

MEETING NO. 1244
Minutes of the meeting of Feock Parish Council Planning Committee on
Wednesday 9th October 2019 at 3.30pm
At the Parish Council Office, Market Street, Devoran TR3 6QA

Members present: H Freeman, Feock Ward, Chair
C Kemp, Carnon Downs Ward
C Blake, Feock Ward
R Brickell, Carnon Downs Ward
P Allen, Carnon Downs Ward

In attendance: M Alvey, Cornwall Councillor
D Searle, Assistant Parish Clerk

Public present: R McGuinness, Loop Design Architects
S & S Rickard
T Rickard
D Jackson, Koha Architects

1. WELCOME & APOLOGIES

The Chair welcomed those present. Apologies were received and accepted from Cllr Morgan-Lundie and Cllr Thomas.

2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed the minutes of the Planning Committee meeting held on 11th September 2019 were a true record of the meeting and be signed by the Chair. This was seconded by Cllr Allen and unanimously carried by the meeting.

3. DECLARATIONS OF INTEREST

No declarations of interest were received.

4. PUBLIC PARTICIPATION

Robert McGuinness (RM) spoke in support of PA19/08038 (Pipers Meadow), he tabled plans and explained the proposal. Cllr Allen questioned if they had applied for change of use for the paddock. RM stated that it was not intended to be domestic garden and will remain as a paddock. Cllr Freeman questioned the size of the paddock. RM stated that they wished a new design to complement the existing 1920s dwelling of Pipers Meadow. Cllr Brickell questioned the change of use of the land. RM stated that it could be used for food planting, be retained as a paddock but would not be a garden. Cllr Freeman questioned the increase in size from the original proposal. It was determined that the new proposal was 2.5 times the size of the original.

Simon Rickard (SM) spoke in support of PA19/07112 (Mid Devoran Farm) stating that the proposal was to provide accommodation for their son who worked on their 450acre farm. He stated that he had no issue with the planning approval being agriculturally tied. Cllr Allen asked if the farm cottage mentioned had an agricultural tie. SR confirmed that it did not. Cllr Brickell asked if the Planning Officer had requested any length of time (5/10 years) be tied to the condition. SR stated that he had not.

Derek Jackson (Koha Architects) spoke in support of PA19/07642 (Bramble Bank). He clarified that the proposal which would increase the footprint by 46% and the floor area by 64%. He stated that the Ecologist had advised that the proposal would not affect any trees and had suggested wildlife boxes to increase the biodiversity of the site. He stated that they would be willing to plant two more Sessile Oak trees. He stated that the proposed site wasn't visible from the roads or Feock village and isn't that noticeable from the Creek but acknowledged that it was visible from the footpath that runs down to the road. Cllr Allen questioned the size of the existing floor area. DJ confirmed that it was 92sqm. Cllr Blake questioned that there were 4 balconies with glass panels. DJ confirmed that was correct and indicated their location and size on the plan. Cllr Freeman questioned if there was proposed mitigation for the glare effect of the proposed glazing. DJ indicated the bank of trees on the plan.

5. STATUTORY CONSULTATION – PLANNING APPLICATIONS – AGENDA REPORT 1

The following planning applications were considered and consultee comments resolved as follows:

1431 Land North of The Half Acre Carnon Valley PA19/06832

The plans were viewed and the location and current use of the land discussed.

RESOLUTION: Cllr Blake proposed the consultee comment for the application as: **The Parish Council object to this application. The site is outside of the settlement boundary and the proposal is therefore contrary to NDP policies H1, and H2 and CLP policy 3. We do not consider that it is pre-developed land and it may suffer from contaminated soil. We also feel the access to this site is unsuitable, it is in a predominantly rural location, not well related to services and facilities and therefore does not meet with the requirement of CLP policy 21 to be sustainably located and therefore the site is not suitable for residential development.** This was seconded by Cllr Brickell and unanimously carried by the meeting,

1429 Land adjacent to Pipers Meadow Four Turnings Feock TR3 6QR PA19/08038

Cllr Allen read out the Parish Council's consultee comment for the previous application PA18/03968 and stated that they were now taking an agricultural field as part of the property. He expressed concern at the possible circumvention of the planning system that could arise if this were allowed to happen. He felt strongly that encroachment into open countryside was against NDP policy and must not be allowed to happen. Discussion followed in which the Committee agreed with this view.

RESOLUTION: Cllr Allen proposed the consultee comment for the application as: **The Parish Council has strong objections to this current proposal as it appears to be justified based on encroachment into open countryside and we would reiterate our previous comment as stated for PA18/03968.** This was seconded by Cllr Freeman and unanimously carried by the meeting.

