

**MEETING NO.1151**  
**Minutes of FEOCK PARISH COUNCIL PLANNING COMMITTEE MEETING held on**  
**Monday 3<sup>rd</sup> October 2016 at 3.30pm**  
**at the Parish Council Offices, Devoran TR3 6QA**

Members present: B Richards  
P Allen  
B Thomas  
K Hambly-Staite

In attendance: Debbie Searle, Assistant Clerk  
Sam Edwards, Apprentice Clerk  
Cornwall County Cllr S Chamberlain  
Lisa Solly, Situ8 Planning  
Mr & Mrs Loosley

**1. WELCOME & APOLOGIES**

The Chairman welcomed those present. Apologies were received and accepted from Cllr Kemp and Cllr Blake.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. PUBLIC PARTICIPATION**

Lisa Solly of Situ8 Planning spoke regarding a proposal to subdivide the plot at Camelia House, Trevilla Hill, Feock to provide a single infill dwelling. She provided plans and photographs for information and requested advice and comments on the proposal. To the East is the garden of Little Trevilla which is virtually unseen from the plot due to mature trees, to the North is Trenoweth which is set some way from the site and at a higher level and to the west is open countryside. There would be no impact to neighbouring properties and there are no mature trees within the proposed site that would be affected. There is sufficient distance between the plot at the host dwelling to create a buffer and not to cause detriment to Camelia House and there would be enough retained ground to give both dwellings substantial gardens. It would constitute infill development. The Chairman commented that there is a mix of types of dwelling in that area and asked for clarification that it would be going into the back part of the plot marked in red. Cllr Allen asked for clarification that the area bounded by blue was to remain in the ownership of Camelia House. Lisa Solly advised that they had not yet held any pre-application discussions with Cornwall Council regarding the proposal. Cllr Allen commented that the proposal if considered some years ago would not have complied with infill policy, however he suggested that under the new definition of infill this might apply and as infill it may potentially be acceptable. Cllr Thomas asked for clarification on the impact on trees and Lisa Solly stated that there would be no impact on mature trees in the site, that there are no TPO trees on the site and no need for any trees to be taken down. The Chairman commented that the aerial photograph shows that in many ways it may comply with infill policy and sub-division of a plot and it could be suggested that it was rounding off of the area. It was suggested that members would not have too much of a problem with the basic principle of division of the site. Cllr Allen commented that he was mindful that whoever

owns the area outlined in blue may wish to subdivide the plot further at some point in the future, Lisa Solly stated that there would be access issues for any further dwelling.

3.48pm Cllr Hambly-Staite joined the meeting.

Cllr Chamberlain provided information on the Inspector's report and schedule of major amendments to policy 9 of the Local Plan relating to rural exception sites, previously it had to have the agreement of the Parish Council but it now doesn't, however it was noted that the start point for consideration was still 100% affordable which has to match a need with the housing type also having to match a need. The Chairman commented that he felt they were now returning to the view that settlement boundaries have relevance. Discussion followed regarding infill policy, rounding off and historic curtilage and that further clarification was needed.

#### 4. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Thomas proposed that the minutes of the meeting held on 5<sup>th</sup> September 2016 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Hambly-Staite and the Chairman duly signed the minutes.

#### 5. STATUTORY CONSULTATION – PLANNING DECISIONS

The following applications were considered and decided as detailed.

##### **972 Highview House, Pill Lane, Feock TR3 6SE PA6/07996**

The Chairman advised that objections to the proposal had been received and then read out the Tree Officer's comments. He commented that he felt that this tree was not the type that the TPO was intended to cover and should not need planning consent to enable it to be taken down. Cllr Hambly-Staite stated that on behalf of local residents he would like to put forward a contrary view and was surprised at the tone of the Tree Officer's report as the tree is very visible from the regularly used footpath and will, if removed, urbanise that part of the creek as one building will run into another creating a block of concrete. A previous application was noted and it was confirmed that this was for the removal of an overgrown pittosporum. The Chairman proposed that he supported the Tree Officer's opinion. Discussion instigated by Cllr Thomas took place regarding a replacement tree, Cllr Hambly-Staite stated that the application asks for the details of a replacement tree however this has not been given and only general landscaping is referred to. He also noted that the Tree Officer had not made any comment about a replacement tree. Cllr Richards advised that members could request a replacement tree be a condition of the application.

**RESOLUTION:** Cllr Richards proposed the consultee comment to Cornwall Council as: **The Parish Council would agree with the professional guidance of the Tree Officer but would like to see a condition that a suitable tree is put in as a replacement.** This was seconded by Cllr Allen and carried by the majority with one abstention (Cllr Hambly-Staite).

