

MEETING NO.1145
Minutes of FEOCK PARSH COUNCIL PLANNING COMMITTEE MEETING held on
Monday 25th July 2016
at the Parish Council Offices, Devoran TR3 6QA

Members present: B Richards
P Allen
C Shefford
B Thomas
K Hambly-Staite
C Blake

In attendance: Debbie Searle, Assistant Parish Clerk
Chris Montagu, Montagu Town Planning Ltd
David Jones, KAST Architects
David Pye
Alison Pye

1. WELCOME & APOLOGIES

The Chairman welcomed those present. Apologies were received from Cllr C Kemp and Cllr Chamberlain.

2. DECLARATIONS ON INTEREST

Cllr Thomas declared a non-pecuniary interest as a Trustee of Devoran Village Hall, item 951 on agenda report 1.

3. PUBLIC PARTICIPATION

David Jones of KAST Architects spoke in support of application PA16/05638. "Following the Tree Officer's comments on the 21st July I spoke with Martin Woodley the Case Officer on Friday 22nd July. He shares in some of our views regarding the facts presented by the Tree Officer in his online comments. Mr Woodley suggested that I speak to you today in an effort to clarify some of those facts. Before resubmitting this application we met Martin Woodley on site to discuss the proposed amendments, including the repositioning of the building to avoid conflict with the Poplar trees. We note that the Tree Officer was asked by both us and Martin to attend that meeting on a number of occasions but failed to respond. The three points we wish to clarify in the Tree Officer's subsequent comments are: 1. Firstly the Tree Officer comments that the proposed scheme is "much larger" than the approved scheme, this is not the case, we went to great length in our resubmission to draw attention to the fact that our scheme is smaller than the approved in terms of footprint, internal area and mass. 2. Secondly, the Tree Officer comments that the Poplar trees will overbear the proposed house and cause significant shading to the west elevation. In fact the majority of this building's glazing is East and South facing, having been designed as such to avoid over shading. Furthermore, the impact of shading and over bearing would be at best equally relevant to the approved scheme, possibly more so as the southerly orientation of the approved building would be more affected by shading from the west. 3. Thirdly the Tree Officer comments that the new development will be less than 7m distant from the stem of the nearest Poplar tree and that this will be closer than the approved scheme. In fact the proposal will be 7.5m distant from the nearest Poplar. The approved scheme is 8.5m distant when measured from the same point, we do not feel therefore, that our scheme represents a significant change from the current approved planning scheme. We would,

however, consider moving the proposed scheme further away from the nearest Poplar stem to match the currently approved scheme if it is deemed necessary, and have shared these thoughts with the Planning Officer. We feel that this would remove the material planning concern regarding the overbearing nature of the trees as it would represent no change from the current approved planning application. Following the outcome of the previous application we and the client are committed to retaining the Poplar trees. We understand that they are of value to the community and we believe that we have taken on board the views expressed by local residents and the Parish Council; we think that this process has yielded a better building that sits more comfortably in its Creekside location. We trust that the Council will make an informed decision on the basis of the facts presented and look forward to hearing your comments.” No questions were asked by members.

Chris Montague, of Montagu Town Planning Ltd, spoke on behalf of Mr and Mrs Edwards the applicants of PA16/06042 which is for extensions and alterations of the existing house and various terracing works to the lower part of the garden. “In 2010 the former Carrick District Council granted planning permission for a much larger house and a house which was of significantly more modern and striking appearance whilst that house has not been developed the fact that planning permission was granted is a material consideration of this proposal. His clients are mindful that permission could be refused if there was an adverse impact on the level of privacy enjoyed by neighbours, if the proposal had a detrimental visual impact on the surrounding countryside, or if the proposal had any adverse impact on the established and protected trees in the area. The submitted plans clearly show the principle elevations as east and west and as such there are very few windows in the side or gable elevations of the house and the only new ones proposed are bathroom windows and will be fitted with obscured glass. The proposal does not remove any of the existing mature vegetation on either side of the house and as such the level of privacy that the neighbours currently enjoy is maintained and enhanced. The proposal extends and alters the existing house, whilst there are designs of this proposal which are modern and contemporary the proposal will not significantly increase the ridge height in relation to the neighbouring houses, nor will the proposal result in an increase in the footprint further down into the garden. The design is traditional in shape and appearance and the use of natural finish external materials is appropriate in this context. The pool terrace, upper lawn terrace and rockery terrace already exist and it is only the lower three terraces that will be engineered there is a clear undeveloped strip that runs 2m in width all the way down the southern side of the site which will ensure the protection of the Monterey Pine tree which is the protected tree in the neighbouring property as well as the boundary hedge and other significant vegetation next to the house. The boundary hedge along the northern part of the site is not affected at all by the development. These issues have been clearly pointed out in the proposed site plan as well as in the arboricultural assessment submitted in support of the application.” No questions were asked by members.

