

MEETING NO. 1123
Minutes of FEOCK PARISH COUNCIL PLANNING MEETING held on
Monday 18th January 2016
at the Parish Office, Devoran at 3.30pm

Members Present:

| WARDS | CARNON DOWNS | FEOCK | DEVORAN |
|--------------|---------------------|--------------|----------------|
| | B Richards | C Shefford | B Shankland |
| | I MacDonald | | |
| | P Allen | | |
| | C Kemp | | |

In Attendance: Debbie Searle, Assistant Clerk
Cornwall Cllr S Chamberlain
Mr G Smart
Mr P Ledson
Mrs J Disler
Mr J Masters
Mr G Murdoch
Mr P Ledson
Mr A Yule

PLANNING COMMITTEE CHAIRMAN: Councillor B Richards

1. WELCOME & APOLOGIES

Apologies were received and accepted from Cllr Blake. It was noted that Cllr Shefford would be attending the meeting but expected to be late.

Cllr Shefford arrived.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. PUBLIC PARTICIPATION

Mr Peter Ledson spoke in objection to PA15/08529. He advised that he was a retired Quantity Surveyor and lived close to site, he expressed concern at the reaction to the original application by the applicant's agent in that the applicant had submitted two new drawings which were incorrect and with a complete lack of specification of the materials to be used. He stated that he had written a lengthy letter to the Planning Officer covering his points but wanted to reinforce three points to the Parish Council; the applicant continues to submit incorrect drawings, there is a complete lack of specification for materials and no proper representation of the visual impact from the Creek. The whole issue of the size of the development hasn't been addressed and there isn't a construction management plan. The tree surveys submitted are very confusing, on one hand the application states they are looking for access from the track and on the other hand it states all materials will be brought in by sea. The Tree Officer has said this would alleviate tree issues but requires any permission to be conditioned. He suggested that if materials are to be brought in by sea then more statutory consultees should be listed i.e. Marine Authority etc. He felt the AONB issue should be given more strength and concluded that the whole application was misleading and inadequately argued. The Chairman asked members if they had any questions for Mr Ledson, no questions were asked.

Mr Gerrard Smart spoke in objection to PA15/11326. He advised that he lived opposite the application site and had done so for 15 years. He stated that Trolver croft is a narrow bridleway, and has no speed limits, speeds in excess of 20mph are not unusual and are usually caused by visitors and delivery drivers. The refuse lorry and oil lorry can just get down however the ambulance has difficulty and the fire engine cannot get down. There have been 8 formal objections sent in to Cornwall Council regarding the safety issue. Cornwall Highways have not made any comment on the application and he doubts they have looked at it. The application was made just before the Christmas period; most residents are opposed or strongly opposed to another access onto Trolver. Personally he has an issue with the proposal that it will enable the applicant to look straight into the living accommodation of his property and at night his car lights will shine straight back down into his property. He has strong opposition related to the safety issues. The Chairman advised those present that a site meeting had taken place and that Mr Smart's comments reiterated what was said at the meeting and read out the notes from the meeting. He suggested that there had been no Highways comment as it is not an adopted highway. Cllr MacDonald asked how he thought the existence of the parking space will aggravate the problem. Mr Smart answered that it creates another access onto Trolver Croft itself and suggested an alternative proposal to the applicant which would solve his personal issue of his property being adversely affected but not the safety issue.

