

MEETING NO. 1022

Minutes of the FEOCK PARISH COUNCIL MEETING held on Monday 5th September 2011
at Feock Parish Council Office at 7.15pm.

Members Present:

WARDS	CARNON DOWNS	DEVORAN	FEOCK
	Mrs S E Felton	Mrs S M Baker	Mrs A D Smeath
	J H H Langdon	B L Ashdown	J D Brock
	R E Richards	Mrs E M West	K Hambly-Staite
	J W Bell		A J Groves

In Attendance:

A. Truan, Clerk to the Council
Mrs J Major, Assistant Clerk
Cornwall Councillor Currie
5 Local Electors

CHAIRMAN: Councillor Mrs S E Felton

During the public session:

Rev Gordon-Smyth spoke for his proposed development proposals at 3, Carnon Valley, Carnon Downs. He explained he had bought the property for his retirement, and the proposals would greatly improve the property since it was last remodelled in 1975.

Mr Alan Williams explained that he was concerned about proposals at Trenant, Point to install photovoltaic roof panels behind his property, but he was unable to make a meaningful judgement as the proposals were very light on information.

Mr Dyson spoke for Restronguet Creek Society against development proposals at Tremarton, Trolver Croft, Feock. Although it was accepted this property was in need of modernisation the current design was felt to be inappropriate and out of keeping.

The Chairman thanked residents for their comments and confirmed the issues raised would be taken into account during consideration of this item at the council meeting.

9476 MINUTES

Councillor Brock proposed that, subject to an amendment to minute 9467 to record that a “non” pecuniary interest be recorded, the minutes of the council meeting held on 8th August 2011, as circulated, be confirmed as a true record, and signed by the Chairman. This was seconded by Councillor Langdon and carried by the meeting.

9477 MATTERS FOR REPORT

REPORTS FROM MEMBERS

Councillor Brock reported thanks from a further meeting of the Friends of Restronguet Point for the efforts made by the parish council to support objections to a recent planning application. Councillor Brock also reported that the results of recent investigations into speeding at the Point had shown there was a very small incidence of excessive speeding but not enough to justify the cost of formal traffic calming measures or a Traffic Regulation Order.

REPORTS ON PREVIOUS AND ONGOING BUSINESS

The Clerk reported, further to minute 9469, that arrangements were in hand to meet with the Cornwall Council Cabinet member for Localism in October.

It was noted, further to minute 9471, that there had been no feedback from the consultation regarding Special Constables.

The Clerk reported that the next Community Network meeting would be held on 27th September and would be attended as usual by the Chairman, Vice-Chairman, and Clerk.

The Clerk also reported that he was very pleased to report once again that District Auditor had approved the council's Accounting Statements and Governance arrangements. There were no matters to be drawn to the attention of the council, and the completion of the audit for 2010/11 would be advertised in accordance with normal practice.

Members noted that the Register of Electors was nearing completion.

9478 CURRENT REPORTS FROM COUNTY COUNCILLOR AND POLICE

CORNWALL COUNCILLOR

Cornwall Councillor Currie reported he had now been appointed to the Planning Committee. In the future he would need to comply with the Code of Conduct relating to members of that Committee. Councillor Currie confirmed he would be happy to meet with the council when meeting the Cabinet Member for Localism during October.

The Chairman asked Councillor Currie if he could confirm when there would be feedback from the "Cornwall Conversations" held during the summer. It was noted that a response was expected soon. Councillor Brock asked Councillor Currie if he had any thoughts on Neighbourhood Plans. Councillor Currie confirmed he was generally in support of Neighbourhood Plans and that pilot projects were being taken forward. He would support an initiative by the parish council, but resources to support them would be a problem Countywide.

The Chairman thanked Councillor Currie for his attendance and report.

DEVON AND CORNWALL POLICE

Members considered a written report from PCSO Care highlighting local Police activities during August 2011 as set out in Appendix D.

Councillor Mrs Baker asked the Clerk to ascertain if item 3 related to persons from within the parish area or someone passing through.

The Chairman asked that PCSO Care be thanked for his report.

9479 APOLOGIES

Apologies were received from Councillors Taylor, and Mrs Woolcock.

