

MEETING NO.1195

Minutes of the meeting of Feock Parish Council Planning Committee held on
Monday 15th January 2018 at 4.30pm
At the Parish Council Office, Market Street, Devoran

Members present: Cllr I MacDonald, Chair
Cllr C Kemp
Cllr B Thomas
Cllr H Freeman
Cllr C Blake
Cllr L Morgan-Lundie
Cllr R Brickell

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

Public present: Mr Ross Edwards, CAD Architects
Mr & Mrs M Denny
Mr R Orriss
Mr C Drewitt
Mr A Rendall
Mr N Buscombe

1. WELCOME & APOLOGIES

The Chairman welcomed those present. Apologies were received from Cllr Allen and Cllr Lightfoot.

2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed the minutes of the Planning Committee meeting held on 11th December 2017 as a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Blake and unanimously carried by the meeting.

3. DECLARATIONS OF INTEREST

Cllr Kemp declared a pecuniary interest in La Paz, Ropewalk, Feock PA17/11972 (1186) due to the applicant being a member of Devoran Pre-School's management committee, her employer.

4. PUBLIC PARTICIPATION

Mr Denny spoke regarding his application PA17/11745. He stated that he wants to build a property on the site for his family to live in and there is no intention to sell or sub-let. With regards to the issue of flooding, he advised that since working on the site they have discovered that there is a leat running along the side of the stream which they had not been aware of. They have cleared the stream and the leat and the field is now dry. They are also intending to have CAD Architects civil engineering look at land drains if it proved necessary. They have dug 3 large holes in the field and filled them with water which have drained so they no longer believe there is an issue with flooding. In regards to the AONB the proposed building would match with neighbours designs and there have been 5 new houses which have been granted permission in the AONB. They are intending to plant 175 Ash and Oak trees around the perimeter and 350 Hornbush trees to screen the site which was an issue mentioned by the planning inspectorate at the time of the appeal. Cllr Morgan-Lundie asked if they had taken advice on planting. Mr Denny stated that they had and there was a planting scheme. There is an area of woodland included in the application to the west of the site, after the woodland there is a field of about an acre with trees around the edge of the site and none in the middle. Cllr Freeman asked about the settlement boundary. Ross Edwards stated that there isn't a settlement boundary, although he recognises that this is something talked about in the Neighbourhood Plan the Cornwall Local Plan refers to infill and rounding off and they believe the site is infill between Feock, Porthgidden and the road. If there are hard boundaries around a small parcel of land which is not in the open countryside you look at it as infill. This site has a strong boundary on the west, the trees, a strong boundary on the south which is the hedge and housing to the North and East so it is infill. He stated that the Planning Inspector did not contest that point but was more concerned with the impact on the AONB. Cllr Blake

asked about access and the impact on the ancient hedge. Ross Edwards stated that the access was one of the issues dealt with by the Inspector, he was happy that the access could be formed in a safe way which could be achieved with Highways input which the expectation that you would have to create a sight line which is 1 metre high, he acknowledged that coming out of the site the hedge on the right-hand side could be reduced to 1 metre without affecting the trees. Mr Denney read out section no.16 from the Planning Inspector's report regarding this point. Cllr Freeman asked for clarification that the application is outline. Mr Edwards advised that this application is more about establishing the principle that a house can be placed there discreetly. Mr Denney stated that the design is the one he would want and is half hidden in the site.

Mr Drewitt spoke in objection to PA17/11745. He stated that his concern is the wider issue of the impact of the application in relation to the AONB and the settlement boundaries of the village plan. There is a lot of technical arguments to try and circumvent the reasons for refusal and part of that is that the construction of the stables has adversely affected the view as far as the AONB is concerned, that the street scene has changed therefore the reasons for the previous refusal have been mitigated because of the impact of the building of the stables. He stated that it was always a field for agricultural use and the building of the stable is disappointing as it has taken away the open green aspect but there remains a green agricultural aspect to the start of the village and the impact remains agricultural. By dividing it up you are left with a very small area of land for a horse. He sees that the land is currently agricultural use and should remain so. On the wider issue the stable could have been built with a view to obtaining change of use to residential in the future and is concerned that this would set a precedent for other barns in the area. He does not feel that it can be considered infill and does not think there should be any change of use permitted and the land should remain agricultural. He believes that you would be able to see the house behind the stable.

Mr Rendall spoke in objection to PA17/11745. He stated that changing the use to residential would create a suburban area and change the gateway to the village. There is the beginning of a domino effect if the neighbourhood plan was to be rode roughshod over. With regard to the drainage a domestic installation will cause hardstanding water and with regard to the road access there is a bit of black spot area there proven by accidents and the local transport aspect should be looked at more closely.

Mr Buscombe spoke regarding his application PA17/12189. He wished to explain why they had put in a further application, that since the previous application they had found that the borehole at the front of the property is actually a well and the current plans would be building into the well. They have extended the porch as they would like to incorporate the well into it as a feature and also felt that the new design looked smarter than the previous one. They have also changed some of the windows, reducing them and making some smaller which they had not been able to do with an amendment.

