

## MEETING NO. 1021

Minutes of the FEOCK PARISH COUNCIL MEETING held on Monday 8<sup>th</sup> August 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		
	J W Bell		

### In Attendance:

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

**CHAIRMAN: Councillor Mrs S E Felton**

During the public session:

Mr Blundell spoke against proposals to develop at Rosemullion, Trolver, on the basis similar proposals had previously been refused permission, that two Appeals had been dismissed, and that the new proposals would be harmful to the local environment and the peaceful amenity of neighbours.

Mr Jeffrey spoke for the development proposals at Rosemullion on the basis that the issues arising from previous planning decisions had been very largely mitigated, and that in his opinion the new proposals would comply with Tree Preservation Orders on the site, would not be overbearing in the street scene, and would not be harmful to the local environment.

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

### 9462 MINUTES

**Councillor Ashdown proposed that the minutes of the council meeting held on 11<sup>th</sup> July 2011, as circulated, be confirmed as a true record and signed by the Chairman. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

### 9463 MATTERS FOR REPORT

#### REPORTS FROM MEMBERS

Councillor Mrs Baker reported following a meeting of Devoran Quay Preservation Society and confirmed that various issues not requiring council resolution had been taken forward with the Clerk.

Councillor Mrs Smeath reported as Chairman of the Parish Plan Planning Group that new planning policy proposed by the Government was radical and would need to be carefully considered by the council during its present consultation period. **Following a proposal from Councillor Mrs Smeath, seconded by Councillor Mrs Baker that representatives of the council meet to discuss the proposals, Councillors Baker, Brock, Richards, Ashdown, Felton and Mrs Smeath subsequently agreed to meet with the Clerk to make a formal response.**

#### REPORTS ON PREVIOUS AND ONGOING BUSINESS

There were no issues raised by the Clerk on previous business on this occasion.

## **9464 CURRENT REPORTS FROM COUNTY COUNCILLOR AND POLICE**

### **CORNWALL COUNCILLOR**

Cornwall Councillor Currie reported he had been deputising for the Leader over the last week or so and had therefore been particularly busy. It was noted that following new IT implementation Cornwall Council Departments were in the process of reorganisation. It was also noted that Councillor Currie felt able to support the provision of fingerpost signs where felt appropriate which could be funded directly from his budget. Work was also on going to find accommodation for Devoran Gig Club.

**The Chairman thanked Councillor Currie for his attendance and report.**

### **DEVON AND CORNWALL POLICE**

There was no report from the Police on this occasion.

## **9465 APOLOGIES**

Apologies were received from Councillors Taylor, Groves, Hambly-Staite, Mrs West and Mrs Woolcock.

## **9466 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 207, 218, 228, 233, 238, and 239 had been satisfactorily resolved under the new protocols.

Councillor Richards noted the comments made by the Clerk and expressed the view that the planning protocols were working very well for the council and had added great value to the parish council's influence on planning matters. Members supported this view.

Councillor Mrs Smeath spoke on the approval of the development proposals at the former Devoran School site referring to the council's interest since 2005, the great amount of work which the parish council had undertaken since to ensure that these buildings continued to retain their local distinctiveness and character, and the very close compliance of the planning determination to the Planning Brief which the council had undertaken at some expense in 2007. Councillor Mrs Smeath congratulated the council on their diligence on this very important issue and expressed her view that the community in Devoran would hopefully have recognised the benefit that would accrue for many years to come. Members supported this view.

## **9467 PLANNING APPLICATIONS FOR CONSIDERATION**

**Councillors Langdon and Mrs Smeath declared a pecuniary interest in development proposals on land adjacent to 20, Devoran Lane (No 258), and left the meeting therefore taking no part whatsoever in the discussion or voting on that item.**

**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.**

## **9468 PLANNING APPEALS AND ENFORCEMENT**

The Clerk explained that Cornwall Council was taking Enforcement action locally against alleged engineering operations at Trelawney, Churchtown, Feock.

