

MEETING NO.1231

Minutes of the meeting of Feock Parish Planning Committee held on
Wednesday 20th March 2019 at 4pm
At the Parish Council Office, Market Street, Devoran TR3 6QA

Members present: H Freeman, Feock Ward, Meeting Chair
C Kemp, Carnon Downs Ward
B Thomas, Devoran Ward
C Johnson, Devoran Ward
K Hambly-Staite, Feock Ward

In attendance: Cornwall Cllr M Alvey
Debbie Searle, Assistant Parish Clerk

Public present: Dan Mitchell, Influence Planning
Ashley Butler
Hester Rice
Peter Le Patourel
Osbourne Gurrin
Dirk Kennedy

1. WELCOME & APOLOGIES

The Chair welcomed those present and Committee members introduced themselves. Apologies were received from Cllr Allen, Cllr Blake, Cllr Morgan-Lundie, Cllr Lightfoot and Cllr Brickell. It was resolved, proposed by Cllr Freeman and seconded by Cllr Kemp that Cllr Johnson and Cllr Hambly-Staite stand in their absence.

2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed the minutes of the Planning Committee meeting on 26th February 2019 as a true record of the meeting and be signed by the Chair. This was seconded by Cllr Thomas and unanimously carried by the meeting.

3. DECLARATIONS OF INTEREST

Cllr Freeman declared an interest in PA19/00888 and confirmed that she would leave the room while the application was discussed.

4. PUBLIC PARTICIPATION

Dan Mitchell (DM) spoke as the agent for PA19/00888 (Penpol Boat Yard). He reminded the Committee of the previous application and gave details of the current application and the reasons for the application. He stated that they would be increasing the car parking from six to nine parking spaces. He stated that the Tree Officer had not objected to the proposal. He believes the application is supported by policy. Councillors asked questions in order to clarify the situation regarding the condition (no.7) placed on the previous application however clarity was not achieved to the satisfaction of the Committee.

Ashley Butler spoke as the applicant for PA19/00888 (Penpol Boat Yard). He gave further information regarding the car parking. This did not satisfy the Committee and concern remained.

Cllr Kemp read out a statement on behalf of and at the request of Robert Spence in objection to PA19/00888 (Penpol Boat Yard) who was unable to attend the meeting. Dan Mitchell responded to Robert Spence's statement stating that they had provided enough information for Cornwall Council to determine the application.

Dirk Kennedy spoke in objection to PA19/01328 (The Boathouse, Devoran Boatyard) stating that they are not very happy about the idea and have concerns that there may be pollution from the garage. He stated that it is a protected area.

Osbourne Gurrin spoke in objection to PA19/01328 (The Boathouse, Devoran Boatyard) stating that the proposal will damage a site of beauty and the heritage of the area. He also has concerns over noise pollution.

Peter Le Patourel (PLP) spoke in objection to PA19/01328 (The Boathouse, Devoran Boatyard). As a point of clarity he stated that the land registry documents submitted state Spindrift however his house has been renamed Log Pond House. He is disappointed that some applications are not submitted after neighbourly consultation. He has sought professional advice in his submission to Cornwall Council which states that the application is invalid and does not include the required impact assessments. He asked for the committee to encourage the planning officer to require further assessment and on receipt he would be providing further objection to the application. Five of the immediate neighbours have objected to the application who all live within sight of the proposed building. Cllr Hambly-Staite asked if the area ever gets flooded with water. PLP advised that he had witnessed flooding and Cllr Thomas and Cllr Johnson also stated that they had seen the area flooded.

5. STATUTORY CONSULTATION – PLANNING APPLICATIONS

The following planning applications were considered as detailed.

Cllr Freeman left the room. Cllr Kemp took the Chair.

