

MEETING NO. 1155

Minutes of meeting of FEOCK PARISH COUNCIL held on
Monday 28th November 2016 at 3.30pm
At the Parish Council Offices, Devoran TR3 6QA

Members present: B Richards
P Allen
C Kemp
B Thomas
K Hambly-Staite
P Lightfoot
M Kemp
I MacDonald

In attendance: Debbie Searle, Assistant Clerk
Dan Mitchell, Influence Planning
Mark Dawes, CAD Architects
Jeremy Bradley, CAD Architects
John Symons, Chair of Mylor Parish Council
Paul Nightingale
David Nightingale
Brian Ingram
Richard Brickell
4 members of the public

1. WELCOME & APOLOGIES

Apologies were received and accepted from Cllrs Shefford, Gordon, Andrew and County Cllr Chamberlain.

2. DECLARATIONS OF INTEREST

The Parish Council being the applicant in PA16/10513 all members declared an interest in item 1014 on agenda report 1.

3. PUBLIC PARTICIPATION

Dan Mitchell, Influence Planning Ltd, spoke regarding PA16/08980. He advised that Cornwall Council had now adopted the Cornwall Local Plan (CLP) and felt that this application meets criteria one of the plan, being sustainable development with the site being well related to the village and its facilities. Policy 3 of the plan is also relevant as this site is a genuine rounding off site. Policy 8 relates to how many affordable homes should be provided on the site, the scheme is an open market site which should allow 15 affordable units, they do not believe it is a rural exception site but a rounding off site. He advised that the neighbouring Taylor Wimpey scheme had 38% affordable and they are proposing 39% affordable. He clarified that it is an outline application with the layout to be agreed at a later date, however the scheme will be devised with two parking spaces for every dwelling and each will have between 50 and 100sqm amenity area. Access will be by utilising the existing roads to the site, the Highway consultants have advised that the road capacity is perfectly capable of

taking the additional traffic flow. He stated that they would be more than happy to supply the appropriate section 106 payments towards education and public open space. Ultimately they feel that it is a sustainable site for development, it has development on three sides and there is South West Water infrastructure there which is a constraint running through the site. They do not feel that there is any significant visual landscape impact as submitted in the assessment report accompanying the application. The Chairman questioned his statement that there is development on three sides. Dan Mitchell identified the development he was considering and discussion followed in which the Chairman stated that to the left was an isolated farmhouse in the open countryside and not dense development. The Chairman stated that the CLP refers to rounding off to physical features and questioned where the physical features were that bound the site to the west. Dan Mitchell stated that the curtilage of the property to the west side, the actual hedgerow, is the physical feature. On the northern and eastern sides are the public right of ways and the dwellings to the south. The Chairman stated that there was a very strong argument to suggest that the existing bridleway on the eastern side is already the rounding off point.

Jeremy Bradley, CAD Architects, spoke regarding PA16/08980. He advised that a Tree Survey had been carried out which looked at all the trees on the boundary hedgerow which they are planning to keep. He stated that he was at the public meeting held the previous week and is aware that the main issues raised related to the highway and the crossing of the public bridleway and advised that they are in the process of speaking with the countryside access team about the best access point across the bridleway, they have also advertised in the West Briton this week regarding the land ownership boundary of the unclaimed public right of way which they anticipate will be unclaimed and then they will make the application to Cornwall Council themselves. He also stated that they had carried out a Flood Risk assessment and all the flooding issues can be dealt with on site. The site itself has no landscape designations.

Brian Ingram read out his letter regarding PA16/08980, attached at appendix 1, which had previously been circulated to members. In response to a question he raised in the letter the Chairman advised that the Parish Council had arranged an open public meeting to inform local residents about the planning application, attended by CAD Architects and Influence Planning Limited on behalf of the applicants, as it is the Parish Council's policy to involve the public as much as possible when there are potentially contentious issues.

Richard Brickell spoke regarding PA16/08980. He stated that since the public meeting he had been down to the site twice and is concerned that there is a hazard issue with the location of the proposed entrance for horse riders coming out of the bridleway. He questioned if this location was the original gate way to the field. Cllr Richards advised that it is a new gap in the hedge which had been made in March this year and Brian Ingram confirmed the same.

Paul Nightingale read out his letter regarding PA16/08980, attached at appendix 2, which had been previously circulated to members.

David Nightingale read out his letter regarding PA16/08980, attached at appendix 3, which had previously been circulated to members.

Cllr Richards advised that Cornwall Council had received an application from SWW for works to the pumping station at the bottom of Old Carnon Hill. Jeremy Bradley, CAD Architects, spoke again regarding PA16/08980 stating that they have been asked post planning to conduct a capacity survey. The Chairman stated that the sewerage capacity in Carnon Downs has been a problem and has been commented on in the past on other planning applications. Dan Mitchell advised that SWW have given their response in the form of a Grampian condition that this development wouldn't add to any existing capacity.

The public session was suspended at 4.13pm.

The public session reopened at 4.43pm.

