

MEETING NO. 1144
Minutes of FEOCK PARISH COUNCIL PLANNING MEETING held on
Monday 11th July 2016
at the Parish Council offices, Devoran at 2.30 pm

Members present: B Richards
C Shefford
K Hambly-Staite
B Thomas
C Blake
C Kemp

In attendance: Cornwall County Cllr S Chamberlain
Debbie Searle, Assistant Parish Clerk
Paul Hains
Nicky Sowerby
Chris Taylor
Sienna Chapman
Darren Manser
Mike Steel
Nick Gamper

1. WELCOME & APOLOGIES

The Chairman welcomed those present, no apologies were received, it was noted that Cllr Blake would be attending the meeting but would be late.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. TREES

A presentation was given by Alan Rowe, Cornwall Council's Tree Officer. Following the presentation members asked several questions. Alan Rowe confirmed that when a replacement tree is recommended it is automatically covered by the Tree Preservation Order. A Tree Preservation Order applies to any type of tree, indigenous and non-indigenous trees of the area. A Tree Preservation order only covers trees that were there at the time of the order. Discussion followed regarding ways of how the Parish Council can assist with managing Tree Preservation Orders. Members questioned the value of Tree Wardens and Alan Rowe stated that they were very valuable although they don't have statutory powers but just report back to Enforcement Officers; they are an underutilised resource especially as resources in the Council are tight.

The Chairman thanked Alan Rowe for attending the meeting.

4. PUBLIC PARTICIPATION

Paul Haines spoke in objection to PA16/04545 stating that he was a retired Architect with considerable experience in conservation and planning and that in 2010 had been co-opted by Feock Parish Council onto a sub-committee to prepare the brief to be included with the Devoran Conservation Appraisal and Management Plan which was ratified and adopted by Cornwall County Council. He quoted section 5.0 of the document and stated that the proposal is totally inappropriate in height and plan and would strongly recommend the Parish Council refuse the application in support of their own document Devoran Conservation Appraisal and Management Plan. He considers that the

applicant ignored the pre-application advice from Cornwall Council prior to preparing this application now being considered. The conservation area enjoys unique views across an area of outstanding natural beauty and an area of special scientific interest. In 2009/10 he proposed that the above document contained a diagrammatic section through the escarpment to demonstrate the theatre and stage form of the village, views looking down upon the high water mark should be changed as little as possible, unfortunately this section diagram was not included. He also proposed that views from the Carclew Estate in the south should be considered but this wasn't included. Waterfront development of the quay should not dominate the view of such an important historic port with a strong architectural appeal, primarily as it was built in a comparatively short period of time 1846-58 to a plan by the Agar-Roberts family. It is most important that this proposal is refused, if not it will create a most unfortunate precedent for development in Quay Road. In conclusion he strongly objects to the planning application.

Nicky Sowerby spoke in objection to PA16/04545 stating that she felt the scale of the proposal is out of keeping with the direct neighbours and the building will be overbearing and dominant in its position. They do not agree that the current building is sub-standard; it does need some modernisation but do not feel that it has to be knocked down and rebuilt with a much larger family dwelling. The access affects the property The Anchorage as Quiet Quay have to access over The Anchorage's driveway which seems reasonable if you are a little 2 bed roomed bungalow but if it were to become a big family home would be unneighbourly. There will be an adverse visual impact on the conservation area and views from the land and water side. In accordance with the Devoran conservation management plan the replacement of single storey dwellings with two storey ones should be resisted.

Sienna Chapman spoke regarding PA16/04545 to state that she strongly objected to the proposal for the reasons as already stated by Paul Hains and Nicky Sowerby.

Darren Manser spoke in objection to PA16/04545 stating that he was the owner of the property next door to the proposal and reiterated support for the points made by the previous speakers. He does not believe the proposal is of a suitable scale, the existing property is proportionate to the plot however this proposal is far too big in footprint and height and will tower over the two neighbouring bungalows. The way the properties sit there is a natural gradient sloping down to the creek providing a visual public amenity which should be maintained. With regard to the replacement window on the west side of the property this window will look directly down into their ground floor bedroom and because of the proposal to extend the footprint forward 3.8m the window will also look directly into their sitting room therefore creating overlooking and privacy issues and the proposal to mitigate the effect by hedging would result in a major concern over loss of light as the properties are not that far apart. The access to Quiet Quay is by a right of way over The Anchorage and is a physically restricted access and whilst acceptable for a car on an infrequent basis is not suitable for the increased traffic that a large family home may bring or for large construction traffic which may cause damage to walls/hedges. He asked what provisions may be made to mitigate this issue. The Chairman advised that a condition can be placed on any approval that it is the applicants duty to reinstate hedges, roadways etc should they be damaged during construction.

