agreed. Vice Chairman was tasked with placing the order, and Clerk is to liaise with Sandra Pipe and Siobhan Rawlins regarding distribution. Clerk stated that she would ensure delivery to the two children whose parent had emailed her.

## **6. Period for review prior to posting Minutes**

Clerk confirmed that she would ensure that after circulation of the draft meeting minutes she would wait a full 24 hours before publication, so as to give the councillors sufficient time to review.

## **7. Any Other Business**

Cllr Williams asked if the buyer of the football pitch field had confirmed that there were easements in place regarding community access. Chairman suggested that this was a matter that should be included on the next meeting agenda – which would be May, as the April agenda had already been circulated.

Cllr Williams raised a further issue about the lack of facility to inspect and empty the sealed septic tank used by the Village Hall. Chairman tasked Vice Chairman with pursuing this at the next Village Hall committee meeting.

**8. Public Participation**

None.

**9. Date and time of next meeting**

Tuesday 18<sup>th</sup> April 2023 at 7.30pm.

The Chairman thanked everyone for attending.

The meeting closed at 21:03