## **9469 CORNWALL COUNCIL-CORNWALL CONVERSATIONS**

Members considered a written report from the Clerk following an approach to all parish council's in Cornwall from the Leader of Cornwall Council. Following some discussion **Councillor Richards proposed the parish council write to the Leader of Cornwall Council and the Portfolio Holder for Localism to express the parish council's concerns relating to Cornwall Council's current Localism agenda, the lack of recognition of the progressive nature of the parish council, the parish council's frustrations regarding the time it is taking to develop resilient and equal working partnerships, and the effect that these issues are having on the delivery of aspirations in the Parish Plan. This was seconded by Councillor Brock and carried by the meeting.**

**9470 BUS SHELTERS**

Members considered a report from the Assistant Clerk on seating in the parish council's bus shelters. Following some discussion **Councillor Brock proposed the parish council fit appropriate seating in bus shelters in the parish area at a cost of £1000. This was seconded by Councillor Bell and carried by the meeting.**

**9471 SPECIAL CONSTABLES**

Members considered a consultation from the Police on how Special Constables might be effectively used in local communities. Following some discussion **Councillor Brock proposed the parish council explain the view that, while it is recognised Special Constables can make a positive contribution to local Policing, the parish council would not be able to support the view that volunteers should replace the special contribution that Police Constables and PCSO's have made to this particular area. Given that older people heavily populate the parish area it is important that local people feel protected and safe. In the circumstances, the parish council would wish to be fully consulted before decisions are taken to diminish the resources already in place. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

**9472 ACCOUNTS FOR PAYMENT**

The Clerk circulated the attached list at Appendix C showing accounts for payment for July 2011 amounted to £11,465.29 and income of £8485.39. **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.**

**9473 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.*

**9474 MARKET HALL SITE, DEVORAN.**

Members considered a verbal report from the Clerk following on from the resolution agreed by council on 28<sup>th</sup> March as follows:

- **The Clerk be authorised, for purposes defined under S133 of the Local Government Act 1972, to appoint Property Consultants and Solicitors to undertake detailed negotiations relating to the purchase of a long term lease for the areas defined within the former Market Hall site at Devoran.**
- **That an application for Borrowing Approval be made as soon as practicable.**
- **That the Clerk be authorised with the council's solicitors to negotiate satisfactory terms for pre-let agreements with the key stakeholders as soon as practicable.**
- **That the Clerk be authorised to start to negotiate appropriate planning permission for the existing parish office site as a precursor to negotiations for its sale**
- **That a full report be prepared under existing delegation and brought to council before any final commitments are made.**

The Clerk explained that following refusal of the council's offer negotiations the owner had ceased. Consequently, none of the council's resolutions had so far been taken very far forward. Given that planning permission had been obtained for the site that had concluded limitations to the potential uses, the council's offer was now likely to succeed. In the circumstances, the Clerk advised he could now take those matters forward to a satisfactory conclusion on which he would report as soon as possible. Given that there had been some delay, and that planning permission had now been granted for the site the Clerk also advised that a new valuation be sought together with advice on repair issues associated with the purchase. A variation to the budget of around £1000 would be required for these purposes. Following some discussion **Councillor Richards proposed the parish council proceed again with issues resolved under minute 9403 of 28<sup>th</sup> March 2011, that a new valuation be obtained together with estimates of potential repair costs, and that a budget of £1000 be set aside for these purposes. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

9475 DATE OF NEXT MEETING: 5<sup>th</sup> September 2011, Parish office at 7.15pm.

## APPENDIX A

### PLANNING DECISIONS MADE BY CORNWALL COUNCIL SINCE THE LAST MEETING 11<sup>TH</sup> JULY 2011

#### APPROVALS

202. MR T. MOREHEN, THE OLD FARMHOUSE, TREVILLA ROAD, FEOCK.  
Listed building consent to carry out internal alterations.  
**The Parish Council could see no material planning issue that should lead to a refusal-Meeting 28<sup>th</sup> March 2011.**
207. MR & MRS R. CHART, THE FINGLE, MOUNT GEORGE ROAD, PENELEWEY, FEOCK.  
Proposed loft conversion with dormers.  
**Subject to improvements in design already in hand to reduce the height of the dormers and to omit the middle dormer, the Parish Council could see no material planning issue that should lead to a refusal-Meeting 28<sup>th</sup> March 2011.**
212. MR & MRS P. MARSHALL, TREGANDER, PENPOL HILL, FEOCK.  
Proposed side extension-**The Parish Council could see no material planning considerations that would lead to a refusal in this case-Meeting 11<sup>th</sup> April 2011.**
213. MRS. D. HARVEY, QUILLETS, FEOCK,  
Conversion of garage into porch/utility and w.c. Replace door with window-**The Parish Council could see no material planning considerations that should lead to a refusal in this case-Meeting 11<sup>th</sup> April 2011.**
214. MR & MRS D. NUTE, LITTLE TREGEW, OLD KEA.  
Certificate of lawfulness to establish that a material start has been made on permission PA07/0012/08/G for a proposed agricultural store and associated works-**The Parish Council accepted the judgement made by the Case Officer in this case that a material start had been made to the development-Meeting 9<sup>th</sup> May 2011.**
215. DR M. COGAN, TREMARNIC, PENELEWEY, FEOCK.  
Proposed conservatory extension-**The Parish Council could see no material considerations that should lead to a refusal in this case-Meeting 9<sup>th</sup> May 2011.**
218. DR BLAKE, COBWEBS, CHURCHTOWN, FEOCK.  
Extend garage and replace flat roof with pitched roof, new pitched roof to existing conservatory, new conservatory extension and raise the roof height of part of the existing dwelling to allow creation of first floor accommodation with Juliet balcony-**The Parish Council had no objection in principle to this development, and concurred with the Case Officers views regarding the height of the proposed development and consequently its appearance in the street scene. Given the location of this development, and subject to an eventual positive determination the Parish Council wished to see strict conditions imposed so that the highway access through the local road was not affected by building works-Meeting 9<sup>th</sup> May 2011.**
220. MR J. CHAPMAN, 10, BELMONT TERRACE, DEVORAN.  
Proposed ground floor kitchen and conservatory extension-**The Parish Council could see no material considerations that should lead to a refusal in this case-Meeting 9<sup>th</sup> May 2011.**

