

MEETING NO. 1019

Minutes of the FEOCK PARISH COUNCIL MEETING held on Monday 13th June 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		C J B Taylor
	J W Bell		
	R E Richards		

In Attendance:

A. Truan, Clerk to the Council
Mrs J Major, Assistant Clerk
Cornwall Councillor J Currie
Mrs J Silcox- West Briton Reporter
5 Local Electors

CHAIRMAN: Councillor Mrs S E Felton

During the public session:

Mr Morgan-Lumby spoke in favour of his development proposals at Pencarrick, Feock, and explained they had been carefully put together to minimise impact on the landscape and to neighbours who had been involved. The proposals also minimised reliance on energy. **The Chairman thanked Mr Morgan for his comments and confirmed that these would be taken into account during consideration of the item at the council meeting.**

9438 MINUTES

Councillor Taylor proposed that the minutes of the council meeting held on 23rd May 2011, as circulated, be confirmed as a true record and signed by the Chairman. This was seconded by Councillor Richards and carried by the meeting.

9439 MATTERS FOR REPORT

REPORTS FROM MEMBERS

Councillor Brock reported from a further meeting of the Friends of Restronguet Point and explained there still was some disappointment that the parish council had not supported a 20 mph traffic speeding limit on the highway leading to, and on, The Point. A request had been made to meet with representatives of the council which he would follow through with the Clerk.

Councillor Brock also reported on the Fal River Festival event which the Chairman and her husband and he and his wife had attended which had been an excellent evening.

The Chairman reported on a meeting of the Community Network attended by herself, the Vice-Chairman and the Clerk. It was noted that items which had been discussed had included advanced notice of future formal consultation on Foundation Status and an update on waste and recycling issues. The latter indicated that the existing weekly refuse collection cycles seemed to be favoured by a majority of people in Cornwall who responded to consultation. Inspector Mark Richards had also provided an insight into how Policing in the area would change over coming months as a result of the severe cuts in the Police Service. In answer to a question from Councillor Brock Inspector Richards had explained that Neighbourhood Watch schemes could not be supported as they might have been in the past, however, the parish council could rejuvenate local schemes through their parish plan. It was noted that the parish council had asked for Cornwall Council's Core Strategy to be placed on the agenda for the next Community Network meeting in July.

Councillor Hambly-Staite expressed concern that neighbourhood planning notifications and the West Briton advertising did not make reference to the parish council's access point.

REPORTS ON PREVIOUS AND ONGOING BUSINESS

The Clerk read a letter from Inspector Richards in reply to the parish council's thanks for the good work of PC Hayley Ferris. It was noted that it might be some time before her position was filled while the Force was going through the period of restructuring and change.

The Clerk reported on the meeting on 9th June to publicise and formally launch the Local Development Order for Carnon Downs. The event had been attended by the press and representatives from The Project Team who had all contributed to a successful event.

9440 CURRENT REPORTS FROM COUNTY COUNCILLOR AND POLICE

CORNWALL COUNCILLOR

Cornwall Councillor Currie reported that his work on the Cabinet at Cornwall Council was continuing and that he was particularly pleased to report that financial out-turn for 2010/11 would, as expected, provide a healthy cushion for further cuts expected this year. Councillor Currie reported he would attend the Localism Board on 23rd June, and continue to support the parish council's objectives wherever possible.

The Chairman thanked Councillor Currie for his attendance and report.

DEVON AND CORNWALL POLICE

There was no report from the Police on this occasion.

9441 APOLOGIES

Apologies were received from Councillors Groves, Mrs Smeath, Challen and Ashdown.

9442 PLANNING DETERMINATIONS

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

9443 PLANNING APPLICATIONS FOR CONSIDERATION

Councillor Taylor declared a interest in the proposed development at Chapel Terrace, Devoran and, having left the meeting room for this item, took no part in the discussion or voting.

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.

9444 PLANNING APPEALS AND ENFORCEMENT

There were no items of report on this occasion.