##### **973 The Old School House, Wellington Place, Old Carnon Hill, Carnon Downs TR3 6LF PA16/08151**

The Chairman gave details of the application and noted that no objections had been received and no comments were on the online planning register. It was a large plot with a relatively modest extension proposed and would not be changing the aspect too much. Cllr Allen commented that he had no

objection. The Chairman felt that the dormers proposed would be as expected in a property of that age estimated to be at early to mid-Victorian.

**RESOLUTION:** Cllr Richards proposed the consultee comment to Cornwall Council for this application as: **The Parish Council has no objection to the plans as set out subject to suitable materials being used that are consistent with the existing property.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

**975** Tremanor, Restronguet Point, **Feock** TR3 6RB **PA16/08162**

The Chairman clarified that it was a minor amendment to a previous application for an extension and no further development was being proposed. It was noted that the application was due to the need to move the foundations away from a foul water access chamber discovered after the commencement of construction of the extension already approved.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **Subject to confirmation that the amendment takes the wall far enough away from the foul drainage system the Parish Council have no objection.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

**976** Cherry Trees, Mount George Road, Penelewey, **Feock** TR3 6QX **PA16/08241**

The Chairman read out the comment of Jacqueline Rapier from the online planning register. His personal view was that he had no other comment other than that a condition be stipulated that it is used only for its stated purpose without a further application for change of use being made. Cllr Thomas questioned why another access was needed and members agreed that they were not convinced that a separate access to put a shed in the back garden and the loss of trees and hedging to create this was necessary. Cllr Allen stated that if the shed were to have a commercial use it would create noise which would be of concern. The Chairman suggested that members had no objection as such to put in a new shed but would question the need for a new access onto another road which would be affecting large mature trees.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **As a matter of principle we have no objection to the erection of a shed but would like to see it conditioned so that it remains specifically for the purpose as set out in the application. However we do have a fundamental issue with the creation of a new access to the shed as it would appear to necessitate the removal of two trees within the TPO zone.** This was seconded by Cllr Hambly-Staite and unanimously carried by the meeting.

**977** Road from Porthgwidden Lodge to the slipway at Swiss Cottage, **Feock** TR3 6SG **PA16/08208**

The Chairman noted that the Tree Officer had not yet commented on the application and read out the objection to the application received from Mr Watson of Porthgwidden Estate Ltd. Discussion took place regarding the TPO trees in the area and it was confirmed that the TPO did cover the area being discussed. The Chairman read out a letter received from Mr & Mrs Taylor expressing their concern that the application had misinformation regarding the tree's location but confirming that they welcomed the application as the tree is damaging the sea wall. Cllr Hambly-Staite suggested that if the Sycamore

is the cause of the state of the wall it should be brought down as soon as possible but is concerned at the apparent misinformation in the application.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **We would be happy to accept the recommendation of the Tree Officer bearing in mind the comments which have been made by Porthgwidden Estates Ltd and others about fundamental inaccuracies in the application. Should the felling of the tree cause damage to the sea wall we would require a condition that the sea wall be reinstated to a suitable condition.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

**978** Corning, Point Road, **Carnon Downs** TR3 6JN **PA16/08407**

Cllr Allen suggested that the proposal in some way forms a counterbalance to the property the other side. The plans were viewed and discussion followed in which it was suggested it was a large extension but would not be overdeveloping the plot as it would still leave room for parking, turning and a garden area. Cllr Allen suggested that if it weren't for the fact that the neighbouring property had already been extended then members may have some concern but as it is it balances up what has been done next door.

4.27pm Cllr Chamberlain left the meeting.

Cllr Thomas stated that he had no objection to the proposal. Cllr Hambly-Staite questioned the rules regarding size of extensions and members agreed that an extension should be subservient to the existing dwelling. Discussion followed in which members expressed some concern that the proposed extension was not subservient to the host dwelling which would be contradictory to normal planning guidance and agreed that the Case Officer should be asked for guidance.

**RESOLUTION:** Cllr Richards proposed the consultee comment for this application as: **The Parish Council has no objection in principle to extending this dwelling but has concerns about the mass as it relates to the original host dwelling and would seek guidance from the Case Officer on this issue.** This was seconded by Cllr Allen and unanimously carried by the meeting.

**982** Ardevora (formely Mesilah), Greenbank Road, **Devoran** TR3 6PQ **PA16/08431**

The Chairman read out the application detail and advised that it was an amendment to a previously approved application. No objections had been received and Cllr Chamberlain had confirmed that he has no objections subject to it not causing any overlooking issues. Members agreed that no overlooking issues would be caused by the proposal for the additional window.

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

Three letters had been received under the local 5 day protocol procedure and members considered them as detailed:

**965** 41 Devoran Lane, **Devoran** TR3 6PD **PA16/07807**

The Chairman read out the letter from the Case Officer advising that amended plans had been received changing the proposed dormer extension on the west elevation to roof lights and on that basis recommending conditional approval of the application. Discussion followed.

