

MEETING NO.1424

Minutes of the meeting of Feock Parish Council Planning Committee on Wednesday 11th September 2019 at 3.30pm At the Parish Council Office, Market Street, Devoran TR3 6QA

Members present: H Freeman, Feock Ward, Chair
C Kemp, Carnon Downs Ward
C Blake, Feock Ward
B Thomas, Devoran Ward
R Brickell, Carnon Downs Ward
P Allen, Carnon Downs Ward
L Morgan-Lundie, Feock Ward
K Gason, Carnon Downs Ward

In attendance: M Alvey, Cornwall Councillor
D Searle, Assistant Parish Clerk

Public present: Mr & Mrs D Townrow
Mr P Hodges, PRP Property Developers
Mr K Moseley, Planning Agent
Mr C Wells, Architect

1. WELCOME & APOLOGIES

The Chair welcomed those present and the Committee introduced themselves. No apologies were received but it was noted that Cllr Morgan-Lundie would be arriving slightly late to the meeting.

2. MINUTES OF PREVIOUS PLANNING MEETING

RESOLUTION: Cllr Thomas proposed the minutes of the Planning Committee meeting held on 2nd July 2019 were a true record of the meeting and be signed by the Chair. This was seconded by Cllr Allen and unanimously carried by the meeting.

3. DECLARATIONS OF INTEREST

No declarations of interest were received.

4. PUBLIC PARTICIPATION

Kevin Moseley (KM) spoke in support of PA19/06412 (Land West of Bosbigal Old Carnon Hill Carnon Downs TR3 6LF). He summarised the planning history of the site and gave information in response to the objection comments posted on the online planning register: It is acknowledged that the site is outside of the settlement boundary however Bosbigal is adjacent to the settlement boundary and the garden being previously developed land met with Cornwall's planning policy; outline planning permission already exists so the principle of development of two dwellings is already established. The designs submitted with the outline application were single storey dwellings however a topographical survey has found that it would be impractical to develop along the lines of the sketch submitted with the outline application. The applicants have agreed to discuss the improvement of the byway in consultation with the Countryside Access Team, the Ramblers Association and Cornwall Council Planning Authority on completion of the scheme. The proposed dwellings have been carefully designed to sit into the slope of the land and have single storey areas on their northern elevations which are closest to the boundaries with the neighbours, so on those sides they are retained as single storey elements so this ensures no overlooking or overshadowing to neighbours. The site isn't prominent and is well screened by existing trees and soft landscaping and there will be additional soft landscaping provided as the scheme is developed. The proposal accords with the NPPF, the Cornwall Local Plan policy 12 and NDP policy D1.

Cllr Allen questioned how the proposed design met with the principles of the Carnon Downs Design Guide? KM stated that they hadn't read the guide; design is subjective, but the design will fit in well with the surrounding and

be an improvement to the area. Cllr Allen questioned how they had taken account of the Cornwall Design Guidance. KM stated that the scheme uses finishing materials that are very common in the County and will fit into the landscape and the design is a matter of taste and is subjective. Cllr Freeman questioned the height of the bungalows on the outline permission. KM answered that no height was stated on the outline applications and the permission only established the principle of development. Cllr Freeman questioned the height of the proposed buildings. Chris Wells (CW) stated 2.4m and never more than 2m above the existing contour. Cllr Brickell questioned the access to the site and questioned if they proposed to do any work to the lane before construction work commences. CW advised that they have been investigating offsite fabrication to ensure as little traffic as possible, however it will be no different to the business traffic that had been using the lane for the last 30 years. The first thing they will do is cut an opening and generate a flat working base to offload materials and work from which would allow an area to drive in and turn. They understand the responsibility for the access to be free and open at all times. The plans were viewed and details of the entrances clarified. Issues of surface water drainage were discussed. Cllr Allen questioned the sewerage system. It was confirmed that there will be a soakaway and sewerage treatment plant. It was clarified that the EA have raised no objection and the appropriate infrastructure could be accommodated within the site.