9445 PLANNING TRAINING

Members considered papers previously circulated, setting out planning training opportunities for 2011/12. The Chairman explained it was important that those members who had not yet received training should do so to take advantage of the council's gradual greater involvement in planning matters. **The Chairman asked members to let the Clerk know as soon as possible which events they wished to attend.**

9446 PLAYING FIELD SAFETY REPORTS

Members considered reports from the council's Safety Inspector. The Clerk explained that there were no particular issues at this time but there was still growing evidence of ageing. The decision which the council had already made to thoroughly review provision was further justified and was being followed through as a high priority. Action was being taken where necessary and appropriate to rectify issues identified as needing attention at this time.

9447 ACCOUNTS FOR PAYMENT

Councillor Mrs Woolcock declared an interest in this item and therefore took no part in the discussion or the voting.

The Clerk circulated the attached list at Appendix C showing accounts for payment for June 2011 amounted to £10,004.53. **Councillor Langdon proposed the accounts be approved for payment and cheques signed accordingly. This was seconded by Councillor Ashdown and carried by the meeting.**

9448 INFORMATION ITEMS

The Chairman asked members to note that information sent with the agendas for council were generally those which did not require a council resolution but nevertheless still important in various ways to the council. It was noted that copies of any of the information notes was available from the Clerk.

9449 DATE OF NEXT MEETING: 27th June 2011, Planning (if enough applications to justify the meeting), parish office at 7.15pm.

APPENDIX A

**PLANNING DECISION MADE BY CORNWALL
COUNCIL SINCE THE LAST MEETING 23RD MAY 2011**

APPROVALS

219. MR & MRS R. BICKNELL, PINE COTTAGE, FOURTURNINGS, FEOCK.
Proposed extension to provide additional living accommodation and office lobby/reception area and new pedestrian access and off road parking-**As the Parish Council raised no previous objections to these proposals on the affect on the north elevation; there were no further comment forthcoming-Meeting 9th May 2011.**

REFUSALS- NONE

APPENDIX B

**PLANNING CONSULTATION CONSIDERED BY
COUNCIL ON 13TH JUNE 2011**

230. MRS H. DANIEL, ANCARVA, 5, WELLINGTON PLANTATION, PENELEWEY, FEOCK.
Remove two Sycamore trees, three Holly trees and one Oak-**The Parish Council is happy on this occasion to defer determination of this application to Cornwall Council's Trees Officer.**
231. MR G. HOLLOWAY, CORNOVIA TREE SERVICES, STONEYBROOKE, RESTROGUET POINT, FEOCK.
Fell one Western Red Cedar tree and one Lawson Cypress within a TPO area-**It would appear that there is no clear evidence that these trees need to be felled, to the contrary, it would appear they are suffering from the big brick paving around them. The proposal to replant four Oak trees would also presumably lead to their destruction. The Council is however happy to defer a determination to the Trees Officer.**
232. MRS POWELL-THOMAS, HAWKRIDGE, KING HARRY ROAD, FEOCK.
Reduce crown on a protected Sycamore tree-**The Parish Council is not entirely in agreement that the tree in this case does not need management and would hope that in determining this application the Trees Officer will have due regard for both the long term needs of this tree and the neighbours.**
233. MR N. BUSH, DINMORE, STAGGY LANE, CARNON DOWNS.
Dining/utility room extension and replacement of flat roofed garage with pitched roof garage-**The Parish Council has no objection in principle to these proposals, but is concerned that the design is out of keeping with the new Carnon Downs Design Guide, particularly that the proposals lead to dead frontage, incoherent building lines, the lack of an appropriate pitched roof and unsightly roof lights. The Parish Council would be happy to resolve these issues under the new protocol arrangements.**

