

## MEETING NO.1190

Minutes of the meeting of Feock Parish Council Planning Committee held on  
Monday 13<sup>th</sup> November 2017 at 4pm  
At the Parish Council Office, Market Street, Devoran

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

In attendance: Debbie Searle, Assistant Clerk

### 1. WELCOME & APOLOGIES

The Chairman welcomed those present. Apologies were received from Cllr Alvey.

### 2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed the minutes of the Planning Committee meeting held on 9<sup>th</sup> October 2017 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Thomas and unanimously carried by the meeting.

### 3. DECLARATIONS OF INTEREST

No declarations of interest were received.

### 4. PUBLIC PARTICIPATION

No members of the public were present.

### 5. STATUTORY CONSULTATION - PLANNING APPLICATIONS – AGENDA REPORT 1

The following applications were considered and decided as detailed.

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

The plans were viewed and discussion followed in which Cllr Thomas stated he had no objection to the application and considered it an improvement.

**RESOLUTION:** Cllr Thomas proposed the consultee comment for this application as:

**The Parish Council has no objection to this application.**

This was seconded by Cllr Morgan-Lundie and unanimously carried by the meeting.

#### 1158 Penpol House, Penpol, Devoran TR3 6NA PA17/09948

The plan and photograph were viewed and discussion followed.

**RESOLUTION:** Cllr Blake 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 Thomas and unanimously carried by the meeting.

#### 1159 Derow, 4 Kelliwith, Feock TR3 6QZ PA17/10249

The plans were viewed and discussion followed.

**RESOLUTION:** Cllr Morgan-Lundie proposed the consultee comment for this application as:

**The Parish Council can see no material planning reasons to object to this application.**

This was seconded by Cllr Thomas and unanimously carried by the meeting.

**1160** Harcourt Old Farm, Harcourt, Feock TR3 6SQ **PA17/09876 & PA17/09877**

The plans were viewed and discussion followed.

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

**Subject to the views of the Conservation Officer the Parish Council can see no reason to object to the application.**

This was seconded by Cllr Freeman and unanimously carried by the meeting.

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

The photographs and description of work was viewed and discussion followed. The Chairman stated that the retention of trees at Restronguet Point is the committee's policy and is the thing that mitigates against the general development of Restronguet Point. Cllr Morgan-Lundie questioned the need for the works and the use of an independent tree expert. Cllr Blake gave information regarding the use of and expense of independent tree specialists. The description of the proposed works was read out and further discussion followed.

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

**The conservation and retention of trees in this area is extremely important in retaining the natural area of outstanding beauty therefore the Parish Council would like the Tree Officer who consulted on the previous application for this site (PA17/08144) to be consulted on this application to consider the proposed works in view of the applicant's known intention for the site in addition to the assessment of the proposed works on their own merit to ensure continuity. The Council would wish to see only such works which would improve the vigour of the trees carried out.**

This was seconded by Cllr Kemp and unanimously carried by the meeting.

**1162** Goonpiper House, Goonpiper, Feock TR3 6RA **PA17/10277**

It was discussed that the proposal was to take off the lower branches and that no public comments had been received.

**RESOLUTION:** Cllr Blake 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 Thomas and unanimously carried by the meeting.

**1163** The Hollies, 3 Wellington Plantation, Feock TR3 6QP **PA17/10279**

The photograph was viewed and the description of the work read out. Discussion followed in which committee members felt that the information given was not clear and precise enough.

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

**The application as set out gives insufficient information for the Parish Council to make an informed decision and we would therefore defer to the professional advice of Cornwall Council's Tree Officer.**

This was seconded by Cllr Morgan-Lundie and unanimously carried by the meeting.

**1164** 4 Chycoose Parc, Point, Devoran TR3 6NT **PA17/1059**

The photograph was viewed and discussion followed regarding the necessity of proper tree management.

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

**The Parish Council accepts the need for tree management and wishes this decision to be deferred to the Tree Officer.**

This was seconded by Cllr Kemp and unanimously carried by the meeting.