Chris Montagu of Montagu Town Planning Limited also spoke in objection to PA16/04918 on behalf of his clients Mr & Mrs Whinney who were not able to attend the meeting. He confirmed that a letter of objection had been submitted to the Parish Council and was also available on the Cornwall Council website. “The site is located in the countryside where according to the Town & Country Planning Act specific justification is required for new forms of development, no such justification has been provided by the applicant, furthermore there is no study that has been undertaken of other campsites in the area to assess what their availability is or their lack of availability is in order to justify the new application. Due to the sites countryside location together with the topography on the site it is very exposed with views from the surrounding public vantage points. From the top of Perranwell Station road you can very clearly see the site. Clearly a new caravan and camping park will be very visible from that location and will cause detrimental visual impact and landscape impact to the character of

the area. The vehicular access to the site is provided by a narrow access track which offers very limited opportunities for cars to pass each other when travelling in opposite directions. The track is not suitable to accommodate the volume or the type of traffic proposed, the reversing manoeuvres of caravans are fraught with difficulty even with the most experienced and the proposal may result in people towing caravans having to reverse all the way down the lane in order to allow vehicles to come out of the lane and that reversing manoeuvre will be pushing a caravan into the oncoming highway which will have an impact on the safe use of that highway. We trust that you will take on board the opposition to the proposal and vote not to support it." No questions were asked by members.

David Pye spoke in regard to his application PA16/04918 to confirm that they had answered any questions that had arisen.

4. MINUTES OF PRVIOUS PLANNING MEETING

RESOLUTION: Cllr Blake proposed that the minutes of the meeting held on 11th July 2016 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Thomas.

5. STATUTORY CONSULTATION PLANNING APPLICATIONS

The following applications were considered and decided as detailed.

944 Land North of Creek End, Pill Lane, Feock TR3 6SE PA16/05638

The Chairman summarised the history of the application advising that the point now in question was the Poplar trees and that the agent has confirmed that they would be happy to move the dwelling further away to allay the Tree Officer's concerns. He noted that there were no online comments in objection or support from neighbours. Cllr Hambly-Staite stated that a site visit had taken place before this revision and that the TPO was now in place so that the Poplar trees were protected. The question is whether we are satisfied that the Tree Officer has advised a sufficient buffer between the building works and the building that's completed to protect these trees which he understands are quite fragile. Discussion followed in which it was suggested that if the Tree Officer is satisfied then members should also be. Cllr Allen felt that the boundary is the previous application and we aren't going to get a better position than as the approved application. We should be happy that this movement takes place and felt that the negotiation had gone as far as is reasonable. Cllr Blake sought confirmation that Cllr Allen was referring to the 8.5m minimum distance which was confirmed. Cllr Thomas and Shefford agreed. Cllr Hambly-Staite commented that members had previously discussed reflection and the use of non-reflective glass which doesn't appear to be mentioned in this revision, he would hope that we don't allow an additionality that is already causing an issue in that area. Cllr Richards suggested that the trees on site would provide some shading and noted that there isn't a huge amount of glazing on the western elevation but that it was something that could be commented upon.

RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council for this application as: **We would be happy to support the application in its present form subject to a satisfactory negotiation with the Tree Officer on the existing siting being at least 8.5 metres from the Poplar trees. Also subject to consideration of the effects of sun reflection from the glazing on the western elevation. The Parish Council is concerned about the potential ground instability and wish to be assured that the location of any new dwelling is precisely agreed before construction commences.** This was seconded by Cllr Hambly-Staite and unanimously carried by the meeting.

950 The Anchorage, Restronguet Point, Feock TR3 6RB PA16/06042

The Chairman summarised the application, that the agent had provided information at the start of the meeting and noted that there were no comments from neighbours on the proposal. Cllr Allen stated that the protection of trees seems to be covered by the application; there has been much development in that area so it would be unreasonable to raise any particular objection to the plans as set out. The area is very different now, less rural and natural than it used to be and he would prefer to see it looking more natural but development has happened. Cllr Richards gave details of the proposals, confirming that the large Monterey pine will not be affected and the existing boundary hedges will not be touched. Discussion followed regarding the area being an AONB. Cllr Shefford expressed concern over the environment and the damage done during construction. Cllr Richards suggested that whilst any new work will cause disruption it was a short term situation. Cllr Hambly-Staite stated that as we have expressed concern over the landscaping proposal on a natural environment is there any way that it could be conditioned that there be no further requests to cut down trees in the next 20 years. The Chairman stated that members can only deal with the current application as set out. Discussion followed.

RESOLUTION: Cllr Blake proposed the consultee comment to Cornwall Council for this application as: **Subject to the retention of protected trees and other vegetation as detailed in the application and subject to the landscape plan being fully implemented the Parish Council has no objection to the proposal as set out.** This was seconded by Cllr Allen and unanimously carried by the meeting.

948 Carnon Wollas Farm, Old Carnon Hill, Carnon Downs TR3 6LF PA16/04918

The Chairman stated that he had requested a site visit with the applicant which was attended by Cllrs Blake, Thomas and Richards last Thursday afternoon where they met the applicant and went through the proposals as set out in the plans for 25 holiday units on the site, they also went through in detail one of the objections concerning right of access. He read out the objection from Mr Pearcey. The Chairman noted that the proposal is not seeking access onto Old Carnon Hill and agreed that this would be a dangerous access. The objections relating to access may be a planning issue or a legal issue and that would need to be confirmed. He advised that the applicant had showed members deeds which showed rights of access of vehicular and non-vehicular access to their front door, so right of access exists and no details stated that it has to be a limited number of vehicles. It is currently assumed that only domestic access uses the lane presently. Cllr Shefford questioned if the site will be there permanently and the Chairman advised that it was a seasonal holiday park. Cllr Shefford questioned the toilet facilities provided, Cllr Richards stated that these facilities would usually be provided in the caravan but there would be disposal facilities on site. Cllr Blake advised that each pitch has electric and running water and there will be a facility for sluicing where you can discharge a chemical toilet. He understood that the applicant intends to run it on strict Caravan Club rules which restrict exit and entry times. Cllr Allen felt that it was a superb site and would make a lovely caravan park but his concern centres on the scale, it lends itself to a rural site which doesn't have the facilities of the Carnon Downs site at Killiganoon and wouldn't feel that area is appropriate for such a scale of site. The lane access which is potentially a problem being a single track lane, would necessitate some management regarding caravans coming in and out of the site, and therefore a traffic management plan would be necessary for the site. He felt a dozen pitches would be more appropriate. Discussion followed. Members viewed photographs of the site taken by the Chairman and the visual amenity was discussed. Cllr Hambly-Staite expressed concern over the setting of precedent and also suggested that in any approval given we should add conditions that ensure that from the point of view of visual amenity other people don't suffer. Cllr Thomas stated that the applicants had agreed to mitigate any loss of visual amenity with some planting and any comment we make should include comment on