Mark Dawes, CAD Architects, spoke regarding PA16/10171, stating that he had met with Committee members previously regarding the proposal. He advised that the applicants had previously sought planning permission for an unsuitable dwelling with a previous agent and he had now revised the scheme and now presented a proposal half the size and designed to look as it may have looked a long time ago. The plans were viewed. He advised that a grass roof would be used to lessen the visual impact. He also advised that he had met with County Cllr Steve Chamberlain and the Case Officer, Martin Woodley, and considered that they were happy with the revised scheme and also felt that it would be suitable for the AONB officer.

The Chairman introduced Cllr John Symons, the Chair of Mylor Parish Council. Cllr Symons advised that his Council had not looked at the proposal so the opinion he was giving was his own personal view. He felt that the double fronted gable end would have quite an impact from across the river.

4. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Allen proposed that the minutes of the meeting held on Monday 14th November 2016 were a true record of the meeting and be signed by the Chairman. This was seconded by Cllr C Kemp and the Chairman duly signed the minutes.

5. STATUTORY CONSULTATION – PLANNING APPLICATIONS - AGENDA REPORT 1

The following applications were considered and decided as detailed.

1008 Land To The East Of Trevella Farm, Valley Lane, Carnon Downs PA16/08980

Cllr Kemp stated that members must take all the public concerns relating to the application on board and expressed concern over the issue of sustainability with regard to education. The Chairman gave an explanation of the surface water situation and confirmed that there have been a lot of problems at the junction of the ford in Carnon Valley where it doesn't drain away and nobody seems to have been able to remedy the situation. Cllr Allen stated it was worth exploring the policies set out in the draft NDP which constrains the deliberations and that policy is quite clear that when we are talking about number of dwellings we are looking at a maximum of 15 which is supported by public consultation. Members did take on board the new definitions of infill from Cornwall Council. We don't have a rounding off definition in our draft NDP but having read through the Cornwall Council rounding off definition he doesn't agree that this site conforms. He agrees with the points raised by Paul Nightingale and concluded that on all points of policy the site does not fit.

The Chairman stated that the draft NDP was now ready for the inspection stage and so does carry some weight in planning terms. It was noted that with the last application Affordable Housing had stated that they would only be able to support one further small development within Carnon Downs. He stated that the physical features would appear to be the existing bridleway to the east and the existing lane on the north of site, that it was not surrounded and could no way be considered "filling in". He read out Policy 8 and Policy 9 of the CLP for clarity. Discussion followed relating to the hedge that had been removed from the middle of the site. Cllr Hambly-Staite questioned if the proposal complies with current planning law, issues regarding public infrastructure have been raised and if the pumping station needs to be upgraded can that be upgraded when the rest of the site has been built on or would they need the freedom to undermine some of the structures built with this development. It should be an essential condition that no development take place until this has been thoroughly investigated but would recommend that members reject the application. The Chairman advised that the hedgerows have been there for a long time and the field is the same as is shown on the 1845 Tithe map and would suggest that it would be illegal to take down the hedge under the Hedgerow Regulations Act. He suggested that on matters relating to the ownership of the bridleway, the hedgerows, policy and the drainage there are many issues that need to be resolved before we can even consider supporting the fundamental principle of developing the site. Cllr MacDonald stated that he endorsed the comments said so far; he was attending the meeting as a Carnon Downs Ward member rather than a Planning Committee member. He has visited the site and feels that it does not feel like a site that should be developed, particularly in terms of the access. He is generally in favour of building houses but feels this site is unsuitable. Cllr M Kemp stated that he concurred with Cllr McDonald and feels that also on the grounds that you cannot breach the bridleway the application is a non-starter. The Chairman summarised that there are a lot of points which have been very well made today and online.

The Chairman proposed that a consultee comment would be worded on the basis of the points raised and discussed in the meeting and circulated to members later that evening for agreement before being submitted. This was seconded by Cllr Hambly-Staite and unanimously carried by the meeting.

4.42pm Cllrs M Kemp and MacDonald left the meeting.

1013 Saqqara, Restronguet Point, Feock TR3 6RB PA16/10179

The plans and photographs were viewed and discussion followed. Cllr Lightfoot questioned why they would be seeking living accommodation above the boathouse. Cllr Hambly-Staite stated that the application should be refused. It was considered that the proposal was out of keeping with the area and far too intrusive into the landscape; protected trees are likely to be destroyed and it would make an extremely intrusive addition to the Restronguet Point landscape. He questioned if the AONB Officer had commented on the application and it was confirmed that there were no online comments yet from neighbours or consultees. It was agreed that further consideration would be given to the application and the consultee comment agreed via email in the following few days.

1014 Between 6 And 7 Market Street, Devoran TR3 6QA PA16/10513

1016 Cartref Water, Point Road, Point, Devoran TR3 6NZ PA16/10337

1017 The Boathouse, Feock TR3 6AS PA16/10688

1019 Chy-An-Porth, Restronguet Point, Feock TR3 6RB PA16/10440

RESOLUTION: Cllr Richards proposed the consultee comment for the above 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 carried by the meeting.

