

MEETING No.1295

Minutes of the meeting of Feock Parish Council Planning Committee held on Tuesday 6th September 2022 at 4pm at the Parish Council Office, Market Street, Devoran TR3 6QA

Members present: Cllr Colin Blake, Feock Ward, Chair
Cllr Sue Cooper, Devoran Ward
Cllr Cathy Kemp, Carnon Downs Ward
Cllr Richard Brickell, Carnon Downs Ward
Cllr Kate Gason, Carnon Downs Ward

In attendance: Debbie Searle, Assistant Parish Clerk

Public present: Vidette Chivers
Russell Dodge, Business Location Services
Jason Jarvis, Create Architecture & Design
Diane Hammond
Peter Hammond

1. WELCOME & APOLOGIES

The Chair welcomed those present. Apologies were received and accepted from Cornwall Cllr Martyn Alvey.

2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Kemp proposed the minutes of the Planning Committee meeting held on 19th July 2022 as a true record of the meeting and be signed by the Chair. This was seconded by Cllr Cooper and carried by the meeting.

3. DECLARATIONS OF INTEREST

No declarations of interest were received.

4. PUBLIC PARTICIPATION

Vidette Chivers (VC) spoke regarding her planning application PA22/07372 (The Dene). She tabled an aerial photograph of the property for the benefit of Councillors who had not visited the site and stated that she would be happy to answer any questions. Cllr Gason asked for clarification and VC indicated the relevant areas on the photograph.

Cllr Cooper expressed concern over the trees near the parking area quoting a comment from the Tree Officer from the 2017 application regarding root protection areas and asked where the root protection areas were. Russell Dodge (RD) introduced himself as the planning consultant for the application and stated that the trees were Leylandii and therefore not protected and that tarmac was already in situ. Cllr Cooper stated that there appeared to her to be more hard standing installed than there had been originally. VC and RD stated that no tarmacking had been laid. They would be happy to put a permeable surface down. It was discussed that there is only 1 tree protected by a TPO on their land and the other is in the hedge and owned by the neighbour.

Jason Jarvis of Create Architects spoke regarding the application at Carinya, Green Close. He stated that three Councillors had previously visited the site and wished to give further information following observations made at the meeting. He noted that to date there had been three objections and 3 comments in support of the application. He stated that the rationale behind the roof design was to be respectful of the neighbours behind with whom they had held discussions and in conjunction with that the roof proposed is only 0.3m higher than the existing ridge height. Predominately the building is single and two stories which breaks up the mass and within the roof they are proposing a green roof system for ecology benefit and also wish to install PVs to push the carbon and low energy side of the building. They consider it is an opportunity to enhance the AONB regarding the ecology aspect. He has spoken with the Planning Officer regarding the

Moonrakers application which has a flat roof and that there are other dwellings within the area with flat roofs. He gave information relating to the level of glazing and tabled a plan showing other properties locally and their level of glazing. He stated that on the Southeast elevation the wall to glazing is 57% and the house behind is at 69%. He has spoken with the Planning Officer regarding an AONB comment and she has advised him that one hasn't yet been submitted and it is possible one will not be provided. The materials will be majority stonework with some render and some zinc. It is a replacement house and not adding a property. The proposed building only occupies 13.8% of the site and brings environmental benefits as required by the AONB. The replacement dwelling will cause no further visual harm than the current property, it will not be at odds to its surrounding and is not at odds with planning policies.

Cllr Kemp asked for the % level of glazing of the existing house, commenting that the proposal was for 57%. Jason Jarvis did not have the information to hand. Peter Hammond spoke to introduce himself and his wife as the applicants and stated that if you include the conservatory the existing building has a considerable level of glazing.

5. STATUTORY CONSULTATION – PLANNING APPLICATIONS FOR CONSULTEE COMMENT

The following planning applications were considered, and the consultee comments agreed as follows

PA22/07372 (065) - The Dene Churchtown Feock TR3 6SA

RESOLUTION: Cllr Blake proposed the consultee comment for the application as:

Following several refused proposals, the final approved application for this site has resulted in a well-designed property that fits into its surroundings and blends well with adjacent properties. However, we consider that an amendment to allow the replacement of the windows on the SW elevation with doors to enable access onto the roof of the sunroom for it to be used as a decking area with glazed surround, would cause overlooking issues to the neighbours and should not be permitted. We recall that previous proposals which included a balcony on this elevation were refused by the Planning Officer at the time due to overlooking concerns and can see no reason for this to now be accepted. The site is located within the AONB and we consider this proposal to be contrary to NDP policy D1 and BIO1.

