

MEETING NO.1212

Minutes of the meeting of Feock Parish Council Planning Committee held on
Tuesday 24th July 2018 at 4.30pm
at the Parish Council Office, Market Street, Devoran

Members present: P Allen, Chair
C Kemp
C Blake
P Lightfoot
B Thomas
R Brickell
H Freeman
L Morgan-Lundie

In attendance: County Cllr Martyn Alvey
Debbie Searle, Assistant Parish Clerk

Public present: Dan Mitchell, Influence Planning
Dan Meek, CSA Architects
16 members of the public

1. WELCOME & APOLOGIES

The Chairman welcomed those present. No apologies were received.

2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Blake proposed the minutes of the Planning Committee meeting held on 4th July 2018 as a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Thomas and unanimously carried by the meeting.

3. DECLARATIONS OF INTEREST

Cllr Freeman declared an interest in PA18/05758 Lambrook Farmhouse advising that she was a neighbour.

4. PUBLIC PARTICIPATION

Shelagh Malekin spoke in objection to PA18/06151 the objection focusing on the AONB, the values of trees, the landscape quality and scenic beauty of Pill Creek and the value to the whole area of the Parish.

Joe Brumwell spoke in objection to PA18/06151 the objection based on the proposed dwelling being three storeys high and an inappropriate built mass. He also stated concern over the damage to trees and quoted sections of the Feock NDP.

Mark Caldicott spoke in objection to PA18/06151 his objection based on tree felling, the house being disproportionately large for the area, damage to the road and trees and the impact the loss of trees will cause to wildlife. He is also concerned about the setting of precedent.

Roger Hyde spoke in objection to PA18/06151 stating that the area is wooded and expressing concern over the proposed and expected loss of trees. He questioned the lack of a planting and tree protection plan and expressed concern about the removal of tonnes of earth from the site.

Dan Mitchell spoke as the Planning Agent for and in support of PA18/06151 suggesting that Cllrs may wish to visit the site. The site is within the settlement boundary. Whilst he understands that people are concerned about the AONB, it is a contemporary design but benefitting to the area and using complementary materials i.e. timber cladding and burnt wood. He stated that planning conditions can be implemented to protect the trees. He stated that it was infill and met the criteria of Policy H1 of the Feock NDP and Policy 3 of the Cornwall Local Plan.

Aldyth Hambly-Staite spoke in objection to PA18/06151 stating that she had read the biodiversity report, however the site was more densely wooded and in the last 2.5 years they have witnessed the site being cleared.

Alan McGaw spoke in support of his application PA18/06151 stating that there had been vexatious complaints (over alleged tree works) as agreed by Cornwall Council's Enforcement Officer. He stated that he had cleared the site of Gorse, Nettles, Brambles and Blackthorn as witnessed by the Enforcement Officer. Google Earth shows that in 1975 there were two fields there which had been left to go to rack and ruin and he had every right to clear out Nettles, Brambles, Gorse and Blackthorn.

Peter Bayly spoke in objection to PA18/05758 stating that he was unsure as to why the application was still being considered. Sketches have been submitted and he is surprised that the Case Officer has allowed these to be accepted. He has spoken with the planning officer who is determining the application in late August.

Dan Mitchell also spoke as the Planning Agent for PA18/07585 confirming that the application has lost its residential element, the application is very important to the commercial activities on the site and there is no intent for this to now be a residential development. It supports traditional boat building and is in accordance with the Cornwall Local Plan.

Brian Ashdown spoke in objection to PA18/00507 stating that he fully supported the comments made by the Parish Council to the original application. He suggested that the developer is occupying the commercial shed which he has changed into residential accommodation without planning permission. Cars are being inconsiderately parked causing a hazard to Trolver Croft and should this application be approved this will get worse. They have stated they need 24hr/7 day a week access however the boat yard only has permission to work up to 7pm and not on bank holidays or weekends. He hopes that the Parish Council will continue with their current objection.