this. Cllr Allen stated that we do have footpaths all around this site and he would be loathed to see the site screened off and lose the public view, should we see the proposal as reasonable we should have a planting scheme so that we know what it would look like in 10 years' time. Cllr Thomas stated that the biggest concern is the narrowness of the lane, the applicant has stated time restrictions but that would be difficult to implement and he questioned the legal issue of the use of this. Cllr Richards asked members if there was any objection to the principle of camping/caravan development on this site, Cllr Allen responded that not in principle but the size and access is questioned. Cllr Richards suggested the access may need to be checked with the legal department and that if the current access is for domestic traffic for 2 or 3 dwellings then increasing it by potentially another 50 traffic movements on a Saturday afternoon might cause issues. Cllr Shefford questioned if the lane was wide enough for emergency vehicles, Cllr Richards advised that the lane had recently been cleared back to its original boundaries so access for emergency vehicles was not a problem. Cllr Blake stated that regarding the visual impact, 17 pitches are around the periphery of the field so banked by hedges with mature trees in them and the other 8 are tucked around another banked area so will not be overly visible. Cllr Hambly-Staite stated that he was mindful that if we give approval to this that in 5-10 years there will be a natural progression to want to develop surrounding fields. Cllr Richards restated that we can only look at the current proposal. Cllr Allen stated that he still had concern over the scale of the proposal and considered 25 too many units. Cllrs Thomas and Blake stated that having seen the site they had no concerns over the size of the proposal.

RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council for this application as: **The Parish Council would have no objection to the principle of development of this site as a caravan and camping site subject to verification of the legal right of access, subject to suitable screening of the pitches and subject to a strict adherence to a traffic management plan for vehicles coming to and from the site from Bissoe Road.** This was seconded by Cllr Thomas and carried by the meeting with a vote of four in favour, one against (Cllr Hambly-Staite) and one abstention (Cllr Allen).

908 Creek Cottage, Penpol, Devoran TR3 6NN PA16/02842

The Chairman advised that the balcony had been subject to quite a bit of redesigning suggested and is still the subject of an objection from the neighbours. He felt that the applicant had satisfactorily addressed the concerns about the size. It was noted that the windows of the cottage next door were set back from the front elevation of Creek Cottage.

RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council for this application as: **The Parish Council has no objections to the erection of the balcony to the front elevation of this property as detailed in the most recent design revision.** This was seconded by Cllr Hambly-Staite and unanimously carried by the meeting.

938 9 Mount Agar Road, Carnon Downs TR3 6LN PA16/05683

The Chairman gave details of the application and noted that there were no comments online from the neighbours. It is a relatively modest extension to a bungalow and is not increasing the height just the width which is not going to interfere with any neighbours.

RESOLUTION: Cllr Shefford proposed the consultee comment to Cornwall Council for this application as: **The Parish Council has no objection to the plans as set out and note that no neighbour comments have been received at the time of making this comment.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

939 Land off Quenchwell Road, Carnon Downs TR3 6LN PA16/05608

The Chairman advised that a pre-application discussion had been held regarding this site and the Parish Council had erred on the view that this site could not be considered infill development. The site together with two other fields on the opposite side of the road had previously been in the ownership of one owner who had held pre-application discussion with Cornwall Council for development of up to 60 dwellings on the three fields. This field was not deemed suitable for development based on the location and it being so far out of the settlement. The current definition of infill sites according to the Cornwall Local Plan which will be copied into our own NDP is that it is the infilling of small gap between other properties or rounding off of an existing settlement, this particular field is not a small gap between existing properties nor is it rounding off an existing settlement as it is well outside the settlement boundary. Cllr Thomas questioned the recent approval of Chypraze and it was discussed that that was an existing building and therefore considered redevelopment of an existing building. Cllr Allen stated that it was members' principle that we don't wish to see that area developed at this time, it is far outside the boundary and therefore development in the open countryside. The Chairman read out the statement from the application. Discussion followed in which it was agreed that it was definitely development in the open countryside.

RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council for this application as: **The Parish Council has a fundamental objection to the development of this land for housing as it considers it to be well outside the village, well away from local amenities and to be development in the open countryside which is not related to the local community.** This was seconded by Cllr Shefford and unanimously carried by the meeting.

940 23 Belmont Terrace, Devoran TR3 6PX PA16/05784

The Chairman read out the details of the application and the Tree Officer's comments. Members expressed their agreement with the comments of the Tree Officer.

RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council for this application as: **The Parish Council agree with the comments of the Tree Officer.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

941 Malojo, Restronguet Point, Feock TR3 6RB PA16/05716

The Chairman advised that members had pre-application discussion with the agent in February and read out the Parish Council's comment made at that time. Cllr Allen suggested that it was a reasonable response and would propose it again.

RESOLUTION: Cllr Allen proposed the consultee comment to Cornwall Council for this application as: **The Parish Council although not entirely happy with the prospect of another slipway into Carrick Roads has no fundamental objection to the principle of the Boathouse being constructed in accordance with the plans submitted.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

942 Car Park adjacent to Old Vicarage and Church Hall, St Feock Church, Churchtown, Feock TR3 6SD PA16/05778

The Chairman read out the comment made by the Tree Officer. Cllr Richards commented that he would be happier with this system compared to the previous one. Cllr Blake requested that there be a request that they are on a timer that works, Cllr Richards confirmed that in the application it states a sensor and timer. Cllr Allen suggested that a timer be turned off after minute. Cllr Hambly-Staite that it is on for a minimum amount of time. Cllr Allen suggested that it was reasonable that they be asking for lighting in the carpark. Cllr Richards proposed the consultee comment as: The Parish Council has no fundamental objection to the proposal as set out subject to the concerns of the Tree Officer being addressed and subject to a time switch being applied to the system which means that it is not on after 11 o'clock at night. This was seconded by Cllr Thomas. Cllr Hambly-Staite proposed an amendment to the comment: The project is approved subject to a reduced height for the boundary between the two carparks so that the height is not more than a metre from the ground level of the road otherwise it would be like a streetlight. This was seconded by Cllr Shefford. Members reviewed the plans. The Chairman confirmed the amendment that we would like to see the two lights on the separation between the upper and lower carpark being lower, essentially at ground level, that we have no other objection to the proposal other than the condition that it is not on after midnight and that it has regard to the Tree Officers comments. At a vote the amendment was carried by five in favour and one against.

RESOLUTION: The Parish Council has considered the proposal as set out and would approve of lighting in the carpark subject to lights on the upper level being lower and subject to the comments of the Tree Officer being taken into consideration and subject to a timing device which means that no lighting is on after midnight.

943 Methodist Church, Bissoe Road, Carnon Downs TR3 6HY PA16/05560 & PA16/05561

The Chairman read out the details of the application and the comment online from the Cornish Buildings Group. Discussion followed.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: **The Parish Council has no objection to the proposal as set out.** This was seconded by Cllr Allen and unanimously carried by the meeting.

945 April Cottage, Trevilla Hill, Feock TR3 6QG PA16/05903

The Chairman noted that there were no neighbour comments and read out the application details. It was noted that it was a property on its own without any neighbour issues and did not appear to be controversial.

RESOLUTION: Cllr Allen proposed the consultee comment for this application as: **The Parish Council has no objection to this proposal.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

946 Tremanor, Restronguet Point, Feock TR3 6RB PA16/05675

The Chairman read out the statement made with the application.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: **This application appears to be seeking advice and not seeking the removal or the topping of the tree but we would**

be prepared to leave the matter to the Tree Officer to decide. This was seconded by Cllr Shefford and unanimously carried by the meeting.

947 Trevelyan, Forth Coth, Carnon Downs TR3 6HJ PA16/05824

The Chairman stated that the proposal did not seek to raise the height of the property just to put rooms in the roof. Cllr Blake questioned that if the garage was going to be incorporated into the building would this result in cars being parked on the road and it was confirmed that within the curtilage of the property there was room to park vehicles.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: **The Parish Council has no objection to the application as set out and at the time of making this comment notes that we have received no comments from the neighbours.** This was seconded by Cllr Allen and unanimously carried by the meeting.

949 Loxley, Old Carnon Hill, Carnon Downs TR3 6LE PA16/06118

The Chairman read out the application details and advised that a pre-application had been made to Cornwall Council regarding development of this site. It was discussed that the current proposal was for a single storey dwelling not a two storey dwelling as had been proposed at the pre-application and that it is a sub-division of a plot within the settlement boundary.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: **The Parish Council has not received any objections from the neighbours and therefore can see no material planning considerations for a refusal of the application.** This was seconded by Cllr Allen and unanimously carried by the meeting.

