

MEETING NO. 1016

Minutes of the FEOCK PARISH COUNCIL MEETING held on Monday 11th April 2011
at Feock Parish Council Office at 7.15pm.

Members Present:

WARDS	CARNON DOWNS	DEVORAN	FEOCK
	Mrs J Woolcock	Mrs S M Baker	K Hambly-Staite
	J H H Langdon	Mrs E M West	J D Brock
	Mrs S E Felton	B L Ashdown	Mrs A D Smeath
		J H Challen	C J B Taylor

In Attendance:

A. Truan, Clerk to the Council
Mrs J Major, Assistant Clerk
Cornwall Councillor J Currie
Mrs J Silcox- West Briton Reporter
No Local Electors

CHAIRMAN: Councillor Mrs S E Felton

During the public session:

Mr Atkins spoke as the Agent for development proposals at Parkwood Hill, Carnon Downs. He was of the opinion that great efforts had been made to create a Regency style farmhouse on this plot to replace redundant buildings. It was also noteworthy that efforts had been made to develop within local vernacular and to relative proportions considering the size of the plot.

The Chairman thanked Mr Atkins for his comments on the development proposals and confirmed that these would be taken into account during consideration of the item at the council meeting.

9405 MINUTES

Councillor Hambly-Staite proposed, subject to an amendment on minute 9395 noting the additional declaration of interest of Councillor Mrs Felton, that the minutes of the council meeting held on 14th March 2011, as circulated, be confirmed as a true record and signed by the Chairman. This was seconded by Councillor Mrs Woolcock and carried by the meeting.

Councillor Mrs Smeath proposed that the minutes of the council meeting held on 28th March, as circulated, be confirmed as a true record and signed by the Chairman. This was seconded by Councillor Langdon and carried by the meeting.

9406 MATTERS FOR REPORT

REPORTS FROM MEMBERS

Councillor Challen reported on a meeting of Devoran Community Association who had agreed Terms of Reference for future meetings and were now planning a street party for the Royal Wedding.

Councillor Brock reported from a further meeting of the Friends of Restronguet Point that there was some disappointment that the parish council had not overtly supported a 20 mph traffic speeding limit on the highway leading to, and on, the Point.

Councillor Brock also reported on thanks given to the parish council at the official opening of the community telephone box at Feock which was now proving to be a great community run asset as a book exchange.

REPORTS ON PREVIOUS AND ONGOING BUSINESS

The Clerk reported, following a meeting with Senior Cornwall Council Officers, that a further meeting of the parish councils working group was planned for 4th April. A response would then be sent under delegation before 28th April, and subsequently reported to council.

It was noted that a meeting had now been held with Cornwall Council Officers to promote a thorough review of the councils current play provision. Officers had agreed to undertake the review and link the council's current provision with the condition and value of existing equipment, together with an assessment of local needs.

Further to previous reports the Clerk explained that the Parish Plan Steering Group would now be held on 25th May and that agendas and reports would be available the week before.

It was noted that the six month probationary period for the new Assistant Clerk had now expired and, as confidently predicted, his service had proven to be completely satisfactory. In the circumstances the Clerk recommended this be formally noted. **A proposal from Councillor Brock, seconded by Councillor Mrs Baker, to note the satisfactory service of the new Assistant Clerk was unanimously resolved by the council.**

9407 CURRENT REPORTS FROM COUNTY COUNCILLOR AND POLICE

CORNWALL COUNCILLOR

Cornwall Councillor Currie reported that he was continuing to support the parish council's case for managing the maintenance of Carnon Downs Roundabout in the future. "Livestock" on the Devoran Roundabout was not currently the subject of any action by himself.

DEVON AND CORNWALL POLICE

The Clerk drew attention to a report from PC Hayley Ferris in the information pack with the agenda in which she explained her new role with the CID. It was noted this would leave a vacancy for a Local Beat Manager which might not be filled for some time.