Regarding the alterations to the parking area, we are concerned for the long-term health of the protected trees and if this aspect of the application is approved a permeable surface should be conditioned to ensure water can reach the roots. We would like the Tree Officer to be specifically consulted on this aspect of the proposal as the trees provide essential screening.

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

PA22/05987 (054) - Carinya Green Close Feock TR3 6SF

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as:

The Parish Council object to this application and consider the proposal to be contrary to NDP Policies D1, LS1, LS2 and BIO1.

D1 - It does not respect and reflect local character and identity through sensitive design, scale and use of materials. The proposed building would be clearly visible from the road and from the Carrick Roads. Being a double storied rectilinear design with a flat roof it does not reflect the neighbouring vernacular.

LS1 – Given that Cornwall Council have declared an ecological emergency we are concerned over the harm to the marine eco system and consider that the substantial 121sqm of glazing will be a significant cumulative contribution to artificial night light over the Carrick Roads and cause potential harm to wildlife. The proposal will cause similar cumulative harm to the Creekside landscape.

LS2 – It will not conserve and enhance the natural beauty and special qualities of the AONB and its setting.

BIO1 – It does not safeguard and enhance the natural environment.

It clearly states in the NDP that we will do everything possible to uphold and support our very privileged AONB status and in doing so we refer to the Cornwall Council 2022 design brief for development in the AONB. Which states that development must

- **enhance and conserve the area**
- **must address the cumulative effect**
- **to maintain local distinctiveness or contribute to a sense of place, enhance or feel part of the existing landscape**
- **It must reflect the vernacular and avoid introduction of large-scale dwellings with glazed elevations and imposing presence.**

We would prefer a redevelopment of the existing property in energy terms and consider the nature of the built environment is being eroded.

Due to this sensitive location in the AONB we ask the Planning Officer not to determine this application without consideration of a consultee comment from the AONB Planning Officer.

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

PA22/06687 (068) - Land off Ash Tree Close Ash Tree Close Carnon Downs TR3 6GS

RESOLUTION: Cllr Blake proposed the consultee comment for the application as:

The Parish Council has no objection in principle to this proposal however in consideration of NDP policy ECON1 we do question the level of parking provided for the use of the building as planned and ask the Planning Officer to consider this element of the proposal. We also have some concerns regarding the pedestrian accessibility for users of a nursery.

This was seconded by Cllr Brickell and carried by the meeting.

6. SUBMITTED CONSULTEE COMMENTS

RESOLUTION: Cllr Blake proposed the following consultee comments submitted to Cornwall Council, as agreed via email between Committee members, since the last planning meeting be formally ratified. This was seconded by Cllr Kemp and carried by the meeting.

PA22/05423 (050) - Appensleigh Pill Creek Feock TR3 6SD

The Parish Council acknowledge this proposal is much reduced in terms of scale and glazing from that submitted previously however must maintain our objection to this development which we consider does not meet with Feock Neighbourhood Development Plan policies.

NDP Policy D1 states that the design of all development, including new houses should respect and reflect local character and identity, through sensitive siting, design, scale, and use of materials and minimise impact of development on the landscape. We do not consider the proposal is sensitively sited; it will have an imposing presence and the glazed elevations and flat roof design is inappropriate in its setting. The application seeks to replace garages which while they may not be particularly aesthetically pleasing, are not obtrusive in the landscape. This proposal increases built-development in the AONB and will bring this built-development closer to the Creekside shoreline to the detriment of the visual amenity of the Creek. Therefore, development will be clearly visible from the creek and will further damage the Creekside quality and landscape, so the proposal does not meet with NDP Policy LS1, which states that development will only be supported relating to creeks and coast where it can be demonstrated that it will not damage the quality of the creek-side landscape. We believe the cumulative effect of recent unsympathetic development in the area has caused significant detriment to this AONB and it is imperative that any further development will only be permitted if it conserves and enhances the AONB and previous development in the area should not be used to set a precedent.

NDP policy LS2 states that development will only be supported where it safeguards the significance and conserves and enhances the natural beauty and special qualities of the AONB and its setting, this proposal does not meet with this policy. The recently updated Cornwall AONB Management Plan states that all development in the AONB should be 'Landscape-led'. We consider that due to its conspicuous location, assertive linear, elevated form and still significant level of glazing above the creek the proposal will give rise to an individual and cumulative detrimental effect on the local landscape.