Mrs Jan Disler spoke in support of her application PA15/11812. She advised that the Boathouse was at the foot of her land and that she had renovated The Owls House and Boathouse after purchasing them. The Boathouse had grown organically into a holiday let for which she was seeking retrospective planning. She advised that both supporters of her application were from Pill Lane and those objecting lived elsewhere. The Boathouse was used as a food storage shed in WW2 and then later housed an Oyster purification system. It had not been kept up for 30 years. When she bought the property in 2012, planning permissions were in place to extend both the house and boathouse. She stated that she held an 80 year lease for rights of walking over the grassland adjacent (owned by Mr Blows) and had responsibility for maintaining and repairing the woodland which they did. She had chosen the Owls House for its setting in an AONB however she constantly hears noise from tree felling and boat yard works and sees vessels being left to rot on the creek, suffers noise pollution from the neighbour renting out his foreshore on which works to boats are carried out. It is her intention to live in Pill Creek and see the reinstatement of local bye-laws to cease noise pollution. The Chairman confirmed that all members had taken the opportunity to read all the comments submitted on the online planning register. Cllr Allen asked if they had received any advice from Cornwall Council before turning it into a holiday let. Mrs Disler stated that in her ignorance she did not and had converted it to be used by her children, it then organically became a holiday let after it was suggested to her by neighbours after seeing the conversion.

4. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Allen proposed that the minutes of the meeting held on 14th December 2015 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Shefford and the minutes were duly signed by the Chairman.

5. STATUTORY CONSULTATION-PLANNING APPLICATIONS

The following applications were considered and decided as detailed.

6. PLANNING DECISIONS

The following applications, decided by Cornwall Council since the last meeting on 14th December 2015, were reviewed.

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

The Chairman summarised that the application had been discussed at a previous planning committee meeting, members had attended a site meeting with the applicant and had made previous comment. This comment was

that members had no real problem in principle with sub division of the plot, but were concerned over the size of the proposal, the level of digging out, the access and the materials to be used and also that there had not been a construction plan submitted. Cllr MacDonald stated that having looked at the revised drawings he could see something of an improvement but all reservations still stood. The Chairman stated that some aspects of the submitted drawings were not at all clear and there was still no clear indication of how the site would be accessed. The access from Restronguet Point is a footpath and inadequate for modern day construction traffic. Cllr Allen agreed that the proposal was moving in the right direction but not yet at the point where we would change our original comment, the suggestion that goods could be brought in by sea has not been backed up. It was discussed that the comments from AONB Planning Officer should be supported. Cllr Kemp stated that if drawings are incorrect they need to be revised and resubmitted.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: We are still unclear about this application as some of the drawings appear inadequate. There is still a lack of specification on some for the materials to be used and a lack of a construction management plan. We therefore consider it to be an incomplete application and we would endorse the comments made by the AONB Planning Officer and confirm our previous comments that further information is required before we could fully consider the application. This was seconded by Cllr Allen and unanimously carried by the meeting.

860 Fernleigh, Trolver Croft, Feock TR3 6RT – PA15/11326

The Chairman advised that members had attended a site meeting on Tuesday 12th January with the applicant and neighbours and read out the notes from the meeting. Cllr Kemp stated that the application was not going to affect the speeding, was not changing the width of the lane and not increasing traffic so questioned what the real issue was. The Chairman commented that the problem over access, speed and weight for vehicles entering and exiting Trolver was for wider discussion and members should only discuss the merits of the parking space. It was suggested that the parking area may help with widening up the area. Cllr Allen expressed opinion that the major issue is the effect of the lights of vehicles parked and suggested that this would be considerable. He agreed that the current access was unacceptable and is satisfied that an alternative entrance is justified and needed but not totally satisfied that it cannot be moved up to alleviate neighbours concerned. The Chairman reiterated that members have to deal with the application as presented, whether the application caused light pollution and unneighbourliness. It was discussed that any light would not shine directly into a living room as it was a hallway. Cllr MacDonald stated that at the site meeting he had discussion with Cllr Allen about car lights and they had disagreed, many people live with neighbours across the road and the argument doesn't convince him that it is unneighbourly. Cllr Allen reiterated that he supports the creation of a parking space in principle but would wish it delayed until the report from the Tree Officer could be received.

RESOLUTION: Cllr MacDonald proposed the consultee comment for the application as: We can see no material planning considerations for a refusal of the application however we would suggest that the applicant may like to consider a repositioning after taking advice from the Tree Officer regarding the protected trees. We would not wish this suggestion to lead to a refusal of the application. This was seconded by Cllr Richards and unanimously carried by the meeting.