Councillor Hambly-Staite proposed the council write to the local Commander to thank the Police Service for the good work of PC Ferris, and to ask what might be expected from a revision of local Police Services over coming months. This was seconded by Councillor Ashdown and carried by the meeting.

9408 APOLOGIES

Apologies were received from Councillors Richards, Groves and Bell.

9409 PLANNING DETERMINATIONS

A full list of applications determined by Cornwall Council since the last council meeting is set out in Appendix A.

9410 PLANNING APPLICATIONS FOR CONSIDERATION

Decisions on all applications considered for consultation by the parish council at this meeting are set out in Appendix B attached together with progress reports on previous applications now being reviewed under the planning protocols.

9411 PLANNING APPEALS AND ENFORCEMENT

The Clerk reported that following local complaints there was no longer a breach of planning control arising from the use of the old filling station as a pet shop at Carnon Downs.

In connection with a possible breach of control at Trevince, Carnon Downs, it was noted that the garage required planning permission and the owner had been advised to submit a planning application.

- 9412 ACCOUNTS 2010/11**
The Clerk explained that the parish councils Accounts for 2010/11 would be available for inspection by the public from 6th May to 6th June when the Electors could exercise their rights under The Audit Commission Act and the Audit and Accounts Regulations 2011. The Accounts would be available for final approval in the normal way at the parish council's AGM on 9th May.
- 9413 CORNWALL COUNCIL WASTE SURVEY**
Members considered a consultation from Cornwall Council on options for redesign of the rubbish and recycling services from 2011. Following some discussions **Councillor Mrs Woolcock proposed the parish council support Option B in the consultation proposals on the basis that this option would be likely to improve recycling and reduce cost. This was seconded by Councillor Mrs Baker and carried by the meeting.**
- 9414 REQUEST FOR GRANT AID**
Members considered a request for grant aid for the current year. Following some discussion **Councillor Ashdown proposed the parish council make a grant of £100 to Cruse Bereavement Care in the current year. This was seconded by Councillor Mrs Smeath and carried by the meeting.**
- 9415 AGENCY AGREEMENTS WITH CORNWALL COUNCIL 2011/12**
Members considered draft Agency Agreements with Cornwall Council for amenity grass cutting, weed clearance and footpath maintenance throughout the parish area for 2011/12. The Clerk explained that the proposals were generally in accordance with existing policy and budget provisions. There was an anomaly however in that amenity grass cutting was undertaken in Carnon Downs but not Devoran. Following some discussion **Councillor Taylor proposed the parish council enter into formal agreements with Cornwall Council for footpath maintenance, weed clearance and amenity grass clearance for 2011/12 as set out in the existing agreements and that investigations be undertaken in the current year on the possible need for amenity grass clearance in Devoran for subsequent years. This was seconded by Councillor Hambly-Staite and carried by the meeting.**
- 9416 ACCOUNTS FOR PAYMENT**
The Clerk circulated the attached list at Appendix C showing accounts for payment for April 2011 amounted to £5485.68, and income of £50266.05. **Councillor Langdon proposed the accounts be approved for payment and cheques signed accordingly. This was seconded by Councillor Ashdown and carried by the meeting.**
- 9417 DATE OF NEXT MEETING: 9TH May 2011, AGM, Carnon Downs Village Hall Annexe at 6.30pm.**

APPENDIX A

PLANNING DECISIONS MADE BY CORNWALL COUNCIL SINCE THE LAST MEETING ON 28TH MARCH 2011

APPROVALS

180. MR L. LILLICRAP, CARRICK COURT, RESTRONGUET POINT, FEOCK.
Fell and replace one Monterey Pine tree-**Parish Council could see no reason why it should not support this application, but deferred judgement to Cornwall Council's Tree Officer-Meeting 14th February 2011.**