**1165 The White Cottage, Carnon Crease, Carnon Downs TR3 6LJ PA17/10302**

The photograph of the original house and the works already carried out was viewed. It was noted that there would be not overlooking issues.

**RESOLUTION:** Cllr Thomas proposed the consultee comment for this application as:

**The Parish Council have no objection to this amendment.**

This was seconded by Cllr Kemp and unanimously carried by the meeting.

**1166 1 Market Street, Devoran TR3 6QA PA17/09841**

The plans were viewed, discussion took place regarding parking and a site visit was carried out. The Devoran Conservation Area Management Plan was discussed and the section read out relating to Devoran Lane. Discussion followed in which committee members felt that the proposed extension was too large for its setting and would be overbearing in the street scene from Devoran Lane.

**RESOLUTION:** Cllr Thomas proposed the consultee comment as:

**The Parish council has no objection in principle to an attached annexe extension to this property, however feel that the current proposal, by reason of its scale and bulk would be out of keeping and would have an adverse effect on the visual amenity. This property is within the Devoran Conservation area and any development should meet with both the Market Street and Devoran Lane development wishes of the Devoran Conservation Area Management Plan. We also have concerns over the accessibility of the parking provision and would like to see a Highways report regarding this. It would also be helpful to see contextual information to include levels and the position of the neighbouring properties to evaluate any possible overlooking or loss of privacy issues. We assume that a condition will be placed on any proposed annexe to ensure that its use remains solely as accommodation ancillary to the main dwelling house and also a condition that the proposed shed does not become a separate habitable unit.**

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

**6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL**

The following applications had been received since the last meeting.

**PA17/06843 17 Trevince Road, Carnon Downs – Construction of domestic garage**

It was noted that the planning committee had maintained their objection to the application and requested committee consideration however, on the basis of the Planning Conditions and Informative agreed between Cllr Alvey and the Case Officer, it had been agreed that it would not be called in.

**PA17/08640 - Chyreen, Restronguet Point, Feock - Various Tree Works**

It was noted that the planning committee had also maintained their objection to this application. Cllr Alvey had advised at the full Parish Council meeting held on Monday 6<sup>th</sup> November that the Case Officer will be arranging a site visit for Parish Council members to attend.

**PA17/05736 - Dwelling south of Stamps Hill, Trolver Croft - Proposed new dwelling**

It was confirmed that the application had been called in for committee consideration and will be heard at the Central Sub-Area Planning Committee meeting at County Hall on 27<sup>th</sup> November 2017. Cllr Blake will be speaking in objection to the application on behalf of the Parish Council

**7. CORNWALL COUNCIL PLANNING DECISIONS - AGENDA REPORT 2**

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

**APPROVED**

- 1106 Chyengarh, Restronguet Point, Feock TR3 6RN PA17/05699
- 1110 Bosalan , Restronguet Point, Feock TR3 6RB PA17/05850
- 1144 Tregyreath, Restronguet Point, Feock TR3 6RB PA17/08753
- 1128 Land North Of Bosvean, Trolver Hill, Feock TR3 6RR PA17/07004
- 1132 23 St Johns Terrace, Devoran TR3 6NE PA17/07928

- 1133 Bosalan, Restronguet Point, Feock TR3 6RB PA17/07484
- 1135 Sandoes, King Harry Road, Feock TR3 6QN PA17/07880
- 1137 Wood End, Feock TR3 6QW PA17/08181
- 1138 Hedgerow Trees bordering Road And Riparian Woodland, Come-to-Good PA17/08087
- 1139 14 Devoran Lane, Devoran TR3 6PA PA17/07939
- 1145 Water Lodge, Old Tram Road, Point, Devoran TR3 6NQ PA17/08988
- 1148 The Vicarage, Devoran Lane, Devoran TR3 6PA PA17/09159
- 1149 Land West Of 1 Carclew Terrace, Devoran TR3 6PN PA17/09211
- 1153 The Old Quay Inn, St Johns Terrace, Devoran TR3 6ND PA17/09532
- 1156 Loe Wall, Loe Beach, Feock TR3 6SH PA17/08945

