

**MEETING NO.1152**

**Minutes of FEOCK PARISH COUNCIL PLANNING COMMITTEE MEETING held on  
Monday 10<sup>th</sup> October 2016 at 3.30pm  
at the Parish Council Offices, Devoran TR3 6QA**

Members present: Bob Richards  
Keith Hambly-Staite  
Cathy Kemp  
Colin Blake  
Iain MacDonald

In attendance: Debbie Searle, Assistant Clerk  
Sam Edwards, Apprentice Clerk  
Cornwall County Cllr S Chamberlain  
Paul Bateman, Influence Planning  
Ross Edwards, CAD Architects  
Mr & Mrs Jenkin  
Mr P Nightingale  
Mr B Bellingham  
Mr & Mrs S Hendra  
Mr G Burgess

**1. WELCOME & APOLOGIES**

Apologies were received and accepted from Cllr Thomas and Cllr Allen.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. PUBLIC PARTICIPATION**

Mr Burgess spoke regarding PA16/08952 on behalf of Victoria Vinnell who was unable to attend the meeting. Mrs Vinnell has concerns that the proposal will have a direct impact on her dwelling. The proposed glazed doors and windows to the elevation facing her property will impact on her privacy. She has concerns about noise and light pollution which may be caused by the decking area being extended to the boundary. A fence has been erected which if extended would be an eyesore and would be along the boundary of the public bridleway. Mr and Mrs Jenkin advised that they were also attending the meeting due to concerns over the hard landscaping of the proposal and it was suggested that a fence over 2m required planning consent. The property next door, Overwell, has had some landslip and remedial works have been necessary, so it is questioned whether extra weight is appropriate as it may result in further slippage. The Chairman advised that there would need to be testing to ensure that anything further would be put on solid foundations. Mr Burgess also expressed concern about contamination and dust due to it being the old smelting works and asked members if they would consider a site visit so that they could better consider Mrs Vinnell's point of view. The Chairman stressed that Mrs Vinnell should provide a copy of her

letter to Cornwall Council. Mrs Jenkin asked what bearing it had that it was not a highway but a bridle path with regard to the fence, the Chairman advised that technically it was a highway and further guidance was provided by Paul Bateman who stated that the guidance with regard to means of enclosure was that it is 2m unless adjacent to a highway, which can be a footpath or byway where there are public rights of pass and repass where it then has to drop down to 1m, so from about 1.5m to 2m back it should be 1m high. Mrs Jenkin stated that it had taken away the visual amenity and changed the whole feeling of Ropewalk.

#### **4. CAD ARCHITECTS**

Ross Edwards from CAD Architects spoke regarding PA16/06449. He advised that they had submitted an outline application for a sheltered type housing scheme and wished to explain to committee members how that would fit into current policy on housing and the neighbourhood plan. He introduced Paul Bateman of Influence Planning who summarised the site location, that it sits directly opposite the doctors surgery and adjacent to the new Taylor Wimpey development. The proposal was for a hybrid of housing and care facility. The idea is that there will be 10 units of independent self-contained living accommodation and accompanied by a managers onsite office and a communal lounge facility where the residents can meet and it that respect it sits somewhere between a McCarthy & Stone type model and a full residential care home. The proposal has arisen out of a wish for an ageing population to stay in an independent living environment but to provide family reassurance who have a wish to see them well looked after, which could be a package of care i.e. daily visits or the manager to act as a conduit between any other care facilities that they need. In that respect the proposal doesn't fit within any formal housing policies, the Cornwall Local Plan does not speak specifically of this kind of development. The need for this type of accommodation is undoubtedly going to grow, where people want to retain an asset in property, they wish to stay in the community they know and require a genuine life time home. The site is ideally located for this facility it being directly opposite the doctor's surgery, and opposite the bus stop adjacent to the surgery. There have been no objections to date from any members of the public and no objections in the main from the statutory consultees although the Affordable Housing Team (AHT) have raised issues where they feel they could support it but don't currently. He has a meeting with the Case Officer and the AHT to discuss where this would sit. Care Homes don't provide any affordable housing but McCarthy & Stone and Churchill both provided offsite contribution of less than £10k per property for their recent high density developments in Truro. They are hoping that the Parish Council can support the principle of the development and welcomed any questions. Paul Nightingale questioned the outcome of the pre-application with Cornwall Council. Paul Bateman stated that in terms of the discussion he has had during this application that it was acceptable in principle, subject to negotiating an acceptable affordable housing financial contribution. Paul Nightingale asked where the settlement boundary was and which planning policy they are working to. Paul Bateman gave information on the current situation with regard to the Cornwall Local Plan and advised that with regard to settlement boundaries there isn't one, the neighbourhood plan is looking at potential sites in the parish but doesn't currently carry any weight and the NPPF looks more towards allocations and sustainability of locations in relation facilities and public transport rather than a black notional line around a plan. Cllr MacDonald asked if it is envisaged that there be a 24hr