190. MR J. FREEBORNE, WAYSIDE, PILL LANE, FEOCK
Update of existing design for garage to include raised roof and study area within-**The Parish Council was concerned that these proposals still represented unnecessary development in an AONB. If this application had to be agreed as proposed it was recommended that conditions were clear and unambiguous, and that close supervision of the build was undertaken to ensure that no subsequent enforcement would be necessary. These issues were resolved with the Case Officer and reported under the new protocol arrangements on 14th March 2011.**
191. MR S. BERRYMAN, SHEARWATERS, 15, CHYCOOSE PARC, POINT, DEVORAN.
Ground and first floor extensions including increased ridge height-**The Parish Council had no objection in principle to these proposals, but was concerned that the proposed additional development did not meet criteria set in the Carrick Design Guide or in the Householders Design Guide concerning the use of materials and subservience to the host building. These issues were resolved with the Case Officer and reported under the new protocol arrangements on 14th March 2011.**
193. MR P. WHARTON, TREWITHICK, HARCOURT, FEOCK.
Enlargement of utility room and construction of dormer roofs to front elevation-**The Parish Council had no objection to these proposals in principle, but was concerned that the proposed dormers were over dominant to the host building, and did not comply with modern advice. These issues were resolved with the Case Officer and reported under the new protocol arrangements on 14th February 2011.**
197. MR & MRS P. RUSSELL, STAMPS HILL, TROLVER CROFT, FEOCK.
Construction of garage with double car-port and games room above-**The Parish Council could see no material planning considerations that should lead to a refusal in this case, but would wish to see a firm planning condition imposed to insure that the room above the garage is restricted to uses set out in the application. It was noted that such a condition had been imposed.**
198. MISS A. FOX, 38, TREMAYNE CLOSE, DEVORAN.
Remove epicormic growth and dead wood on two Oak trees subject to a TPO-**The Parish Council was not aware of any legitimate reason why the works to these trees should not take place, subject to the observation of Cornwall Council's Trees Officer-Meeting 14th March 2011.**

REFUSALS

195. MR C. BERRIMAN, WESTERN TREE SURGEONS, CHYCOOSE HOUSE, CHYCOOSE, DEVORAN.
Crown reduce one protected Ash tree-**The Parish Council was not aware of any legitimate reason why the works to this tree should not take place, subject to the observation of Cornwall Council's Trees Officer-Meeting 14th March 2011.**

APPENDIX B

PLANNING CONSULTATION-APPLICATIONS TO BE CONSIDERED ON 11TH APRIL 2011

209. MRS D. WALLIS, DORNELLA, LA VAGUE, FEOCK.
Fell one Turkey Oak and crown reduce by 25% one Mimosa tree-**The Parish Council has reviewed comments made by the Case Officer in this case and are happy to accept the recommendation as set out.**

210. MR. B. GOULD, 7, TREMAYNE CLOSE, DEVORAN.
Crown thin one oak tree by 10% - **The Parish Council has reviewed comments made by the Case Officer in this case and is happy to accept the recommendation as set out.**

211. MR J. COURAGE, PARKWOOD HILL, CARNON CREASE, CARNON DOWNS.
Replacement dwelling and penthouse flat.

1. The parish council has considered these proposals in the light of their likely harm in the open countryside and outside the village boundary, and their design and scale in the context of the site and the buildings they are intended to replace.

1.1 The parish council has no objection in principle to redevelopment of the site at Parkwood Hill, Carnon Downs, however, there are very serious objections to the current proposals from a number of points of view. These are set out in paragraph 2 below.

1.2 All of the council's objections are based on existing planning policies designed to protect the open countryside from inappropriate development, after also drawing relevant links to Design Guide Policies set out in the adopted Design Guide for Carnon Downs.

1.3. In essence the parish council is of the opinion that the proposals are in direct conflict with existing Cornwall Council Structure Plan Policies, 1, 2, and 26 and Saved Local Plan Policies 3A, 3D, 4S, and 6J as highlighted in paragraphs 2.1 and 2.2 below.