234. MR & MRS NUTE, LITTLE TREGEW, OLD KEA.
Certificate of lawfulness to establish that a material start has been made to works approved under PA07/0453/08/G for replacement agricultural building for proposed stables, tack room and garaging-
The Parish Council is not aware if a material start has been made on this site or not.
235. MR & MRS GRUBB, LAND ADJACENT TO THE GARAGE, FOURTURNINGS FEOCK.
Outline application for demolition of existing workshops and store and construction of a live/work unit-**The Parish Council has concerns about this application in that it would result in a new dwelling in the countryside without special justification in an area not considered suitable or sustainable for further housing, and which would be harmful to the rural character of the area. The Parish Council is also concerned the proposed dwelling will be inappropriate in the ANOB and possibly un-neighbourly. There are also concerns about access onto a busy highway, questions about contaminated land, and the existence of bats on the site. The Parish Council does however feel that this derelict site should either be developed or returned to a garden site. The Parish Council would be happy to resolve these issues through the new protocol arrangements, including a site meeting if felt necessary.**
236. MR G. HUMPHRIES, TREHAYLE, RESTRONGUET POINT, FEOCK.
Fell two Beech trees-**The Parish Council is happy on this occasion to defer determination on this application to Cornwall Council's Trees Officer.**
237. MR I. LILICRAP, CARRICK COURT, RESTRONGUET POINT, FEOCK.
Replacement dwelling and creation of self-contained annexe-**The Parish Council is very concerned about this application particularly with regard to sub-division of the plot, that the proposals will be below existing building lines leading to loss of an important natural foreground in the landscape, and that the views from the water would be unnecessarily obtrusive and out of keeping in the ANOB.**
From these points of view the proposals are contrary to planning policy aims to deliver sustainable development in the area. Proposals are also considered contrary to saved policies 3A and 4O of the Local plan.
The parish Council would be happy to work with those concerned to establish new development which would be acceptable to the parish Council.

Exemplification of basis of Parish Council opposition to Planning application PA11/02029-Carrick Court, Restronguet Point to site meeting on 30th June.

Introduction

This paper has been produced to help facilitate clearer understanding of the parish council's opposition to the above plans for use at an informal site meeting with the Case Officer on 30th June, and for inclusion in the Case Officers Report should this application be considered by Cornwall Council's Planning Committee.

Restronguet Point

Restronguet Point is a narrow strip of land surrounded by water on both sides currently characterised by a highway that runs through the area at its highest level. Properties are built close to the road and the large plots leading from the buildings to the sea are part of a very important green foreground to the area. This green foreground is vitally important in retaining the general rural character of the overall area, which has been maintained previously through redevelopment of existing properties on the Point, not through subdivision and addition of houses within this green foreground. This particular area is highly visible from Restronguet Creek, Loe Beach and beyond and has been managed and preserved over recent years through a sensitive approach to local planning needs.

Objections to issues set out in the Design and Access Statement

(a)The Statement fails to recognise the importance of the current building line at Restronguet Point in retaining local character and distinctiveness:

(b) No special justification has been given in the Design and Access Statement for the subdivision of the plot and siting close to the water apart from maximisation of views from the sea.

(c) The proposals quite rightly heavily mitigate the impact of views from the road. This is frankly the least important view of properties on the Point. Little attention is paid to views from the Creeks and beyond which contribute greatly to local landscape value. There is no independent landscape advice with the application so the Design and Access Statement is naturally subjective with regard to the impact from the Creeks and therefore heavily weighted in favour of approval.

(d) No special justification is given within the current application for the use of the existing dwelling on the site or its redevelopment on the site as an “Annex”. The existing dwelling is a four bedroomed dwelling sited within a clear building line which has previously been the subject of planning applications over the last few years. It is asserted that this is a dwelling and not an Annex and therefore subject to normal considerations regarding the value of high amenity sites and subdivision of plots.

(e) It would appear from the Brief that the positive views of the Case Officer have been communicated to the applicant before statutory consultation and the opportunity has been given to the parish council or local residents or the Planning Committee to input their views, either through pre-application involvement, or the normal planning protocols, or explanation at the Planning Committee.

Objections to Planning Policy Appraisal in the Design and Access Statement

(a) No special justification is given within the Brief as to how the application meets the stringent design and landscape issues set out in planning policies and particularly those related to the AONB, or the siting of the additional dwelling near the water beyond the views it will provide to the owner. There is also no clear justification to support the view that the new dwelling will enhance the quality, value and amenity value of the AONB.

Given that there is no sufficient consideration of the impact on the landscape or the views from the water and beyond it is asserted that these proposals do not in fact comply with PPSG1 in terms of effective protection of the environment and the prudent use of resources.

(b) PPS 3 states that good design in new development should contribute positively to make places better for people, take advantage of opportunities for improving the character and quality of the area and that any applications that do not meet these criteria should not go forward. It is asserted that as there is no independent evidence that these proposals meet these criteria and ideals that the application should be refused until that evidence is available. If this is not forthcoming this application should be refused.

(c) It is asserted within PPS7 that the natural beauty of the landscape should be given great weight in development control decisions.