9480 PLANNING DETERMINATIONS

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

The Clerk reported that issues arising from application numbers 203, 242, 245, 247, 250, and 257 had been satisfactorily resolved under the new protocols. The parish council had agreed to disagree on application number 216.

9481 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 being reviewed under the planning protocols.

9482 PLANNING APPEALS AND ENFORCEMENT

The Clerk confirmed there were no matters for report or consideration on this occasion.

9483 PLANING PRE-APPLICATION PROCEDURES

Members considered a report from the Clerk. It was noted that Cornwall Council were encouraging parish and town council's to become involved in pre-application discussions, and this view was shared by Government. Fundamentally, applicants will now be encouraged to talk to the parish council in advance of making their application and during the formal planning process itself. This will form part of the Development Management process and add value to the new protocols.

The Clerk explained that if the parish council agreed to undertake pre-application discussions a formal process would need to be in place to avoid the obvious difficulties for Members, although at least one local member would need to be involved on each occasion. Continuity and consistency would also be

major considerations. Following some discussion **Councillor Mrs Smeath proposed the parish council agree to undertake pre-application discussions with those applicants wishing to do so, that one local member be involved on each occasion, and that a formal procedure be agreed. This was seconded by Councillor Brock and carried by the meeting.**

9484 NEW NATIONAL PLANNING FRAMEWORK

Councillor Mrs Smeath reported on the work undertaken by the Planning Working Group to review the implications of the proposed New National Planning Framework. This matter had already been the subject of great interest in the press and there had been opposition from leading environmental groups and others.

Fundamentally, the parish council's working group had concluded that while there was some necessity for initiatives to promote economic growth a presumption in favour of development would be wholly inappropriate without measures to protect the open countryside and local landscapes. The forthcoming Cornwall Council Core Strategy would be unlikely in itself to protect local interest to the extent necessary. Following some discussion **Councillor Brock proposed the parish council respond to the consultation confirming, in essence, that for local planning purposes the parish council cannot support a general presumption in favour of development until some protection is afforded to those local open spaces and areas, which contribute to local landscape, pride, and quality of life. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

9485 NEIGHBOURHOOD PLAN

The Clerk explained that Neighbourhood Planning was currently being promoted in the Localism Bill, which would be likely to receive the Royal Assent later this year. Effectively Neighbourhood Plans will be a means of creating a development vision for the area, setting clear local planning policies and progressing planning applications through Development Orders, and other locally based planning development policies. Conversely, a Neighbourhood Plan, if agreed through a local referendum, can enable positive measures to protect the open countryside and local landscapes where appropriate. The Clerk explained he had been pursuing means of creating a Spatial Plan as set out in the revised parish plan. For practical purposes a Neighbourhood Plan would supersede this. It was also noted, in the context of the proposed new National Planning Framework, that the only mechanisms in place to protect against a general presumption in favour of development would be the Cornwall Council Core Strategy and Neighbourhood Plans. The former would be unlikely to afford the protection necessary for the parish area in itself. Given that the parish council already had a parish plan, community support, good and effective experience in planning, special designations in place, and a positive attitude, it was likely at this point that a Neighbourhood Plan would be the most appropriate way forward to ensure sensitive development over the next 20 years and protect the parish area from potential indiscriminate development in the future in locations where development should not take place.

It was noted there might be grants to enable Neighbourhood Plans to be developed, although it was unclear at this point, if these would extend beyond the pilot projects currently being taken forward. £10,000 had already been set aside in the council's budget for planning purposes. The Clerk confirmed this could be utilised for a Neighbourhood Plan should members wish.

Following some discussion **Councillor Mrs Smeath proposed that action be taken to develop a Neighbourhood Plan as a major priority for the council as soon as practicable initially utilising £10,000 set aside for a spatial plan in the council's budget, and that the council bid for any further funds and resources that may be available. This was seconded by Councillor Hambly-Staite and carried by the meeting.**

9486 MEMBERS INTERESTS

The Clerk reported that Cornwall Council was arranging to ensure that all members Declarations of Interest were up to date. He explained that it would be useful if members could review their circumstances with previous Declarations and if there were amendments, a new form was available from the parish office.

Members noted the report.

9487 PRESS REPORTING AT COUNCIL MEETINGS

The Clerk explained that since Mrs Silcox had attended parish council meetings there had been little or no regular news of the activities of the parish council in the local press. The parish council and local residents had become accustomed to regular news in the West Briton and this had been well-read and good publicity for the council.