Mr Orriss regarding PA17/12189 stating that he supports what is happening at Sandoes but has one concern about the size and use of the large garage and wishes to ensure that there is no attempt to re-site the garage. He believes that he can resolve any other issues with Mr Buscombe in a friendly manner. Mr Buscombe confirmed that this was the case and there was no intention to re-site the garage.

5. STATUTORY CONSULTATION - PLANNING APPLICATIONS – AGENDA REPORT 1

The following applications were considered and decided as detailed.

1183 Wild Daisy Cottage 1 Carclew Terrace Devoran TR3 6PN PA17/12003

The Chairman clarified the location and the photographs were viewed. Cllr Thomas stated that the trees were of no great amenity value and suggested that the application be left to the Tree Officer for his consideration.

RESOLUTION: Cllr Thomas proposed the consultee comment for the 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 Morgan-Ludie and unanimously carried by the meeting.

1184 Sandoes King Harry Road Feock TR3 6QN PA17/12189

The Chairman gave a brief history of the planning applications for the property. The plans were viewed. It was noted that there were no neighbour comments in relation to the porch. Cllr Morgan-Ludie stated that she can

understand their wish to move the porch out further to encompass the well but the sense of volume increases significantly for her and discussion followed in which Cllr Thomas felt that the porch proposal was more balanced and Cllr Kemp also felt it was an improvement on the previous design.

RESOLUTION: Cllr Blake proposed the consultee comment for the application as: **The Parish Council supports the proposal but would ask that conditions 3, 4 and 5 of PA17/07880 are reiterated with any planning permission for this current proposal.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

1185 Land Off Harcourt Lane Feock TR3 6RW PA17/11745

The Chairman gave a brief history of the planning applications for the site. Cllr MacDonald asked Mr Denny if it is a functioning stable. Mr Denney confirmed it was and comprises two stables and one barn. The Chairman gave details of the enforcement cases for the site. He asked Mr Denny about the installation of the letterbox and the address. Mr Denny advised that deliveries were being directed to The Stables, Porthgidden so they put a letterbox there and registered an address to ensure post was received. The Chairman advised that there had been several objections received which had been made available to the committee for consideration and read out the objection from Mrs Woolston and the objection from Mr Bob Richards. The Chairman stated that the Cornwall Plan is less clear than the NDP on settlement boundaries, the plan comes up for its final referendum on the 8th March and having passed its independent examination has considerably more weight now than at the time of the previous application. He read out the Parish Council's comment for the previous application and questioned what has changed since the last application. He noted that the flooding issue may have been resolved. He asked Mr Edwards what had changed and he replied that the Planning Inspector had found the highways issue acceptable but they were now addressing the harm to the landscape issue and this proposal was different as it was now for a single dwelling on the northern part of the site and they were keeping a paddock on the site. He tabled a CGI of the site indicating a single dwelling placed behind the stables. It is his view that it is an infill site, there was originally a historic track there and they will be planting a significant amount of trees. There is an opportunity to have a well-designed property there surrounded by residential curtilage. Cllr Morgan-Lundie stated that she felt it was agricultural or equestrian and open countryside land. The Chairman stated that the committee needed to be consistent and needed to establish if there have been any changes that would warrant a change of the committee's view. Cllr Kemp felt that we needed to stick to the boundaries as stated within the NDP. Cllr Blake felt that the position of the NDP now increases the argument and he remains very concerned about the impact to the AONB and the ancient hedge. He would oppose the application. Cllr Freeman stated that she would also oppose the application and we have to be very firm and clear with the NDP. Cllr Thomas endorsed the same opinion and could see no reason to change opinion.

RESOLUTION: Cllr MacDonald proposed the consultee comment for the application would be that the The Parish Council objects to the application, will acknowledge that the matter of drainage of the land may have been resolved but we oppose the application on the grounds of it being outside of the settlement boundary as identified in the Neighbourhood Plan, the effect of the development on the AONB, concerns about the ancient hedgerows and the change of use of the land which conflict with the Parish's emerging Neighbourhood Development Plan. The exact wording of the comment to be agreed by the planning committee after the meeting. This was seconded by Cllr Blake and unanimously carried by the meeting.

1186 La Paz Ropewalk Penpol Devoran TR3 6NS PA17/11972

Cllr Kemp did not take part in the discussion and did not vote on the resolution.

Cllr Thomas questioned the increase in massing. The plans were studied and the siting of the property within its plot, in relation to the neighbouring properties, discussed. It was noted that no neighbours had commented on the application. The amount of fenestration was discussed.

RESOLUTION: Cllr MacDonald proposed the consultee comment for the application as: **The Parish Council supports this proposal.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

1187 1 The Old Forge Killigarth Villas Devoran TR3 6PR PA17/12128

The location and plans were viewed. Cllr Thomas advised that he had spoken with neighbours who had made no objection. The comment from the WHS Planning Officer was discussed.

