

**MEETING NO.1183**

**Minutes of the meeting of Feock Parish Council Planning Committee held on  
Monday 11<sup>th</sup> September 2017 at 3.30pm  
At the Parish Council Office, Market Street, Devoran**

Members present: Cllr P Allen, Committee Vice Chair  
Cllr C Kemp  
Cllr C Blake  
Cllr L Morgan Lundie  
Cllr R Brickell  
Cllr MacDonald

In attendance: Debbie Searle, Assistant Clerk  
Cornwall Cllr Martyn Alvey  
Mr R Pentreath  
Mr T Jennings  
Mr J Michell  
Mrs C Jones  
Mr & Mrs A Butler  
Mr N Buscombe

Meeting Chairman – Cllr P Allen

**1. WELCOME & APOLOGIES**

The Chairman welcomed those present. Apologies were received and accepted from Cllrs Richards, Thomas and Lightfoot. The Chairman thanked Cllr Brickell for attending the meeting as a substitute and he was formally co-opted onto the Committee.

**2. MINUTES OF PREVIOUS PLANNING MEETING**

RESOLUTION: Cllr Blake proposed the minutes of the Planning Committee meeting held on 31<sup>st</sup> July 2017 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Brickell and unanimously carried by the meeting.

**3. DECLARATIONS OF INTEREST**

Cllr Allen declared a personal interest in PA17/07939 on Agenda Report 1 and asked that Cllr Kemp Chair the meeting while the application was being discussed.

**4. PUBLIC PARTICIPATION**

Mr Pentreath spoke regarding the application for a barge at Dugdale's Quay, speaking on behalf of Restronguet Creek Society as President and Acting Chairman. He advised that the Creek Society had held a meeting and written a substantial letter of objection which has been submitted to the Marine Management Organisation (MMO). Mr Pentreath suggested that it was confusing as to who was dealing with the application, the MMO or Cornwall Council and questioned if it was being dealt with in the right way. He stated that the site was in the World Heritage Site and therefore afforded special protection. Cllr Allen advised that the Parish Council were not formal consultees of the MMO but that as we are aware of the application the Parish Council feel that we should and will make a comment. We understand that Cornwall Council

have advised the MMO that a planning application will be required and we will also make a formal consultee comment when requested.

Mr Butler stated that he was the owner of Penpol Boatyard where the barge is currently sited and wanted to inform the Committee that they were not at all involved with this application although people seemed to be trying to draw them into the issue. He reiterated that the barge is nothing to do with them and commented that he does not see how they can fit a barge of that size there without it obstructing the channel and didn't believe it would get an MMO licence. Mr Pentreath commented that this was mentioned in their submission to the MMO. Mr Butler commented that the ground is not flat and the barge will not sit on the ground there.

Mr T Jennings advised that he was the agent for application 1123 (PA17/1128) and agent and applicant for 1128 (PA17/07004). He advised that a letter of objection from neighbours had been submitted and he had answered the points raised. He didn't want to expand further on the applications but was present if committee members wanted to ask any questions. No questions were asked.

Mr N Buscombe spoke regarding his application PA17/07880 stating that the current property is in lovely setting but is dilapidated and needs work. They withdrew the previous planning application in response to neighbour's concerns which they have tried to address with the resubmitted application. The garage was too dominant for the neighbour so they have reduced the pitch from 45 degrees to 25 degrees, which has taken away possibility of their creating an office in the roof. They have reduced the length by 1.3m and the width by 1.4m and have moved it further down the garden and further away from the Beech trees. He feels that they have tried to appease the community and the two-storey extension has been made more subservient so that its impact has been reduced. The neighbour has written a letter of support albeit with one request which he is not been able to meet due to accessibility and manoeuvring of his vehicle. He summarised that they have considered neighbours comments and made significant compromises with the proposal. Cllr Allen questioned if there was a possibility of further compromise re the location of the garage. Mr Buscombe gave further explanation of the need for the garage to be located where it is.