223. MR & MRS SNOW, JONQUILS, TREVILLA ROAD, FEOCK.  
Demolition of existing garage and construction of two storey extension-**The Parish Council could see no material considerations that should lead to a refusal-Meeting 9<sup>th</sup> May 2011.**
224. MR & MRS D. LAYTON, WESTERLEY, 6, TREVALLION PARK, FEOCK.  
Certificate of lawful development for erection of a proposed conservatory-**The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 23<sup>rd</sup> May 2011**
225. MR D. WILKINSON, c/o CSA ARCHITECTS, BRYHER, FEOCK.  
Alterations and extension to existing detached dwelling-**The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 23<sup>rd</sup> May 2011.**
227. MR & MRS SNOW, JONQUILS, TREVILLA ROAD, FEOCK.  
Demolition of existing garage and construction of two-storey extension (amended plans)-**The Parish Council supported this revised proposal-Meeting 23<sup>rd</sup> May 2011.**
228. ESTATE OF M. HOLLINGWORTH, RIVERBANK, RESTRONGUET POINT, FEOCK.  
Alterations and extensions including raising of ridge height to provide first floor accommodation-**The Parish Council had no objection in principle to these proposals, but was concerned that a window may overlook the neighbour and would ask if possible that this be resolved under the new protocol arrangements-Meeting 23<sup>rd</sup> May 2011. These issues were resolved under the planning protocol arrangements and reported at Council meeting 13<sup>th</sup> June 2011.**
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 had no objection in principle to these proposals, but was concerned that the design was out of keeping with the new Carnon Downs Design Guide, particularly in that they led to a dead frontage, incoherent building lines, and lack of an appropriate pitched roof to avoid the use of a flat roof and unsightly roof lights-Meeting 13<sup>th</sup> June 2011. The parish council and the Case Officer agreed to disagree.**
234. MR & MRS NUTE, LITTLE TREGREW, 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 was not aware if a material start has been made on this site.-Meeting 13<sup>th</sup> June 2011.**
229. MR AND MRS ROBERTS, DEVORAN PRIMARY SCHOOL, MARKET STREET, DEVORAN.  
Listed Building Consent for the change of use of former primary school to two dwellings; conversion of first floor classroom to holiday let, including alterations, additions and repairs, on site car parking, photovoltaic panels, landscaping, two garden sheds and various alterations- **The Parish Council considered this application with direct reference to the adopted Planning Brief for the site, and the Devoran Conservation Area Management Plan. The Council therefore fully supported this application.-Meeting 23<sup>rd</sup> May 2011.**
238. MRS H. SYME,7, CHAPEL TERRACE, DEVORAN.  
Erection of a dwelling and associated works-**The Parish Council had considered these development proposals in the light of the possible impact on the Conservation area, the proposed lay out and density, the potential for loss of local neighbourhood amenity and access. While it was accepted that the proposals had already been rationalised to overcome some obvious difficulties there was still some concern both by the Council and adjoining neighbours that the proposals would have an impact on the Conservation Area and traffic flows, and access in this very restricted space. The Parish Council resolved these issues with the applicant and Case Officer following a site meeting-Meeting 13<sup>th</sup> June 2011.**
239. MR & MRS B. MORGAN-LUNDIE, PENCARRICK, CHURCHTOWN, FEOCK.  
Proposed modifications and extension to include addition of first floor to dwelling-**The Parish Council accepted that properties in the area are in need of sensitive redevelopment and had no objection to the contemporary new design but wished to see proper landscaping arrangements put in place to help sustain the local landscape in the area-Meeting 13<sup>th</sup> June 2011.**