RESOLUTION: Cllr Thomas proposed the consultee comment for the application as: **Feock Parish Council have no objection in principle to the alterations as described with the exception that the round windows should be replaced with something more reflective of the character of the building.** This was seconded by Cllr Blake and unanimously carried by the meeting.

1188 The Dene Churchtown **Feock** TR3 6SA **PA17/11979**

It was noted that there was no objection from the Ramblers Association or Countryside Access Team. The plans were viewed and the height of the proposal established. Discussion followed regarding the style of surrounding properties. Cllr Kemp expressed surprise that the neighbours had not commented as the application made reference to obscured glazing which may imply a possible overlooking issue. Cllr Morgan-Lundie stated that her main issue was light pollution. The Chairman questioned if it would be seen from the water and discussion followed. Cllr Thomas felt the design was incongruous to the setting. Cllr Blake stated that the windows were ones that could be screened. Cllr Freeman questioned the bulk of the building. Cllr Freeman felt it was out of character for the area.

RESOLUTION: Cllr MacDonald proposed the consultee comment for the application as: **The Parish Council feels unable to support the proposal in its current form. We are not opposed to redevelopment of the site in principle but feel that the current design is not sympathetic to the character of the surrounding area. We also have concerns about the amount of fenestration to the south eastern and south western aspects and consequent light pollution.** This was seconded by Cllr Blake and unanimously carried by the meeting.

1189 Pandora Cottage, Penpol, **Devoran** TR3 6NN **PA18/00106**

It was discussed that planning committee members had visited the site to view the tree in January 2017 at the time of the previous application and whilst they objected to the felling of the tree, they would be happy to see a proposal for reducing the overall size and spread of the tree. The Tree Officer's comments were noted.

RESOLUTION: Cllr MacDonald proposed the consultee comment for the 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.

1190 Killiganoon Farm House Killiganoon **Carnon Downs** TR3 6JT **PA17/11953**

Cllr Kemp gave details of the pre-application discussion with the applicant held in December 2017. It was noted that the neighbours had not commented.

RESOLUTION: Cllr Blake proposed the consultee comment for the application as: **Feock Parish Council supports this application.** This was seconded by Cllr Freeman and unanimously carried by the meeting.

6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL

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

7. CORNWALL COUNCIL PLANNING DECISIONS - AGENDA REPORT 2

The following applications decided by Cornwall Council since the last planning committee meeting were reviewed.

APPROVED

1157 Devoran Metals Ltd Greenbank Road **Devoran** TR3 6PQ **PA17/09667**

1160 Harcourt Old Farm Harcourt **Feock** TR3 6SQ **PA17/09876**

1161 Carrick Court Restronguet Point **Feock** TR3 6RB **PA17/10223**

1168 23 St Johns Terrace **Devoran** TR3 6NE **PA17/10645&6**

1175 Killiganoon Manor Killiganoon **Carnon Downs** TR3 6JT **PA17/11317**

1179 9 St Johns Terrace **Devoran** TR3 6NE **PA17/11542**

1181 Land North Of Creek End Pill Lane **Feock** TR3 6SE **PA17/10477**

NOT ACCEPTABLE AS AMENDMENT

1174 Sandoes King Harry Road **Feock** TR3 6QN **PA17/10898**

8. PLANNING POLICY INFORMATION DOCUMENT

Deferred to next meeting.

9. PLANNING PRE-APPLICATIONS

It was noted that a Pre-application meeting had been held on 18th December with Planning Agent, Nigel Gilmore, regarding a proposal to redevelopment Lambrook Elms, Feock. Committee members expressed concern about the height of any possible development, its location just outside of the settlement boundary and the possible impact on the landscape.

10. PLANNING APPEALS AND ENFORCEMENTS

A report of newly opened and closed planning enforcement complaints made to Cornwall Council was reviewed. It was noted that information relating to an appeal to the Planning Inspectorate regarding the refusal of PA16/08980 Land East of Valley Lane, Carnon Downs had been uploaded to the online register. It was also noted that the Appeal had been allowed re PA17/03857 Former Devoran Car Sales site.

11. MATTERS ARISING

Cllr Blake advised that when the update to the Pill Creek TPO took place it was noted that there was a triangular area that had not been included and a tree had subsequently been removed from this site. It was noted that the request to place a TPO on the area adjacent to Woodland TPO area 9 at Pill Creek had been submitted to Cornwall Council.

It was noted that the Parish Council's Restronguet Point planning policy document prepared by Cllr Allen had been supplied to the planning department at Cornwall Council for their information.

The Chairman gave brief details of the Cornwall CIL consultation response submitted by the Parish Council and it was agreed that the proposed change in wording to the CIL document be circulated to the committee, along with the original comment, for consideration and to agree a response.

12. DATE OF NEXT MEETING

The date of the next planning meeting was agreed as Monday 19th February 2018 at 3.30pm.

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

Signed:.....
Chairman, Feock Parish Council Planning Committee
19th February 2018