

**MINUTES** of the Planning Committee Meeting held on Wednesday 6 May 2015 at 09.30 a.m. in the Shire House Suite, Shire House, Bodmin.

**PRESENT:** Chairman, Councillor K W Stubbs, presiding; together with Councillors, A J Coppin, J Gammon, J R Gibbs (arrived at 09:32 a.m. – item P/2015/101), J H Hartill, and G G C Minors.

**IN ATTENDANCE:** Mr S Facer (DCE) and Mr P O'Callaghan (Town Clerk)

P/2015/098

**CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:**

There were no Chairman's announcements and apologies were received from Councillors L G J Kennedy and P L G Skea.

P/2015/099

**PUBLIC REPRESENTATION SESSION - An opportunity for local residents to make representations or ask questions relating to items on this agenda. (Note: a maximum of 15 minutes will be allocated for this session and there will be a time constraint of 5 minutes per speaker).**

There were no members of the public present.

P/2015/100

**Declarations of Interest – Members to declare interests in respect of any agenda item.**

There were no Declarations of Interest made.

P/2015/101 – PA15/03139

Remove old first floor shower room and replace with new first floor bathroom – 19 Higher Bore Street, Bodmin Cornwall – Mr Colin George

**The DCE advised that this proposed development seeks to replace the existing timber framed un-insulated first floor shower room with a larger insulated bathroom extending the footprint over the kitchen to provide a larger facility. The applicant proposes to reuse the existing sash window, slate hang the first floor extension with reclaimed Delabole random slate with reclaimed size slate on the roof and red clay ridge, provide deep section Ogee gutters connected to the existing RWP.**

**Following discussion, it was AGREED to respond making the following representation:**

**Bodmin Town Council strongly supports this application given the considerable effort that has been put into design and materials to match with the neighbouring property.**

P/2015/102 – PA15/03175

Listed Building Consent: Front elevation repair works, 2 Mount Folly, Bodmin Cornwall - Mr T Pethybridge c/o Macmillans, Solicitors

**Bodmin Town Council notes this application.**

P/2015/103 – PA15/03280

Variation of condition 2 in relation to decision notice E1/2001/1464 dated: 17/10/2001: To allow 24hr/7 day deliveries - Asda, Bodmin Cornwall - Mr B Parkes - ASDA Stores Ltd

**The DCE reported that ASDA are seeking to lift the conditions**

imposed by the 2001 planning consent regarding deliveries for loading and unloading which were prescribed as not taking place on site before 0600 or after 2300 hours Monday to Saturday or before 0800 hours or after 1300 hours on Sundays given noise impact to neighbouring residential properties.

ASDA has commissioned a noise impact assessment and their findings indicate that there would be no adverse impact should 24/7 deliveries be granted. No specific mitigation measures are recommended.

*For the nearest residential properties, the BS4142:2014 assessment confirms a low impact for delivery activity at all times, 24 hrs a day, 7 days a week. The calculated LAFmax noise levels for the nearest residential properties would be below the World Health Organisation (WHO) guideline values for night-time and would be below the existing night-time noise climate range.*

*For the adjacent Premier Inn hotel, the calculated internal noise level within the nearest hotel bedroom would comfortably achieve the lowest indoor ambient noise level range detailed in BS8233:2014.*

Some Committee Members were of the view that this was a small store by ASDA standards and it needed to extend delivery times consistent with the 24 hour opening. Others, citing experience with other supermarkets, had an alternative view that it was not necessarily the HGV lorry movements that caused the noise, but off-loading from the lorries and ancillary noise associated with moving metal storage cages in the early morning or late at night.

Following discussion, it was **AGREED** to respond making the following representation:

**Bodmin Town Council does not support the variation of this condition to allow 24 hour deliveries, in view of the likely noise impact on neighbouring properties from HGV deliveries and associated ancillary noise with unloading / loading of metal storage cages.**

P/2015/104 – PA15/03536 Application for works to trees in Conservation Area namely crown raise multi-stemmed Sycamore to gain 6 metre clearance over garden, remove 2 x Sycamore stems with group crown, remove overhang over garden and fell 1 Oak (suppressed), a poor specimen growing at 45 degrees over gardens - 6 Pinehurst Close, Bodmin Cornwall - Miss Amanda Jane Kendall

**The DCE reported that the Cornwall Council Forestry Officer supports this work.**

Following discussion, it was **AGREED** to respond making the following representation:

**Bodmin Town Council supports this application.**

P/2015/105 – PA15/03558 Variation of conditions 30 and 31 and removal of condition 36 in respect of decision PA12/07839 dated 02.04.13 (outline application for residential development of 280 dwellings; 450 sqm of ancillary floor space (Use classes A1,A2,A5 and B1); strategic landscaping and public open space; access connections and associated engineering works - Land North West of Bodmin Hospital, Dunmere Road, Bodmin Cornwall - Mr Brian Dufty - Wainhomes SW Holdings Ltd

**The DCE reported that condition 30 would seem to have already been discharged as the planning authority has signed off the detailed drawings for the access road – CC letter dated 7 May 2014. The applicant therefore seeks to vary Condition 31 from a technical perspective and in so doing there is a need to revisit Condition 30 to reflect the changes proposed for Condition 31.**

