

**MINUTES of the Deviock Parish Council PLANNING COMMITTEE MEETING at the DOWNDERRY METHODIST CHURCH SCHOOLROOM, on THURSDAY 24<sup>th</sup> SEPTEMBER 2009 AT 6.30PM**

**PRESENT:** G. K. Berncastle, Mrs. M. Y. Byles, J.P. Candy, D.L.G. Elliott, Mrs G.E. Hartland, C. J. Hazel, P. McClung, Mrs. A. Robinson.

**ELECTION OF CHAIR FOR THE MEETING:**

The Chair and Vice-Chair being absent, Cllr. G.K. Berncastle **proposed** that **Cllr. D.L. G. Elliott** should chair the meeting; this was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** unanimously by the Meeting.

Cllr. J. P. Candy stated that because of possible occasions when a quorum of members of the Planning Committee could not be fulfilled, in order for the meeting to be legal, the Council should amend standing orders to allow for substitution of absent committee members by other councillors.

**1. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA:**

Cllr. D.L. G. Elliott declared a personal and prejudicial interest in relation to item 6.2.1. on the agenda, being the applicant for planning permission of Plots 1 & 2 Land Adjacent 40 Buttlegate, Downderry, (09/00978&9/FUL)

**2. 10 MINUTE PUBLIC PARTICIPATION PERIOD, for public comment on the items below:**

A member of the public addressed the Committee regarding planning application 09/01212/VS52, Old School House Cottage, Deviock Hill, Downderry, stating that the basis on which his previous application, to discharge planning obligations in order to allow sale of the annexe, had been refused had been flawed as the legislation at the time related to new build properties, not existing. The Parish Council had sited in its objection that there was no reason to change its position on the matter, but new legislation from in May 2003 should have been taken into account.

There being no further requests to address the Committee the Chairman closed the public participation period.

**3. APOLOGIES:** Cllrs. R. J. Daniel, Ms. M.E. Temlett & S.J. Parry.  
Cornwall Cllr. R. Pugh

**4. PLANNING APPLICATIONS:**

**4.1. 01212/VS52 Mr. D. Vaughan OLD SCHOOL HOUSE COTTAGE, DEVIOCK HILL, DOWNDERRY**

Application for discharge of planning obligation pursuant to application 88/01638/F dated 23/03/1990 to allow sale of annexe

Cllr. J.P. Candy **proposed support** of this application. Cllr. Candy stated that there was a pressing need for smaller size properties in the Parish; that over 50 sq. m. of amenity land was available for the annexe; two parking spaces could be made plus additional parking on the other side of the property; previous issues of possible overlooking were, in his opinion, not of major concern. Cllr. Candy's proposal was **seconded** by Cllr. P. McClung and **agreed** unanimously by the Meeting.

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### **4.2. 09/01352/FUL Mr. D. Patten OVERBOARD, KEVERAL LANE, SEATON**

External works including platform at road level

After discussion in which the general feeling was that a platform of light weight / open structure would be more appropriate, Cllr. J. P. Candy **proposed objection** to this application on the grounds of:-

- a) Impact on the landscape
- b) The necessary requirement for large structural works in order to contain the volume of infill proposed could place undue strain on the underlying sloping land.
- c) Dominant visual impact when viewed from across the valley and from the Seaton Valley Road.

The proposal was **seconded** by Cllr. Mrs. G. E. Hartland and **agreed** by the Meeting with two abstentions.

## **5. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:**

There were none to consider.

## **6. PLANNING DECISIONS:**

### **6.1. PERMISSIONS FOR DEVELOPMENT:**

#### **6.1.1. 09/00928/FUL The Crag, Looe Hill, Seaton**

Construction of replacement garage and provision of parking bay. Alteration of existing vehicular access

**Cornwall Council - Permission Granted 27<sup>th</sup> August 2009**

**Main conditions:-**

- 1) Three year commencement rule
- 2) Scheme for the provision and implementation of surface water run-off limitation to be submitted and approved
- 3) Japanese Knotweed infestation to be dealt with
- 4) Roof covering to be of natural slate
- 5) Parking bay splay walls and roof ends to be of granite or other natural stone
- 6) The garage to be used for the parking of private motor vehicles only and not for any other purpose including use as ancillary residential accommodation in connection with the main dwelling
- 7) The parking bay to be used only for parking private motor vehicles only

#### **6.1.2. 09/01012/FUL Seaton Beach Café, Looe Hill, Seaton**

Retention of booths over existing seating areas and BBQ area

**Cornwall Council - Permission Granted 27<sup>th</sup> August 2009**

**Main conditions:-**

- 1) The permission for building structures and booths for a limited period until 1<sup>st</sup> September 2014 by which date they are to be removed and the site restored to its former condition
- 2) Screen walls and fences to be provided on the boundaries of the site

Information from the Environment Agency included:-

- a) Flood Defence Consent should have been sought from the E.A. prior to Gabian riverbank works commencing. The Flood Risk Management Enforcement Officer has subsequently inspected the works to the riverbank and deemed them not to have increased flood risk. Therefore no enforcement action will be taken in this case.
- b) The E.A. consider that some of the Gabian river bank works have not been carried out to a reasonable standard and are likely to become undermined or damaged by river and wave action which may lead to potential collapse. Expensive repairs may become necessary.
- c) The applicant should contact the E.A.'s Flood Risk Officer prior to commencing any further works to the riverbanks.

