

**MEETING NO. 1133**  
**Minutes of FEOCK PARISH COUNCIL PLANNING MEETING held on**  
**Monday 11<sup>th</sup> April 2016**  
**at the Parish Council offices, Devoran at 3.30pm**

**Members Present:** B Richards  
C Shefford  
I MacDonald  
C Taylor  
C Kemp

**In Attendance:** D Searle, Assistant Clerk  
Cornwall Cllr S Chamberlain  
Mr R Hyde  
Mr & Mrs J Brumwell  
Dr M Caldicott  
Mrs S Malekin  
Mr & Mrs P Owers

**PLANNING COMMITTEE CHAIRMAN: Councillor B Richards**

**1. WELCOME & APOLOGIES**

Apologies were received and accepted from Cllr P Allen.

**2. DECLARATIONS OF INTEREST**

Cllr MacDonald declared a personal interest in no.893 of item no.5 on the agenda.

**3. PUBLIC PARTICIPATION**

Dr Caldicott spoke regarding his concern over the detrimental impact the proposed houses at Pill Lane will have on the creek and the resulting effect to the birds, wildlife and insects.

Mrs Malekin showed photographs of areas of Pill Lane and spoke regarding her concerns over the impact of the proposed houses to the AONB, the difference in design, footprint and location of PA16/02002 to the previous approved scheme, access to the site, the impact of the construction process and threat to significant trees and woodland landscape at the head of Pill Creek.

Mr Hyde reiterated concerns about the construction of the properties at Pill Lane and expressed his concern that the process of building would be the same as has happened at Creek End, there being significant destruction of woodland even if some trees are going to be left behind. He stated that plans of PA16/02002 show two parking spaces which he felt were inadequate for a 5 bedroomed house and would cause a safety issue. The Chairman advised that a Construction Management Plan can be a condition of any planning application.

Mr Brumwell spoke regarding PA16/02002 stating that it was not an improvement of the previous approved scheme. Its size and design do not sit well so close to Creek End, its proposed siting being more intrusive on the landscape and the footprint being approximately twice the size. The creation of concrete hard standing for

vehicles would urbanise the lane. He stated that the trees are protected by a Tree Preservation Order and quoted from the tree officer's comments of 8<sup>th</sup> April 2015 that the trees have a significant level of public visual amenity value. The Chairman advised that there is nothing that can be done about removing the permission for Creek End or Moonrakers.

Mr & Mrs Owers spoke regarding PA16/02002 and reiterated previous comments about over massing of the site, the narrowness and condition of Pill Lane. However they stated that their main focus of comment is the nature of the design of the building and that it was a copy of their house Gillinglaze. Policy states that buildings of individual character are wanted however the proposed design is too similar to a building that is already there. The Chairman advised that this was not a relevant planning consideration that could be considered by the meeting but suggested that they may need to take the matter up with Cornwall Council.

Mrs Brumwell spoke regarding Pill Creek and acknowledged that she takes the point about the approved application but stated her concern that no one seems to be aware that the head of the creek is a natural habitat and we are in the process of destroying the area. She stated that it was ludicrous that Moonrakers got planning permission and that the Parish Council had ignored the tree officer. It was a very narrow site, the trees on the boundary were very big and will block views of these three gross developments. The root spread of two Ash trees and several further down will mean that they will die which will open up the whole end of the creek to three hideous properties. Moonrakers has a cleft in the hillside and there are a number of springs that run down through the site. The AONB officer and tree officer didn't approve the site, how can the Parish Council approve. The Chairman stated that he would look at the Parish Council's previous comments.

The Chairman thanked those that had spoken for their comments.

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

RESOLUTION: Cllr Shefford proposed that the minutes of the meeting held on 14th March 2016 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Blake and the minutes were duly signed by the Chairman.

#### **5. PLANNING REPORTS**

The Chairman advised that there had been a residents meeting on various issues relating to Pill Creek. The meeting was well attended and a lot of information was forthcoming from local residents about their concerns and a lot of information was given back by the Tree Officer, AONB Officer, the Parish Council and Cornwall County Cllr Steve Chamberlain. As a direct result of the meeting an interim Tree Preservation Order came into effect last week. This will be in situ for 6 months and requires a period of public consultation and a survey of all existing trees. Cllr Hambly-Staite stated that he felt it important that people should comment on the TPO even if they do not have trees on their land that would be affected. The Chairman advised that the public consultation was open to everyone and everyone in the area would have received a notification of the order.