951 Devoran Village Hall, Quay Road, Devoran TR3 6PQ PA16/05284

It was re-iterated that Cllr Thomas had a non-pecuniary interest in this application and would not take part in the discussion. The Chairman gave details of the application. Cllr Hambly-Staite commented that phase one has been done very sensitively and proposed that members support this application, Cllr Blake agreed with his comments.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: **The Parish Council would commend Devoran Village Hall for the works done on phase one of this project and have no objection to the proposals as set out for phase two in this application.** This was seconded by Cllr Blake and unanimously carried by the meeting.

The Chairman confirmed that Cllr Thomas could now continue to take part in the meeting.

6. CORNWALL COUNCIL PLANNING DECISIONS

The following applications, decided by Cornwall Council since the last meeting, were reviewed.

APPROVED

885 Creek Bank, Restronguet Point, Feock TR3 6RB **PA16/01566**

916 Oyster Cottage, Roundwood, Feock TR3 6AS **PA16/04028**

922 Land West Of Bosbigal, Old Carnon Hill, Carnon Downs TR3 6LF **PA16/04542 926**

926 3 Church Terrace, Devoran TR3 6PU **PA16/04700**

CERTIFICATE OF LAWFULNESS GRANTED

925 Rose Cottage, Penpol, Devoran TR3 6NW **PA16/04815**

REFUSED

920 Land North Of Porthgwidden, Harcourt Lane, Feock TR3 6SG **PA16/03840**

921 Sanderling, Harcourt Lane, Feock TR3 6RG **PA16/04580**

7. PLANNING PRE-APPLICATIONS

The Chairman confirmed that no pre-application meetings had taken place since the last committee meeting.

A request for a pre-application meeting had been made by a lady considering the purchase and subsequent knock down and rebuilding of a property in Quay Road, Devoran. Members were not able to accommodate the request for a meeting this week and agreed that it would be appropriate to recommend to her that she contact Cornwall Council for formal pre-application advice.

8. PLANNING APPEALS AND ENFORCEMENTS

It was noted that an appeal had been lodged for an application at Turbary, Goonpiper, Feock which had been refused by Cornwall Council on the grounds of development in the open countryside.

For members information it was noted that Cornwall Council have opened a new enforcement case in relation to development carried out at Carn View House, Quenchwell, Carnon Downs.

It was noted that the Pellows Yard enforcement case was still ongoing.

9. MATTERS ARISING

The Chairman advised members that two 5 Day Local Protocol procedure letters had been received. The first regarding Devoran Boatyard and it was proposed and agreed that the Parish Council would respond that they would agree with the Case Officer. The second was in relation to the land west of Point Road, the proposed exception site development for 14 dwellings, which the Parish Council supported as a matter of principle. The main objections were the highways issues, the highway access and footpath arrangements were not considered particularly suitable however Highways do consider them suitable and the Case Officer is recommending approval of the application. The Chairman advised that whilst we remain unhappy with the highways arrangements we would not wish to take the matter to County committee level on that sole ground and therefore have agreed with the Case Officer. It was noted that it was being approved as an exception site and the applicant and the Affordable Housing Team have agreed a fairly substantial affordable housing contribution within the site.

The Chairman advised that he has had an email exchange with Nigel Doyle of Cornwall Council and it would appear that site notices are not always put up on householder development applications and not every householder development application receives a visit from a Case Officer. He is still waiting for a definitive answer from Nigel Doyle and will report back to members in due course.

A further application for consultee comment had been received from Cornwall Council, PA16/06424 Former Blacksmiths Cottage at Carnon Downs. The Chairman read out the details of the application and members viewed the plans. It was discussed that it was a minimal amendment to the existing approval relating to the boundary wall between the plot and the gift shop. Members agreed that as it

was such a minimal amendment it was not necessary to provide any formal response to Cornwall Council.

10. DATE OF NEXT MEETING

It was agreed that the next meeting will be scheduled when enough planning applications have been received to warrant one.