

**MINUTES** of the Planning Committee Meeting held on Wednesday 16 May 2018 at 9.30 a.m. at Berryfields Community Centre, Harmer Close, Bodmin.

**PRESENT:** Councillor A J Coppin presiding; together with Councillors, J R Gibbs, L F Sanders and P L G Skea.

Councillors, P T Cooper and K W Stubbs were also in attendance but did not vote not being Members of this Committee.

**IN ATTENDANCE:** Mr. S Facer (Town Clerk) and Mrs. T Stiles (Senior Administration Assistant/Mayor's Secretary)

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**CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:**

Apologies were received from Councillors P Brown, J P Cooper, J Gammon, S H Kinsman and K J Phillips, and there were no announcements.

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

There were no Declarations of Interest.

P/2018/118

SUEZ Recycling and Recovery UK Ltd – Non-material amendment to allow the Bodmin Materials Recovery Facility to operate until 5.00pm on Saturday 22 December 2018 (current restriction of 1.00pm on Saturdays; application PA17/04501 refers; copy email enclosed);

**Mr. Phil Rudin (Regional Manager) and Mr. Niall Kelly (Planning Manager) of SUEZ Recycling and Recovery UK Ltd attended to advise the Committee that they were seeking a one-off amendment to the operating hours of the Bodmin MRF to mitigate the potential loss of collection on the Saturday prior to Christmas, when the current restriction would see the operations cease at 1.00pm.**

**The Chair thanked the representatives for attending and commented that Bodmin's residents would no doubt be grateful for this sensible approach to ensuring expedient waste collection in the run up to Christmas.**

**He further commented that Bodmin Town Council would be supportive of this one-off amendment.**

P/2018/119

Presentation by Ian Jewson of Walsingham Planning, on behalf of Bodmin LVA LLP, to discuss pre-application advice from Cornwall Council regarding land Southwest of Westheath Road, Bodmin;

**Mr. Jonathan Chick (Senior Planner at Walsingham Planning, in lieu of Mr. Ian Jewson), Mr. James Tizzard (Bodmin Land Value Alliances LLP) and Mr. Louis Chicot (Louis Chicot Associates) attended to advise the Committee of their next steps in looking to submit a planning application to Cornwall Council, following receipt of pre-application advice.**

**The Chair addressed the representatives and the members of the**

public present to advise that the Councillors would pose questions as part of this agenda item, and that if there were any points which remained unanswered the members of the public would have the opportunity to address the representatives directly during the Public Representation Session to follow.

Mr. Chick advised that as part of the pre-application process Cornwall Council advised that the principal of a rounding-off development on this land would be acceptable in planning terms, as it falls outside of the Site Allocations DPD. He also advised of some amendments to the initial plans, namely the relocation further south of vehicular access; a cycle way through the site; attenuation ponds at the south of the site for drainage; and a buffer along the site to take into account ecological constraints and the railway line.

Mr. Chick advised that a leaflet drop to the surrounding areas was planned, giving residents two to three weeks to comment; and that residents of properties immediately adjacent to the site would be offered the opportunity to meet with the planners to discuss any concerns or queries.

In response to a query from Councillor J Gibbs it was confirmed that there was a planned play area to the south of the access road.

The Town Clerk read out an email from Councillor J Cooper which highlighted concerns that the land in question is not part of the Bd-UE3 St Lawrence's urban extension currently being considered by the Government Inspectorate as part of the overall DPD allocation for Bodmin. The Town Clerk acknowledged that Mr. Chick had already referenced the fact that the land in question fell outside of the Site Allocations as a rounding off development.

Councillor Cooper felt that the Bodmin DPD allocation made substantial provision for affordable / council tax band "A" and "B" type housing as part of the overall consideration, which he considered to a degree nullified the need to provide extra low cost housing outside the DPD allocation. He went on to say that the Bd-UE3 development allocation plan also details considerable infrastructure deficiencies / requirements and suggests a number of measures to address the requirements, but that the Town Council has yet to see any firm plans as to what improvements will be provided and when the infrastructure improvements will materialise. Councillor Cooper felt that it would be the case that the already overstretched road infrastructure in Bodmin would be expected to cope, with any development of unallocated land exacerbating an identified problem.