1344 Penpol Boat Yard Trolver Croft Feock TR3 6RT PA19/00888

Cllr Kemp stated that the Cornwall Flood Authority have commented that they cannot comment on the application due to lack of information. The Ramblers Association consultee comment was read out. Cllr Thomas stated that he was unclear regarding the parking situation in relation to the previous planning application and felt that this required clarification before a comment could be made. Cllr Hambly-Staite agreed that there needed to be clarity regarding the parking situation and commented that if parking was rational on site then there would not be cars parking in the hill. Discussion followed and resulted in a suggestion that a site visit was necessary. The Applicant (Ashley Butler) and Agent (Dan Mitchell) both present agreed that a site meeting would be arranged, and the application brought back to the next planning committee meeting.

Cllr Freeman returned and took the Chair.

1345 The Boathouse Devoran Boatyard Greenbank Road Devoran TR3 6PQ PA19/01328

The Chair read out the consultee comment made by the WHS Planning Officer and discussion took place regarding the residential curtilage of the site and the objection from Restranguet Creek Society. The objections on the online planning register were noted. Cllr Thomas felt the conservation/heritage aspects of Devoran were being eroded. Cllr Johnson spoke regarding flood risk and the height of the building and the committee agreed that there is a great danger of Devoran losing its mining and marine heritage. Cllr Hambly-Staite suggested that a report with visual imagery of the proposal would be helpful.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: **The Parish Council have concerns with this application and initially require sight of a heritage assessment, a Tree Officer's report and flood risk assessment before being able to make any consultee comment on the application.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

1350 Still Waters Trolver Croft Feock TR3 6RT PA19/01554

The Chair described the proposal and the plans were viewed. Discussion followed regarding the size and design of the proposed garage.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council have no objection.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

1352 3 Halwyn Close Carnon Downs TR3 6LE PA19/01664

The plans were viewed, an aerial image of the site was viewed in order to consider if overlooking would be an issue. It was noted that no neighbours had commented on the application.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: **The Parish Council note that no neighbours have commented and have no objection to the application.** This was seconded by Cllr Johnson and unanimously carried by the meeting.

1353 3 Church Terrace **Devoran** TR3 6PU **PA19/01787**

The comments of the WHS Planning Officer and the Ramblers Association were considered, and the plans viewed.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **Subject to the proposal being amended in accordance with the WHS Planning Officer's requested modifications the Parish Council have no objection.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1346 The Lookout Penpol **Devoran** TR3 6NZ **PA19/01425**

It was noted that the Tree Officer had not commented on the application and the application detail was viewed.

RESOLUTION: Cllr Thomas proposed the consultee comment for this application as: **The Parish Council is happy to accept the professional advice of Cornwall Council's Tree Officer for this application.** This was seconded by Cllr Johnson and unanimously carried by the meeting.

1347 Grey Roofs Trolver Croft **Feock** TR3 6RT **PA19/01651**

It was noted that the Ramblers Association had no objection and that the Tree Officer had not yet commented on the proposal.

RESOLUTION: Cllr Thomas proposed the consultee comment for this application as: **The Parish Council is happy to accept the professional advice of Cornwall Council's Tree Officer for this application.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1348 Vine Cottage Four Turnings **Feock** TR3 6QN **PA19/01424**

The aerial view of the site was viewed, and the location of the site clarified. It was noted that the application detail stated that a visit by the Tree officer was welcomed and that no Tree Officer comment had yet been provided.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council support the Applicant's suggestion that the Tree Officer carries out a site visit and will defer to his recommendations.** This was seconded by Cllr Johnson and unanimously carried by the meeting.

1349 Tidal Reach Greenbank Road **Devoran** TR3 6PJ **PA19/01696**

It was noted that this was a Conservation Area application and there was no requirement for Parish Council to comment however discussion followed in which there was agreement that it would be disappointing if the Cherry tree was lost.