REFUSED

- 1008 Land To The East Of Trevella Farm Valley Lane, Carnon Downs PA16/08980

**8. RESTRONGUET POINT**

The Chairman stated that the Parish Council has previously worked along the line of precedent set in the Restronguet Point area however we have now been made aware that with the principle of the AONB we should be aware of the cumulative effect of development which has been dramatic at Restronguet Point. The main concern is to ensure that what is there is in the context of the natural environment. Porthgwiddden House is framed with trees and this is the character of the area which we wish to retain and within this context we have to now be more forceful in terms of tree preservation in this area. As this feature is our main protection for the AONB he would consider and propose that an update of the TPO needs to be carried out in the Restronguet Point area. A further concern is what is happening along the sea edge with walling, slipways and boathouses and notes that the quality of the original 19<sup>th</sup> century walling of the Porthgwiddden Estate. This is constructed of local killas stone and of exceptional quality which if replicated would be fabulous. Recent walling has been carried out in granite which looks out of place. Cllr Kemp questioned whether the traditional walling should be listed. Cllr Morgan-Lundie stated that she would wish the wall discussed to be listed.

Cllr Allen stated that slipways are generally a simple concrete slab and cover the natural environment but there are two examples which have been raised on pillars which means that their visual and environmental impact is much reduced. In principle he sees that no boathouse needs accommodation and boathouses should only be used for the purpose of storage of boats. Debra Roberts advised that she had asked Rob Lacey of Cornwall Council how supplementary policy documents could be dealt with and was waiting for a reply. Cllr Kemp thanks Cllr Allen for his work in providing the document. Cllr Thomas suggested that if the intended protections afforded by the AONB are not carried out the area there will be little point in retaining this designation. Cllr Freeman commented that the view of the area from the sea was horrendous and Cllr Blake expressed concern that it was only a matter of time until the other side of the Point started looking the same way. Discussion followed regarding the recent approval of the slipway at Bosalan and Cllr MacDonald advised that he had visited the site and had been impressed with the proposal.

**RESOLUTION:** Cllr Allen proposed that this be accepted as the committee's planning policy for Restronguet Point and be put to Cornwall Council, asking for their comment and advising them that this is what the Parish Council wish to happen. This was seconded by Cllr Thomas and unanimously carried by the meeting.

**9. LAND USE CLASSIFICATIONS**

The Chairman advised that this was relevant to the infill policy. Where we are dealing with agricultural land we do not feel infill is appropriate and where it is garden we do. He advised that he had spoken with our friendly link Planning Officer at Cornwall Council and whilst she had pointed him in the direction of the agricultural land classification she had not been able to give any help regarding change of use legislation. He had looked it up on the planning portal and planning law is quite clear that if you wish to change the use of land from one category to another you do need planning permission and the gauge is whether it is a material change. For example, changing agricultural land to equestrian it is not a material planning change if the horses are used for agricultural use but is if it is for horses used for leisure (grazing or stabling). These type of applications used to come before the Parish Council frequently but do not seem to now. We have a suggestion now where we want to rely on whether the classification on the land is reasonable for development or not. There are no current records and the classification

can change of a gradual basis i.e. agricultural changes to horticultural and then part becomes stabling and eventually you have a field that has totally changed and is used for leisure by increments. The only way we can guard against this is to survey, take photographs and register those areas that are currently at risk i.e. those areas currently being considered for development. Cllr Kemp agreed that this would be a useful point of reference for us. Cllr Brickell gave examples of situations where people had allowed fields to overgrow and those that had been maintained but not used and asked how we defined non-agricultural land. Cllr Allen proposed that those areas at risk are surveyed (by marking on a plan and taking photographs). This was unanimously agreed.

Cllr Morgan-Lundie left the meeting at 5.27pm.