Councillor Cooper further asserted that the Bodmin LVA LLP proposal to build on land opposite the Bd-UE3 allocation at the back of Westheath Road would, in his opinion, further stress the Westheath Road, Westheath Avenue, Boundary Lane junction, increasing the traffic volume stress at Fiveways roundabout, an area identified by Cornwall Council as requiring re-engineering.

Councillor Cooper, referencing the National Planning Policy

Framework 'Core Planning Principles', commented that brown field sites in Bodmin such as those on Respryn Road and Dunmere Road where there and the opportunity to regenerate sites and undertake development, which would be less damaging to the environment, should be exhausted prior to permission being given to develop a green field site which falls outside of the Site Allocations and is sited on the edge of town.

Mr. Chicot requested a copy of the email be sent to him in order that he could address the individual concerns directly.

The Chair commented that he would have concerns over the visual impact at a key entry point to the town, and the Town Clerk commented that it would be helpful if the representatives could outline what the mix of dwellings was likely to be. Mr. Chick responded to advise that Bodmin LVA LLP would be liaising with the Planning Officer on that front, and that the mix was not yet set in stone. Mr. Chicot added that they would be interested and open to hearing the Town Council's and public's thoughts on what the mix should be. The Town Clerk suggested that historically developments in Bodmin have not delivered much in the way of bungalow type properties to fulfill the property life cycle requirements of an ageing population.

Councillor L Sanders commented that over recent years public consultation in the town had been perceived as lacking in depth and genuine engagement, and she asked that in this instance more inclusive, meaningful and in-depth engagement is carried out with the public. The Town Clerk suggested that a public session at St Mary's Parish Centre would be a sensible option to start with.

There followed a discussion around the view of the Highways Department over the proposed exit route onto Westheath Avenue, which Mr. Chick advised had been deemed technically acceptable through the pre-application advice, and the proposed alterations to the approach road and surrounding junctions, including an extension to the 30mph area on the A389. Also discussed were Cornwall Council proposals for developing a large roundabout at the Westheath Road / Westheath Avenue / Boundary Road junction.

In response to a question from the Town Clerk, Mr. Chick responded to advise that they had originally planned to do the previously discussed leaflet drop, letters inviting immediately adjacent properties to meet with the planners, and then submit the application, but that following today's discussion they will go away and look at developing a more in-depth public consultation.

Councillor Sanders reiterated that the public needed the chance to fully engage and not simply the opportunity to comment. Councillor P Cooper asked Messrs. Chick, Chicot and Tizzard whether they would confirm a commitment to carry out a full consultation, and they confirmed they would.

**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).**

Around 10 members of the public were present. Mr. Colin Bell spoke to reiterate the fact that the land Southwest of Westheath Road is a green field site and that he felt it was important that the Town Council supports residents against proposals for any green field sites outside of the town boundary and outside of the Site Allocations. The Town Clerk advised that at this stage Councillors were bound to listen to all the information provided before making any decisions or coming out strongly one on side or another. Mr. Bell questioned how many negative responses (following consultation) would be needed to put a halt to a development. In response Mr. Chicot advised that he felt it was about engagement to see what people want or need from a site and providing the best they can for the people most directly affected. He further commented that it was an iterative process and that they were attending the meeting to seek input from Councillors in terms of what they wanted for their residents from a consultation process.

Mrs. Judy Stephens voiced her concerns about what the development would mean in terms of loss of privacy, taking into account the ribbon development nature of the properties adjacent to the site. She also stated that as she understood it Highways were not happy with planned access arrangements to the site and that Westheath Road was already something of a rat run where speed limits were not observed.

In response to a query from Mrs. Stephens, Mr. Chick gave the definition of a rounding off development, namely a development which provides a symmetry or completion to a settlement boundary, but which is not intended to facilitate continued incremental growth. He further advised that a Rounding Off SPD supplements the Local Plan.

A member of the public spoke to raise concerns over the polluting effects of building so close to a steam railway, and in response to a query from Councillor Coppin commented that she felt the proposed buffer zone would do little to mitigate the impact of that pollution given the adverse effects it currently has on her property which is a whole field away.