The parish council is also of the opinion that the current proposals are in direct conflict with Design Guide Policies DP1, DP2, DP3, DP4, DP12, DP13, DP14 and DP 17 of the recently adopted Design Guide for Carnon Downs. These issues are highlighted in paragraph 2.3 below.

1.4 In view of the importance of this particular application the parish council requests that this objection follows normal planning protocols. It is also requested that due to the unusual nature of this development, the opportunity be given to the council, if this application cannot be rationalised for refusal under delegation, to represent their views at a properly constituted Cornwall Council Planning Committee Members site meeting.

2.1 Conflict with County Structure Plan policies

2.1.1. Policy 1

It is considered as a consequence of the proposed scale and design of the proposals that they are not compatible with principles set out in the Structure Plan to protect local character and distinctiveness. The proposals will also create a precedent in the open countryside contrary to the aims of the Structure Plan designed to protect and conserve natural assets in appropriate locations. The concept of a manor house in this location has no historical context, and will not fit with local character or vernacular. The size of the proposals will also detract from the original character of this site which has previously been characterised as a group of small farm buildings in a completely rural setting and context. As a result of the elevation of the site on a rising plateau, the proposals will also affect an important green foreground to the village which contributes greatly to its rural character. The historic tumulus on this site has been destroyed and English Heritage is currently dealing with local formal complaints.

2.1.2 Policy 2

The important elements of the local landscape are retained to sustain local distinctiveness. The proposals also do not positively relate to the local villagescape or create an aesthetically pleasing and understandable place.

Carnon Downs is generally characterised by single story buildings and two storey dwellings and buildings, mostly modern but well placed within the topography and with no landmarks to spoil views over the open countryside. In the rural areas in particular buildings are small, and well related to their original historic context.

These proposals purport to draw inspiration from three buildings in the area which were built for their manorial purposes and were placed in much larger plots and sites than this proposal. It is also

assumed that the original footprint of existing outbuildings can be absorbed into a new building to improve local views.

These analogies are completely misplaced and show little attention has been given to the actual historical context of this site, local vernacular or the likely harm in the open countryside.

2.1.3 Policy 26

It is not considered that these proposals will not support the continued social and economic viability of Carnon Downs. Neither do the proposals have any special justification in the open countryside particularly on this sensitive site.

2.2 Conflict with Saved Local Plan policies

2.2.1 Policy 3A

This policy seeks to protect the countryside for its own sake and the character and setting of settlements from inappropriate development.

The parish council is of the view that this application will have a significant impact upon the character and setting of Carnon Downs.

These proposals do not reflect the local vernacular in terms of number of storey's simple plan form, use of materials, or prevailing uses.

Neither do the proposals relate well to the land form on the outskirts of the village in this particular area.

2.2.2 Policy 3D

This policy seeks to protect the character and setting of settlements.

The parish council is of the view that these proposals have a direct impact on the green foreground to the village, and consequently the rural nature of this site. The proposals also do not respect key views and vistas from both within and outside the village.

2.2.3 Policy 4S

This policy is designed to protect important archaeological remains from inappropriate development proposals.

A historic tumulus has been destroyed on this site over recent weeks. Although mentioned in the supporting statements to the application no regard whatsoever has been given to its existence in reality. This matter is currently with English Heritage to resolve.

2.2.4 Policy 6J

This policy provides guidance on the erection of replacement dwellings in the open countryside. Five tests are applied to ensure that the scale, design and setting of proposals are appropriate.

The parish council considers that that these proposals do not meet three of these tests as set out below.

(a) policy 6J(2)- The size of the proposed dwelling exceeds the total volume of the original building plus the permitted development allowance for extensions as set out in The Town and Country Planning General Development Orders. It is asserted that while it may be appropriate in certain circumstances for the volume of outbuildings to be absorbed into an overall site redevelopment it is wholly inappropriate to use this allowance to create an inappropriate development of the scale and design put forward.

A much more positive position might be sustained if "farmhouse" type dwellings were built and the allowances for outbuildings maintained to draw on local historical character and significance.