Mr J Michell advised that he was the owner of one of the bungalows neighbouring Sandoes (PA17/07880) and spoke in objection to the application. He advised that the garage was of no issue to them and that they were objecting to the two-storey extension on the west side which will dominate their property and overlook their kitchen, living room, outside area and destroy their privacy. In their opinion, the extension is not subservient to the main building and whilst they welcome modernisation to the property they object to the overall height which will dominate their property. They would welcome a single storey extension which would reduce its overall dominance and ask that their concerns are recognised.

Mrs C Jones spoke in objection to PA17/06843 and advised that she had submitted an objection to the Case Officer at Cornwall Council and supplied them with supporting information. She advised that she has objected to the proposal and gave details and history of the design of the site, advising of the length of the parking spaces and the effect of the proposed garage. She has concerns about drainage, the effect on the private road owned by four properties and ongoing issues with the developer Taylor Wimpey which included the disintegrating of the tarmac surface on the road to which this proposal may affect the warranty. Cllr Allen advised that they

can only determine applications on planning issues rather than civil issues but that it is pertinent how the proposal affects neighbours. Cllr Kemp asked if the space shown in the submitted photograph was supposed to accommodate two cars. Mrs Jones advised that it was but the spacing was an ongoing issue with Taylor Wimpey.

## **5. STATUTORY CONSULTATIONS – PLANNING APPLICATIONS – AGENDA REPORT 1**

The following applications were considered and decided as detailed.

Cllr Allen left the meeting (3.58pm) and Cllr Kemp took over as Chair.

### **1139 14 Devoran Lane, Devoran TR3 6PA PA17/07939**

Cllr Kemp advised that planning has previously been approved and clarified that this application was for the original bungalow to be demolished and the house to be built to the design which had previously been approved. It was noted that no neighbours had commented. Cllr Brickell questioned if neighbouring properties were bungalows or houses and it was confirmed that the proposal was not out of keeping with other properties along the road. It was again clarified that the proposed house already had planning permission and that this application was just for the demolition of the existing bungalow.

**RESOLUTION:** Cllr Morgan Lundie proposed the consultee comment for the application as: **The Parish Council have no objection to the application.** This was seconded by Cllr Blake and unanimously carried by the meeting.

Cllr Allen re-joined the meeting and Cllr MacDonald also arrived (4.01pm)

### **1140 Dugdale's Quay, Penpol, Devoran PA17/07331**

The Chairman stated that the Parish Council had not been consulted officially but this doesn't mean that it shouldn't comment. He proposed a motion be made regarding the general feeling of the application as correspondence is still being received, which needs to be digested and understood, however sufficient has been received and understood to make a general motion. Cllr Kemp confirmed that it was briefly discussed at the full Parish Council meeting. It was confirmed that the proposal is for live aboard barge. Cllr Allen stated that land ownership is not strictly a planning matter, but that the sales literature for the land had raised concerns in that it appeared to overlap areas that the Parish Council understood belonged to the old Truro Corporation. This he has taken up with the Harbour Master and determined that most of that area of the creek believed to belong to them is still preserved in their ownership but that there is some confusion over this area. So whilst there is some confusion regarding land ownership it is navigation matters in the creek that are of concern. Cllr Allen stated that he would like to make a resolution that registers in general terms whether we believe this application be accepted or not and after this meeting take account of all communications received. Cllr Kemp questioned the need for planning permission and queried that should an application not be submitted the Parish Council would not have the opportunity to comment. It was confirmed that the letter from Cornwall Council to the MMO had stated that planning permission would be required.

**RESOLUTION:** Cllr Allen proposed that a comment be drafted in objection to the application after committee members have had the opportunity to read all letters and information received regarding the application but that in general terms it would be in accordance with the views of Restronguet Creek Society. Cllr Blake expressed concern that the proposal would also cause

further silting up of the creek and that he would like this recognised. This was seconded by Cllr Blake and unanimously carried by the meeting.