Mr. Marc Thorne commented that he felt the representatives from Bodmin LVA LLP, Walsingham Planning and Louise Chicot Associates had done an extraordinary job in commissioning in-depth reports around many aspects of the development, and in attempting to engage with Bodmin Town Council. He was however concerned that following the Environmental Impact Assessment report it was deemed necessary to add a buffer zone, and he felt that if there was ecology on the site that needed to be preserved then it should not be built on, and if there was not anything that needed preserving he would question the requirement for such a zone. Mr. Thorne also had concerns over the access arrangements, when considered in conjunction with the fact that Wainhomes would be developing another site in the area, and the additional load of traffic that this would create. He stated that he felt Bodmin Town Council should reject any application. Councillor Coppin reminded Mr. Thorne that Bodmin Town Council is a statutory consultee in the planning process and as such does not have the authority to grant

or reject any permission, but can put forward sound material planning considerations as to why they support or do not support an application.

Also discussed further were issues of ecology and environment disruption; flooding and drainage; consideration of the fire risk in dry scrub on the railway embankment; and future ownership / maintenance rights for the hedgerow at the edge of the existing properties, which will be on the boundary of the proposed new development. It was agreed that disruption to or loss of wildlife; access; drainage; and privacy were felt to be the main issues concerning the members of the public present.

The representatives reiterated their commitment to a process of public engagement and meaningful consultation.

The Public Representation Session concluded at 10.32 a.m. at which point most members of the public, and Messrs. Chick, Chicot and Tizzard left the meeting.

P/2018/121 – PA18/02920 Erection of log cabin for occasional accommodation with timber frame pent roof – St Anton, Priory Road, Bodmin – Mr N Woolhead

**The Town Clerk reported that Highways had raised no objection to the application, and that it would be well screened from Priory Road as it was sited to the rear of the main dwelling. However, there was a lack of clarity within the application as to what constituted 'occasional accommodation'.**

**Members raised again the issue of poor quality drawings and lack of detail provided in building specifications which does not enable detailed discussions about the application to take care.**

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

**Bodmin Town Council is not able to comment on this application based on the information provided to date. It would therefore request further information and clarification around the definition of 'occasional accommodation.' Does 'occasional accommodation' refer to holiday accommodation (seasonal) and is there any indication as to the number of days per year that the accommodation will be occupied.**

**Having looking at the plans provided, it was noted that there is no self catering kitchen to support 'occasional accommodation' and the Council would request clarification as to the nature of the use.**

**Bodmin Town Council was also of the view that the plans / drawings provided were of poor quality.**

**If Cornwall Council is minded to approve this application, Bodmin Town Council would expect this cabin to conform with relevant building control requirements and be tied into the main dwelling in perpetuity and for there to be clarity around the number of days per year that any occupation would be permitted through appropriate conditions being attached to any consent.**

P/2018/122 – PA18/02936 Change of use of land for siting of mobile home as annexe to main house to create extra bedrooms and a separate living area – Pendewey Farm, Stony Lane, Bodmin – Mr S Oakes;

**The Town Clerk reported that the applicant seeks planning permission to site a mobile home as annex to the main house to provide accommodation for elderly relatives who need closer support and care from the family. He also advised that Wales & West Utilities had provided a standard generic response and guidance for applicants.**

**The Town Clerk advised Members that it was not uncommon for planning authorities to condition and restrict the duration that these types of structures can be provided on site and the usual timeframes are around three to five years as it is not considered unreasonable to provide a more permanent solution with the time that these temporary structures provide.**

**Members discussed what the applicant might mean by 'mobile home'. It was felt that the brochures provided to support the application illustrated a more permanent cabin-like structure than would traditionally be considered a 'mobile home'.**

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

**Bodmin Town Council supports this application in principle subject to a condition regarding a time limit being imposed (three to five years) given the temporary nature of a mobile home.**

**The supporting documents with the application appeared to represent a more permanent form of accommodation rather than what is traditionally considered to constitute a 'mobile home.' Bodmin Town Council is supportive of accommodation for older relatives in close proximity to family members but would seek clarity around whether the proposed accommodation is as per the brochure information or a 'mobile home.'**

P/2018/123 – PA18/03203 Retrospective change of use from builders yard to overflow car park – Bodmin Tyres, Dennison Road, Bodmin – Mr K Lang;

**The Town Clerk reported that this application site has previously had some issues with planning and enforcement, with concerns related to road safety given the access and egress onto Dennison Road, and the location of this type of business given the proximity of residential properties.**

**Members discussed their concerns over the complaints they had received from constituents which largely related to highways safety, and obstructions on Dennison Road caused by parking of vehicles associated with the business.**