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**6.1.3. 09/01170/FUL Hendra, Broads Yard, Downderry**

Change of use of residential garage to hair salon with extension to rear  
**Cornwall Council - Permission Granted 7<sup>th</sup> September 2009**

**Main conditions:-**

- 1) Three year commencement rule
- 2) Materials used for the construction of the external surfaces of the extension to match those used in the existing building and garage
- 3) The premises shall not be open for business outside the hours of 9am – 7pm on Monday to Friday and 9am – 2pm Saturdays

**6.1.4. 09/01070/FUL Lorraine House, Main Road, Downderry**

Construction of side extension, balcony to front elevation, dormer extension to front elevation and bridged access to rear parking area

**Cornwall Council - Permission Granted 18<sup>th</sup> September 2009**

**Main conditions:-**

- 1) Three year commencement rule
- 2) Opaque screening to the east and west sides of the balcony to be constructed
- 3) Materials used for the construction of the external surfaces to match those used in the existing building

**6.1.5. 09/01107/FUL Rosemary, Keveral Lane, Seaton**

Construction of dwelling and provision of parking area

**Cornwall Council - Permission Granted 18<sup>th</sup> September 2009**

**Main conditions:-**

- 1) Three year commencement rule
- 2) Physical barrier across the parking bay to prevent vehicles from rolling across Keveral Lane to be installed
- 3) Scheme to prevent loose materials and surface water run off from the parking area entering Keveral Lane to be implemented prior to the first occupation of the dwelling
- 4) Prior to the commencement of the development, intrusive site investigations to be carried out to determine the stability of the overall site. A report on possible required works to be approved before the commencement of building
- 5) A scheme for the provision and implementation of surface water run off limitation to be approved and implemented
- 6) Suitable parking spaces for use in conjunction with the development to be constructed and kept unobstructed
- 7) The retaining walls to the parking area to be faced with natural stone.

**6.1. REFUSALS OF PERMISSION FOR DEVELOPMENT:**

**6.2.1. 09/00978&9/FUL Plots 1 & 2 Land Adjacent 40 Buttlegate, Downderry**

Construction of dwellings

**Cornwall Council - Permission refused 21<sup>st</sup> August 2009**

**Main reasons applying to both applications:-**

- 1) The application is for a single dwelling on each plot. The Local Planning Authority consider that three residential units can be accommodated on the plot and in this regard, whilst the proposal would be classed as "infill development" under the criteria of Policy H06 of the Caradon Local Plan First Alteration 2007, it fails to comply with Policy H022, in that the application seeks to fragment the plot to reduce the site below the threshold for affordable housing contributions.
- 2) The proposed dwellings, by reason of their siting, scale and massing, together with the necessary vegetation clearance and extensive earthworks that would be necessary, would result in a highly apparent and dominating feature, which would urbanise the character of this part of Buttlegate, and the contribution the site makes to the Area of Great Landscape Value.

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### 7. PLANNING APPEALS (received by date of Meeting)

None had been received.

### 8. PLANNING CORRESPONDENCE

#### 8.1. 08/01954/FUL 14 Buttlegate, Downderry

Construction of detached split level dwelling and formation of new vehicular / pedestrian access, (revised design to application number 05/00243/FUL dated 21.06.2005)

The Clerk reported that notification from Cornwall Council, Planning & Regeneration that this application would be decided by committee on 24<sup>th</sup> September 2009 commencing at 5 pm. and that no public speaking on this application would be allowed at that meeting as a site meeting has already been held.

#### 8.2. Invitation to a workshop – sustainable Development for the Smaller Settlements in Cornwall (1<sup>st</sup> October 2009 6.30pm – 9.30pm at Eliot Hall Community Centre, Fore Street, St. Germans).

Cllr. J.P. Candy stated that he wished to attend this workshop and the Clerk was instructed to ensure that Cllr. D. J. Daniel was aware of this event, as it was thought possible that more than one councillor would be allowed to attend.

#### 8.3. Cornwall Council - Planning Protocol for Local Councils

The Clerk drew the attention of members to the new planning protocol that had been drawn up by Cornwall Council in conjunction with C.A.L.C. and which was to be used from 1<sup>st</sup> October 2009.

### 9. FINANCE:

#### 9.1. Accounts to be paid

	VAT	Nett	TOTAL
Cornwall Air Ambulance Trust		100.00	100.00
Audit Commission (Fee for audit of the 2008/9 accounts)	42.75	285.00	327.75
St. Germans Group PCC (Hire of Church Hall for Pelynt Division Meeting)		13.30	13.30
<b>Total £</b>	<b>42.75</b>	<b>398.30</b>	<b>441.05</b>

Cllr. P. McClung **proposed** acceptance of accounts to be paid (subject to ratification of the Full Council); this was **seconded** by Cllr. G. J. Hazel and **agreed** unanimously by the Meeting.

### 10. MATTERS RAISED BY MEMBERS FOR POSSIBLE INCLUSION ON THE NEXT AGENDA:

10.1. Cllr. P. McClung reported that on recent inspection of the Axe Field, he had noted that ragwort had seeded at the new pond area and that strimming of undergrowth was required to make access possible. Cllr. D.L. G. Elliott **proposed** that the clerk ask Mr. Roger Prowse to carry out this work, this was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** unanimously by the Meeting. The Clerk was also instructed to inform Mr. Prowse that the Council was not happy with the two styles that had been constructed as they did not appear to be fit for purpose and probable did not conform to required standards.

10.2. Cllr. P. McClung asked that Mr. Dave Stewart's revised proposals relating to a burial ground for Deviock Parish be put on the agenda for the next full Council meeting.

10.3. Cllr. Mrs A. Robinson asked if there had been any update from Cornwall Cllr. Richard Pugh regarding the traffic issues at Hessenford? The Clerk reported that he understood that Cllr. Pugh would be giving a report at the new full Council meeting.

There being no further business, the Chairman closed the Meeting at 19.25 hrs.