Following her retirement from the West Briton an approach had been made to the previous regular journalist to ask if she was able to continue to report by some means on council meetings and help with any other publications the council might circulate. The Clerk reported that Mrs Silcox had confirmed she would like to continue to report on the council's activities and help with other local written communications from time to time. It was confirmed she could undertake to attend and report on all council meetings and help with other written communications for a fee of £30 per month.

Following some discussion **Councillor Groves proposed the council engage Mrs Silcox to report to the West Briton on all council meetings and assist with other local communications from time to time for the sum of £30 per month. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

9488 JUBILEE CELEBRATIONS 2012

The Clerk explained that council had not yet provided guidance on what projects they might wish to take forward to commemorate the Queens Jubilee in 2012. Given that the council designed and procured mugs at the last Jubilee, that these were distributed free of charge to children of the parish area, and that it would take some time to develop a similar initiative again, was this something the council wished to do? If so, an initial budget of £2500 would be necessary to enable such a project. Following some discussion **Councillors Ashdown, Brock, Baker, West, Richards and Felton agreed to form a working party with the Assistant Clerk, Mrs Major to take matters forward. Following a resolution from Councillor Groves, seconded by Councillor Mrs West, an initial budget of £2500 was set to enable the Working Group to proceed.**

9489 CASUAL VACANCY ON COUNCIL- DEVORAN WARD

The Clerk reported he had now put arrangements in place to fill the vacancy on the council for the Devoran Ward as the result of the sad and untimely death of Councillor Challen.
Members noted the report.

9490 FOOTPATH 46 –TROLVER CROFT

The Clerk reported he was very pleased to report following the Public Inquiry that the proposed footpath over Trolver Beach, from Penpol Boatyard 46, had now been formally agreed by the Secretary of State. The path would now form part of the Definitive Footpath Network for Cornwall. The Clerk explained that the making of this footpath had taken ten years, mainly because of a small number of objectors, however the parish council had consistently supported those residents who had made a case for it and should therefore be congratulated for its persistence.
Members noted the report with great pleasure.

9491 PARISH PLAN WORKING GROUPS

The Clerk explained that the parish council had not held parish plan working groups now for some time as a result of the constant variation of priorities over the last year or so. Given that there were new priorities to consider because of the Localism Bill and changes in the National Planning Framework it would be difficult to see how useful individual meetings could be at this particular time. Subject to all other considerations it would be possibly more appropriate to hold a Parish Plan Steering Group meeting instead. If that did meet with member's approval, it could be arranged at the end of September or early in October. **Councillor Brock proposed the council hold a Parish Plan Steering Group near the end of September to keep residents informed of the parish council's evolving priorities at this time. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

9492 ACCOUNTS FOR PAYMENT

The Clerk circulated the attached list at Appendix C showing accounts for payment for August 2011 amounted to £2335.58 and income of £650.00. **Councillor Langdon proposed the accounts be approved for payment and cheques signed accordingly. This was seconded by Councillor Mrs Baker and carried by the meeting.**

9493 S100A, LOCAL GOVERNMENT ACT 1972

Councillor Mrs Baker proposed that the press and public be excluded from the discussion of the following items on the basis of the likely disclosure of exempt information under the Local Government Act. This was seconded by Councillor Brock and carried by the meeting.

9494 MARKET HALL SITE, DEVORAN.

The Clerk reported progress following the re-opening of negotiations in August for the purchase of a long-term lease. He explained that

- A submission had been made to the Secretary of State for Borrowing Approval, which it was anticipated, would be agreed by the end of September.
- The council's agents had confirmed that the consideration proposed was appropriate
- Discussions would now be held with Devoran School and Nursery providers as soon as possible
- Discussions would also be held with the owners and agents as soon as possible to understand outline Heads of Terms
- Discussion would be held with the council's solicitors following these meetings to ensure appropriate instructions are given relating to any outline pre-let agreements

It was expected that a further progress report would be available for next council in October.