NDP policy HE1 seeks to ensure that development will be supported only where it safeguards the historic environment. We believe the proposal will have an adverse effect on the setting of the Grade II listed Ferncliffe and adjoining mid-18th century Shipwright's cottages and therefore this application is contrary to this policy and cannot be supported.

We question the level of proposed parking for a 3 bedroomed property in accordance with NDP Policy GA3 which seeks to ensure adequate car parking to meet current and future needs of occupants/users, including visitor parking.

We acknowledge the new provision proposed for Bats however this is just mitigation and replacing provision which will be lost whereas the Climate Emergency DPD (G2) seeks a Biodiversity net gain. and states that as a pre-requisite for achieving net gains, proposals must retain as much of the existing onsite habitat as possible and using the mitigation hierarchy proposals must demonstrate how the onsite layout design of the development has:

- a) Explored options to avoid causing harm to existing biodiversity onsite;
- b) Explored options to reduce harm to existing biodiversity onsite;
- c) Explored the above options before biodiversity is removed and restored

Due to this sensitive location in the AONB we ask the Planning Officer not to determine this application without consideration of a consultee comment from the AONB Planning Officer which we consider to be vital in ensuring the protection of this sensitive area which has seen recent unsympathetic development, the cumulative effect of which has caused harm and not enhanced or conserved this area. The Cornwall AONB Management Plan has recently been updated and the objectives and policies of the plan should be given high regard.

Submitted consultee comment, worded based on the debate at the planning meeting on 19th July 2022 and submitted to the online planning register on Tuesday 26th July 2022. Comment checked by Cllr Cooper, Cllr Kemp, Cllr Gason and Cllr Brickell to ensure an accurate account of the debate before submission.

PA22/05891 (048) - Little Trevilla Trevilla Hill Feock TR3 6QG

The Parish Council reiterate our objection to the development of this area of garden which is within the AONB and outside of the settlement boundary and which is contrary to NDP policies.

NDP policy HE1 seeks to safeguard and conserve the historic environment, this site is close to 3 Grade II Listed buildings, and we consider further development in this area will have a detrimental effect on their setting. We are also concerned at the proposed removal of the Cornish hedge which runs across the site. We believe this is an old field boundary for the old manor as evidenced on the OS Cornwall Sheet LXIV.SE from 1877-8 revised 1906. The line of the field boundary on the map (<https://maps.nls.uk/view/101439278>) is clearly the same as is shown on the plan and as such we therefore consider that Historic England should be consulted and the hedge should be protected as an ancient field boundary for a manor.

NDP policy LS2 states that development will only be supported where it safeguards the significance and conserves and enhances the natural beauty and special qualities of the AONB and its setting, we do not consider that development in this location meets with these criteria. The land behind Little Trevilla has already seen development of a large house (Floreat) and we have serious concerns over the cumulative visual effect of further dividing up established gardens which would not conserve or enhance the landscape character of this AONB.

NDP policy BIO2 seeks the protection of trees. We are concerned over the impact of this development on the existing established trees which we consider will be in jeopardy from future requests for heavy pruning or felling from any future occupant of the new dwelling. Further we note that the previous refusal was on the grounds of possible future harm to the trees and therefore consider that there is clear evidence of risk to these trees and ask Cornwall Council to ensure that a Tree Preservation Order is put in place to protect them. We ask the Tree Officer to assess what has been removed of the habitat prior to the application as per the Climate Change DPD and we also consider that the application should include demonstration of a Biodiversity Net Gain and not just mitigation, again in accordance with the Climate Change DPD.

We further consider that the proposed unsympathetic design is contrary to NDP policy D1, the contemporary flat roofed design with high levels of glazing does not reflect the local character of this rural environment and therefore also does not minimise the impact of development on this sensitive landscape. Issues of overlooking also need to be fully investigated and we consider the proposal will cause detriment to the amenity value of existing neighbouring dwellings.

Due to this location in the AONB we ask the Planning Officer not to determine this application without consideration of a consultee comment from the AONB Planning Officer which we consider to be vital in ensuring the protection of this sensitive area. The Cornwall AONB Management Plan has recently been updated and the objectives and policies of the plan should be given high regard.

Proposed by Cllr Cooper, seconded by Cllr Kemp and agreed by Cllr Brickell and Cllr Gason. Submitted to the online planning register on Tuesday 26th July 2022.