**Condition 31 states:**

***“The principal street and connections to the new gateway junction on Dunmere Road and Boundary Road, shall be constructed; drained and surfaced to the satisfaction of the local highway authority before occupation of the 41st dwelling within the development hereby approved.*”**

***Reason: To ensure that the principal highway proposed through this development is completed at an early phase to enable other highway mitigation works off site to be implemented in Dunmere Road.”***

**The detail in Condition 31 is regarding the trigger for the junctions at Dunmere Road and Boundary Road, the principal street and connections between them to be constructed; drained and surfaced is by the occupation of the 41st dwelling. The implication of that requirement is that the first 41 dwellings can be built and occupied from one junction. The applicant has constructed the access from Boundary Road and the site is under construction. Therefore under condition 31, up to 41 dwellings can be accessed from this junction. This corresponds with the first phase of the development (REM PA13/03199 date 28/11/13) which is for 45 dwellings.**

**The main issue and reason for the variation to Condition 30 is that there is an inconsistency between Conditions 30 and 31 as Condition 30 requires both junctions to be built before first occupation. As Condition 31 allows for up to 41 homes to be occupied from one junction then there is no technical highway reason for the requirement in Condition 30. On that basis Condition 30 should be amended as follows.**

***“No development shall commence until detailed plans based on the Road Access Detail Dwg no 31375/PHL/07 Rev A and 31375/PHL/06 Rev A have been submitted to and approved in writing by the Local Planning Authority relating to line, level and layout of off site highways works to service the site, the proposed road junction and associated means of construction and surface water drainage.*”**

***The approved access road junction for Boundary Road (Drawing***

**31375/PHL/06 Rev A) shall be laid out and constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highways Act 1980 prior to first occupation of any part of the development and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.”**

**Reason: To ensure that the means of access to the site is constructed in accordance with the approved plans.”**

**As a result of the change to Condition 30 we propose that Condition 31 is varied as follows.**

**“The approved access road junction for Dunmere Road (Drawing 31375/PHL/07 Rev A), the principal street and connections to the new gateway junction on Dunmere Road and Boundary Road, shall be constructed; drained and surfaced to the satisfaction of the local highway authority before occupation of the 41st dwelling within the development hereby approved.**

**Reason: To ensure that the principal highway proposed through this development is completed at an early phase to enable other highway mitigation works off site to be implemented in Dunmere Road.”**

**Following discussion and in view of the fact that this is effectively a technical tidying-up exercise, it was AGREED to respond making the following representation:**

**Bodmin Town Council notes the variation of these conditions.**

P/2015/106 – PA15/03581 Application for proposed tree works within a conservation area - Walnut: Overall crown reduction by approx 2.5 -3 metres. Work to be carried out due to size of tree in comparison to garden and tenants worried about branch failure - 6 Castle Street, Bodmin Cornwall – Mr Richard Mudge

**The DCE advised that there were no Forestry Officer comments to date, but a crown reduction and dead wood removal works would seem not unreasonable.**

**Following discussion, it was AGREED to respond making the following representation:**

**Bodmin Town Council supports the crown reduction and removal of dead wood, but recommends that anything further is signed off by the Forestry Officer.**

P/2015/107 – PA15/03632 Extension to rear – 75 Helman Tor View, Bodmin Cornwall – Mr and Mrs R Ede

**The DCE reported on the planning history of the site – loft conversion PA12/05491 which BTC supported subject to there being no overlooking or loss of amenity to neighbours**

**Following discussion, it was AGREED to respond making the**

**following representation:**

**Bodmin Town Council supports this application.**

P/2015/108 – PA15/03678 Application for works to Trees within a Conservation Area namely T1 - Remove Beech tree because of poor form due to being crowded by neighbouring Ash and T2 - Remove Ash tree due to heavy shading of garden when in leaf - 2 St Nicholas Street, Bodmin Cornwall – Mr Thomas Kinsey

**The DCE reported that there was limited detail supplied with the application and the supporting photograph does not show the trees in context with the site making it difficult to form an opinion.**

**Following discussion, it was AGREED to respond making the following representation:**

**Bodmin Town Council supports crown reduction of the Ash tree to achieve higher light level to garden with retention of tree given importance of trees within the town centre and Conservation Area. Similarly with the Beech tree, the Town Council supports minor tree works with a presumption to retain the specimen and removal only as a last resort and subject to Forestry Officer advice.**

P/2015/109 – PA15/03699 Works to trees in a Conservation Area, namely - remove one sycamore, dead wood, one lawson cypress, dead wood, one yew and lift one Rhododendron off wall - St Marys Gardens, Bodmin Cornwall – Mr Carl Williams

**Following discussion, it was AGREED to respond making the following representation:**

**Bodmin Town Council supports this application subject to Forestry Officer approval. The Town Council would request that a replacement tree be planted with a suitable specimen to be prescribed by the CC Forestry Officer, to ensure that this important site continues to enjoy the continuing amenity that trees provide.**

P/2015/110 Section 38 Adoption Notification for development at Penwood Cattery (Phase 1), Lostwithiel Road, Bodmin, Cornwall – Cornwall Council (copy enclosed)

**The Section 38 Adoption for this development was noted.**

The meeting closed at 9:52 a.m.