1422 Bramble Bank Pill Lane Feock TR3 6SE PA19/07642

Cllr Freeman stated that she would support the comments of the AONB Officer. Cllr Blake stated that it was Parish Council policy to support the AONB and should do everything in our power to support the natural environment. The proposal is against the AONB management plan, CLP policy 23 and NDP policies LS1, LS2 and D1. The use of glass on the balconies will cause light pollution and the property can be clearly seen from the beach, the public footpath and all properties on West Pill as the trees do not cover the existing building at all. Discussion followed in which Cllr Kemp and Cllr Allen both stated that Pill Creek is under siege of continual proposed development. Cllr Freeman noted that there were several neighbour objections.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council support the view of the AONB Officer that the proposed increase in presence and built form will cumulatively add to the erosive presence of increased built form on the landscape of the creek. It is clearly visible from the creek, shoreline, public footpath and the residences of West Pill. The presumption in favour of sustainable development in the NPPF does not apply in the AONB and we can see no overriding benefit of the scheme that would outweigh the harm to this area of AONB and therefore strongly object to the application which is against NDP policies LS1, LS2 and D1. A suitable CEMP should be conditioned to any planning approval for any development along Pill Lane.** This was seconded by Cllr Allen and unanimously carried by the meeting.

1424 Mid Devoran Farm Devoran TR3 6PE PA19/07112

The application was discussed.

RESOLUTION: Cllr Brickell proposed the consultee comment for the application as: **The Parish Council will support this application only if there is a justifiable and proven need that meets with Cornwall Local Plan Policy 7 paragraph 5. If no longer required for that purpose it should be removed.** This was seconded by Cllr Blake and unanimously carried by the meeting.

1421 Prospect Tregye Road Carnon Downs TR3 6JH PA19/07623

Discussion took place regarding the visibility of the site, the size of the replacement dwelling and the size of the plot and domestic curtilage of the site. Discussion then continued regarding the visual impact of the materials proposed.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: **The Parish Council has no objection in principle to the redevelopment of this site however we are mindful of the potential for encroachment into the open countryside that might follow from such a large development and wish to ensure that the domestic curtilage of the dwelling remains as shown on the Land Registry document outlined in red and is clearly and physically divided from the agricultural land by an appropriate hedge or fence. We would also comment that this site is adjacent to a sensitive settlement edge with panoramic views as set out in our NDP therefore feel that the large expanse of white render is inappropriate and would wish to see use of materials that are more reflective of the rural character of the immediate environment which will minimise the effect on the landscape.** This was seconded by Cllr Freeman and unanimously carried by the meeting.

1423 Pillwood West Pill Road Feock TR3 6SD PA19/07602

The Committee expressed concern at the apparent harm that had been caused to the trees.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council is concerned at the unexplained death of these trees and hope that some investigation of the cause of their death is investigated. If malpractice is suspected, then it is essential that it is reported to the appropriate authorities. We will accept the advice of the Tree Officer but would want a condition in relation to re-planting.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1427 Quiet Quay Quay Road Devoran TR3 6PW PA19/07727

The plans were viewed to clarify the change proposed and discussion followed in which the concerns of neighbours were noted.

RESOLUTION: Cllr Allen proposed the consultee comment for the application as: **The Parish Council object to this application due to the detrimental impact on neighbours.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1428 28 Chycoose Parc Point Devoran TR3 6NT PA19/08320

The plan was viewed and proposal discussed.

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

1430 2 Porthgwidden Feock TR3 6SG PA19/08146

The plan was viewed.

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

1432 Fairways 14 La Vague Feock TR3 6RQ PA19/08498

The application was discussed.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council has no objection but would wish a replacement tree of a suitable type conditioned to any approval.** This was seconded by Cllr Blake and unanimously carried by the meeting.

6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL

It was noted that the following applications had been the subject of the Local Council 5 day protocol procedure and the Parish Council's response was as stated:

PA19/06273 Rosemerrin, Restronguet Point, Feock - Agreed to Disagree 18.09.19

PA19/06412 Land West of Bosbigal, Carnon Downs - Agreed to Disagree 19.09.19

PA19/05686 The Boathouse, Greenbank Road, Devoran - Agreed to Disagree 19.09.19
PA19/07286 The Homestead, Penelewey, Feock - Agreed to Disagree 30.09.19

7. APPEALS TO THE PLANNING INSPECTORATE

It was noted that the appeals for PA19/03329 (The Dene, Feock Churchtown, Feock TR3 6SA) and PA18/06151 (Topsails at Pentui, Pill Lane, Feock TR3 6SE) had not yet been decided by the Planning Inspectorate and that an appeal had also been submitted for PA18/03280 (Land at Creek Veau, Pill Lane, Feock TR3 6SE). It was unanimously agreed that the Parish Council should submit a further comment to the Inspector which would be worded by the Planning Chair and circulated to the rest of the Committee for approval before being submitted.