1015 Brendon, Trevilla Road, Feock TR3 6QW PA16/10573

The Chairman advised that the application was for an amendment to the curtilage of the site and not to the plan.

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

1018 Tresarnow, Penpol, Devoran TR3 6NN PA16/10703

The Chairman gave details of the application and it was discussed and clarified that a previous application had been approved for the extension of the dwelling however it had come to light that a covenant restricting the height of the property had now necessitated a revised lower scheme. The amount of glazing was discussed. Discussion followed in which it was noted that no comments from neighbours had been received.

RESOLUTION: Cllr Richards proposed the consultee comment for this application as: **We are grateful to the applicant for reconsidering his proposals and can see no material planning consideration that would lead to a refusal.** This was seconded by Cllr Allen and unanimously carried by the meeting.

1020 Land North Of Bodelvan, Restronguet Point, Feock TR3 6RB PA16/10171

The Chairman advised that there had been a previous application on this site and committee members had also had a pre-application meeting with the current agent for the new proposal. It was noted that the Parish Council had objected to the previous scheme because it would be out of keeping with the area and unsightly, however it had been agreed that no argument could be made against the subdivision of the plot. The current proposal was for a totally revised design which is far less intrusive. Cllr Allen felt that the committee's previous comments have been taken on board and considers this a much better design. This potential development sits well within this context and he would support the proposal and feels this has been a successful outcome from the planning process. Cllr Kemp commented that having had the benefit of a site visit, the current proposal is more acceptable and more in keeping with its environment. Cllr Thomas had no objection in principle but expressed some concern about damage to trees. The Chairman agreed that it should be made clear that we do still have concern about trees particularly along the access lane to the site which has Pines on both sides with some roots out of the grounds. Cllr Hambly-Staite stated that during the pre-application discussion the agent assured members that the trees were being considered and they would be protecting them, he therefore hoped that this would be a condition of any approval. He further stated that he agrees with the views of the Chairman of Mylor Parish Council that it is a maritime parish and it is important to consider the visual impact from the creek. The Chairman commented that the proposal blends in far more than the properties on the top of the hill. Cllr Kemp commented that Cllr Blake had been concerned about the amount of stone that would have had to be quarried out with the last proposal and this would not now be necessary.

RESOLUTION: Cllr Allen proposed the consultee comment for the application as: **We can see no material planning considerations that would lead to a refusal subject to the trees being given the appropriate protection during construction.** This was seconded by Cllr Lightfoot and unanimously carried by the meeting.

6. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL

PA16/09976 Beech House, Four Turnings: The Chairman informed the Committee that a 5 day local protocol had been received for the application and members had agreed by email to accept the view of the Tree Officer but would like the approval conditioned that a Sessile Oak be planted as the Tree Officer had suggested.

PA16/09272 Chyreen, Restronguet Point: The Chairman informed the Committee that the Case Officer was recommending approval of the application with a condition stating that the approved works shall not commence until details of a method statement detailing the proposed works has been submitted to and approved in writing by the Local Planning Authority. An informative will also be attached to the decision notice informing the applicant of their duty and legislation relating to wildlife. Discussion took place regarding the method statement and the obtaining of a felling licence. Cllr Richards proposed that the reply to the Case Officer's email should be that, subject to the strict adherence of the condition and informative that she is suggesting, we would be prepared to accept an approval of the application. Cllr Allen questioned if the Parish Council would see the method statement and the Chairman advised that his understanding would be that it would have to be professional appraised by the Tree Officer. It was considered that it would be a public document and we should be allowed to have sight of it. Cllr Thomas stated that we should request the document and the Chairman proposed that a request to see the method statement and comment on it should be included in the response to the Case Officer. Further discussion took place regarding a method statement and the information it would contain.

5.18pm Cllr C Kemp left the meeting

7. CORNWALL COUNCIL PLANNING DECISIONS - AGENDA REPORT 2

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

APPROVED

981 Hunters Moon, Feock TR3 6RU PA16/08323
986 Deva, Trolver Croft, Feock TR3 6RT PA16/08959
991 10 Devoran Lane, Devoran TR3 6PA PA16/09573
997 Millridge, Feock TR3 6RU PA16/09715

REFUSED

985 Cottage on the Green, 1 Point Green, Devoran TR3 6NH PA16/08818

8. PLANNING PRE-APPLICATIONS

No pre-application meetings had been held since the last meeting.

9. PLANNING APPEALS AND ENFORCEMENTS

The Chairman advised that the informal hearing for the appeal for Land at Carnon Downs PA15/11988 will be at the end of January/February and is likely to be held at Truro Town Hall. It was noted that it was a public meeting.

10. MATTERS ARISING

It was noted that the Cornwall Local Plan had now been adopted by Cornwall Council.

11. DATE OF NEXT MEETING

The date of the next meeting was agreed as Monday 12th December 2016 at 3.30pm.

There being no further business the meeting closed at 5.25pm.

Signed
Chairman, Feock Parish Council Planning Committee
12th December 2016