

**MEETING No.1294**  
**Minutes of the meeting of Feock Parish Council Planning Committee held on**  
**Tuesday 19<sup>th</sup> July 2022 at 4pm**  
**at the Parish Council Office, Market Street, Devoran TR3 6QA**

Members present: Cllr Colin Blake, Feock Ward, Chair  
Cllr Sue Cooper, Devoran Ward  
Cllr Cathy Kemp, Carnon Downs Ward  
Cllr Richard Brickell, Carnon Downs Ward  
Cllr Kate Gason, Carnon Downs

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

Public present: Paul Bateman (Influence Planning)  
Lisa Solly (Situ8 Planning Consultancy)  
Anthony Mullen  
Kim Lawrence  
Helen Prisk  
Anne Loosley  
Shelagh Malekin

**1. WELCOME & APOLOGIES**

The Chair welcomed those present.

**2. MINUTES OF PREVIOUS PLANNING MEETING**

**RESOLUTION:** Cllr Kemp proposed the minutes of the Planning Committee meeting held on 28th June 2022 as a true record of the meeting and be signed by the Chair. This was seconded by Cllr Brickell and carried by the meeting.

**3. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**4. PUBLIC PARTICIPATION**

Paul Bateman (PB) of Influence Planning spoke regarding PA22/05423 (Appensleigh) stating that the previous application was refused despite the site being within the settlement boundary with refusal reasons being the size and bulk, and level of fenestration of the previous design together with the need for provision of an alternative roost for Bats and a provision for mitigation for the recreational impact on the Fal Estuary Special Area of Conservation (SAC). PB stated that the new application includes a garden store building which has a North to South ridgeline and has been designed to incorporate bat boxes, which can be constructed prior to demolition of the garage, as recommended by Natural England who have accepted this as mitigation. Regarding the mitigation for SAC, the applicant as given an undertaking to enter into a Section 111 agreement which is an obligation with the local planning authority to provide a financial mitigation payment (£352) which has been found to be acceptable by the Planning Officer. Regarding the bulk of the building and the level of fenestration this has been reduced, the floor to glass elevation facing the creek has been reduced by 50% and the height of the building has been reduced substantially so that it now sits below the eaves of the village hall behind it achieved by incorporating the bedrooms into the underbuild. The Tree Officer has stated that it is well screened by existing planting and Olive Trees. During the pre-application the Planning Officer felt that the concerns of the Parish Council and the AONB officer appeared to have been overcome therefore he anticipates there will be no objection from the AONB Planning Officer. He stated that the Parish Council had previously been concerned with the access route down towards the listed Pill Creek cottages and the impact looking back towards the head of the creek. The proposed building is now much

lower than the existing garage and will have less impact on that view and will not be dominant within the footpath scene.

Cllr Cooper questioned if the consultation with Natural England had just been for the garage or also for the habitat surrounding the garage. PB stated that Natural England's concern was that the garage had potential for roosting bats and if bat boxes were incorporated on the new building, then during the demolition and construction phase those habitats would be lost, so it was limited to the bats within the existing garage. They suggested a particular type of bat box which can be incorporated into a building and suggested it should be North to South facing. The Ecologist stated that this would overcome their concerns.

Cllr Cooper further questioned for clarification that the consultation hadn't been about the biodiversity of the whole site. PB stated that it wasn't as Natural England had no other concerns.

Anne Loosley (AL) spoke regarding PA22/05891 (Little Trevilla) stating that she is the neighbour and the garden wraps around the site on 3 sides and is concerned about the plans, the orientation of the plan she has seen does not match up with the Northwest and Southwest elevation. Her house faces due South and the house proposed is to face Southwest and will face sideways on to her property which doesn't seem to match up with the plan. She does not object to them having a house there however with floor to ceiling glass and glass balconies on the first floor and the ground level appears to be level with her 6-foot fence and a decking area which would also face her property and would result in no privacy to the whole of her house and not just the garden. She is also concerned about the flat roof and is concerned that this could become a useable garden area. She is also worried about the trees which are in her garden and surround Little Trevilla on two sides, as she has been under pressure to cut them down and several branches have already been lopped down. The garden is very windy, and the semi mature beech trees have been planted to provide a wind belt to shelter the garden and are full of birds. They are surrounded by fields which are all intensively farmed, and these trees are vital to allow the flora and fauna to be protected. The trees are as high as her house and provide good protection. She suggests that the house is moved where there are no tree and stated that there is an area within the long garden where there are no trees. The hedges that were in situ provided screening and these have been cut down. She does not object to a house being there in principle, however the house should be moved and re-orientated to face South.