**RESOLUTION:** Cllr Richards proposed the response to the Case Officer as: **The suggested amendment of the rear elevation is in keeping with the Parish Council's comments and we therefore accept the Case Officer's recommended approval of the application.** BR/PA all agreed

**969 Brookside Cottage, Feock TR3 6RU PA16/06888**

The Chairman read out the letter from the Case Officer which recommended refusal of the application for the installation of a shepherd hut to provide accommodation for family visitors and use as a holiday rental. Discussion followed in which members felt that the Case Officer should be made aware of other similar applications in the Parish which had been approved and there was a possible issue of inconsistency with decisions by Cornwall Council.

**RESOLUTION:** Cllr Richards proposed the response to the Case Officer as: **The Parish Council will agree to disagree with the Case Officer on this application but would ask the Case Officer to be mindful of the fact that this site is within a few hundred yards of an existing holiday site at Come-to-Good Farm which is in our opinion equally as remote from any facilities.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

**942 Car park adjacent to Old Vicarage and Church Hall, Churchtown, Feock PA16/05778**

The Chairman read out the letter from the Case Officer which recommended conditions to an approval. Cllr Hambly-Staite requested that members should highlight the need for the conditions to be clear as stated, as the existing lights are not time limited as they should be. He commented that he would like to think that neighbouring trees and hedges would be retained and gave local knowledge of the wish for trees to be retained. The Chairman stated that there was nothing in the application to suggest that hedges and trees will be removed. Discussion followed.

**RESOLUTION:** Cllr Richards proposed the response to the Case Officer as: **We would agree with the recommendation of the Case Officer which appears to satisfy the majority of the concerns raised by local residents and the Parish Council but we would like to ensure that the Tree Officer is fully satisfied that the necessary ground works for the project do not disturb any trees or shrubs within the development site. We would like to ensure that the conditions relating to the hours of operation of the lights are strictly adhered to.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

For information the Chairman informed members that a 5 day local protocol letter regarding **964 Harbour Light, Restronguet Point, Feock TR3 6RB PA16/07355** had also been received and dealt with by email procedure since the last meeting. An email had been sent to the Case Officer within the 5 days to confirm that members would agree with her recommendation for conditional approval on the basis of the revised plans.

## **6. CORNWALL COUNCIL PLANNING DECISIONS**

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

APPROVED

- 941 Malojo, Restronguet Point, **Feock** TR3 6RB **PA16/05716**
- 952 Former Blacksmiths Cottage, Smithy Lane, **Carnon Downs** TR3 6LE **PA16/06424**
- 956 Pendower, Mount George Road, Penelewey, **Feock** TR3 6QX **PA16/07092**
- 958 Devoran Boatyard, Greenbank Road, **Devoran** TR3 6PQ **PA16/07080**
- 962 Highview House, Pill Lane, **Feock** TR3 6SE **PA16/06890**
- 963 Chycoose Barn, Chycoose, **Devoran** TR3 6NU **PA16/07149**

**7. PLANNING PRE-APPLICATIONS**

The Chairman advised the meeting that Cllrs Richards, Kemp, Blake and Hambly-Staite had attended a meeting with CAD Architects regarding a proposal for a new dwelling at Bodelvan, Restronguet Point. Members considered the proposal an improvement on the previous withdrawn planning application.

**8. PLANNING APPEALS AND ENFORCEMENTS**

The Chairman advised that the appeal for PA15/05910 and adjacent to Stamps Hill, Trover Croft, Feock had been dismissed.

An appeal has been lodged for PA16/03840 for two properties at Land north of Porthgwidden, Harcourt Lane, Feock. The Chairman read out a letter from Porthgwidden Estate Ltd sent to the Planning Inspectorate reiterating their objection to the proposal which had been copied to the Parish Council. Discussion took place in which members agreed that no further comment from the Parish Council to the Planning Inspectorate was necessary as the original comment will be considered. Discussion took place regarding the local plan infill and rounding off policy and also flooding issues at the site in relation to an outline/full planning application.

The Chairman advised that he had written to Cornwall Council requesting clarification of the procedure to progress the situation regarding the enforcement case and a necessary application by Pellows at Carnon Yard but had not yet received satisfactory information.

**9. MATTERS ARISING**

The Chairman read out a letter from a resident regarding light pollution at Trevallion Park. Members considered that it was not a planning issue rather a matter for the Environment Health Department at Cornwall Council and members agreed that it was appropriate to reply recommending that she approach Cornwall Council regarding the issue.

**10. DATE OF NEXT MEETING**

The next planning meeting was agreed as Monday 10<sup>th</sup> October 2016 at 3.30pm.

The meeting closed at 5.15pm.

**Signed .....**  
**Chairman, Feock Parish Council Planning Committee**  
**10<sup>th</sup> October 2016**