

MEETING NO. 1119
Minutes of FEOCK PARISH COUNCIL PLANNING MEETING held on
Monday 23rd November 2015
at the Parish Office, Devoran at 3.30pm

Members Present:

WARDS	CARNON DOWNS	FEOCK
	B Richards	C Blake
	C Kemp	C Shefford
	P Allen	
	M Kemp	

In Attendance: Debbie Searle, Assistant Clerk
Peter Hume, Purl Design Architecture
Stephen Payne, Stephen Payne Planning Consultants
Mr Neilson
Richard Collett, RTP Chartered Building Surveyors
Malcolm Read
Kevin Mosely
Mr Diston

PLANNING COMMITTEE CHAIRMAN: Councillor B Richards

1. WELCOME & APOLOGIES

The Chairman opened the meeting and welcomed those present. Apologies were received and accepted from Cllr MacDonald and Cllr Shankland and Cornwall Cllr Chamberlain.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. PUBLIC PARTICIPATION

Mr Peter Hume tabled revised plans and spoke regarding proposals for development at land off Point Road, Carnon Downs. He stated that in principle it had been accepted that they can prepare a scheme on this site having taken into account recommendations by Cornwall Council. He clarified the site location and advised that they had taken advice from Ecological and Tree surveys reports. The proposal was for 14 properties, 7 affordable and 7 for the open market. He stated that the track at the lower part of site would be undisturbed. Properties would comprise of 11 single storey dwellings and three two storey. A footway would be cut into the grass verge. A viability study has concluded that the development comes out as neutral. They are now proposing to put in an outline planning application with Cornwall Council. Members viewed the plans provided. Cllr Allen asked the significance of the footpath at the bottom of the site plan being coloured green, Peter Hume advised that the red line shows the extent of the site and that they want to create a footpath link so the existing will not be altered. (Cllr M Kemp joined the meeting.) Cllr Allen advised that he lived on Point Road and made comment that it would be more advantageous for most people if the footpath was on the bottom side of Point Road and joined Tregye Road. Peter Hume advised that they had started looking at that however Cornwall Council do not own the verge on that side of the road and they have provided the scheme that Cornwall Council have requested. It was agreed that the Parish Council would like to see the footpath on the lower side of the road. The Chairman commented that the proposal was a result of ongoing discussions over the last couple of years, is a scheme that the

Parish Council has backed from inception and does meet conditions of the draft Neighbourhood Development Plan (NDP).

Stephen Payne spoke in support of planning application PA15/08529 stating that members of the Planning Committee had visited the site. The key points of the application being that the site was within the settlement boundary and was part of built up area. He advised that his clients had carried out Pre-Application with Cornwall Council which was mainly favourable. The site lies within the AONB and the landscape is important but the proposal has no significant adverse impact. He referred to a previous application at Creek Bank granted on appeal and quoted from the appeal decision letter stating that it was a comparable description to that which is proposed. The issue over access has been rectified and his clients do have formal right of way. The proposal was due to Mrs Neilson's infirmity. The ridge height related well to surrounding and adjoining properties and there were no overlooking or amenity considerations to any neighbours and no one would be aware of the dwelling other than from the other side of creek. The manner of construction and issues of width of access etc would be agreed with Cornwall Council with the submission of a construction management plan.

Richard Collett spoke in objection to planning application PA15/08529. He advised that he was speaking on behalf of Mr Ledson, Mr Belling and Mrs Harber as detailed in his letter of 13th October 2015. Their objections relate to the principle of development, design and layout, safety and access, impact on protected trees, landscape impact and fire brigade access. Regarding the principle of development, there is a presumption in favour of favourable development however, the site is within the AONB and does not achieve the aims or protect the AONB with the removal of 3500 tonnes of rock from hillside to be replaced with metal and stone gabions. The proposal does not meet the three aims to be considered sustainable development; it does not contribute to a strong responsive community and only benefits Mr and Mrs Neilson and their builders. The proposal does not support strong communities as it is remote and no community is enhanced. It negatively impacts the AONB. The National Planning Policy Framework (NPPF) requires good design, the quality of the area is not enhanced by this design; it is proposed to sit approximately 7m away from the existing building and is not designed to fit or compliment the building. No elevation drawings showing how it relates to the host building have been submitted. A construction management plan has not been attached to the application which means that the matter of access is not referred to. An amended tree report regarding the track has now been submitted which does mention the TPO trees on the access lane but these are not within the plan area. Application drawings seem to show mature trees however the application shows gabion baskets. Fire appliance access is not achievable with no pump appliance being able to access within 45m of the dwelling.