Robert Spence spoke in objection to PA18/00507 he stated that the application had gone from residential to commercial without a plot plan being submitted and with justification submitted for the commercial activity. He stated that his new objection could be viewed on Cornwall Council's website. He wished to dispel the myth that there is a long history of boat building at Penpol as the applicants are stating. Photographs dated 1964 show that the boatyard was developed at the same time as Trevallion Park, prior to this there may have been a shed but nothing more. The boat building centre for Restronguet Creek was at Devoran and following a long and highly controversial planning process the Devoran boatyard is now being converted to residential and gave details relating to the Cornwall Maritime Strategy plan. He quoted from documents submitted with the application relating to tide heights and stated that there are 8 other wooden boat builders in the vicinity.

Angela Bayly spoke in objection to PA18/00507 she questioned the necessity of the wet dock and quoted extracts from the design and access statement.

Dan Meek spoke as the Architect for and in support of PA18/05758 stating that the Parish Council had previously allowed a pre-application meeting where issues over protection of trees, highways improvement and concern about setting a precedent were raised. He stated that an Arboricultural report had been submitted as part of the application and mitigation planting is proposed to maintain privacy and character. He concluded that the proposal was a sustainable use of previously development land and is in keeping with policy.

5. STATUTORY CONSULTATION – PLANNING APPLICATIONS

The following applications were considered and decided as detailed.

1267 Top Sails at Pentui Pill Lane Feock TR3 6SE PA18/06151

The Chairman read out some of the objection comments that had been made on the online planning register which included comments regarding the effect on the Grade II listed quay and buildings, the effect on the view from the Creek, foreshore and footpaths, the loss and damage to trees and woodland, inappropriate scale, mass and design for an AONB, the impact of a large three storey house, concern over structural dangers of the proposed build and the construction process causing further damage to the road, the cumulative landscape and visual impact of further development on Pill Creek and light pollution. He also read out the comment supporting the application. Cllr Freeman asked if the AONB Officer had commented. The Chairman advised that the AONB Officer will be objecting on the basis of the harmful cumulative effect of inappropriate contemporary development in the AONB. The Chairman stated that the presumption in favour of sustainable development is not the case in the AONB and there are a number of critical tests that need to be put to potential development in the AONB that are not required elsewhere. One being an assessment of the need for development and the second is the cumulative effect of development in the AONB. In light of this we now consider if development would substantially alter the balance, bearing in mind that development should be subservient to the natural landscape and not detract from the natural landscape. Cllr Morgan-Lundie stated that she appreciates that the wood cladding would blend in but the glass would counteract this, she also had concern over the effect on the lane, the access point and the woodland. Cllr Freeman stated that it is in the AONB which we must protect. We need to assess the visual impact and this proposal would have a massive impact on that. Many Feock properties look down and across Pill Creek and would be able to see the development. Cllr Thomas considered that what has happened in recent years has been to the detriment of Pill Creek and this can no longer happen; this proposal does not protect the AONB. Cllr Blake stated that the AONB management plan was accepted by Cornwall Council and the NDP endorses this, recent developments have strengthened this, the NDP stands alongside strategic policy documents and development must take these into account. The proposed development goes against policies BIO1, BIO2, BIO3, D1. There is also great concern over the level of fenestration causing light pollution which is against policy within the NPPF. The proposal would necessitate the loss of trees and dramatically increase the level of light pollution in Pill Creek, it contravenes several policies and does not reflect statements made in the AONB management plan and will have a harmful impact. Cllr Kemp stated that there has been a huge number of objections to the application and noted that they have been well researched. Cllr Morgan-Lundie questioned the need for another property on the lane.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council has strong objection to this development. The design, size and siting would represent overdevelopment of this site within the AONB to the detriment of the landscape and seascape. We object to the removal of trees and are concerned over the potential damage to Pill Lane where any future construction works would require very stringent construction management conditions. The proposed development is against Feock NDP policies:**

BIO1: Safeguard and enhance the natural environment

BIO2: Tree and hedgerow protection and management

BIO3: Improving wildlife areas and green spaces

LS1: Protecting and enhancing seascape

LS2: Protecting and enhancing the landscape

D1: Design quality

This was seconded by Cllr Blake and unanimously carried by the meeting.

1268 Lambrook Farmhouse **Feock TR3 6RG PA18/05758**

Cllr Freeman took no part in the discussion and did not vote on the application.