Councillor Groves proposed the council agree the actions taken by the Clerk and thank him for the progress made so far. This was seconded by Councillor Mrs Baker and carried by the meeting

9495 DATE OF NEXT MEETING: 19th September 2011, Parish office at 7.15pm.

APPENDIX A

**PLANNING DECISIONS MADE BY CORNWALL COUNCIL
SINCE THE LAST MEETING ON 8TH AUGUST 2011**

APPROVALS

203. MR & MRS B. S. FRATER, CREEKSIDE, 8, TREVALLION PARK, FEOCK
Replace existing concrete steps between garden and foreshore with new Cornish stone walling to adjoining slope.
Subject to no mitigating issues raised by either Cornwall Wildlife Trust or Natural England the Parish Council could see no material planning issues that should lead to a refusal-Meeting 28th March 2011
221. MRS K. BELLIS, 6, ST JOHNS TERRACE, DEVORAN.
Listed building consent to replace 1970's plain glass sashes windows with original sparrred sashes in keeping and to replicate the rest of the terraced houses- **The Parish Council could see no material considerations that should lead to a refusal-Meeting 9th May 2011.**
242. MR & MRS A. MILLS, APPENSLEIGH, PILL CREEK, FEOCK.
Ground floor extension with balcony over to rear of property, timber cladding to first floor level and the installation of solar panels to south roof slope-**The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 13th July 2011.**
244. MRS R. STAFFORD, APSLEY LODGE, 7, WELLINGTON PLANTATION, PENELEWEY, FEOCK.
Fell one mature Turkey tree-**The Parish Council deferred determination on this application to Cornwall Council's Trees Officer-Meeting 13th July 2011.**
245. MR A. LANGSTAFF, 3, TREVINCE, BISSOE ROAD, CARNON DOWNS.
Construction of single garage incorporating utility room at rear-**The Parish Council was concerned that these proposals were built before being approved for planning, however the Council could see no material planning considerations that should lead to a refusal-Meeting 13th July 2011.**
246. MR A. FRANKIS, MILLRIDGE, FEOCK.
Proposed entrance hall, bedroom and living room extensions with car port and balcony-**The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 13th July 2011.**

247. MR D. RUDDLE, 27, MARKET STREET, DEVORAN.
Conversion of garage into additional living accommodation-**The Parish Council agreed there were no potential conflicts with planning policy, and no impact on the Conservation Area. In the circumstances the Parish Council could see no reason why these proposals should not be approved beyond a condition that they should be used for family accommodation only-Meeting 13 July 2011.**
248. DR BLAKE, COBWEBS, CHURCHTOWN, FEOCK.
Raise the roof height of part of the existing dwelling to allow creation of first floor accommodation with Juliet balcony- **The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 13th July 2011.**
250. MR A. CHILCOTT, OVERSTRAND, RESTRONGUET POINT, FEOCK.
Extensions and alterations to existing dwelling-**The Parish Council could see no material considerations that should lead to a refusal in this case, however given that there are TPOs on this site it was very much hoped that no trees would be removed as part of these development proposals-Meeting 13th July 2011.**
252. MR M. JENKING, OVERWELL, PENPOL, DEVORAN.
Engineering works to stabilise slope/embankment-**The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 13th July 2011.**
257. MRS J. BARRINGTON, ROSEMULLION, TREMARNE CLOSE, FEOCK.
Construction of one new dwelling-**Given that it was quite clear there were no material planning considerations which could now be applied and which could lead to a refusal, the Parish Council were happy to resolve these issues under the planning protocol arrangements-Meeting 8th August 2011.**

WITHDRAWN

169. MR A. CHILCOTT, OVERSTRAND, RESTRONGUET POINT, FEOCK.
Refurbishment and extension of existing boathouse and studio-**The Parish Council had reservations about this application particularly regarding its potential impact on the AONB. The Parish Council was also concerned to see that in any positive determination that the proposed studio was used for family accommodation only. The Council were happy to resolve these issues with the Case Officer through the new protocol arrangements-Meeting 10th January 2011.**
249. MRS S. ADDISON, ENTRANCE TO DEVORAN QUAY, LOWER QUAY ROAD, DEVORAN.
Fell two pine trees within conservation area-**Withdrawn-Meeting 11th July 2011.**