PA22/06122 (051) - Land and Buildings at Trolver Hill Trolver Hill Feock TR3 6RP

Without further information and justification for an additional large tractor shed the Parish Council must object to this application. We consider the tractor shed already in situ would be adequate for this small agricultural field and can see no justification for an additional building.

Proposed by Cllr Cooper, seconded by Cllr Brickell and agreed by Cllr Blake and Cllr Gason. Submitted to the online planning register on Tuesday 2nd August 2022.

PA22/06501 (052) - Trenythen 16 Devoran Lane Devoran TR3 6PA

In accordance with NDP Policy GA3 the Parish Council ask for clarification regarding the overall impact of the reduction of car parking within the curtilage of the property. We would also seek a condition attached to any approval that this development is for ancillary use only.

Proposed by Cllr Cooper, seconded by Cllr Brickell and agreed by Cllr Blake and Cllr Gason. Submitted to the online planning register on Tuesday 2nd August 2022.

PA22/06534 (053) - 2 Park An Gwarry Carnon Downs TR3 6XB

The Parish Council has no objection to this application.

Proposed by Cllr Blake, seconded by Cllr Gason (telephone) and agreed by Cllr Kemp and Cllr Cooper. Submitted to the online planning register on Tuesday 9th August 2022.

PA22/06447 (055) - Tetherstones Point Devoran TR3 6NJ

The Parish Council has no objection to this application.

Proposed by Cllr Blake, seconded by Cllr Gason (telephone) and agreed by Cllr Kemp and Cllr Cooper. Submitted to the online planning register on Tuesday 9th August 2022.

PA22/06649 (056) - Trevorder Green Close Feock TR3 6SF

The Parish Council has no objection to this application.

Proposed by Cllr Blake, seconded by Cllr Gason (telephone) and agreed by Cllr Kemp. Cllr Cooper objected. Submitted to the online planning register on Tuesday 9th August 2022.

PA22/06483 (057) - Former Deva Trolver Croft Feock TR3 6RT

The Parish Council object to this application and consider that the condition should remain. This window overlooks not only the roof of the neighbouring property but other amenity spaces. If this window were obscure glazed it would provide some mitigation for the impact of this dwelling.

Proposed by Cllr Blake, seconded by Cllr Gason (telephone) and agreed by Cllr Kemp and Cllr Cooper. Submitted to the online planning register on Tuesday 9th August 2022.

PA22/06796 (059) - Chy-An-Gwydn Feock TR3 6RU

We note that there have been several applications in recent years for works to trees at this site and are concerned that the resulting change to the landscape is causing cumulative harm to the semi-rural nature of this landscape in this AONB. We ask that the Tree Officer visit the site and thoroughly assess the need for these works. The site is identified as Biodiversity Action Plan Woodland in the Feock NDP and is on a sensitive and critical settlement edge and therefore only works which are essential should be permitted.

Proposed by Cllr Cooper, seconded by Cllr Kemp and agreed by Cllr Blake, Cllr Brickell and Cllr Gason. Submitted to the online planning register on Tuesday 16th August 2022.

PA22/06851 (060) - Loe Cottage Loe Hill Feock TR3 6SH

The Parish Council will accept the view of the Tree Officer that the Leylandii and Silver Birch are unlikely to be covered by the TPO due to their age. However, the photograph of the Judas tree would indicate that the tree is of considerable age and would be covered by the TPO and therefore object to its felling without further investigation from the Tree Officer. Replacement trees should be conditioned to any permission granted for felling.

Proposed by Cllr Cooper, seconded by Cllr Kemp and agreed by Cllr Blake, Cllr Brickell and Cllr Gason. Submitted to the online planning register on Tuesday 16th August 2022.

PA22/06654 (062) - Little Piper Feock TR3 6RU

The proposed carport is not sensitively designed and does not minimise impact on the landscape and is therefore against NDP policy D1. There is already lots of hard landscaping around this house in what should be a peaceful green wooded valley but is in fact one that is being denuded of nature and suburbanised at a rapid rate. We are concerned over the cumulative harm of this proposal which is increasing built clutter in the buffer zone of the AONB. **Proposed by Cllr Cooper, seconded by Cllr Kemp and agreed by Cllr Blake, Cllr Brickell and Cllr Gason. Submitted to the online planning register on Tuesday 16th August 2022.**

PA22/03964 (014) - The Sail Loft Quay Road Devoran TR3 6PW

The comment of the WHS Planning officer was not available when the Parish Council previously considered this application. Whilst we have no objection in principle to the addition of a small extension, we would seek to ensure that no harm is caused to this asset in the World Heritage Site and will therefore defer to the WHS Planning Officer regarding this proposed amendment. Further, following a site visit to the property today we feel the application could be further improved by matching the finish to the original main building.