The Chairman informed the meeting that members had asked for a site meeting due to the remoteness of site and it not being visible from any public vantage point. He advised that whilst leaving the site Cllrs spoke with Mr Ledson who confirmed his objection. The Chairman asked if members had any questions for Stephen Payne or Richard Collett, no questions were asked.

Stephen Payne stated that Richard Collett was factually incorrect as Mr & Mrs Nielson do have legal right over the access track.

Kevin Mosely introduced himself as speaking on behalf of the Malcom Read, the applicant for PA15/09508 and advised that up until three months ago he was a group leader within Cornwall Council's planning service. He stated that the principle of the proposal was to erect two bungalows on the site, that it was located within a sustainable area and serviced by public access and street lights. The property adjoined the settlement boundary and fitted with policies 3d and 6a of the NPPF and 1, 5 and 22 of Cornwall Council's local emerging plan. He advised that the applicant wished to provide housing for two of his

children which meets the Parish Council's draft Neighbourhood Development Plan (NDP) policy H5. They do not feel the proposal causes harm to any of the neighbours amenities; the distance between neighbouring properties is enough to have no impact. Previous applications have been approved which access off the lane and due to the applicant running down his business vehicular movements to site will be reducing. Highways have raised no objection. Cornwall Council's planning officer Martin Woodley has advised that he's looked at the site and considers it is acceptable in policy terms, however feels the applicant should make a contribution to affordable housing which has been agreed.

Mr Diston spoke regarding PA15/09508 advising that he lives 200 yards away from the application site and is aware that another neighbour has also objected to the proposal. He advised that an application in 1936 was refused and he has always been told that no houses could be built in this area as the byway is just a track and not good enough. He expressed concern that a recent application Springwood (once known as Clydia) was given permission and questioned if Bosbigal is given permission will that mean that Mount Hope will get permission too and how can they then be refused. He questioned whether he should put in an application for 20 houses on his land and should his neighbour do the same, are we then looking at a new village? If he gets permission you will get lots more applications. He questioned where you draw the line for land for sub division stating that he had three acres.

The Chairman clarified that the approved application at Springwood (once known as Clydia) was granted due to it being a brownfield site as it was originally a farm dwelling. The Chairman added that neither this or any other application could be judged or decided upon on the basis of what other landowners may or may not propose to do at some future date on other sites. Each application stood on its own merits. He also clarified that the Parish Council do not give planning permission and are consultees only on planning applications; Cornwall Council make the decision on all applications. He explained that the original application for the site mentioned was to build two new properties which was refused. The approved application was for the rebuilding of the existing structure therefore it was not new development in the sense that it wasn't development on new land. Discussion followed in which the Chairman explained what constitutes a brownfield site.

4. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed that the minutes of the meeting held on 19th October 2015 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. STATUTORY CONSULTATION-PLANNING APPLICATIONS

The following applications were considered and decided as detailed.

815 Land north of Bodelvan, Restronguet Point, Feock TR3 6RB PA15/08529

The Chairman clarified that the application related to subdivision of a plot within the settlement boundary and is therefore acceptable within the policies of the draft NDP. Cllr Allen stated that as it was also within the AONB therefore the Parish Council need to balance the predisposition of the principle of not objecting to the proposal because it meets the NDP infill policy with safeguarding the character of the area. The development does not enhance the character of the area, there is the precedent of development at the lower level and that doesn't itself detract from the character of the area however this proposal does not sit well with the neighbouring property. The character of Restronguet Point is heavily reliant on the trees and we have to be careful that this development doesn't cause damage to existing trees. The current proposal does not enhance the character of the AONB. The Chairman clarified that the TPO trees mentioned in reports are on the access track and roots are near the surface and visible and would recommend that we insist on some sort of tree protection zones if we were agreeable to the proposal. A solution for tree protection was discussed i.e. temporary bridging of the roots. Precedent regarding