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

**Bodmin Town Council would raise concerns regarding the ongoing road safety issues associated with this site given the vehicular movements onto the busy Dennison Road and the poor access and egress onto the site. This is compounded by the parking of vehicles on Dennison Road by the applicant as part of the day-to-day operations of this business.**

**Whilst the applicant has demarcated the application site, the Town Council could not determine where the parking bays were in relation to the site. Further, there was no detail around their orientation and whether these bays were permeable surfaced given the sloping nature of the site and the potential for surface water to runoff onto Dennison Road and flow towards the Berrycombe Road junction which has experienced some localised flood issues in the past.**

**Bodmin Town Council would request further clarity from the applicant regarding the parking bays and whether these are for clients parking or for parking associated with recovery of vehicles as there could be environmental concerns with any long term parking of vehicles recovered from breakdown or road traffic collisions i.e. leakage of oil, engine / brake fluid etc.**

**Bodmin Town Council does not support this application given the limited detail provided by the applicant.**

P/2018/124 – PA18/03654 Listed building consent for change of use of public house into 6 self-contained residential flats including construction of radon sump and outlet, installation of tanking system/basedrains and outlets and ground floor insulation/floating floor, internal alterations and installation of rooflights – 3 St Nicholas Street, Bodmin – Mr N Kinlay;

**The Town Clerk reported that the conversion of this site into six apartments was granted in July 2016 (PA15/02058 refers), and that this application was for Listed Building Consent to the works being carried out. He advised that the former George & Dragon public house is Grade II Listed and within the town's Conservation Area.**

**He further advised that applications for listed buildings' harm from any conversion needs to be outweighed against retention of the building for viable use. The historical appraisal document advises that a number of historic features will have been lost with various renovations to the property since its first construction and to meet changing regulations in terms of fire risk. As this application is for conversion into residential flats it was confirmed that most of the alterations will be internal.**

**Members discussed the detail that had been provided in the extensive consultee response from Historic Environment Planning and felt very much in accordance with all the comments made.**

**In response to a query from Councillor Sanders the Town Clerk advised that there was an access yard to the rear of the property, off Crinnicks Hill.**

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

Bodmin Town Council supports this application and the comments of the Historic Environment Planning team. In particular, the Town Council would support replacement of rainwater goods with cast iron to replace uPVC, retention of external features such as sash windows, doors and surrounds given their important role in the historic street scene. The signage to the front elevation should be retained and a maintenance plan be approved by the planning authority given public safety (sign is above a public footpath) and that the sign is refurbished at appropriate intervals.

Further, an archaeological watching brief should be adopted and applied with any excavation work during the installation of a radon sump. A detailed specification for replacement roofing slate and courses to protect the visual amenity of the historic structure and its setting within the town's Conservation Area.

Bodmin Town Council considers that the sympathetic approach to these works will ensure that this development will make a positive contribution to the Conservation Area.

Bodmin Town Council would request that a Construction Management Plan is agreed by the local planning authority to mitigate nuisance to neighbouring residential properties with work restricted to weekdays between the hours of 8.00 a.m. to 6.00 p.m. and that any construction vehicles utilise the rear yard accessible via Crinnicks Hill given the volume of traffic along St. Nicholas Street as a main school route and access into the town centre.

P/2018/125 – PA18/04049 Works to trees covered by Tree Preservation Order, namely 3 Ash trees rooted atop a Cornish hedge, remove epicormic growth to improve light levels to gardens on Marks Drive – 8 Marks Drive, Bodmin – Mr G Marshall;

The Town Clerk reported that an updated description of works had been received from Cornwall Council on 15 May 2018 as follows:

*Works to trees covered by a Tree Preservation Order, namely the three Ash trees rooted atop a Cornish hedge to the west of the dwellings. To include: removal of ivy at base of trees, removal of epicormic growth, removal of damaged lower crown branches, removal of lower overhanging branches and crown reduction. All works on eastern side of the trees. Full description of works and photographs in supporting Arboricultural report. 6, 7 & 8 Marks Drive, Bodmin – Mr G Marshall;*

It was considered that the proposed works appeared to be good tree management and it was AGREED to respond making the following representation:

Bodmin Town Council supports this application subject to no adverse comments from the Forestry Officer.