Proposed by Cllr Cooper, seconded by Cllr Gason and agreed by Cllr Blake and Cllr Brickell. Submitted to the online planning register on Tuesday 16th August 2022.

PA22/06959 (63) - 10 Devoran Lane Devoran TR3 6PA

At the site visit held on Wednesday 17th August, Councillors noted that the majority of trees involved in this application are now beautiful mature trees deserving protection particularly as they have a great deal of amenity value in this part of the conservation area. Whilst we consider that the removal of the two Maples may be necessary to allow space for healthy growth of the other three trees in the group, we ask that the Tree Officer visit the site and discuss solutions with the applicant to allow for suitable management of the remaining trees without the need for their removal.

Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Kemp, Cllr Brickell and Cllr Gason. Submitted to the online planning register on Wednesday 24th August 2022.

PA22/07004 (064) - Quay Cottage Roundwood Feock TR3 6AS

Whilst we have no objection in principle to the addition of a porch we would ask that the application is not decided without the advice of the Historic Environment Planning (Archaeology) Officer.

Proposed by Cllr Blake, seconded by Cllr Cooper and agreed by Cllr Kemp, Cllr Brickell and Cllr Gason.

Submitted to the online planning register on Wednesday 24th August 2022.

PA22/07374 (066) - Teag Eth Restronguet Point Feock TR3 6RB

The Parish Council strongly object to the felling of G70 and G68. We consider that these trees have enormous amenity value and should be retained under their protected status and be enjoyed by all. We can see no reason for their felling and consider that their presence is necessary to help screen the view of the house from the water to help minimise the impact of development in this Area of Outstanding Natural Beauty, we also consider their assistance with the removal of carbon dioxide from the atmosphere to be extremely important considering the declared climate emergency. The AONB management plan places heavy stress on development being landscape led and removal of these trees would further open the view of the property from the water and increase the potential for light pollution by removing valuable screening. We would also ask for consideration for the retention of the dead Beech as standing deadwood which is extremely valuable in this important area for wildlife in the light of the declared ecological emergency. Further we understand that epicormic growth is often a tree's efforts to survive as healthily as possible under stress and should not be removed without good reason.

Proposed by Cllr Cooper, seconded by Cllr Blake and agreed by Cllr Kemp and Cllr Brickell. Submitted to the online planning register on Thursday 1st September 2022.

PA22/07398 (067) - Ancarva 5 Wellington Plantation Penelewey Feock TR3 6QP

The Parish Council object to the proposed works to Oak A which we consider excessive and inappropriate. The proposed removal of the limb on Oak B could improve the shape and we would ask for the Tree Officer's view on this.

Proposed by Cllr Cooper, seconded by Cllr Blake and agreed by Cllr Kemp and Cllr Brickell. Submitted to the online planning register on Thursday 1st September 2022.

PA22/07617 (069) - Trefellyn Penelewey Feock TR3 6QU

The Parish Council can see no reason for the felling of this tree and therefore object to this application.

Proposed by Cllr Cooper, seconded by Cllr Blake and agreed by Cllr Kemp and Cllr Brickell. Submitted to the online planning register on Thursday 1st September 2022.

7. MATTERS TO REPORT

Local Council Protocol procedure emails had been received from Cornwall Council stating intentions to decide the following planning applications contrary to the Parish Council's view on the application. The response to the 5 day protocol emails were agreed as:

PA22/06483 Deva, Trolver Croft, Feock - Variation to condition 6

AGREE TO DISAGREE

PA22/05267 Carllys, Restronguet Point, Feock, TR3 6RB

AGREE TO DISAGREE

PA22/06122 Land and buildings at Trolver Hill, Trolver Hill, Feock, TR3 6RP

AGREE TO DISAGREE

PA22/05423 - Appensleigh, Pill Creek, Feock, TR3 6SD

DISAGREE & REQUEST CC

PLANNING COMMITTEE

DETERMINATION

8. DATE OF NEXT MEETING

No date for the next meeting was set, this would be decided by email in due course.

There being no further business the meeting finished at 5.20pm.