866 Land to west of Point Road, Carnon Downs – PA15/11497

The Chairman advised members that development of this land had been discussed at different times over the last few years. The current proposal is a reduction from that originally proposed and has evolved with regard to the Neighbourhood Development Plan regarding the size of the development and also Cornwall Council in terms of their mix of affordable housing, so it is something that the Parish Council have given support to for the last couple of years. As soon as the official pre-application was submitted it became public knowledge. Members have been concerned about the access at either end of the site and have asked Highways for their

views. For transparency the Chairman stated that Cllr Allen lives near the application site but in his opinion he does not feel that Cllr Allen needs to declare an interest in the application. Cllr Allen reiterated that he lives along the road from the site and has been involved with the Neighbourhood Development Plan process and in his opinion the proposal does fit with the criteria i.e. smaller development and specifically affordable led so there are no reasons to object on policy grounds. It is therefore only the practical considerations that would not allow it, these would be access and highways. He expressed concern that if access is where currently proposed it would take away a natural calming point. Cornwall Highways have said in access terms some sort of pedestrian access to the village is required but their proposal to put footway on the opposite side of road doesn't adequately answer the problem therefore he doesn't think that the current proposal deals with the practical points effectively. Discussion followed in which Cllr Allen expressed opinion that the site would not be his favourite area to develop and discussion followed on the Neighbourhood Development Plan process for land consultation. Cllr Shankland questioned the design. The Chairman advised that the proposal was for a mix of some single storey and some two storey dwellings and would fit with the general vernacular of the area. Cllr Allen stated that any development should satisfy local needs and this would go some way to satisfying that need.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: We have no objection in principle to this development as it is set out in the plans however we have serious concern over the access. Before a decision is reached we would like to see a full report from Cornwall Highways on the suitability of the present access and effect on the road in general. Consideration should also be given to a Developer's contribution in the form of a section 106 agreement to alleviate any problems highlighted. We would also question the present location of the proposed new footway to the existing village footpath network and would seek to resolve this with Cornwall Highways and the Developer. This was seconded by Cllr Kemp and carried unanimously by the meeting.

868 The Owls House, Pill Lane, Feock TR3 6SE – PA15/11812

The Chairman stated that the main concern was the question of change of use from boathouse to holiday accommodation. However another concern was the flood risk and the question of possible light pollution on the creek and also development within the AONB. He advised that the planning history shows there was an application 4/5 years ago for a new boathouse however this was not taken up and lapsed after 3 years. The present owner has not tried to get that permission renewed but has turned the boathouse into accommodation. The photograph of the boathouse in 2010 and the photograph of the boathouse as it is today, clearly shows there has been an addition of a balcony, change in windows and that the previous large doors have been replaced with a window so alterations to the basic structure have been made. Cllr Allen commented that he hasn't been down to creek himself and from the photographs it looks a very nice conversion and looks in-keeping, however he expressed concern at the change of use of the property and objected in principle boathouses around the creeks being converted into residential property. He expressed concern as to its long term sustainable due to flooding. Although the applicant had expressed annoyance at boat building and repair work carried out around the creek the Parish Council noted that this was a traditional activity to be expected in this location. Whilst it was appreciated that the renovation of a derelict building was favourable its use as a holiday let is not desirable as it might set a precedent of allowing boathouses to be changed to accommodation. Cllr Shankland expressed the opposite opinion that there were no shortage of boats but there is a shortage of holiday accommodation. Cllr Shefford commented that she found it hard to believe that the applicant didn't know the formalities regarding planning that should have been observed. She stated that the Creek should be about the people who live in the Parish and go there to swim and fish etc. The Chairman stated that it was development within the AONB. Cllr Kemp commented that if the applicant hadn't done it up it would have disintegrated into a rotting mass. The Chairman commented that a photograph submitted suggested that one of the pillars has a crack in it. He stated that his major concern is the question of the flood risk and quoted from the flood risk report. He then referred to a previous application at Devoran Creek which