#### **10. SECTION 106 EDUCATIONAL CONTRIBUTIONS**

The Chairman gave details of the meeting with Paul Renowden, Cornwall Council's Education Capital Strategy Manager. He advised that monies were available from developments around the Parish but it was not likely that it would be spent. We know that we are going to get additional pressure on school places. Cllr Kemp informed Cllr Freeman of the background to the school places situation. Cllr MacDonald questioned how we are made aware of this money and it was confirmed that Cornwall Council send a quarterly to the Parish Clerk. Cllr Allen advised that affordable housing contribution money can be used elsewhere but the Parish Council do have first refusal on it should they be able to find the land to build an estate of affordable homes on. However it was recognised that this increase in homes would then put more pressure on the schools so would make the situation worse. Bearing in mind the reduced level of affordable local need in the Parish it may be sensible to allow a proportion of the Section 106 money to go to Truro where there are more facilities. Cllr Kemp felt that some formal conversation with Devoran, Perran-ar-worthal and Kea Schools should be held to make them aware of the money available and see if they could make use of it. It was clarified that if the education section 106 money wasn't spent then it would be lost. Cllr Kemp stated that it needed to be made clear what the money can be used for. Cllr Thomas asked how the need for affordable homes in the Parish is quantified. Cllr Allen explained that Cornwall Council has a locally connected affordable housing needs register and discussion followed regarding local housing need and local facilities. Cllr Thomas expressed concern about policies. Cllr MacDonald stated that some of this money has already been received from a local development and it does need to go into the local schools. Cllr Kemp agreed that she would be happy to discuss this with local schools to take the issue further. Cllr Thomas asked how children out of catchment push children in catchment out, Cllr Kemp advised that this had not happened this year as it was newly arrived in catchment children pushing out children already in catchment.

Cllr Thomas left the meeting at 5.53pm

#### **11. PLANNING POLICY INFORMATION DOCUMENT**

The Chairman thanked the Assistant Clerk for her work preparing the document and it was agreed that it would be a standard agenda item for planning meetings so that it could continually be reviewed and updated with relevant information.

#### **12. PLANNING PRE-APPLICATIONS**

Cllr Blake reported that he had received a phone call from Mr Wason of Chyreen at Restranguet Point expressing his upset at the current situation regarding local concern surrounding his planning applications and works to trees on the woodland. He acknowledged that he had misunderstood advice given by Cornwall Council with his original pre-application about the management of the trees and hadn't realised that the works he had carried out were not in keeping with the original intention of the advice given. Mistakes had been made by Cornwall Council's Tree Officer also and the Enforcement Officer had visited the site several times. He then informed him that he wants to re-build the boathouse on his land and asked for advice with the process. Cllr Blake advised him that when he has plans of his proposal he should make a pre-application enquiry with the Parish Council and arrange a site meeting with the planning committee.

The revised plans for Quiet Quay, following on from the Pre-application meeting held with Rogers & Jones Architects on 9<sup>th</sup> October were viewed and discussed. Cllr Allen proposed, seconded by Cllr Blake that the response to the Architect should be that they have considered the revised plan and cannot see a significant material difference that would change their views; however they are always open to a further meeting if they feel it would be useful. This was unanimously agreed.

**13. PLANNING APPEALS AND ENFORCEMENTS**

A report of newly opened and closed planning enforcement complaints made to Cornwall Council was noted.

Cllr Blake suggested that the works being carried out regarding the groundworks for PA14/10922 may not be in accordance with planning permission conditions and asked for this to be looked into.

**14. MATTERS ARISING**

The Chairman noted that Cllrs Morgan-Lundie and Freeman would be able to report on their attendance at the Planning Conference at the next meeting.

**15. DATE OF NEXT MEETING**

The date of the next planning meeting will be arranged as soon as possible to ensure a quorum of committee members will be available to attend.

There being no further business the meeting closed at 6.10pm.

Signed.....  
**Feock Parish Council Planning Committee**  
**11<sup>th</sup> December 2017**