**1135 Sandoes, King Harry Road, Feock TR3 6QN PA17/07780**

The Chairman summarised that committee members have heard from both the applicant and an objector at the start of the meeting. Cllr McDonald advised that he had previously visited the site when considering the previous application and whilst he understood the objections that neighbours had regarding the overbearing nature of the extension, the garage was one of the things that concerned him most at that time and this has now been moved back and reduced in size and height so is no longer a concern for him. He recognises that it is still a large extension to quite a large property but looking at where it sits in the plot considers that it is not overdevelopment. It is not that close to the boundary hedge and it does need to be acknowledged that the applicants have considerably changed their original proposal considering the objections that were raised. He can however see that the neighbours to the west feel that little has been done to alleviate their concerns but feels that in terms of material planning considerations there aren't enough that the proposal should not go ahead. Cllr Morgan-Lundie commented that the objector talks about feeling overlooked but cannot see any windows on the first floor. The plans were viewed and this was confirmed. She suggested that in terms of the roof height you could argue that to balance the house you could have two dormers either side therefore you could have an office above the single storey. The Chairman advised that he has looked at the property from the neighbouring bungalow and the existing gable end is quite prominent and tall but not overlooking and that the proposed gable end will be closer and will be more prominent but notes Cllr Morgan-Lundie's point about no windows; It is prominent and will have an effect on the neighbour but questioned if that was sufficient enough in planning terms for the Parish Council to object. He questioned if there is any opportunity for tree screening. Cllr Morgan-Lundie suggested that a landscaping scheme could be submitted to mitigate the effect of the gable end. Cllr Brickell stated that he did visit the house at the time of the previous application and that with sensible screening the proposal may be acceptable. His concern had been the garage which seems to have been addressed. Cllr Morgan-Lundie commented that the age of property determines that it was there before the bungalows. Discussion followed in which it was questioned if in planning terms it was sufficiently unneighbourly to object. The block plan was viewed and parts of the letter from the neighbour, Robert Orriss, read out. It was noted that it sits reasonably comfortably within its plot. Cllr Allen commented that whilst the issue is mass and bulk we do not tend to feel that at such a distance it is particularly pertinent in planning terms. Cllr Kemp stated that she appreciated that the original house was being saved and not demolished and has no objection to the application.

**RESOLUTION:** Cllr Kemp proposed the consultee comment for the application as: **The Parish Council have no objection to the proposal but feel that some mitigating landscape screening of the west elevation would be appropriate to alleviate the concerns of the neighbour.** This was seconded by Cllr Blake and unanimously carried by the meeting.

**1124 17 Trevince Road, Carnon Downs PA17/06843**

Cllr Morgan-Lundie expressed concern that the proposed garage will give a completely different feel to the area and set an unfortunate precedent for the site. Cllr Allen stated that one of the concerns for the development was that there be sufficient parking and the Parish Council had asked Taylor Wimpey to provide further parking by the playing field so there would be no parking issues with residents. Cllr Kemp stated that the building of a garage will take away a

parking space and the original design plan for the development should be adhered to. Cllr Kemp also wished to thank the neighbour for very succinct comments.

**RESOLUTION:** Cllr Kemp proposed the consultee comment for the application as: **The Parish Council strongly object to this application and believe that a garage in this area is against the general design ethos of the development and will have a negative effect on parking capacity, vehicle manoeuvrability and be unneighbourly.** This was seconded by Cllr Morgan-Lundie and unanimously carried by the meeting.

**1123 2 Elm Meadow, Feock TR3 6RN PA17/06838**

The plans were viewed and it was noted that no comments had been received.

**RESOLUTION:** Cllr Allen proposed the consultee comment for the application as: **The Parish Council have no objection to this application.** This was seconded by Cllr MacDonald and unanimously carried

**1128 Land NE of Bosvean, Trolver Hill, Feock TR3 6RR PA17/07004**

The Chairman advised that there is an existing quarry. It was clarified that the applicant intends to remain the owner of the existing dwelling and has designed the property so that there is no overlooking and that it is a modest modern two-bedroom property. The objection from the neighbour was noted and the mitigating measures they had suggested read out, the neighbours location was viewed on the site plan. The positioning and the angle of the proposed dwelling was studied on the site plan in relation to the neighbour's comments. Extracts of the letter from the applicant in response to the objection was read out. The Chairman summarised that it is an issue of potential overlooking of the neighbours and have to consider if the height is a real detriment to the neighbour. The potential overlooking is of garden area rather than windows. Cllr MacDonald and Cllr Morgan-Lundie expressed that they would like to visit the site but it was recognised that time would not allow.