RESOLUTION: Cllr Thomas proposed the consultee comment for this application as: **Subject to the Tree Officer's recommendation the Parish Council would regret the loss of the Cherry tree and would request that a suitable replacement be planted should it be lost.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1351 Boswer Pill Lane **Feock** TR3 6SE **PA19/01888**

It was noted that the Tree Officer and AONB Officer had not yet commented on the application. Cllr Hambly-Staite gave a history of the site and the woodland TPO placed on the site. He confirmed that there was a dead tree but felt that the tree officer should visit the site and make a full assessment.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: **In the absence of the Tree Officer's comments the Parish Council feel that we should object at this point due to the sensitive nature of Pill Creek and the efforts that have gone into the creation of the TPO.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

Cllr Hambly-Staite expressed a recommendation to the newsletter steering group working party to place an article, at an early opportunity, regarding how to manage a TPO tree in the Parish. Discussion followed and the recommendation was unanimously agreed, proposed by Cllr Hambly-Staite and seconded by Cllr Freeman.

1354 Riverside Penpol Devoran TR3 6NW PA19/01697

The application detail and photographs were viewed.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council are concerned at the amount of branch removal in order to raise the crown by 3m but will to defer to the Tree Officer's recommendations.** This was seconded by Cllr Johnson and carried unanimously by the meeting.

RE-CONSULTATION:

1335 Premier Inn Forth Coth Carnon Downs TR3 6JZ PA18/11876

Discussion took place regarding the comments of SWW, the Ramblers Association and Natural England.

RESOLUTION: Cllr Thomas proposed the consultee comment for the application as: **The Parish Council note the Ramblers Association's comments and request that any approval is conditioned with a requirement for the applicant to ensure that the footpath is always publicly accessible and traversable. We also note the concern of Natural England in relation to a wildlife assessment which we would support.** This was seconded by Cllr Hambly-Staite and unanimously carried by the meeting.

6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL

No 5 day local council protocols had been received since the last meeting.

7. CORNWALL COUNCIL PLANNING DECISIONS

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

APPROVED

1313 Carnon Downs Caravan Camping Park Gig Lane Carnon Downs TR3 6JJ PA18/10750

1329 Southdowns King Harry Road Feock TR3 6QN PA19/00057

1332 Lambrook House Feock TR3 6RG PA19/00250

1333 Little Inside Farm Feock TR3 6RU PA18/12039

8. MATTERS TO REPORT/CORRESPONDENCE RECEIVED

Cllr Freeman advised that she had attended a meeting regarding Neighbourhood Planning arranged by Sarah Newton MP with the Housing Minister, Kit Malthouse MP. She confirmed that she had written a report of the meeting which she will circulate to the committee for information.

Cllr Kemp confirmed that she will be speaking on behalf of the Parish Council at the Planning Appeal hearing on Tuesday 26th March regarding the Valley Lane appeal. She confirmed that she would circulate a copy of her statement to the Planning Inspectorate for the Committee's information and records.

It was noted that a letter had been submitted to Cornwall Council in support of the TPO at 'The Stych'

It was unanimously agreed to send a copy of the speech Cllr Freeman had presented to the central planning committee regarding PA18/06151 (Topsails at Pentui, Pill Lane, Feock) as an additional statement to the Planning Inspectorate regarding the appeal lodged.

It was noted that the expected appeal to the Planning Inspectorate had commenced regarding PA18/10950 (The Dene, Feock Churchtown).

Cllr Freeman informed the Committee that she had attended the Central Planning Committee on Monday 18th March where Cllr Blake had spoken on behalf of the Parish Council regarding planning applications PA18/04082, PA18/09460 and PA18/1043. She had been able to listen to the discussion on PA18/04082 and gave details of the discussion and the disappointing decision by Cornwall Councillors to approve the application.

Cllr Alvey also gave information relating to the discussion of PA18/09460 at the Central Planning Committee stating that the applicant had failed to provide a further tree report in time for it to be considered by the Tree Officer. The Planning Committee had considered the application as presented but determined that they did require the Tree Officer's report in order to decide the application. The application is therefore expected to be on the agenda for the next Central Planning Committee scheduled for Monday 15th April. Cllr Alvey then gave details of Cornwall Councillor's discussion regarding PA18/1043 and their decision to approve the application against the Parish Council's wishes.

9. DATE OF NEXT MEETING

The date of the next Planning Committee meeting was agreed as Monday 15th April, time to be agreed.