residential manager on site, Paul Bateman advised that the provision would be for a daily provision of care but not a 24hr residential provision. Cllr Hambly-Staite asked if the highway details could be highlighted in terms of safety on the highway, it was confirmed that the highway authority have not objected and the visibility splay was demonstrated on the plan being viewed. Discussion took place regarding the responsibility for overgrown vegetation on the highway verge as there was concern about visibility from Pengelly Meadows. The 30mph limit starts at the lower left of the development of site, there have been concerns about the speed of traffic. It was discussed that the feasibility study final report was awaited but there could be a need for a section 106 agreement on the detailed application. Cllr Hambly-Staite stressed that consideration needs to be given to a pavement; Ross Edwards confirmed that a detailed highway report had been included with the application. Paul Bateman stated that there would normally be a condition that it would be the applicant's responsibility to ensure that any vegetation on the verge would not be left to grow more than 300mm. Further discussion took place regarding highway safety along that stretch of road. There being no further questions, the Chairman thanked Paul Bateman and Ross Edwards for their presentation.

#### **5. MINUTES OF PREVIOUS PLANNING MEETING**

**RESOLUTION:** Cllr Richards proposed that the minutes of the meeting held on Monday 3<sup>rd</sup> October 2016 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Hambly-Staite and the Chairman duly signed the minutes.

#### **6. STATUTORY CONSULTATION – PLANNING APPLICATIONS – AGENDA REPORT 1**

The following applications were considered and decided as detailed.

##### **974 Land Adj Bissoe Road, Bissoe Road, Carnon Downs TR3 PA16/06449**

The Chairman confirmed that the application was an outline application only and advised the meeting that the application had been discussed at pre-application stage some time ago. At that time members could see no fault with the principle of development of this land. It was noted that the Taylor Wimpey was not developed as an exception site but as this site is well related to the settlement boundary it would not be considered development in the open countryside. Regarding the affordable housing contribution the Parish Council would have no real input and this would be decided between the applicant and the affordable housing team. We have nothing to compare with really but the McCarthy & Stone development in Truro would equate to £6,000 of affordable contribution per property but would need to be considered and agreed by them. It was noted that it would come back as a detailed application. Cllr MacDonald stated that the safe crossing of the road needs to be looked at but notwithstanding that concern he broadly agrees with statement made by Mr Bateman that it is something that is needed and would be inclined to support the application if the issue of the road can be addressed. Cllr Kemp stated that she was wholly supportive of the proposal. The Chairman noted that the provision for this type of housing was something highlighted from the questionnaires returned during the neighbourhood plan consultation. Cllr Blake stated his applaud for a highly beneficial proposal for the care of elderly in the Parish and is totally in favour of the proposal. He questioned if access into the playing field was necessary and the Chairman agreed that it wasn't. Cllr Hambly-Staite agreed with fellow Cllrs, stating that it will be a growing need, and if this is the first such development it

needs to be a model for other developments regarding the safety and entrance from the site to the rest of the village.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **The Parish Council is supportive of the principle of the development as set out, our main concern would be over highways issues including speed of traffic, visibility from the site and we would like to see a full appraisal of this with the detailed planning application. We would also wish to see the affordable housing contribution element resolved satisfactorily between the applicant and the Affordable Housing team.** This was seconded by Cllr Blake and unanimously carried by the meeting.