8. SECTION 106 AGREEMENTS

Cllr Allen reported on the current situation regarding Section 106 monies for Affordable Housing and discussion followed in which it was agreed that a meeting should be arranged with Cornwall Council's Affordable Housing Officer to discuss possible options of providing Affordable Housing within the Parish using the monies currently available.

Cllr Kemp was questioned on the current situation regarding the provision of additional educational facilities at Devoran School using the Section 106 monies available for Education which she had previously discussed with the Head of Devoran School. Cllr Kemp confirmed that she would contact Miss Lock for an update on the progression of the plan.

9. CORNWALL COUNCIL PLANNING DECISIONS – AGENDA REPORT 2

To note planning decisions made by Cornwall Council since the last meeting

APPROVED

1344 Penpol Boat Yard Trolver Croft Feock TR3 6RT PA19/00888
1373 Carnon Downs Garden Centre Quenchwell Road Carnon Downs TR3 6LN PA19/02568
1380 Rosenannon Quenchwell Road Carnon Downs TR3 6JF PA19/04507
1387 Quay Cottage Pill Lane Feock TR3 6SE PA19/05347
1393 The Boathouse Greenbank Road Devoran TR3 6PJ PA19/05686
1394 Land North of Bodelvan Restronguet Point Feock TR3 6RB PA19/05655
1395 Oyster Catchers Churchtown Feock TR3 6SD PA19/04866
1399 Rosemerrin Restronguet Point Feock TR3 6RB PA19/06273
1400 11 St Johns Terrace Devoran TR3 6NE PA19/06383
1401 Orchard Meadow Tremarne Close Feock TR3 6SB PA19/06350
1402 West View Forth Coth Carnon Downs TR3 6HD PA19/06283
1403 Five Oaks Tremarne Close Feock TR3 6SB PA19/06351
1405 Rosemerrin Restronguet Point Feock TR3 6RB PA19/06187
1406 The Homestead Penelewey Feock TR3 6QU PA19/06287
1407 Land West of Bosbigal Old Carnon Hill Carnon Downs TR3 6LF PA19/06412
1408 Land North East of 40 Devoran Lane Devoran TR3 6PD PA19/06232
1409 2 Park An Gwarry Carnon Downs TR3 6XB PA19/06557
1412 Highview House Pill Lane Feock TR3 6SE PA19/06529
1414 3 Park An Gwarry Carnon Downs TR3 6XB PA19/07431

DECIDED NOT TO MAKE A TPO (TCA apps)

1410 20 St Johns Terrace Devoran TR3 6NE PA19/06993
1419 The Vicarage Devoran Lane Devoran TR3 6PA PA19/07702

10. MATTERS TO REPORT/CORRESPONDENCE RECEIVED

Cllr Blake reported that he had attended, along with the Parish Clerk, a meeting with Cornwall Council and AONB representatives. He advised that the focus of the meeting, which had been one amongst a series of meetings with

Planners, Stakeholders, Parish Councils and the Planning Advisory Service, had been to encourage Planners to ensure that the AONB designation is given the highest level of protection in the planning process. This was following some surprising planning decisions which had recently been made by Cornwall Council. Cllr Blake advised that paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. Also, Policy 23 of the Cornwall Local Plan states that any development in an AONB must be for local need and the AONB must be given the highest level of protection. Cllr Alvey advised that these meetings had been stage 1 of a process and had been fact finding meetings, following these the Planning Advisory Officer will make recommendations which he will bring back as phase 2, phase 3 will then be implementing those recommendations. Cllr Blake informed that they had stated that there were not enough Planning Officers and advised that the AONB Officer only works 3 days per week, he has to cover the whole of Cornwall's AONB area therefore due to these time restraints can only provide comments on the most controversial planning applications. Discussion followed in which it was noted that the Glover Review would hopefully result in the AONB becoming statutory consultees.

11. DATE OF NEXT MEETING

The date of the next planning meeting was agreed as Wednesday 13th November @ 3.30pm.

There being no further business the meeting closed at 6.00pm.

Signed.....

Feock Parish Council Planning Committee

13th November 2019