Mike Steel spoke regarding PA16/04545 stating that he objected to the application for the reasons as already mentioned by the previous speakers, the proposal was an over development and unneighbourly.

Chris Taylor spoke in support of PA16/04545 advising that he was the owner of the property. He stated that he was addressing the committee largely in response to the concerns raised regarding the previous application. He has now engaged a new architect who held a pre-application meeting with Cornwall Council and talked through all their concerns and so the new application is the result of that pre-app meeting. They have also commissioned a flood risk assessment from H2oK and this was sent on to the Environment Agency for their comments and again they have taken on board all their notes and concerns and on the basis of this they have raised the floor level to minimise any flood risk and the property will be built with all flood risk mitigating measures. He understands that the bungalow built in the 1960s has never flooded although the garden has. They have submitted their application along with a tree survey and a bat and owl survey and are keen to try and preserve the Douglas fir to the east of the current building. Also on advice from the planners they have reduced the ridge height of the dwelling so it is now below that

of The Firs which is immediately in front of them and so the application has been submitted with a revised roof design which they feel is much more compatible with the surrounding properties and more conventional than the previous design. The only area that is still outstanding is the drainage issue, he gave details of the history of the system and properties associated and stated that they are very willing to look at and commission a report on the capacity of the system and if it needs upgrading then they would be happy to look at that with the neighbour. They believe the new building takes into account all the concerns of this committee and the planners, have minimized any flood risk and are now submitting a proposal which is much more in keeping with the rest of village. The proposed footprint is less than the current footprint and also lower than the property behind. Sienna Chapman stated that she could not see how the footprint is smaller. Chris Taylor stated that he would be happy to show her the plans. He stated that with regard to the access issue they are looking at bringing materials up on a barge. Cllr Richards asked if he had been in discussions with the Harbour Authority about this. Chris Taylor stated that he had discussed it with the Timber Frame Company and with his Architect and they see no reason why they couldn't bring the materials up by barge and understand that has been done before. Cllr Kemp questioned what the phrase 'modern design in the area is not of the question' within the design and access statement meant. Chris Taylor did not know and said that he had not seen the design and access statement. Cllr Kemp also asked for an explanation of the sentence 'local character needs to be observed in relation to scale and massing'. Chris Taylor advised that the Architects had not been able to attend the meeting. Cllr Kemp also questioned the statement 'the design of the building preserves the character of the village'. Mr Taylor stated that if you look along Quay Road you see buildings of all sorts of different designs and he did not feel that they were radically different from any of those and that he wished to replace the existing property with a double gabled house which was what The Boat House was.

5. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed that the minutes of the meeting held on 9th June 2016 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr Thomas.

6. STATUTORY CONSULTATION PLANNING APPLICATIONS

The following applications were considered and decided as detailed.

927 Quiet Quay, Quay Road, Devoran TR3 6PW PA16/04545

The Chairman read out the details of the application and stated that members of the committee had heard the public comments made and seen and read the various online comments. Cllr Kemp stated that the proposal was not respectful of the hierarchy of the village, there were scale and massing, height and footprint issues and issues of overlooking of neighbours and the proposal would cause damage to the visual public amenity of the village. The foul water arrangements for sewerage also need further investigation and there is no construction plan with the application which would be expected. The Chairman comment that he understood that with regard to the foul drainage system that Dr Gamper maintains the system but the electricity comes from Quiet Quay and he has tried to contact the owner as he would like to have it changed to his property. He believed that there was a foul drainage assessment with the previous application however there doesn't appear to be one with this application and would suggest that this is essential and it is not unreasonable to suggest that these differences need to be addressed; the current system was designed for one property with another property added on to that system so there was an issue which would need to be sorted out. Cllr Kemp commented that there was an objection from the World Heritage Site Officer and the Chairman read out the comment. Members queried the statement made that the footprint of the proposal was smaller than the existing; the footprint plan and section plan were viewed which confirmed that the proposal was larger than the existing. The Chairman read out the Environment Agency's comment which stated that all proposed bedrooms should be on the first floor. He advised that the pre-app states "The primary concerns relating to the development, as reflected in the reasons given for the refusal of application PA15/04505, amount to flood risk at the site and ensuring the design/scale/massing/layout of the replacement property preserves the character and complements the visual amenities in the area." In his personal opinion the new proposal will form more of a barrier from behind. Cllr Thomas commented that Paul Haines had summed up his comments and Cllr Kemp stated that as it was a Historical area it doesn't seem suitable. Cllr Hambly-Staite expressed concern that if he understood what Mr Taylor had said earlier that the current application had been written on the basis of the pre-

app advice from Cornwall Council there must be concern over the information that was given. The World Heritage Site officer has said that there has been no consultation with them as required by the NPPF, there is an issue of precedent and also concern about development contrary to the principles of the AONB, that new development should be sensitive to landscape character. He considers that this is a bad step forward and recommends that this new application is rejected.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as:

Feock Parish Council is totally opposed to this application in its present form. It has failed to consider the pre-application advice and the decision on the previous application relating to size and massing of the property. It is unneighbourly in its context with particular regard to its size and the windows on the western elevation. Its visual impact from the world heritage site would present a totally unsatisfactory outlook into Devoran and no information is available regarding the foul drainage disposal on the site which we feel is essential before any application can proceed. The application should be accompanied by a construction management plan and also questions over access and remedial works for any damage caused during the construction phase should be a condition of any approval of development in future on this site. It would appear that no regard has been had to the status of the area within the Devoran conservation area and no regard has been had to its status adjacent to the world heritage site.

This was seconded by Cllr Blake and unanimously carried by the meeting.

928 Curlew, Penpol, Devoran TR3 6NS PA16/05212

The Chairman summarised the application and gave details of the previous application which was refused by Cornwall Council and also at appeal. He stated that these are 3 large and significant trees within the area of Penpol, the mitigating circumstance is that they do form a threat to the property, large pines fall off and roots have lifted paving stones on a pathway surrounding the bungalow and possibly caused a crack in the bungalow, the species of tree takes a huge amount of moisture out of the ground. He read out the Tree Officer's comments. Cllr Thomas questioned if we can prove that the nearest tree is damaging the property, the Chairman responded that it is clear enough regarding the pathway but debatable with regard to the crack in the wall. It was discussed that the trees are prone to throwing off large and weighty pine cones and lumps of timber. Cllr Hambly-Staite stated that looking at the trees from an amenity value, is there a compromise that can be achieved by tree management. Could the Tree Officer be asked to visit the site and make recommendations on how to manage the trees and reduce the risks to the householders. Cllr Kemp questioned the insurance scenario should the trees fail.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: The Parish Council supports the applicants desire to remove these trees subject to them being replaced by suitable replacements as negotiated with the Tree Officer. **This was seconded by Cllr Blake and unanimously carried by the meeting.**

Cllr Chamberlain left the meeting.

929 6 Dozmere Close, Feock TR3 6RL PA16/05057

The Chairman read out the details of the application. It was noted that there had not been any neighbour comments received on the proposal. Members discussed that it was a large plot and the footprint was not being altered. Cllr Blake questioned if the roof was potentially big enough to take another room and it was discussed that the proposal was taking it from a flat roof to a pitched roof and in its present form would not be able to take another room.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: We can see no material planning considerations for refusal of the application and note that at the time of making our comment no neighbour or other comments have been received. **This was seconded by Cllr Shefford and unanimously carried by the meeting.**

930 Land North of Bissoe Road, Bissoe Road, Carnon Downs PA16/0472

The chairman summarised the application. It was discussed that it was an end property and the proposal would not reduce the size of anyone's garden.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: The Parish Council has no objection to the proposal as set out. **This was seconded by Cllr Thomas and unanimously carried by the meeting.**

931 Boadwater, Penpol, **Devoran** TR3 6NS **PA16/04709**

The Chairman read out the Tree Officer's comments. Discussion followed in which Cllr Hambly-Staite questioned how do we know that the condition to replace trees is carried out and continued regarding the requirement to supply photographs with tree applications. The need and purpose of a Tree Warden concluded the discussion.

RESOLUTION: Cllr Kemp proposed the consultee comment for this application as: The Parish Council agrees with the Tree Officer that subject to the works being in accordance with the submitted photograph we have no objection to the proposal as set out. **This was seconded by Cllr Blake and unanimously carried by the meeting.**

932 27 Market Street, **Devoran**, TR3 6QA **PA16/04957**

Cllr Blake questioned if it was a metal tube or a brick chimney and it was clarified that it was a brick chimney stack. Cllr Kemp asked for them to be made aware of the need to liaise with neighbours regarding access and the Grade II listed wall.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: The Parish Council has no objection to the proposal as set out but would remind the applicant of the need to be aware of the Grade II listed wall adjacent to the property and consult with neighbours regarding access for the work. **This was seconded by Cllr Kemp and unanimously carried by the meeting.**