REFUSALS

216. MR & MRS B. CLARKE, 25, BELMONT TERRACE, DEVORAN-Extensions and alterations to rear of property to provide additional bedroom, alterations to bathroom and improved ground floor accommodation- **The Parish Council could see no material considerations that should lead to a refusal in this case.**
217. MR P. MARSDEN, LA PAZ, ROPEWALK, PENPOL, DEVORAN.
Lift access, increased garage area, alterations to drive and replacement balcony-**The Parish Council could see no reason to withdraw its previous objections to these proposals based on previous justification for a refusal of similar proposals-Meeting 9th May 2011.**

PLANNING APPLICATIONS CONSIDERED BY COUNCIL ON
5TH SEPTEMBER 2011

APPLICATIONS RESPONDED TO UNDER PROTOCOLS IN LIEU OF MEETING ON 19TH
SEPTEMBER.

261. THE NATIONAL TRUST, HOME FARM, TRELISSICK, FEOCK.
Change of use of property from residential to mixture of catering, retail and offices with associated alterations-**On balance the Parish Council was happy to accept that these proposals were of a reasonable design, and will have limited impact on the environment. In the circumstances the council were pleased to accept the proposals as set out.**
262. MR R. PELLOW, 5, CHAPEL TERRACE, DEVORAN.
Two-storey extension to side-**On balance the Parish Council were pleased to support this application subject to changes to the eaves to improve subservience to the host dwelling, the normal considerations regarding possible impact on the Conservation Area, and strict conditions to ensure access to neighbouring properties is not affected.**
264. MR M. WARD, OAK LODGE, 4, WELLINGTON PLANTATION, PENELEWEY, FEOCK.
Fell 6 Sycamore trees, 1 Turkey Oak tree and crown raise 1 Sycamore, 1 Beech and 1 Fir tree.
The Parish Council had no objection to these proposals as set out, subject to the observation of Cornwall Council's Trees Officer.
265. MR O. BECK, COQUITLAM, 14, WELLINGTON PLANTATION, PENELEWEY, FEOCK.
Various works to trees. **The Parish Council had no objection to these proposals as set out, subject to the observation of Cornwall Council's Trees Officer.**

APPLICATIONS FOR CONSIDERATION AT THIS MEETING

263. MR & MRS C. LEAR, TREMARTON, TROLVER CROFT, FEOCK.
Demolition of existing dwelling and construction of replacement dwelling.
The parish council has no objection in principle to these proposals, but is concerned that the design aspects do not fit well within the local landscape context or reinforce local distinctiveness. It is also considered the proposed development will not make a positive contribution to the neighbourhood or the community. In essence the proposals are considered unsympathetic, and of unfriendly design.
266. Ms V. HARTNELL, TRENANT, POINT, DEVORAN.
Proposed Photovoltaic panels to be ground mounted to the south of the property.
The parish council has no objection in principle to these proposals, but is concerned that the application does not provide enough information on which to make a judgement. The parish council will be happy to resolve these issues on site with the Case Officer.
267. REV CANON GORDEN SMYTH, 3, CARNON VALLEY, CARNON DOWNS.
First floor extension over single storey part of existing house.
The parish council shares concerns with the Case Officer that plans in this case fail to show the proposals clearly enough to make an objective judgement. The parish council is also concerned that the overall development proposals may not be subservient to the original dwelling. The parish council will be happy to resolve these issues with the Case Officer under the new protocol arrangements.
268. MR J. COLLINS, LARKHILL, KILLIWITH, FEOCK.
Fell three protected Oak trees.
The parish council has no objection to these proposals, subject to the observations of Cornwall Councils Trees Officer.

269. DR A. LEE, THE GRANGE, DEVORAN.
Replace existing single storey extension to rear with proposed two storey extension.
The parish council can see no material planning considerations that should lead to anything but support for these proposals.
270. MR R. MANTLE, 4, FORTH NOWETH, CARNON DOWNS.
Single storey rear extension.
The parish council could see no material planning considerations that should lead to anything but support for these proposals.
271. MR & MRS J. EGGLETON, FAIR WINDS, QUAY ROAD, DEVORAN.
Fell one Eucalyptus tree.
The parish council has no objection to these proposals, subject to the observations of Cornwall Councils Trees Officer.

PROGRESS OF PREVIOUS APPLICATIONS UNDER THE PLANNING PROTOCOLS

The Clerk explained there were no issues to report on this occasion.