**979 Land South of Oakdene House, Goonpiper, Feock TR3 PA16/08484**

The Chairman reminded members that an application had come before them several months ago and due to concerns about the trees that application had been refused. He read out the Tree Officer's comments. The shaded areas on the plan were viewed and it was agreed that the areas detailed were not large enough to protect the trees. Cllr Hambly-Staite stated that it was a very small site dominated by tree cover and the mass of the proposal was too large for the site and he would support an objection to the application. The site plan was viewed. Members discussed and noted that the hedge was made up of mainly Oak trees protected by a TPO and it was the professional view of the tree officer that they were spread too far into the plot to allow for a dwelling of this size. Members agreed that they still had very serious concern about the suitability of the plot and their concerns were reflected by the Tree Officer's report.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **The Parish Council still has very serious concerns about the viability of this plot for a dwelling particularly bearing in mind the comments made by the Tree Officer and we cannot support this outline application.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

**980 Headlands, Penpol, Devoran TR3 6NP PA16/08058**

The Chairman read out the application description and the plans were viewed, it was summarised that the application was to amend a previously approved application and the changes proposed were not significant.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **The Parish Council can see no material planning considerations that would lead to a refusal of this application.** This was seconded by Cllr Blake and unanimously carried by the meeting.

**981 Hunters Moon, Feock TR3 6RU PA16/08323**

The Chairman stated that it was a semi-detached dwelling and read out details of the application. The plans were viewed and the location clarified. Members considered that it was not overdevelopment of the plot and it was noted that no objection had been received from neighbours.

**RESOLUTION:** Cllr Blake proposed the consultee comment for this application as: **The Parish Council can see no material planning considerations that would lead to a refusal of this application.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

**983 River View, Ropewalk, Penpol, Devoran TR3 6NS PA16/08952**

The Chairman advised that objections had been received and read out a letters from Victoria Vinnell and Yvonne Bennetts. In reference to the mention of the remains of the old stack from the smelting works the Chairman advised that it does not have any protected listing status. He read out the comment from the Countryside Access Team which reinforced some of the issues raised by the letter from Victoria Vinnell. It was discussed that a Construction Management Plan would be a good idea so issues could be addressed before a decision is made as questions have been raised about the whole stability of the road. Cllr Blake stated that the site was highly visible and would like a site visit or to see a visual impact sketch to see how it's going to sit in the setting. The plan of the existing dormer bungalow and the proposed development were viewed and members commented that the ridge height appeared to be increasing greatly. The Chairman stated that he had sympathy with the objections made, the proposal would appear to be quite overbearing and would have an impact on the views from the other side of the road and the properties either side. Cllr Hambly-Staite stated that it was almost a compound being created with a very high fence, the concerns raised have been about the detailing but doesn't speak about the massing which he has concerns about. The photographs were viewed. Discussion followed regarding fundamental concerns about the access for construction vehicles. Members unanimously agreed that they would like a site visit with the applicant or the agent which would be arranged as soon as possible. The Chairman advised those present that it would not be a public meeting and would be only for Parish Council members.

**984 6 Chycoose Parc, Point, Devoran TR3 6NS PA16/08674**

The Chairman read out the description of the works proposed. He commented that his only question would be the height of the decking and the possible impact on the properties below but felt that it was not high enough or big enough to cause any detrimental impact. The plans were viewed.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **The Parish Council can see no material planning considerations that would lead to a refusal of this application.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