**RESOLUTION:** Cllr Morgan-Lundie proposed the consultee comment for the application as: **The Parish Council have no objection in principle to the development however we would wish the neighbour's concerns on overlooking to be addressed by the Planning Officer.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

**1126 Featherbeds, Come To Good, Feock TR3 6QS PA17/06206**

It was noted that a pre-application meeting had been held with the agent regarding the proposal.

**RESOLUTION:** Cllr Allen proposed the consultee comment for the application as: **The Parish Council have no objection to the application but would like a condition that the building remains ancillary to the main house.** This was seconded by Cllr Blake and unanimously carried by the meeting.

**1127 The Poplars, Devoran TR3 6PF PA17/06976**

The Chairman suggested that the only policy which may apply would be the rounding off of existing settlements policy. The plans were viewed and the location discussed. Cllr Morgan-Lundie questioned the access and it was discussed that the existing access would be used. Cllr Morgan-Lundie could see no reason to object. The Chairman advised that infill definition had

change recently and considered that this proposal is infill within a built-up frontage. Discussion took place regarding the North Grange Industrial Estate. Cllr Brickell questioned the flood risk status of the site.

**RESOLUTION:** Cllr Allen proposed the consultee comment for the application as: **The Parish Council have no objection in principle.** This was seconded by Cllr Kemp and carried by the meeting with Cllrs Blake and MacDonald abstaining.

**1125 The Surgery, Bissoe Road, Carnon Downs TR3 6JD PA17/06705**

The plan was viewed and discussion regarding adequate parking spaces took place.

**RESOLUTION:** Cllr Allen proposed the consultee comment for the application as: **The Parish Council have no objection to this application.** This was seconded by Cllr Blake and unanimously carried by the meeting.

**1130 Bosula, Harcourt Lane, Feock TR3 6RW PA17/07537**

The plans were viewed and discussion took place regarding the design of the proposal.

**RESOLUTION:** Cllr Allen proposed the consultee comment for the application as: **The Parish Council have no objection to this application.** This was seconded by Cllr MacDonald and unanimously carried by the meeting.

**1132 23 St John's Terrace, Devoran PA17/07928**

The application was discussed and members could see no reason to object.

**RESOLUTION:** Cllr MacDonald proposed the consultee comment for the application as: **The Parish Council have no objection to this application.** This was seconded by Cllr Morgan-Lundie and unanimously carried by the meeting.

**1129** Devoran House, 1 Devoran Lane, **Devoran TR3 6PA PA17/07402**

**1134** Pengelly, Trolver Croft, **Feock TR3 6RT PA17/07881**

**1136** Carrick House, Restronguet Point, **Feock TR3 6RB PA17/08078**

**1137** Wood End, **Feock TR3 6QW PA17/0818**

**RESOLUTION:** Cllr Allen proposed the consultee comment for these applications as: **The Parish Council is happy to accept the professional advice of Cornwall Council's Tree Officer for this application.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

**1133 Bosalan, Restronguet Point, Feock TR3 6RB PA17/07484**

The Chairman stated that it is appropriate to make a comment with a differing view to that which would be made in other areas of the Parish as we should be putting constraints on development in an AONB area. Extracts of the objection letter from the AONB Officer was read out and discussion followed. Cllr Kemp further quoted from the AONB objection letter regarding light. Cllr McDonald stated that he had visited the site and that they were proposing to replace an unsightly dilapidated bungalow with a modern energy efficient house and this needs to be recognised. Cllr Blake felt that there was no reason that they couldn't build in a more conventional style with less glass to match existing neighbouring properties. Cllr Kemp felt that it very difficult when there is no clear design character on the Point. The Chairman read out the

AONB management plan policy MO16. Discussion took place regarding the local character of Restronguet Point.