(b) Policy 6J(4)- This policy requires that a traditional building of a maximum of two storey's only is permitted.

The proposals are for a two storey manor house with a further storey in the roof. Clearly this is not acceptable and not in accordance with precedents already created for redevelopment in the open countryside.

(c) policy 6(5) –This policy requires that a new dwelling in the open countryside is in keeping with its setting, and respects local character in terms of bulk, scale height and materials.

This proposal does not meet these requirements and the increase in footprint and height is considered to be wholly unacceptable.

2.3. Design Guide for Carnon Downs

The Design Guide for Carnon Downs is now used widely as a clear reference point for developments within the Carnon Downs Ward. Many small and larger planning have been improved over the period since its adoption and use by both Feock Parish Council and Cornwall Council.

The Guide is very clear how local character and design can be sustained both within and outside village boundaries. These proposals are clearly outside the village boundary, in the open countryside, and within part of the important green foreground to the village. As such they should be considered within the context of new buildings in a rural area and not as is suggested in a semi-rural area. From this point of view the current development proposals are considered wholly inappropriate. Questions on the design, setting and character have been rationalized as follows:

DP1- Does the design fit within the landscape setting of the Carnon Downs Ward? Is the context of the wider landscape understood? Have features important to the site context and landform been protected? Does the development reflect characteristic patterns and features in the wider landscape? Does the development fit into the natural rural setting and traditional form of the settlement?

These questions cannot be answered positively. As the proposals are also considered too large, are not of a simple and rectangular form, are not representative of previous use, are more than two storey's and not in local vernacular the design is considered wholly inappropriate.

DP2-Does the proposed development make a positive contribution to the neighbourhood and community? Does the design make reference to local traditions?

These questions cannot be answered positively. As the proposals are not of traditional form, are of an inordinately unacceptable scale and do not comfortably fit within the context of existing villagescape they are considered wholly unacceptable.

DP3-Are any existing features or architectural structures protected and incorporated into the design? Have the physical characteristics of the site (including the slopes) been taken into account in the design? Have negative aspects that detract from the character of the site been effectively mitigated?

These questions also cannot be answered positively. As the proposals do not relate well to the site and its position on a plateau the physical characteristics of this site should discourage development of this size. As the proposed buildings and landscaping are also out of character with built form in the open countryside the design is considered wholly inappropriate.

DP4- Do the proposals contribute to a sense of place? Does the development reinforce local distinctiveness?

These questions also cannot be answered positively. As the proposals do not correctly interpret the relationship between the scale of the proposals and the surrounding countryside the rural nature of this site will be changed. This is considered wholly unacceptable.

DP12- Do the proposals fit within the landscape setting of Carnon Downs? Are the distinctive characteristics of the local villagescape understood and articulated in the design? Does the design reflect the normal height of dwellings in Carnon Downs?

These questions cannot be answered positively. As the proposals are of an Inappropriate building form, are more than two storey's, and are out of character with the general vernacular of dwellings both within and outside the village they are considered wholly inappropriate.

DP14- Do the proposals enhance and compliment the character of original buildings and reflect local characteristics?

This question cannot be answered positively. These proposals pay no attention whatsoever the original design of buildings on this site. Former outbuildings which contributed to the rural character have also already been removed. Clearly this is an unsuccessful design that does not relate to other surrounding buildings or reflect original design.

DP17- Does the design retain and enhance the original integrity and character of the existing building on this site?

This question cannot be answered positively. As the proposals do not reflect or retain original features or have regard to existing landscape features the proposals are considered wholly inappropriate.

212. MR & MRS P. MARSHALL, TREGANDER, PENPOL HILL, FEOCK.
Proposed side extension-**The Parish Council can see no material planning considerations that should lead to a refusal in this case.**
213. MRS. D. HARVEY, QUILLETS, FEOCK,
Conversion of garage into porch/utility and w.c. Replace door with window-**The Parish Council can see no material planning considerations that should lead to a refusal in this case.**