**985 Cottage on the Green, 1 Point Green, Devoran TR3 6NH PA16/08818**

The applicant provided additional photographs relating to development in the immediate area to put his development into context. The Chairman advised that it was a retrospective application as the roof is already there and has been the subject of an enforcement enquiry which had concluded that a planning application was necessary and that the Parish Council had objected to that application. It was noted that planning policy had not changed. The Chairman stated that at least half of the roof has been obscured by vegetation and it was noted that the photograph with the ladder in the application showed the height that would be allowed under permitted development rights. It was noted that there were other developments in the area which would have more of an impact on the street scene and that two very different

photographs showing the impact of the roof had been received. The ridge height in comparison to that which would be allowed under permitted development rights was discussed. It was questioned if there could be any mitigating works carried out to lessen the impact to the neighbours. Cllr Hambly-Staite stated that he had a fundamental objection to works being carried out without planning permission. He felt the application should not be approved and proposed a consultee comment of objection on the grounds of significant impact on the neighbour. The Chairman suggested that added to this should be that we recommend reconsideration of the design of the roof to within permitted development rights. The proposal was not supported and was withdrawn. Further discussion took place in which members agreed that a site visit was necessary to view the roof from the neighbour's property and this would be arranged as soon as possible.

#### **7. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL**

The Chairman read out the letter from the Case Officer regarding PA16/08214 Cherry Trees, Mount George Road. Members agreed that as the Tree Officer had no objection to the application and considered that the proposal was acceptable member have no further objection.

**RESOLUTION:** Cllr Richards proposed a reply to the Case Officer of: **With the up-to-date advice from the Tree Officer we have no further wish to object to this application and would agree with the Case Officer's recommendation for conditional approval.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

#### **8. CORNWALL COUNCIL PLANNING DECISIONS**

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

##### **APPROVED**

- 948** Carnon Wollas Farm, Old Carnon Hill, Carnon Downs TR3 6LF **PA16/04918**
- 960** 23 Belmont Terrace, Devoran TR3 6PX **PA16/06861**
- 970** The White House, Harcourt, Feock TR3 6SQ **PA16/07942**
- 971** 16 Knights Meadow, Carnon Downs TR3 6HU **PA16/07928**

#### **9. PLANNING PRE-APPLICATIONS**

The Chairman advised members that the agent for Quiet Quay at Quay Road, Devoran had provided the Parish Council with revised plans, including a photo montage of the proposal in its setting, and requested members' comments on the proposal prior to submission of an application to Cornwall Council. He summarised that the revisions were now a ridge height approximately 1.5m higher than its neighbours and that it remains a two storey dwelling. Members viewed the plans. Discussion took place in which members agreed that they still had concern that it is a two storey dwelling as this is against the guidance of the Devoran Conservation Management Plan which strongly opposes the replacement of single storey buildings and dormer bungalows with two storey dwellings. It was recognised that it would have to be raised up on the site due to new flood regulations and concern was expressed about the size and mass of the proposal. The access to the plot through the neighbour's

garden and the sewerage system was also discussed. Members agreed that they would be happy with a dormer bungalow on the site and remain opposed to a two storey dwelling.

**RESOLUTION:** Cllr Richards proposed the response to the agent as: **Members have discussed the revised plans in detail but still have a fundamental objection to a two storey dwelling on this site and we still understand there are issues to be resolved over access and sewerage rights.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

#### **10. PLANNING APPEALS AND ENFORCMENTS**

The Chairman gave a further update regarding Pellows Yard advising that the owners did need to make a retrospective planning application, which would need to include a full environmental impact report, and they had been advised accordingly. An application was expected within six weeks. Cllr Hambly-Staite questioned what happens if the environmental impact assessment fails the stress test. The Chairman commented that he would assume the applicant would be required to reinstate the piece of land to its original form.

#### **11. MATTERS ARISING**

It was noted that the workshop on Landscape Capacity Assessment for Planning Committee members was scheduled for Wednesday 12<sup>th</sup> October at 6.30pm.

#### **12. DATE OF NEXT MEETING**

The Chairman asked members to consider if they would be happy to pre-arrange meetings for every alternate Monday at 3.30pm. This was agreed commencing Monday 14<sup>th</sup> November.

Signed .....

**Chairman, Feock Parish Council Planning Committee**

**31<sup>st</sup> October 2016**