The other issues relate to ongoing conversation with Cllr Mike Kemp regarding the Feock Reading Room and wider planning enforcement issues. A meeting was held with Nigel Doyle of Cornwall Council, he has answered one or two of our concerns and a further meeting has been arranged with Phil Mason and Cllr Edwina Hannaford.

#### **6. STATUTORY CONSULTATION-PLANNING APPLICATIONS**

The following applications were considered and decided as detailed.

##### **895 Land North Of Creek End, Pill Lane, Feock TR3 6SE PA16/02002**

The Chairman stated that there had been a lot of public comment on the application and members had seen all the online comments that have been made. He advised that members had an interesting and thorough

meeting with the Case Officer and representatives of the applicant on site, in which issues relating to the fundamental principle of development, the trees and siting, wildlife and the construction process and alternative access were discussed. He felt that it was a comprehensive and fair meeting.

Cllr Blake stated that he opposed the application due to the visual impact in an area of outstanding natural beauty; the plan is not sympathetic to the area or adjacent properties. There is also a problem with light pollution, at the meeting they pointed out that it was clad in something that would tone the building down, but from the plans 60/70% of the front facing the creek is glass. A picture of the proposal was viewed in order to see the level of glazing. Also the footprint is considerably larger than the original design but we are told it is going to be lower, however there is going to be a flood risk which would necessitate the building of a sump putting it possibly 1.5 meters higher than the existing. It is going to necessitate the building of a huge concrete slab. The trees are now protected, the Case Officer pointed out to the agents that the original application was given on understanding that the trees there are protected and they did not build within a certain distance of the tree roots and that in his opinion you wouldn't be able to build any closer to those trees. He stated that the Parish Council should insist on an ecological survey to find out what is likely to happen.

Cllr Hambly-Staite stated that there had already been a lot of emotion expressed and he read from a prepared list. Firstly there is citation from a recent appeal decision refused on grounds that any development in the AONB should be of high quality and sustainable, which addresses the landscape sensitivity and distinctive character of the area. Having looked at the application on site this morning he cannot support the application in its current form, it is inappropriate intensification on a site that is too small, it is in conflict with the aim and intentions of the NPPF sections 17, 58, 109 and 115, which seeks to protect the intrinsic character of the countryside and its biodiversity. It is also in conflict of section 9 of the Cornwall AONB Management Plan. There will be significant light pollution in the evening and at night in contrary to NPPF section 125, the glare of the setting sun already creates issues, and this will add to the light pollution of a generally dark unlit area. As a council we are constrained that planning has already been passed for a dwelling on the site. Strong representation has been made over the last few weeks about the further loss of trees and we are thankful for the TPO now in place. Feock is a privileged parish in the sense that the creeks and the National Trust form two thirds of the parish boundary and following consultation across the parish for the NDP there was strong support to keep the countryside and the seascape as existing. Without a landscape assessment and environmental impact assessment the actual impact of the development is very difficult to assess. The area is very boggy which is going to make it very difficult to develop the site therefore bore hole sampling needs to be carried out to establish where the property can actually be put. It is understood that the previous developer abandoned the site as they couldn't find anywhere to put the footings down.

The Chairman advised that because permission has been given on this site previously his understanding from the Case Officer was that it did not mean that we could not wholly oppose this application as it is so fundamentally different from the original. Cllr Kemp agreed that Nigel Doyle of Cornwall Council had confirmed this. A discussion regarding the magnolias on site and protection under the TPO followed. Cllr Shefford stated that she agreed that it should be treated as a new application.

Cllr McDonald stated that he was not as fundamentally opposed to this design as some people are, and can envisage that if the building were to be put magically in place and trees grown up around it in 10 years' time it might be quite an interesting contrast with the landscape. However having been on site this morning it would seem horrendously inappropriate to develop the site at all. The original design is not particularly attractive and would have no merit whatsoever but the current proposal does at least have some architectural merit. From where we were standing this morning you could see three properties and there wasn't much uniformity to them so from the design aspect it is a difficult one. But we all noted the bogginess of the site, the beauty of it, the prospect of bringing JCB's onsite and trying to build a house is horrendous and could completely wreck the site. In spirit would not want to support the application at all but not opposed to the design.

The Chairman advised that his understanding was that the applicants do not want to spend any money on bore holes until they establish planning permission however we can suggest that we would like to see an ecological survey and environmental impact assessment carried out before any permission is granted.