David Townrow spoke regarding his planning application PA19/05686 (The Boathouse, Greenbank Road, Devoran) to be discussed by the committee under Agenda item no.6 due to a request from Cornwall Council's Planning Officer for some clarification of the previously submitted consultee comment. Mr Townrow advised that there was an application in February which was withdrawn due to lack of information, a new application with the necessary documentation has been submitted and the WHS and EA have supported the application. He stated that the first application had received objections however the current application has moved the garage further forward which offers more screening and therefore will not be seen from anywhere in the conservation site. He tabled a photograph showing an impression of the proposed garage in situation. They propose materials in keeping with the current house and its positioning in front of the trees ensures that neighbours will see trees and not the garage. He has lived on site for the last 16 years and is very conscious of the historic nature of the site and the wildlife and stated that the garage will have no impact. He informed the meeting that one of the neighbours does not object to a garage just the size and the other neighbour is concerned about future development of the site. The application is for a garage and would be allowed under permitted development rights if the land was already considered residential. They are seeking to regularise the existing use of a garden. He read the previous comment that the site has been flooded which he stated was categorically wrong and the site has never been flooded. Cllr Brickell questioned the distance from the house? DT stated that it was a lawned area with a greenhouse and washing line, half of the garage is outside the curtilage and half is in, he reiterated that it cannot be located nearer to the house. Cllr Freeman questioned the location of the garage in relation to the photograph within the application detail. DT clarified the position. Cllr Freeman questioned whether it was only proposed as a garage. DT confirmed that it was and would have no commercial use and be single storey.

The Planning Committee agreed to bring Agenda item forward so that PA19/05686 could be discussed straight away.

5. STATUTORY CONSULTATION – 5 DAY LOCAL PROTOCOL

To consider any communication from Cornwall Council regarding any planning applications previously commented on by the Parish Council and to note any decided by members via email procedure since the last planning meeting

1387 Quay Cottage, Pill Lane, Feock PA19/05347

Cllr Freeman read out the 5 day local council protocol procedure letter from Cornwall Council's Planning Officer.

RESOLUTION: Cllr Freeman proposed the reply to CC's Planning Officer as: **In view of the comments of the Tree Officer the Parish Council will agree with the recommendation for conditional approval.** This was seconded by Cllr Blake and unanimously carried by the meeting.

1393 The Boathouse, Greenbank Road, Devoran TR3 6PJ PA19/05686

Cllr Freeman read out the email from the CC Planning Officer requesting clarification of the previously submitted consultee comment.

RESOLUTION: Cllr Allen proposed the reply to CC's Planning Officer email as: **It is the retrospective change of use of the land that the Parish Council object to. We do not wish to see the frontage to Devoran Creek overdeveloped and wish to ensure that the designation of the land does not alter in such a way that would allow further development of the site. We have no objection to the principle of having a garage associated with The Boathouse and would suggest that some consideration is given to moving the proposed garage to within the existing curtilage of the dwelling.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

Cllr Morgan-Lundie joined the meeting at 4.14pm.

6. STATUTORY CONSULTATION – PLANNING APPLICATIONS – AGENDA REPORT 1

The following planning applications were considered and consultee comments resolved as follows:

1407 Land West of Bosbigal Old Carnon Hill Carnon Downs TR3 6LF PA19/06412

Cllr Freeman summarised that the site already has outline planning approval therefore some of the objections stated on the online planning registered were not relevant and the issue to be considered was the design of the two properties proposed. Cllr Allen informed the meeting of the planning history of the site. He understands that design is subjective but it should be in keeping with the Carnon Downs Design Guide and with Cornwall Local Plan guidance and personally feels that the design proposed is out of character with the area. Cllr Freeman felt that the designs would be appropriate in some areas of the Parish but were not in this location. Cllr Blake stated that he had visited site and felt that efforts had been made for them to fit into the area using stone and timber cladding, the flat roof will be green, and they will be tucked away. Cllr Freeman read out a section from the Delegated Officer's report attached to the outline approval stating that single storey dwellings would be appropriate for the site. Cllr Blake stated that a huge amount of cutting out would have to be carried out to accommodate single storey dwellings. Cllr Brickell expressed concern about the design which he considered was out of keeping with the area. Cllr Allen quoted from the Carnon Downs Design Guide and discussion followed. Cllr Kemp commented that they would be discreetly positioned, she likes the design but accepts the argument that Cllr Allen has made. Cllr Thomas stated that Cllr Blake's comments were relevant but agreed with Cllr Allen's view. Cllr Morgan-Lundie was unsure. Kevin Moseley was allowed to speak, he stated that similar designs were accepted forms of architecture in the AONB area, Carnon Downs is not an AONB however they feel that this will improve the build form of this part of the Parish. He stated that no trees around the periphery of the site will be removed and would be happy to welcome conditions protecting trees.