development within the AONB can be seen by the recent application at Dozmere which was objected to by the Parish Council however approved by Cornwall Council. Cllr Allen commented that whilst the NDP designates Restronguet Point as an area subject to infill the most important consideration is the view from Restronguet Creek with its character of sporadic development within trees. The Chairman commented that the proposed dwelling and gabion baskets would blend in better if faced with the same natural stone as used on Bodelvan. Cllr C Kemp commented that this proposal requires the remodelling of the landscape which changes the physicality of the Point, the removal of the land could affect the septic tank process for neighbouring properties. Cllr Shefford commented that the proposal to remove 3500 tonnes of rock suggests that if you haven't got enough room just dig out more coastline. Cllr Blake stated that he was more than happy with the proposed development in terms of size and ridge height, subject to the willingness to use materials which blend more with the surroundings. There are problems in getting materials to and from the site but providing that a project plan is acceptable by Cornwall Council he has no objections. The Chairman advised that the host dwelling has been increased considerably in the last twenty years. Cllr M Kemp commented that he had not seen the site but would say that any application which would require that much rock to be removed from an existing headland needs to be very carefully considered as the knock on affect could have serious impact on the surrounding area. Discussion followed in which the Chairman asked Members if they agreed or disagreed with the principle of subdivision of the plot. Cllr Allen stated that the considerations were the size and bulk, cutting out of the hillside and potential damage to trees. The Chairman advised that it had been suggested that some of the materials could be brought in from the river and would assume that would have to be discussed and agreed with the Harbour Authorities and Environment Agency. Cllr C Kemp questioned the vernacular architecture of the proposal. Cllr Blake stated that he would not want to see movement of the proposed dwelling within the site which would result in an increase in ridge height.

RESOLUTION: Cllr Blake proposed the consultee comment for this application as: The Parish Council do not object to the principle of the sub division of this plot but have reservations about the size and the impact of the current proposal particularly in the context of its immediate neighbour and we would like to minimise the cutting out and remodelling of the hillside and that the materials used are more in-keeping with the existing dwelling. We would not wish to see a ridge height higher than the current proposal. We would like to see a full construction management plan submitted before any approval is given and this would have to include satisfactory protection of trees designated by the Tree Officer. This was seconded by Cllr Allen and unanimously carried by the meeting.

834 Land adjacent to Bosbigal, Old Carnon Hill, **Carnon Downs** TR3 6LF **PA15/09508**

The Chairman reminded Members of the statement made in the public participation part of the meeting by Mr Diston and read out the comments on the online planning register relating to the application of Mr Diston, Mr Tate, Mrs Parker, Affordable Housing, Countryside Access Team and the Ramblers Association. Discussion followed. Cllr M Kemp asked for clarification regarding the question of this application setting a precedent, the Chairman commented that in his opinion each application is taken on its own merits and does not rely on decisions on previous applications. Cllr Allen commented that he felt Mr Diston's point about setting a precedent was relevant however as the application is for dwellings within the garden of Bosbigal and not the neighbouring field a precedent would not be set and the application falls within the Neighbourhood Development Plan policy for infill. Discussion followed.

RESOLUTION: Cllr Allen proposed the consultee comment for this application as: The Parish Council has no objection to the principle of development on this site as set out in the proposed outline planning application. This was seconded by Cllr Blake and carried unanimously by the meeting.

838 Bellvue, Restronguet Point, **Feock** TR3 6RB **PA15/10026**

The Chairman summarised application. Cllr Allen proposed that this and all future tree applications be deferred to the Tree Officer with the Parish Council monitoring applications for information.

RESOLUTION: Cllr Allen proposed the consultee comment for this and all future applications relating to trees within the Parish 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 Richards and carried unanimously by the meeting.

839 41 Tremayne Close, **Devoran** TR3 6QE **PA15/09950**

The Chairman summarised the application and discussion followed.

RESOLUTION: Cllr Allen proposed the consultee comment for this application as: The Parish Council can see no reason to object to this application. This was seconded by Cllr C Kemp and carried unanimously by the meeting.

840 15 Chycoose Parc, Point, **Devoran** TR3 6NT **PA15/10097**

As agreed under item 838.

841 The Ropery, Ropewalk, Penpol, **Devoran** TR3 6NS **PA15/10181**

The Chairman summarised the application, Cllr C Kemp commented that the proposals would be a great improvement to the layout of the current house. Discussion followed.

RESOLUTION: The Chairman proposed the consultee comment for this application as: The Parish Council can see no reason to object to this application. This was seconded by Cllr C Kemp and carried unanimously by the meeting.

842 4 Trelawne Close, **Carnon Downs** TR3 6HT **PA15/10183**

The Chairman summarised that the proposal did not increase the footprint of the dwelling and it was for the upgrading of family accommodation. Discussion followed.

RESOLUTION: The Chairman proposed the consultee comment for this application as: The Parish Council can see no reason to object to this application. This was seconded by Cllr Allen and carried unanimously by the meeting.

843 30 Chycoose Parc, Point, **Devoran** TR3 6NT **PA15/10278**

As agreed under item 838.

844 **Devoran Village Hall**, Quay Road, **Devoran** TR3 6PQ **PA15/10205**

The Chairman summarised the application and discussion followed.

RESOLUTION: Cllr Blake proposed the consultee comment for this application as: The Parish Council can see no reason to object to this application. This was seconded by Cllr Shefford and carried unanimously by the meeting.