Cllr Kemp asked what pressure she has had to take the trees down. AL stated that she had received pressure to cut all the branches and has had to stop Tree Surgeons cutting branches down which they had attempted to do without her permission.

Cllr Blake questioned the size of trees. AL stated that they were bigger than her house, about 50ft. She was told 3 years ago by Cornwall Council that they wouldn't put a TPO on them as they were no longer putting TPOs on trees in people's gardens. AL further stated the planning permission has been refused twice for the site due to the trees, but a lot of the trees have now been cut down at the back on Little Trevilla's side.

Cllr Brickell suggested a site visit to view the trees and Cllr Kemp showed that photographs had been provided. AL stated that she believed the photos had been taken in the Spring before the Beech trees had reached their full density.

Lisa Solly (LS) of Situ8 Planning Consultancy spoke regarding PA22/05891 (Little Trevilla) stating that the applicants were committed residents to the area with a vested interest in ensuring the development is not unneighbourly or causes harm to the area. They want to ensure the character of the area is detrimentally affected. The Parish Council objected to the previous outline application in 2019 on the basis that the development would diminish a large gap that was considered important to the setting of the settlement and the cumulative visual impact of dividing up establish gardens. Cornwall Council have previously considered that the proposed shared access and the principle of development with the sub-division of the property to be acceptable, and also of the opinion that if it were well designed there would be no loss of privacy to neighbouring properties. The reason for refusal was on standards of amenity and tree shade by the Beech trees and the potential harm to the character of the area if there were pressure on the trees to be felled or lopped. We fundamentally disagree that the development would lead to such pressure. The trees are

appreciated by the applicant, not only for visual amenity but for the screening and privacy they provide. In addition, the trees provide shading. Situ8, Evolve and Arc have been working on the application for a year which has enabled them to look at the site throughout the seasons and assess what would be appropriate for the site. The site is light, bright and open with access to sky and sunlight throughout the day, it is designed using natural materials to work with the landscape avoiding windows which overlook other properties and ensuring the dwelling is outside of any root protection areas. The site is suitable for development and the property would provide an attractive, contemporary and sympathetic dwelling that sits within the higher properties to either side and would be a positive contribution to the area and is unable to be seen from any public places within the vicinity. They consider it is policy compliant in every form.

Anthony Mullen (AM) spoke regarding PA22/05891 (Little Trevilla) stating that he was the applicant. The orientation for the dwelling has been arranged such that it doesn't overlook and the main elevation faces SSW. The proposal has been in progress for 12 months and they have been careful to situate the property within the natural topography of the landscape. He provided the neighbour with details of the finished floor height and decking on the SW elevation. It sits very well in the site. He quoted the Planning Office who visited and previously stated that the proposal would be unlikely to have significant adverse impact, overlooking or cause erosion of privacy or have an overbearing or dominant effect. With regard to the trees, he approached the neighbour as two of tree limbs were overhanging his property by in excess of 4m and asked for them to be pruned back to the boundary and offered to pay for the work and using a Tree Surgeon of their choice. He had no response and had no option other than to employ Tree Surgeons to carry out the work, it was not extensive work and the neighbour has not been under pressure to remove the trees. They do not want the trees removed as they provided a screening for both properties. He would welcome a site visit by council members to view the site.

Cllr Cooper questioned what the hedge and trees on site that have been removed were. AM responded that they have been in the property for over 8 years they are extensive gardens and the section of land referred to got out of hand, the dog wood got tangled with brambles and they had no option other than to clear them out, there is a wall which he maintains by strimming.

Cllr Cooper asked why the limb branches previously mentioned had needed to be removed. TM answered that they were overhanging his land by 4m and low hanging and he had taken professional advice from the Tree Surgeon.

Kim Lawrence (KL) spoke as the applicant for PA22/05744 (Owl's Cottage). They wish to improve their forever family home. The house does not currently work as a family home both in terms of the connection of inside rooms and the outside spaces. They love the cottage and original features and wish to preserve it. The large 2 storey unattractive extension dwarfs and dominates the cottage leaving it disconnected from the rest of the property and the garages low sloping roof dominates the front aspect. They wish to sensitively redevelop the existing building, retaining the character and charm of the property and improving the appearance of the two storey extension, both visually and in terms of how the rooms are used. They do not wish to demolish and redevelop the site. They have worked extensively with the Architect and Planning Agent to ensure a sensitive design ensuring that the traditional features and detailing is carried forward to the new scheme. The alterations to the rear extension will enable them to use the space far more than they do at the moment. A detached garage will free up the internal living space so they can achieve a lovely open plan kitchen and dining space integrated with the garden more suitable to modern day contemporary living. The bedrooms and living spaces will be far better connected. They consider the increase in height is modest and will not lead to over development or give rise to any impact on the neighbouring listed building. They have made provision for Bats and wish to sensitively plant the garden with native species.