The Chairman read out the extract from the planning meeting minutes of 9th May which gave details of the Pre-Application meeting with the Agent. Cllr Morgan-Lundie stated that her main concern was that it was outside of the settlement boundary and the two proposed dwellings appeared too large and not characterful enough to sit next to the barn and farmhouse. The Chairman advised that there had been a change of infill policy with a principle of rounding off and infill within hamlets separate to the settlement boundary. He had today been made aware that the principle of gardens being developed in the settlement boundary was different in the AONB. This is in the AONB and again the principle of this is as discussed with the previous application i.e. need and effect on AONB. He read out the comment from the AONB Officer. Cllr Blake stated that he would be concerned about the visual impact from the public footpath. The Chairman suggested that this proposal would not set a precedent to development into the next field as this is agricultural and not previously developed land. Cllr Morgan-Lundie stated that the lack of services in Feock was an issue. Cllr Kemp questioned the character of the lane. Cllr Morgan-Lundie commented that the properties along that section of the road are older and of character and the new buildings are set back and not so visible. The opening of the gateway would benefit the lane and create a new passing place. Cllr Blake felt that the loss of the curved wall was disappointing and discussion followed.

RESOLUTION: Cllr Morgan-Lundie proposed the consultee comment for the application as: **The Parish Council is not against some development in principle for this site but object to the scheme presented as we believe it is overdevelopment of the site, which is outside the settlement boundary, and would be to the detriment of the character of the village of Feock and the AONB in which it sits. Due to the narrowness of the lane a strict traffic construction management plan will need to be conditioned to any development on this site.** This was seconded by Cllr Brickell and carried by the meeting with one against (Cllr Lightfoot).

1206 Penpol Boat Yard Trolver Croft **Feock TR3 6RT PA18/00507**

The Chairman advised that there had been further comments based on the revised drawings. He stated that they are mainly concerned with the part of the development relating to the beach foreshore and quoted policy LS1 and policy LS2 and stated that this site is also within the AONB. An element of this application is employment and jobs and our NDP states that we wish to see employment development within our Parish subject to the suitability of the type of business use, its location, design, scale and impact of the proposal on the location and neighbouring properties, he stated that we have to balance employment opportunities with neighbours' concerns. Cllr Brickell asked if information relating to the number of jobs the proposal would create. Cllr Morgan-Lundie stated that one of the main issues appeared to be car parking and not boat storage. Cllr Freeman stated that the intrusion onto the foreshore was not acceptable and would open up lots of other applications all along the AONB and felt that this would be the strongest objection. The Chairman advised that the AONB officer had advised that they would be maintaining their objection. Cllr Freeman felt that the sketches were not helpful and did not give sufficient detail and felt that the previous residential application should have been determined and his should be a completely new application. Cllr Blake questioned whether foul water discharge had been detailed within the application, details could not be provided and members felt this was of concern.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: **The Parish Council strongly objects to this proposal. Whilst we support the work of the boatyard and appreciate the efforts that the current owners are making to provide both employment and industry on the creek, this proposal breaches several policies of the Feock Neighbourhood Development Plan namely policies LS1: Protecting and enhancing seascape, LS2: Protecting and enhancing landscape, H1: Small-scale 'infill and rounding off' housing development, D1: Design quality and HE1: Safeguard and conserve historic environment. We note the large number of objections from neighbours and have concern over the visual impact of the proposal on the AONB and the precedent that building on the foreshore would set and also note that the foreshore is outside of the settlement boundary. We have concern over the practical impact to public access to the foreshore and the likely effect of construction on what is an already congested site immediately behind the boatyard. Therefore whilst having no issue with the proposed extension to the boatshed we do object to the proposed boathouse part of this application. We have assessed the need and believe this is secondary to the requirements of protecting the AONB.** This was seconded by Cllr Brickell and unanimously carried by the meeting.