6. PLANNING DECISIONS

The following applications, decided by Cornwall Council since the last meeting on 19th October 2015, were reviewed.

Conditional Approval Granted:

808 Oak Lodge, 4 Wellington Plantation, Penelewey, Feock TR3 6QP **PA15/07702**

810 14 Trevallion Park, Feock TR3 6RS **PA15/08243**

811 Land South Of Tregarthen, Harcourt Lane, Feock TR3 6RW **PA15/08300**

813 30 Chycoose Parc, Point, **Devoran** TR3 6NT **PA15/08315**

816 Morvoren, Trolver Croft, Feock TR3 6RT **PA15/08349**

818 15 Trevallion Park, Feock TR3 6RS **PA15/08464**

819 Westerley, 6 Trevallion Park, Feock TR3 6RS **PA15/08626**

822 St Anthony, Pill Lane, Feock TR3 6SE **PA15/08671**

823 The Hollies, 3 Wellington Plantation, Penelewey, Feock TR3 6QP **PA15/08853**

827 An Dalleth, Trolver Croft, Feock TR3 6RT **PA15/09190**

828 Little Harcourt, Harcourt, Feock TR3 6SQ **PA15/08621**

829 Predeaux House, Restronguet Point, Feock TR3 6RB **PA15/09189**

Application Part Approved/Part Refused:

825 Chinook, Trolver Croft, Feock TR3 6RT **PA15/08883**

Application Refused:

824 Cottage on the Green, 1 Point Green, Point, Devoran TR3 6NH **PA15/08748**

7. PLANNING APPEALS AND ENFORCEMENTS

The Chairman reported that the Assistant Clerk had requested information from the Enforcement Officer regarding EN15/01034 which would be reported at the next meeting.

8. PLANNING PRE-APPLICATIONS

Land off Point Road, Carnon Downs

The Chairman summarised that the amended proposal as presented in the public participation part at the start of the meeting has taken into account all the pre-application comments which were raised by Cornwall Council and the Parish Council. Cllr Allen questioned why they haven't moved the road to the right of the site to above the houses to lower the houses down the field and discussion followed. Cllrs mentioned their approval that the agent had kept the site to 15 houses as requested.

It was unanimously agreed that the Planning Committee's recommendation to the Full Parish Council would be to write to Peter Hume thanking him for his presentation and that Members only comment at this stage would be that plots 10, 11 and 12 do not impinge on the properties behind.

Land off Quenchwell Road, Carnon Downs

The Chairman stated that the Parish Council had held a further meeting with the applicant's agent who submitted their initial concept drawings and confirmed that they no longer wished their proposals to remain confidential. Cllr M Kemp advised that he had spoken with the land owners and advised that they need to be more open and transparent, as their current proposal was ambiguous and didn't give a clear idea of what they were intending. He had suggested to them that a proposal such as incorporating new premises for existing business which would have community benefit in helping to reduce parking congestion in the Village by providing adequate parking would be advantageous and this could be sited on the right hand side of the field which had a drainage issue and was not suitable for housing. Cllr Allen commented that Cllrs needed to see a plan for the whole site, which he suggested should include development of 15 houses and possibly an area of housing for community benefit. The proposal needs to include a roundabout on Quenchwell Road which would greatly improve traffic flow. The Chairman advised that the landowner had recently asked for information relating to the procedure for closing a footpath. Discussion followed.

It was unanimously agreed that the Planning Committee's recommendation to the Full Parish Council be to advise the land owners agent that the Parish Council have no objection in principle to the development of this site to include housing that falls within the policy of the NDP, a small area of retail units and possibly an area for community benefit housing.

9. MATTERS ARISING

The Chairman advised Members that a copy of a letter from Stephens Scown Solicitors sent to Cornwall Council regarding PA15/08933 had been received. The letter stated that their client did not object to the application but asked Cornwall Council to condition any approval of the application with the original planning conditions for the site imposed by Carrick District Council in 2008.

The Chairman advised that the Parish Clerk had investigated the most suitable equipment to be purchased with the £700 "paperless planning" grant from Cornwall Council and recommended a 50" television screen and Laptop computer that would operate the screen via wi-fi. Members agreed that this was the best use of the grant.

RESOLUTION: The Chairman proposed that the Parish Clerk arrange purchase and installation of the equipment. This was seconded by Cllr M Kemp and carried unanimously by the meeting.

10. DATE OF NEXT MEETING

The date of the next meeting was agreed as Monday 14th December at 3.30pm

There being no further business the meeting closed at 5.30pm.

Signed:
Chairman, Feock Parish Council Planning Committee
14th December 2015