Cllr Kemp questioned if the cottage was listed. KL confirmed that it wasn't a listed building.

Paul Bateman offered that existing Cornwall guidance was to incorporate the existing building within a redevelopment in the open countryside.

Cllr Cooper asked if they have done a biodiversity survey. KL confirmed that a Bat survey was included within the application documents and gave information on the local wildlife which she was aware of (Deer, Bats, Hedgehogs etc) and that they were encouraging biodiversity by planting more trees but had not provided a Biodiversity report.

## 5. STATUTORY CONSULTATION – PLANNING APPLICATIONS FOR CONSULTEE COMMENT

The following planning applications were considered, and the consultee comments agreed as follows

### PA22/05423 (050) - Appensleigh Pill Creek Feock TR3 6SD

**RESOLUTION:** Cllr Blake proposed the consultee comment for the application based on the debate would be worded after the meeting. This would be a comment of objection quoting NDP policies D1, LS1, LS2, GA3 and HE1 with specific mention of the design being inappropriate in the setting, harm to the listed buildings, the cumulative effect of the development causing harm to the AONB, parking, the requirement for 'landscape-led' development, the Climate Change DPD (Policy G2) in relation to biodiversity and bats, and requesting the Planning Officer does not decide the application without considering a comment from the AONB Officer. This was seconded by Cllr Cooper and carried by the meeting.

### PA22/05891 (048) - Little Trevilla Trevilla Hill Feock TR3 6QG

Discussion of the application concluded that a site visit was necessary. A day and time were arranged with the applicant and neighbour present at the meeting. The Parish Council's consultee comment would be agreed by email between Members following the site visit.

### PA22/05744 (044) - Owls Cottage Killiganoon Carnon Downs TR3 6JT

During the debate standing orders were suspended to allow Mrs Lawrence, the applicant, to answer further questions put to her by Members.

**RESOLUTION:** Cllr Kemp proposed the consultee comment for the application as:

**The Parish Council has no objection to this application and appreciate the care that has been taken to incorporate the historical aspect of the property into what will be a modern family home. We do not consider that there will be an impact on, or harm caused to, the curtilage of Killiganoon Manor. We would however ask for the Tree Officer to be consulted.**

This was seconded by Cllr Blake and carried by the meeting (Cllr Gason and Cllr Cooper objected).

### PA22/05267 (046) – Carlys Restronguet Point Feock TR3 6RB

**RESOLUTION:** Cllr Cooper proposed the consultee comment for the application as:

**Carly's Cottage is one of the few remaining buildings with some historic context and character on Restronguet Point and hence redevelopment of this site would be to the detriment of this local character and identity and would not minimise the impact of development on the landscape. Its conspicuous location, assertive linear, elevated form and glazing immediately above the creek will give rise to individual and cumulative detrimental effects on the local landscape. Therefore, it is contrary to Feock NDP Policy D1. Further it is contrary to NDP policies LS1 and LS2 as it does not protect and enhance the seascape as it sits on the skyline and is clearly visible from both sides of the Point. It would not safeguard the significance and conserve and enhance the natural beauty and special qualities of the AONB, and in fact gives rise to the continuation of the cumulative erosion of the landscape character.**

In relation to NDP Policy BIO1 and the Climate Emergency DPD policy G2 we note the presence of Lesser Horseshoe and Soprano Pipistrelle Bats which are rare species identified as foraging on site and are concerned about the implications of the sighting of these rare species.

The nature of the supplied drawings makes it difficult to ascertain how much of the building is to be glazed, therefore we would ask for clarification of the percentage of fenestration on each elevation. We note that trees already damaged are in danger of being further damaged in the process of developing this property.

**Due to this location in the AONB we ask the Planning Officer not to determine this application without consideration of a consultee comment from the AONB Planning Officer which we consider to be vital in ensuring the protection of this sensitive area which has seen recent unsympathetic development. The Cornwall AONB Management Plan has recently been updated and the objectives and policies of the plan should be given high regard.**

This was seconded by Cllr Brickell and carried by the meeting.

**PA22/06234 (049) - The Dene Churchtown Feock TR3 6SA**

**RESOLUTION:** Cllr Kemp proposed the consultee comment for the application as:

**Due to the concern regarding overlooking from neighbours with the original application we do not consider this a Non-Material Amendment and therefore object to this application.**

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

## **6. SUBMITTED CONSULTEE COMMENTS**

**RESOLUTION:** Cllr Kemp proposed the following consultee comments submitted to Cornwall Council, as agreed via email between Committee members, since the last planning meeting be formally ratified. This was seconded by Cllr Blake and carried by the meeting.