had been refused on the basis of being in a flood risk zone and suggested the flood risk report submitted does not go far enough. The site is within a flood risk zone so more detail should be required. Cllr Shankland questioned if flood risk has an impact on what things can be used as. Cllr Kemp suggested that it should have a flood risk kit. The Chairman suggested the consideration that the electrics and waste disposal should comply with current standards. Cllr Allen stated that the crux is the use of it; if authorisation is given then we are authorising it in a manner which if it floods you allow the property owners the authority to change it i.e. lift it up. Cllr Allen stated that he did not wish to see a change of use. Discussion continued in which Cllr MacDonald questioned if you turned the clock back and the applicant was coming with a derelict boathouse asking to renovate it with addition of services would that be a change of use. The Chairman confirmed it would be as you were putting in services however we are being told that electricity and a water supply were already installed. Cllr MacDonald stated that his real reservation is it being used for commercial letting and not for family overspill.

RESOLUTION: Cllr Allen proposed the consultee comment for this application as: We have a fundamental objection to the change of use from boathouse to holiday let. This was seconded by Cllr Shefford and carried by the meeting with one abstention from Cllr Kemp and one against from Cllr Shankland. Cllr Allen also proposed additional comment as: We are also not entirely satisfied that the flood risk assessment goes far enough, particularly with regard to the sequential test process and information given in NPPF paragraphs 100-103. We would also be concerned that if a change of use is authorised that the relevant authorities are satisfied that the alterations made meet necessary building regulation standards. These concerns would particularly relate to the electricity supply and waste disposal. This was seconded by Cllr Shefford and carried unanimously by the meeting.

865 Ancora, Old Tram Road, Point, Devoran TR3 6NQ – PA15/11497

The Chairman stated that members had visited the site at the invitation of the applicant and read out the notes from the site meeting. Discussion followed in which it was agreed that members could see no reason to object to the proposal.

RESOLUTION: Cllr Allen proposed the consultee comment for this application as: The Parish Council have no objection to the proposal as put forward in the plans. This was seconded by Cllr Richards and carried unanimously by the meeting.

663 Ridgewood, Restronguet Point, Feock TR3 6RB – PA15/11474

The Chairman summarised the application and advised that no neighbour comments or objections had been received. Cllr Kemp expressed concern over the view from the road being so stark. Discussion followed in which the exact location of the property was clarified.

RESOLUTION: Cllr Kemp proposed the consultee comment for this application as: We can see no material planning considerations for a refusal but we would like consideration to be given to the softening of the aspect facing the road as we feel this is extremely harsh in its present form in an Area of Outstanding Natural Beauty. This was seconded by Cllr Shefford and carried unanimously by the meeting.

859 Gullivers, Restronguet Point, Feock TR3 6RB – PA15/11297

The Chairman summarised the application and read out the objection on the online planning register. Discussion followed.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: Whilst we would have no fundamental objection to an extension to this property we note the concerns of the neighbour at The Beeches with regard to the over dominance of additional height, proximity to property boundary and the adverse effect on the neighbours enjoyment of their own home and privacy. We would like to see these matters addressed before a decision is made. This was seconded by Cllr Allen and carried by the meeting with one abstention from Cllr MacDonald.

869 Boskenna, Mount George Road, Penelewey, Feock TR3 6QX – PA15/12046

The Chairman summarised the application. The plans were viewed and discussion followed.

RESOLUTION: Cllr Kemp proposed the consultee comment for this application as: We could not give our full support to this proposal in its present form as we are concerned about overbearing issues of the neighbouring property known as Trewick and although the occupier of this property at the time of writing has raised no objection we feel the overbearing aspect should be fully considered before a decision is made. This was seconded by Cllr Shefford and unanimously carried by the meeting.