1227 Brambles Trolver Hill Feock TR3 6RR PA18/02493

The Chairman advised that the AONB Officer recognises that a reduction had been made but they would be maintaining their objection. He also read out the objection received from Restranguet Creek Society. Cllr Blake stated that it would create a light pollution issue due to the level of fenestration and that the site was situated next door to a pair of traditional cottages built for the Trelissick Estate. Cllr Morgan-Lundie stated that the neighbouring property on the other side was a modern building. Cllr Blake stated that this dwelling would be very clearly visible from the road and creek and will be very high. Cllr Morgan-Lundie questioned how much would be seen from across the creek and suggested that a more conventional roof may be more appropriate. The Chairman felt that he had some sympathy for the scheme. Cllr Freeman questioned the size of the building and it was agreed that it was still a very substantial dwelling. The plans were viewed to establish the size of the proposed footprint in relation to the existing dwelling. Cllr Kemp felt that there was a need to be consistent and quoted from the AONB officer's previous comment. The Chairman reiterated that the AONB status is very important.

RESOLUTION: Cllr Lightfoot proposed the consultee comment for the application as: **The Parish Council recognises the considerable alterations made in the proposal and welcome these however we still maintain our objection to the proposal on the basis of the overall size of the development still having detrimental effect on the AONB.** This was seconded by Cllr Blake and unanimously carried by the meeting.

1269 The Moorings, 6 Trevallion Park, Feock TR3 6RS

The plans were viewed and the Chairman described the proposal in relation to the previously approved application. Discussion followed regarding ridge height in relation to property extensions. The Chairman advised that the existing planning permission was for a larger scheme, whilst this modified proposal contains aspects which are not as aesthetically appealing overall there is benefit from the reduced bulk compared to the approved application.

RESOLUTION: Cllr Thomas proposed the consultee comment for the application as: **The Parish Council has no objection to the plans as presented.** This was seconded by Cllr Lightfoot and carried by the meeting with one abstention (Cllr Morgan-Lundie).

6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL

It was noted that a 5 day local protocol had been received for PA18/00698 (Land west of Point Road, Carnon Downs) and that committee members had agreed to disagree with the Case Officer's recommendations for

approval but had asked if concerns relating to the lack of a foot-way crossing to allow pedestrians to walk into the village and also the raising of the ridge height of units 8, 9 & 10 can still be addressed.

7. CORNWALL COUNCIL PLANNING DECISIONS – AGENDA REPORT 2

The following planning decisions made by Cornwall Council since the last meeting were noted:

APPROVED

- 974** Land Adj Bissoe Road Bissoe Road Carnon Downs PA16/06449
- 1242** Pipers Meadow Four Turnings Feock TR3 6QR PA18/03968
- 1249** Still Waters Trolver Croft Feock TR3 6RT PA18/04524
- 1254** Tranquility Penpol Hill Penpol Devoran TR3 6NP PA18/04947
- 1255** Carinya Green Close Feock TR3 6SF PA18/05137
- 1256** Still Waters Trolver Croft Feock TR3 6RT PA18/05350
- 1260** Carrick Boat House Feock TR3 6SG PA18/05399
- 1263** Jarna Feock TR3 6RG PA18/05825
- 1265** 3 Carnon Gate Devoran TR3 6PG PA18/05661
- 1265** Bosula Harcourt Lane Feock TR3 6RW PA18/06058

8. PLANNING PRE-APPLICATIONS

Requests for two pre-application meetings had been received, one for a site in Carnon Downs and one for a site in Devoran and the dates and times of the meetings discussed and agreed.

9. MATTERS TO REPORT

It was agreed that Cornwall Council would be asked to include the Parish Council’s contact details on the contacts page of each application on the online planning register.

It was noted for information that the Planning Inspectorate had commenced the appeal regarding PA17/11745 Land off Harcourt Lane, Feock.

It was noted for information that appeal documents relating to the refusal of PA17/05736 for a proposed new dwelling at land south of Stamps Hill, Trolver Croft are now on the online planning register

It was agreed that the Feock NDP would be added as recurring agenda item for future planning meetings in order to maintain a list of items which should be added when the first revision takes place.

Cornwall Council’s consultation on the draft Validation Guide was discussed and it was agreed that comments would be made and submitted by the deadline of 24th August.

10. DATE OF NEXT MEETING

The date of the next planning committee meeting was confirmed as Wednesday 5th September 2018 at 3.30pm

Signed:.....

Feock Parish Council, Planning Committee Chair

Wednesday 5th September 2018