It is asserted within these development proposals that the proposed new dwelling will enhance and conserve the natural beauty of the AONB, and that its design will play a major part in this process. As there is no justification or independent advice for this statement and that in the opinion of the parish council both the size, the placing of the proposals and the impact on the AONB do not create an acceptable aesthetically pleasing and understandable place, it is considered that the proposals do not comply with this policy either.

(d) As a result of its placing on the site, its design, and the likely significant adverse impact proposed on both the local environment and diverse beauty of the local landscape it is asserted these proposals do not also comply with Policy 3A of the Saved Local Plan.

(e) There is no clear evidence that these proposals will preserve and enhance the natural beauty of the AONB. As such they do not comply with Policy 3AD of the Saved Local Plan.

(f) Given that these proposals will be bound to have a very significant impact on the green foreground important to the character of the settlement it is considered they are also contrary to Policy 3D of the Saved Local Plan.

(g) Given that these proposals are not sited to respect the historical building line and characterised patterns of local development and will be prominent in the landscape it is considered they also contravene Policy 4O of the Saved Local Plan.

(h) These proposals do not accord with Policy 6E of the Saved Local Plan in that there is no clear evidence they do not detract from the general landscape value of the area, or that they respect the surrounding area and the general amenity of local neighbours.

(h) It is considered these proposals also contravene Policy 6F of the Saved Local Plan in that this is an area of high amenity identified on the Saved Local Plan Map, and, as such, subdivision of the plot without any special justification will be likely to have an adverse impact on the area. In these circumstances, applications should be refused. The Design Brief states quite clearly that the number of dwellings on this site will not increase. *That is patently not correct.*

Summary

This application has been taken forward without any independent special justification for the statements made within it or its impact on the environment, the subdivision of a plot in a high amenity area, or its effect on the AONB. It is the parish council's view that this application will contravene National Planning policies PPS1, PPS3, and PPS7. As a result, these proposals will also be likely to contravene Saved Local Plan Policies 3A, 3AD, 4O, 6E, and 6F.

These views seem to be also shared by local residents and the AONB Partnership who will also be likely to object.

It is also understood there may also be some differences of professional judgement within the Planning Department.

Given all of these important considerations the parish council feels that this application should either be refused or be the subject of independent scrutiny by the Head of Planning following a site meeting which it is understood the AONB Partnership would be happy to facilitate.

238. MRS H. SYME, 7, CHAPEL TERRACE, DEVORAN.
Erection of a dwelling and associated works-**The Parish Council has considered these development proposals in the light of their possible impact on the Conservation Area, the proposed lay out and density, the potential for loss of local neighbourhood amenity, and access. While it is accepted that the proposals have already been rationalised to overcome some obvious difficulties there is still some concern both by the Council and adjoining neighbours that the proposals will still have an impact on the Conservation Area and traffic flows, and access in this very restricted space. The Parish Council would be happy to resolve these issues with the applicant if necessary, perhaps through a site meeting under the new protocols.**
239. MR & MRS B. MORGAN-LUNDIE, PENCARRICK, CHURCHTOWN, FEOCK.
Proposed modifications and extension to include addition of first floor to dwelling-**The Parish Council is happy to accept that properties in the area are in need of sensitive redevelopment. In essence, the Parish Council has no objection to the contemporary design. The Parish Council would however wish to ensure that proper landscaping arrangements are put in place to help avoid any impact on the local landscape.**
240. MRS CHURCHLEY, HERONS LODGE, 15, WELLINGTON PLANTATION, PENELEWEY, FEOCK.
Various tree works- **The Parish Council is happy on this occasion to defer determination on this application to Cornwall Council's Trees Officer.**

WITHDRAWN APPLICATIONS

211. PARKWOOD HILL, CARNON CREASE, CARNON DOWNS.
Replacement dwelling and penthouse flat.
222. MR P. WALLACE, WOODSMITHS, 1, ELM GROVE, FEOCK.
Crown reduce one Eucalyptus tree within a TPO area.

PROGRESS OF PREVIOUS APPLICATIONS UNDER THE PLANNING PROTOCOLS

- 228 RIVERBANK, RESTRONGUET POINT- Noted that the parish council's request that the window to the side gable elevation be removed has been agreed and the application will therefore be conditionally approved.