RESOLUTION: Cllr Allen proposed the consultee comment for the application as: **The Parish Council have objection to the design of these two properties which are out of keeping with the character of the village as set out within the Carnon Downs Design Guide and also out of character within this rural gateway area and would wish to see a more appropriate design. We would also wish to see an appropriate Construction Management Plan conditioned to any planning approval for this site, together with a landscaping plan and protection of trees.** This was seconded by Cllr Brickell and carried by the meeting with 3 votes to 1 with 3 abstentions

1409 2 Park An Gwarry Carnon Downs TR3 6XB PA19/06557

The plans were viewed, discussion followed regarding the possibility of neighbours being concerned about overlooking.

RESOLUTION: Cllr Allen proposed the consultee comment for the application as: **The Parish Council has scrutinised this application and whilst currently having no objection on the principle of development we do have some concern that there is a potential for overlooking and would ask the planning officer to specifically investigate this issue.** This was seconded by Cllr Freeman and unanimously carried by the meeting.

1411 Malojo Restronguet Point Feock TR3 6RB PA19/07211

The comments of the Tree Officer were read out and the photograph of the tree viewed.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **In light of the comments of the Tree Officer the Parish Council has no objection.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1412 Highview House Pill Lane Feock TR3 6SE PA19/06529

The plans were viewed.

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

1413 The Homestead Penelewey Feock TR3 6QU PA19/07286

It was noted that there were no Tree Officer comments yet available. The location plan was viewed and discussion followed in which concern was expressed over the extent of the proposed works.

RESOLUTION: Cllr Thomas proposed the consultee comment for the application as: **The Parish Council consider that there is no justification for this work and object to the application. In light of the Climate Change emergency declared by Cornwall Council and the Parish Council we would wish to ensure that trees are protected.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1414 3 Park An Gwarry Carnon Downs TR3 6XB PA19/07431

The plans were viewed, discussion followed regarding the possibility of neighbours being concerned about overlooking.

RESOLUTION: Cllr Thomas proposed the consultee comment for the application as: **The Parish Council has scrutinised this application and whilst currently having no objection on the principle of development we do have some concern that there is a potential for overlooking and would ask the planning officer to specifically investigate this issue.** This was seconded by Cllr Brickell and unanimously carried by the meeting.

1415 Meadowside Goonpiper Feock TR3 6RA PA19/07260

The plans were viewed, discussion followed regarding the location being remote and not visible.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council has no objection.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

1416 Glengormley Forth Coth Carnon Downs TR3 6JY PA19/06953

The plans were viewed and discussion followed.

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

1417 Dovecote Cottage Killiganoon Carnon Downs TR3 6JT PA19/07114 & PA19/07115

The plans were viewed and discussion followed.

RESOLUTION: Cllr Freeman proposed the consultee comment for the application as: **The Parish Council has no objection.** This was seconded by Cllr Kemp and unanimously carried by the meeting.

1418 Bosalan Restronguet Point Feock TR3 6RB PA19/07210

The photographs were viewed, discussion followed in which concern was expressed that there was no justification for the works. The comments of the Tree Officer were read out.

RESOLUTION: Cllr Allen proposed the consultee comment for the application as: **Despite the comments of the Tree Officer the Parish Council strongly object to this application as the trees do have amenity value and are very visible from the Carrick Roads. Within this AONB the tree cover on the water's edge is the prime mitigation ensuring by their**

presence that the built environment is subsidiary to the natural visual amenity. This proposal is contrary to NDP policies LS1, LS2, BIO1 and BIO2. This was seconded by Cllr Freeman and unanimously carried by the meeting.