933 Orchard Meadow, Tremarne Close, **Feock** TR3 6SB **PA16/05444**

Cllr Kemp considered that the proposal would not be overpowering to the host dwelling in anyway. The Chairman suggested that the extension is a relatively modest one in a large plot.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: The Parish Council has no objections to the works as stated in the application and at the time of commenting has not received any comments from neighbours or other consultees. **This was seconded by Cllr Thomas and unanimously carried by the meeting.**

934 Oyster Cottage, Roundwood, **Feock** TR3 6AS **PA16/05444**

The Chairman read out the application and discussion followed regarding the lack of a photograph showing the proposed work.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: The Parish Council would have preferred to see photographic evidence of the work proposed but subject to the works being only as described in the application would have no objection. **This was seconded by Cllr Thomas and unanimously carried by the meeting.**

935 9 St Johns Terrace, **Devoran** TR3 6NE **PA16/04874 & PA16/04875**

The Chairman read out the details of the application and read out the comments of the Historic Environmental Planning officer. It was discussed that the previous application had been supported by members and that this was a re-submission following advice from the Conservation officer. Cllr Hambly-Staite recommended that this be referred back to the officer for ongoing discussion. Cllr Blake questioned if other dwellings along St Johns Terrace have had similar works and discussion followed regarding the various extensions that had been added to the rear of properties. It was agreed that the proposal would be an improvement to the existing property.

RESOLUTION: Cllr Thomas proposed the consultee comment for this application as: We consider that the proposals as set out are an improvement on the existing but we would defer to the expert opinion of the

conservation officer relating to the final finishes on the proposal. **This was seconded by Cllr Shefford and unanimously carried by the meeting.**

936 The Old School, Churchtown, Feock TR3 6SA PA16/05461

The Chairman gave the history of previous applications and discussion followed. Cllr Kemp quoted from the Historic Environment Planning officer's comment and members agreed that the work which has been carried out is of credit to the applicants.

RESOLUTION: Cllr Kemp proposed the consultee comment for this application as: Feock Parish Council agrees with the Historic Planning Environment officer that improvements made to this property are entirely appropriate and laudable and see no material planning considerations for refusal of this application. **This was seconded by Cllr Shefford and unanimously carried by the meeting.**

937 Devoran Boatyard, Greenbank Road, Devoran TR3 6PQ PA16/05604

The Chairman read out the details of the application. He suggested that if members are in favour of the lifting of the restriction that it should only be lifted when the detailed planning application of the site has been approved.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: Feock Parish Council has no objection to the removal of this clause subject to it not being lifted until such time as detailed planning consent for the redevelopment of the boatyard has been approved. **This was seconded by Cllr Hambly-Staite and unanimously carried by the meeting.**

7. CORNWALL COUNCIL PLANNING DECISIONS – AGENDA REPORT 2

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

APPROVED

799 Feock Reading Room, Feock TR3 6RG PA15/06583

887 Shipway, Penelewey, Feock TR3 6QY PA16/00758

915 Land North Of Chypraze, Quenchwell Road, Carnon Downs TR3 PA16/04149

917 1 Porthgwidden, Feock TR3 6SG PA16/04005

REFUSED

889 Land South Of Oakdene House, Goonpiper, Feock TR3 PA16/01828

8. PLANNING PRE-APPLICATIONS

The Chairman advised that a meeting had been held with an applicant who had a desire to convert an existing garage into a dwelling in the Point and Penpol area. Members had offered their support subject to it being in keeping with its context which is adjacent to a Grade II listed building.

9. PLANNING APPEALS AND ENFORCEMENTS

It was confirmed that the Parish Council's comment for appeal reference APP/D0840/W/16/3150577 (Land at Carnon Downs) had been sent to the Planning Inspectorate and that a further comment concerning evidence of local concern would be submitted as soon as possible.

10. CORNWALL PLANNING PARTNERSHIP

The Chairman provided details of the Cornwall Planning Partnership which consists of members of Parish Councils and officers of Cornwall Council and is organised by Cornwall Association of Local Councils. He confirmed his intention to put himself forward should a vacancy arise.

11. MATTERS ARISING

The Chairman confirmed that a workshop had been arranged with Kath Statham of Cornwall Council regarding the document 'Judging Landscape Capacity' which concerns the landscape and visual impact of development on the local landscape and what members should be considering when looking at planning proposals. The workshop for members will take place on Wednesday 7th September.

12. DATE OF NEXT MEETING

It was confirmed that the next Planning Committee meeting will take place on Monday 25th July at 2.30pm.

Signed:
Chairman, Feock Parish Council Planning Committee
25th July 2016