867 Bosula, Harcourt Lane, Feock TR3 6RW – PA15/11737

Members viewed the plans and discussion followed. The Chairman stated that he had reservations as it seems to be a very large barn for a three acre holding. Cllr Allen also suggested that it seems excessive for its requirement. The details of the application were discussed.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: Although we have no fundamental issue with an agricultural building for the site, we consider the proposal to be excessive in size for the size of the holding. We would also like a condition placed on any permission that it be an agricultural building in perpetuity. This was seconded by Cllr Shankland and unanimously carried by the meeting.

862 Wyngates, Forth Coth, Carnon Downs TR3 6JY – PA15/11406

The details of the application were discussed. Cllr Kemp noted that there was a blank wall to the neighbouring property so there should be no overlooking issue.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: We have no fundamental objection to the proposal as set out. This was seconded by Cllr Allen and carried unanimously by the meeting.

861 The Nurseries, Carnon Crease, Carnon Downs TR3 6LJ - PA15/11224

The Chairman summarised the history of the site and stated that he had concern over the size of the shed. He had spoken with the agent who advised that the roof pitch needed to be 30 degrees to make use of the solar panels. Modification had been made by reducing the height to approximately .5 metre. Discussion followed in which it was agreed that as a fundamental principle the taking down of the bungalow and replacing is acceptable. No further objection had been received from any of the neighbours. There were varying suggestions about the footpath made by the Ramblers Association and it was noted that the Bat survey is considered to still be within date although being done 18 months ago.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: Feock Parish Council can see no material planning considerations for a refusal of this application in its present form. However we would draw the case officer's attention to the Ramblers Association comments about the gates and also the height and mass of the proposed agricultural store. We would also like to see a condition imposed that the

agricultural store remains as such in perpetuity. At the time of making this comment no neighbour comments have been received. This was seconded by Cllr MacDonald and carried unanimously by the meeting.

Approved:

- 842 4 Trelawne Close, Carnon Downs TR3 6HT PA15/10183
- 844 Devoran Village Hall, Quay Road, Devoran TR3 6PQ PA15/10205
- 845 Longholme, Tregye Road, Carnon Downs TR3 6JH PA15/10557
- 846 Trolver Old Farm, Trolver Hill, Feock TR3 6RP PA15/10700
- 847 Rathillet, Trolver Hill, Feock TR3 6RR PA15/11049
- 849 Roscownans, Old Kea TR3 6AX PA15/10873
- 850 Pipers Cottage, Four Turnings, Feock TR3 6QR PA15/09858
- 852 Tremanor, Restronguet Point, Feock TR3 6RB PA15/09753
- 854 Mill Pond Cottage, Trolver Hill, Feock TR3 6RR PA15/11077
- 855 Storrie, Old Carnon Hill, Carnon Downs TR3 6LE PA15/11313
- 856 The Glen, Trolver Croft, Feock TR3 6RT PA15/11161
- 858 Tresarnow, Penpol, Devoran TR3 6NN PA15/11371

Refused:

- 853 Devoran House, 1 Devoran Lane, Devoran TR3 6PA PA15/11068

7. PLANNING APPEALS AND ENFORCEMENTS

The Chairman informed members that Cornwall Council Enforcement Officer for case EN15/01034 has been in contact with the planning agent and is waiting for them to confirm when the full application will be submitted.

8. PLANNING PRE-APPLICATIONS

It was noted that a meeting had been arranged for Planning Committee members to meet with CAD Architects on Monday 25th January.

9. MATTERS ARISING

The Chairman advised that he was in the process of arranging a public meeting to be held in Carnon Downs regarding application PA15/11988. This was provisionally arranged for Wednesday 27th January in the Methodist Chapel at 7pm.

10. DATE OF NEXT MEETING

It was agreed that the date of the next meeting will be agreed when sufficient applications are received for consultee comment.

There being no further business the meeting closed at 5.55pm.

Signed :
Chairman, Feock Parish Council Planning Committee
16th February 2016