1419 The Vicarage Devoran Lane **Devoran** TR3 6PA **PA19/07702**

The application detail was viewed.

RESOLUTION: Cllr Kemp proposed the consultee comment for the application as: **The Parish Council has no objection.** This was seconded by Cllr Thomas and unanimously carried by the meeting.

17:05 Cllr Morgan-Lundie left the meeting.

7. CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

RESOLUTION: Cllr Allen proposed the draft CEMP be approved for submission with consultation comments for certain planning applications within the Parish. This was seconded by Cllr Kemp and unanimously carried by the meeting.

8. APPEALS TO THE PLANNING INSPECTORATE

It was noted that the appeal to the Planning Inspectorate against the refusal of PA18/11025 (Land off Pill Creek, Pill Lane, Feock TR3 6SE) had been dismissed.

It was noted that the Planning Inspectorate had not yet decided the appeals against the refusal of PA19/03329 (The Dene, Feock Churchtown, Feock TR3 6SA) or PA18/06151 (Topsails at Pentui, Pill Lane, Feock, TR3 6SE)

9. CORNWALL COUNCIL PLANNING DECISIONS – AGENDA REPORT 2

The following planning applications were noted as having been decided by Cornwall Council since the last meeting.

APPROVED

- 1358** Turnstones Penpol **Devoran** TR3 5NB **PA19/02136**
- 1375** Deva Trolver Croft **Feock** TR3 6RT **PA19/03699**
- 1377** Land South West of Higher Tresithick **Carnon Downs** TR3 6JW **PA19/03139**
- 1379** Tallacks Reach Greenbank Road **Devoran** TR3 6PQ **PA19/04251**
- 1381** Land and Buildings at Trolver Farm Trolver Hill **Feock** **PA19/04420**
- 1382** Fairways 14 La Vague **Feock** TR3 6RQ **PA19/04746**
- 1383** Blacksmiths Cottage Smithy Lane **Carnon Downs** TR3 6LE **PA19/04693**
- 1384** Gillanglaze Pill Lane **Feock** TR3 6SE **PA19/04930**
- 1386** Millridge **Feock** TR3 6RU **PA19/05141**
- 1388** Apsley Lodge 7 Wellington Plantation Penelewey **Feock** TR3 6QP **PA19/04915**
- 1389** Mount George Farm **Old Kea** TR3 6AU **PA19/05077**
- 1391** Halgarrick Quenchwell Road Carnon Downs **PA19/05257** and conservatory
- 1392** La Paz Ropewalk Penpol **Devoran** **PA19/05656**

WITHDRAWN

- 1385** 1 Old Tram Road Carnon Mine **Devoran** TR3 6NG **PA19/04617**

NOT ACCEPTABLE AS AN AMENDMENT

- 1404** Land and Buildings East of Tregoose Barton Point Road **Carnon Downs** TR3 6JW **PA19/06384**

DECIDED NOT TO MAKE A TPO

- 1397** Haditha Quay Road **Devoran** TR3 6PW **PA19/06320**

10. MATTERS TO REPORT/CORRESPONDENCE RECEIVED

It was noted that a meeting was in the process of being arranged with developers interested in developing a site in Carnon Downs.

Cllr Allen stated that he had attended the Harbour Authority Board on 5th September to speak in objection to an application to the Harbour Authority for sewerage discharge from Saqqara at Restronguet Point as reported at the full Parish Council meeting held on Monday 9th September. He summarised that the application had been deferred due to a request for further information. Committee members expressed concern over the setting of precedent, concern about effects on water quality and the effect on the AONB status of Restronguet Point.

It was noted that Cornwall Council had been chased for an update on to two enforcement cases in the Parish however information had not yet been received. It was noted that the cases had been registered with Cornwall Council in February and May 2019.

11. DATE OF NEXT MEETING

The date of the next planning committee meeting was agreed as Wednesday 9th October 2019 @ 3.30pm.

Signed:

Planning Committee Chair, Feock Parish Council

9th October 2019