243. MR & MRS T. ROBINS, PATHFINDER, POINT ROAD, DEVORAN.  
Alterations and extension-**The Parish Council could see no material planning consideration that should lead to a refusal-Meeting 13<sup>th</sup> June 2011.**

## REFUSALS

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 had 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 housing due to lack of local services, and which would be harmful to the rural character of the area. The Parish Council was also concerned the proposed dwelling may be inappropriate in the ANOB and possibly un-neighbourly. There were also concerns about access onto a busy highway and questions about contaminated land and the existence of bats on the site. The Parish Council also felt however that this derelict site should either be developed or returned to a garden site-Meeting 13<sup>th</sup> June 2011.**
241. MR P. MARSDEN, LA PAZ, PENPOL, DEVORAN.  
Lift access, increased garage area, alterations to drive, replacement balcony and porch extension-**The Parish Council could see no reason whatsoever for this application to proceed to an approval-Meeting 13<sup>th</sup> July 2011**

## APPENDIX B

### PLANNING APPLICATIONS CONSIDERED BY COUNCIL ON 8<sup>TH</sup> AUGUST 2011

253. MR & MRS H. BECK, COQUITLAM, 14, WELLINGTON PLANTATION, FEOCK  
Construction of a proposed garage to front of property and conversion of existing double garage to new bedroom, ensuite and cloak room- **The Parish Council has no objections to these proposals as set out.**
254. MR J. MITCHELL, APPLEWOOD, TREVILLA ROAD, FEOCK.  
Crown lift two protected Ash trees and two protected Sycamore trees- **The Parish Council has no objections to these proposals as set out, subject to the observation of Cornwall County Council's Trees Officer.**
255. MR P. RUSSELL, LAND TO REAR OF SQUIRREL COTTAGE, TROLVER CROFT, FEOCK  
Three-bedroom dwelling with gardens and car parking-**Withdrawn**
256. MR S. BERRYMAN, 15, CHYCOOSE PARC, POINT, DEVORAN.  
Works to one Oak tree- **The Parish Council has no objection to these proposals as set out, subject to the observation of Cornwall County Council's Trees Officer.**
257. MRS J. BARRINGTON, ROSEMULLION, TREMARNE CLOSE, FEOCK.  
Construction of one new dwelling-**The Parish Council has concluded there are no material planning considerations that can now be applied in this case which could lead to a refusal. There are some concerns however about the potential effect of the proposed landscaping on the trees on the site. The Parish Council would be happy to resolve these issues under the planning protocol arrangements.**
258. MR P. LANGDON, LAND ADJACENT TO 20, DEVORAN LANE, DEVORAN.  
Erection of a detached two storey dwelling-**The Parish Council can see no material planning considerations that should lead to a refusal.**

259. MR M WESTGARTH, PONSMAN COTTAGE, WEST PILL ROAD, FEOCK.  
Alterations including first floor extension at rear and replacement of existing slate roof to main cottage with thatched roof-**The Parish Council can see no material planning considerations that should lead to a refusal of these revised proposals.**
260. MR & MRS B. CLARK, 25, BELMONT TERRACE, DEVORAN.  
Demolition of existing ground floor kitchen, with stores and bathroom over and construction of new kitchen/dining room extension with study and bathroom over, with formation of new steps from the rear lane down to the yard- **The Parish Council can see no material planning considerations that should lead to a refusal.**

#### **PROGRESS OF PREVIOUS APPLICATIONS UNDER THE PLANNING PROTOCOLS**

- 211 **PARKWOOD HILL, CARNON DOWNS.**  
The Clerk reported revised proposals, which did not yet constitute a full planning application. Following some consideration the parish council considered the potential revised proposals unacceptable.
- 237 **CARRICK COURT, RESTRONGUET POINT**  
The Clerk reported that a formal site meeting with The Case Officer under the planning protocols had, unusually, been unsatisfactory and differences had not been resolved. A formal site meeting with members of Cornwall Council had also not been helpful, as matters had been deferred for further information from the Architects on the proposed siting of the proposals, and clarification of the impact on the AONB. In the meanwhile, the parish council had further exemplified its objections by referencing them to clear policy guidance. The parish council had also asked for a formal independent landscape appraisal, which it was anticipated, would support the parish council's objections. The Clerk explained that further formal site meetings were planned, and the council would represent its case at a full Planning Committee in due course.