Cllr Hambly-Staite advised that one of the reasons appeals have gone against the AONB is when there has been too much generality. The AONB officer has advised that specific issues should be isolated. Cllr Blake stated that we have to know where they intend putting it as the architects this morning implied because of the tree problem they would be moving it closer to the creek which is going into really boggy land. Cllr Hambly-Staite advised that this part of Pill Creek is in a special area of conservation which means for 10km from the sac will be a zone and any application for development will be considered for potential damage to the zone.

Cllr Kemp stated that she could not support the application in its current form, it has been well discussed and there has been good representation from the public.

The Chairman stated that having visited the site and seen the potential alternative access by the pumping station, the gate is just about enough for a vehicle and does not have enough width to be a practical access. Only access could only be from pill lane, as alternative too narrow to give vehicular access.

Think have comprehensively cover all aspects which need to be covered..

**RESOLUTION: Cllr Blake proposed the consultee comment to Cornwall Council as:** Feock Parish Council acknowledges that the principle of development on this site has been established by a previous application, however as this application is fundamentally different in design and concept from the original and as considerable local concern and comment has been made following this latest application we are commenting upon it as a new application as it is our understanding that this is the way in which it should be treated. We have concerns about the environment and ecological value of the area and consider that this application should be accompanied by an Environmental Impact Assessment and an Ecological Survey. The area is also covered by a Tree Preservation Order within an interim update on this order within the past week. The application as it stands seeks to take down several trees on this site. These trees are protected under the TPO and as such must be retained. Although the re-siting of any dwelling on this site to avoid the trees may be a possibility the Parish Council considers that no permission should be granted until such time as a potentially stable and suitable alternative position for any dwelling has been established by soil and ground sampling. The proposal will necessitate a concrete raft and we are concerned about the impact of this on the natural environment. We also consider that this proposal is not compliant with paragraphs 17, 58, 109 and 115 of the NPPF or with the general principles of section 9 of the latest Cornwall AONB Management Plan. The visual impact of the proposed design will be detrimental to the surrounding area, the public footpath and creek. The design will also cause considerable light pollution from the excessive amount of glazing proposed in the design and in general the impact of the design will not be sympathetic to the location or dwellings within immediate view. We also have concerns that any development on this site will cause considerable highways and access issues to existing properties and would insist that any proposal for development of this site should be accompanied in its initial stages by a satisfactory site traffic management plan and a full assessment of the potential difficulties for access to the site and damage to the existing highway assessed by Cornwall Highways. We have considered the possibility that the site could be accessed by alternative route adjacent to the SWW pumping station but this would in our opinion be ruled out by the narrowness of this access and the very close proximity of protected trees. The Parish Council is also very mindful of the extreme public concern expressed in other comments made on this application and considers that these together with our own concerns should lead to a refusal of this application. **This was seconded by Cllr MacDonald and unanimously carried by the meeting.**

Cllr MacDonald left the meeting. The Chairman gave details of the application to demolish the existing small lean-to construction on the side of the building and install a more modern replacement. The neighbour has no objection and advised that she has been fully consulted on the proposal. Cllr Kemp stated that she saw the proposal as an improvement.

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

**894** Barfleur, Penelewey, Feock TR3 6QU **PA16/02086**

The Chairman summarised the application. It was noted that no neighbours had made any comments. Discussion took place in which it was noted that it was a relatively modest requirement on a decent sized plot, and from the plans it did not appear to be causing any overlooking issues.

**RESOLUTION: Cllr MacDonald proposed the consultee comment to Cornwall Council for this application as:** Feock Parish Council notes that no neighbours have commented on the application and can see no reason to object to the proposal. **This was seconded by Cllr Kemp and unanimously carried by the meeting.**

**897** Mount View, Gig Lane, Carnon Downs TR3 6JS **PA16/02874**

The Chairman advised members that no neighbour comments had been received and that it was a further extension to a property on a large plot. It was noted that the neighbouring property had been extended upwards from a bungalow to a house so this proposal would not be incongruous to its surroundings.