**PA22/05174 (035) - Rosemerrin Restronguet Point Feock TR3 6RB**

The Parish Council will defer to the opinion of the Tree Officer for this application.

**Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Gason and Cllr Kemp and submitted to the online planning register on Wednesday 29<sup>th</sup> June 2022.**

**PA22/04868 (036) - The Bungalow King Harry Road Feock TR3 6QJ**

The Parish Council object to this proposal, which is contrary to Feock NDP Policies D1, LS2 and GA3. We consider the proposed property to be far too large and inappropriate for the site, and whilst the front façade is sympathetic to neighbouring cottages, the North and West elevations are not. Therefore, the proposal does not respect and reflect local character and identity, through sensitive siting, design and scale (D1) and will cause significant overlooking issues to the neighbouring property. We are concerned that the increase in mass, height and scale will have a significant detrimental impact in this picturesque setting and therefore it does not safeguard the significance of, or conserve and enhance, the natural beauty and special qualities of the AONB (LS2). There is insufficient space for parking associated with such a large property (GA3) and the development would significantly increase road usage.

**Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Gason and Cllr Kemp and submitted to the online planning register on Wednesday 29<sup>th</sup> June 2022.**

**PA22/05159 (037) - Timbers Feock TR3 6RG**

The proposed building will have a significant visual impact from the road and increase the proportion of built development to open space. In no way does it minimise the impact of development on the landscape in this AONB where development should only be permitted where it safeguards the significance of, and conserves and enhances, the natural beauty and special qualities of the setting as stated in NDP Policy LS2. In regard to NDP Policy GA3 the application is not clear on how many vehicles could be parked within the curtilage of the property and whether the site could accommodate the parking of additional vehicles connected to the annexe.

**Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Gason and Cllr Kemp and submitted to the online planning register on Wednesday 29<sup>th</sup> June 2022.**

**PA22/05041 (038) - 8 Porthgwidden Feock TR3 6SG**

Subject to there being no infringements on the listed buildings the Parish Council has no objection in principle but considers that alterations to the proposal to improve privacy and not cause intrusion into the small, shared area would seem sensible.

**Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Gason and Cllr Kemp and submitted to the online planning register on Wednesday 29<sup>th</sup> June 2022.**

**PA22/05300 (038) - Heather Bank Pill Lane Feock TR3 6SE**

The Parish Council has no objection.

**Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Gason and Cllr Kemp and submitted to the online planning register on Wednesday 29<sup>th</sup> June 2022.**

**PA22/05289 (040) - Trevelyan Point Road Point Devoran TR3 6NZ**

We ask that the Tree Officer visit the site to assess the tree as the information included within the application is very limited.

**Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Gason and Cllr Kemp and submitted to the online planning register on Wednesday 29<sup>th</sup> June 2022.**

**PA22/05735 (043) - Binfield Old Tram Road Point Devoran TR3 6NQ**

The Parish Council has no objection.

**Proposed by Cllr Kemp, seconded by Cllr Blake and agreed by Cllr Cooper and Cllr Gason and submitted to the online planning portal on Wednesday 7<sup>th</sup> July 2022.**

**PA22/05943 (045) - Tetherstones Point Devoran TR3 6NJ**

This tree is extremely prominent from Point Quay providing high visual amenity and an important contribution to the skyline. We note that the adjacent tree also appears to be struggling and ask the Tree Officer to assess both trees and offer advice if there is some issue there that is causing them to fail. Should the Tree Officer consider that felling of T1 is necessary we ask that a replacement tree is conditioned to the approval.

**Proposed by Cllr Kemp, seconded by Cllr Blake and agreed by Cllr Cooper and Cllr Allen and submitted to the online planning portal on Monday 18<sup>th</sup> July 2022.**

**7. MATTERS TO REPORT**

In regard to the 5 day protocol communication, and further plan showing car parking and turning area onsite, received in relation to PA22/04914 (Polwithen, Point Road, Point, Devoran) Members agreed that their response would be 'The Parish Council has considered the additional plan submitted showing the parking and turning area within the curtilage of the site and has no objection to the application.'

In response to the 5 day protocol communication received in relation to PA22/04075 (24 Belmont Terrace, Devoran, TR3 6PX) stating that the garage element had been withdrawn from the proposal, Members agreed that they were happy to agree with the Planning Officer who recommended approval of the application.

**8. DATE OF NEXT MEETING**

No date for the next meeting was set, this would be decided by email in due course.

There being no further business the meeting finished at 6.20pm.