**RESOLUTION:** Cllr Allen proposed the consultee comment for the application as: **The Parish Council have no objection to the replacement and redevelopment however we believe that the predominance of glazing will give rise to visual and light pollution in the manner that has been pointed out by the AONB Officer and wish for the effect of this to be mitigated.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

## **6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL**

It was noted that the Committee had agreed to disagree with the Case Officer regarding application PA17/03178 for two dwellings on the Tyrells site in Carnon Downs and the application had now been approved under delegate powers.

## **7. CORNWALL COUNCIL PLANNING DECISIONS**

The following applications decided by Cornwall Council since the last planning committee meeting were reviewed.

### **APPROVED**

<b>1100</b>	Trelissick Gardens, Trelissick, Feock TR3 6QL
<b>1111</b>	Bryher, Feock TR3 6RU PA17/05999
<b>1112</b>	River View, Ropewalk, Penpol, Devoran TR3 6NS PA17/06282
<b>1113</b>	Robinswood, 11 Kelliwith, Feock TR3 6QZ PA17/06294
<b>1114</b>	Trefellyn, Penelewey, Feock TR3 6QU PA17/06293
<b>1116</b>	1-4 Sand Cottages, Devoran TR3 6PF PA17/06293
<b>1120</b>	2 Dozmere, Feock TR3 6RJ PA17/06578
<b>1121</b>	Quay House, Pill Lane, Feock TR3 6SE PA17/06624
<b>1122</b>	17 Trevallion Park, Feock TR3 6RS

### **PART APPROVED/PART REFUSED**

<b>1109</b>	Derow, 4 Kelliwith, Feock TR3 6QZ PA17/05930
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### **WITHDRAWN**

<b>1118</b>	Sandoes, King Harry Road, Feock TR3 6QN PA17/06478
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## **8. PLANNING PRE-APPLICATIONS**

Committee members agreed a day and a time for a pre-application meeting with Mr G Trebilcock for his proposal to put two houses on land in Carnon Downs.

## **9. PLANNING APPEALS AND ENFORCEMENTS**

It was noted that since the last committee meeting Cornwall Council had opened and closed an enforcement case regarding cars parking on verges at Linden Hay, Penelewey (EN17/01486) and that two further enforcement cases had been opened - EN17/01550 regarding alleged change of use at Croft Hill, Carnon Downs and EN17/01667 regarding the alleged conversion of roof space of office/workshop into a unit of residential accommodation at Penpol Boat Yard.

It was further noted that no breach had been found in relation to EN17/01339 relating to alleged tree works at Pillwood, Feock and the enforcement case EN17/01550 relating to alleged change

of use at Carnon Wollas Farm was ongoing. Cllr Brickell spoke regarding his concerns relating to planning enforcement matters in Carnon Downs. Cllr Alvey advised that enforcement is about regularisation and not about punishment and discussion followed in which Cllr Brickell questioned the Parish Council's role in planning enforcement matters and related recent scenarios. It was clarified that anyone is able to raise a planning enforcement query with Cornwall Council and that the Assistant Clerk would circulate further details to the committee.

**10. MATTERS ARISING**

It was noted that further correspondence had been uploaded to the online planning register for application PA16/08980 for development at Valley Lane, Carnon Downs. A proposed comment from the Parish Council was circulated and members agreed to consider its contents and confirm their agreement to it being submitted to Cornwall Council by email reply on or before Wednesday 13<sup>th</sup> September.

It was also noted that a planning application for a radio aerial mast is expected to be submitted to Cornwall Council in relation to a property at Penpol within the AONB. The Chairman confirmed that it will be considered when the Parish Council is formally asked for a consultee comment by Cornwall Council.

**11. DATE OF NEXT MEETING**

The date of the next planning committee meeting was agreed as Monday 9<sup>th</sup> October at 3.30pm.

There being no further business the meeting closed at 5.45pm.

**Signed.....**  
**Chairman, Feock Parish Council Planning Committee**  
**9<sup>th</sup> October 2017**