**RESOLUTION: Cllr Shefford proposed the consultee comment to Cornwall Council for this application as:** Feock Parish Council notes that no neighbours have commented on the application and can see no reason to object to the proposal. **This was seconded by Cllr Kemp and unanimously carried by the meeting.**

**898** Land West Of Tregytreath, Restranguet Point, Feock TR3 6RB **PA16/02242**

The Chairman advised that a letter had been received objecting to the application on grounds of overdevelopment of a site too small for two independent dwellings, failing to protect the AONB and light pollution. The previous application and the Parish Council's comment was reviewed. Discussion followed regarding planning considerations. Cllr Hambly-Staite questioned the impact on the building line, the Chairman confirmed it would create a new building line further down the hill. The plans were viewed. It was noted that the access is not considered wide enough for vehicle access and the garage would be roadside. Cllr Kemp stated that she liked the design but questioned how the proposal meets the criteria of the NPPF. It was discussed that precedent has been set two dwellings away which was granted on appeal for land below Creek Bank. Cllr Kemp questioned how is this enhancing the natural environment. Discussion regarding the previous comment and the fundamental difference between applying for an annexe and a separate dwelling followed. Cllr MacDonald questioned why would we not object to an annexe if we would object to a separate dwelling, it was agreed that there was a fundamental difference as it is no longer an extension of family accommodation in a family garden.

**RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council as:** Feock Parish Council has a fundamental objection to this plot being sub-divided for an independent dwelling. We are concerned that it is creating a new building line and of the visual impact there will be on the Creek. We also note that it is against the principles of the recently revised Cornwall AONB Management Plan. **This was seconded by Cllr Shefford and unanimously carried by the meeting.**

**899** Longholme, Tregye Road, Carnon Downs TR3 6JH **PA16/02905**

The Chairman gave details of the application and discussion followed relating to previous applications.

**RESOLUTION: Cllr Richards proposed the consultee comment to Cornwall Council as:** Feock Parish Council notes that no neighbours have made any comments and can see no materials planning considerations why it should be refused. **This was seconded by Cllr Blake and unanimously carried by the meeting.**

## **7. PLANNING DECISIONS**

The following applications, decided by Cornwall Council since the last meeting on 14<sup>th</sup> March 2016, were reviewed.

### **WITHDRAWN**

- 874 9 St Johns Terrace, Devoran TR3 6NE PA16/00357
- 882 Hunters Moon, Feock TR3 6RU PA16/00505

### **APPROVED**

- 834 Land West Of Bosbigal, Old Carnon Hill, Carnon Downs TR3 6LF PA15/09508
- 872 3 Agar Meadows, Carnon Downs TR3 6HS PA16/00287
- 873 24 Chycoose Parc, Point, Devoran TR3 6NT PA16/00215
- 875 Bay View, Mount George Road, Penelewey, Feock TR3 6QX PA16/00613
- 878 Ebenezer, Quenchwell, Carnon Downs TR3 6LA PA16/00568
- 880 Ashleigh, Tregye Road, Carnon Downs TR3 6JH PA16/00526
- 881 Cliff Cottage, Pill Creek, Feock TR3 6SD PA16/01083
- 883 The Nurseries, Bissoe Road, Carnon Crease, Carnon Downs TR3 6LJ PA16/01172
- 892 14 Trevallion Park, Feock TR3 6RS PA16/01978

### **DECIDED NOT TO MAKE A TPO**

- 884 Devoran Metals Ltd, Greenbank Road, Devoran TR3 6PQ PA16/01571

## **8. PLANNING APPEALS AND ENFORCEMENTS**

The Chairman advised that he had held a meeting with Nigel Doyle, Planning and Enterprise Manager at Cornwall Council, regarding various planning enforcement matters and a further meeting was planned, after which he would update members.

## **9. PLANNING COMMITTEE VICE CHAIR**

The Chairman advised that this had been deferred from the last meeting. After discussion it was unanimously agreed that the item be deferred to the next meeting and on his return from holiday Cllr Allen be asked if he would willing to accept a nomination for the position.

The Chairman informed the meeting that Cllr Shankland had resigned from the Parish Council resulting in there being a vacancy on the planning committee. All agreed that he would be a loss to the Parish Council as well as the Planning Committee.

## **10. MATTERS ARISING**

Discussion took place regarding paperless planning and the use of the television screen for viewing application details. It was agreed that it would still be beneficial to print off copies of application plans and as a matter of course to always print plans showing the existing and proposed plans.

Cllr Kemp asked for further discussion regarding a member of the public's comments about Moonrakers earlier in the meeting, and the Parish Council's comments on the application were read and discussed. It was noted that no neighbours had made any comment on the application and further discussion took place.

**11. DATE OF NEXT MEETING**

It was agreed that the date of the next meeting will be circulated by email as soon as possible.

There being no further business the meeting closed at 5.25pm.

**Signed : .....**  
**Chairman, Feock Parish Council Planning Committee**  
**9<sup>th</sup> May 2016**