P/2018/126

Update from Cornwall Council Development Officer regarding planning application PA18/01811 – Proposed erection of new dwelling adjoining the existing dwelling (resubmission of withdrawn planning application No: PA17/03693) – Land East of 1 Higher Bore Street, Bodmin, Cornwall PL31 1JS (item P/2018/068 refers; copy email enclosed);

**A copy of the email received from the Planning Case Officer had been circulated with the Agenda, and the Town Clerk asked Members to provide a response according to the 5-Day Protocol.**

**Councillor Sanders reiterated her previous support for the amendments to this application and advised that she was minded to agree with the officer recommendation.**

**In response to a query from Councillor P Cooper, the Town Clerk advised that the attachment of a condition for provision of a robust construction management plan had been discussed at Committee on 2 May 2018 but that Councillor Sander's proposal had not been carried at that time.**

**The Chair reiterated the content of the Planning Case Officer's email where it stated:**

***"We have negotiated the removal of the garage due to concerns about vehicular access in the absence of turning space within the site and propose to include a condition to the effect that no parking is permitted within the site area"***

**The Chair considered that this should allay the Town Council's concerns about vehicular egress onto a blind corner on the busy road.**

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

**Bodmin Town Council agreed to 'agree with the Officer recommendation.'**

**The Planning Committee has asked that as the site is on a corner of a very busy road, a construction management plan is in place to mitigate road safety concerns and to ensure that timings of works are not disruptive to other local residents.**

P/2018/127

Aldi Stores Ltd., Priory Road, Bodmin – Town Clerk to report on licence application for supply of alcohol off the premises from 0700 to 2300 Monday to Sunday;

**The Town Clerk reported that a Licensing Application had been received with reference to approved planning application PA17/03614.**

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

**Bodmin Town Council considers that in the interests of and to**

underpin the licensing objectives, the applicant should operate the following:

- a Challenge 25 Policy regarding the sale of alcohol;
- staff training records to be maintained to demonstrate appropriate and suitable licensing training has been completed by staff authorising the sale of alcohol;
- In addition to the applicant's wider commitment to fund an additional CCTV camera for the town centre system, Bodmin Town Council would request that there is an internal CCTV system in place and operational to protect the public and staff;
- to maintain a record of declined alcohol sales to demonstrate stringent adherence to a Challenge 25 Policy

**Councillor Skea left the meeting at 11.14 a.m.**

P/2018/128

Minerals Safeguarding Development Plan Document: Consultation on the Schedule of Modifications (item P/2018/109 refers) – draft response for consideration (copy letter enclosed)

Copies of the consultation, deadline Friday 1 June 2018, can be viewed at: [www.cornwall.gov.uk/mineralsdpd](http://www.cornwall.gov.uk/mineralsdpd)

**A copy of the draft response had been circulated with the Agenda and the Town Clerk invited any additional comments from Councillors, which could be included before the submission deadline of Friday 1 June 2018.**

P/2018/129

Bodmin Site Allocations DPD – response from Programme Officer regarding review and consultation (copy email enclosed)

Documents can be viewed at:

<http://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/examinations-201718/cornwall-site-allocations-dpd/>

<http://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/development-plan-documents/cornwall-site-allocations-development-plan-document/>

**A copy of this email was circulated with the Agenda and was noted.**

P/2018/130

Highways Act 1980, Section 38 – Adoption Notification for the development at Scarlett's Well Road (Phase 3) Bodmin (copy enclosed);

**A copy of this Notice was circulated with the Agenda and was noted.**

P/2018/131

Road Traffic Regulation Act 1984 S.14: Temporary Restriction of Traffic – Road closure for Western Power Distribution works on Harleigh Road, Bodmin – 0730 to 1800 hours on 11 to 13 July 2018

Please click the following link to view a map and associated documents:

<https://roadworks.org?tm=105629103>

**A copy of this Notice was circulated with the Agenda.**

**In response to a comment from Councillor J Gibbs with reference to additional volumes of early holiday traffic which may fall within the works period, the Town Clerk advised that a representation requesting consideration of providing signposting to alternative areas of parking at Priory Car Park could be made.**

P/2018/132

Road Traffic Regulation Act 1984 S.14: Temporary Restriction of Traffic – Road closure for BT to carry out works on their apparatus – Fletchersbridge Hill, Bodmin – 0930 to 1530 on 16 to 27 July 2018

Please click the following link to view a map and associated documents:  
<https://roadworks.org?tm=105412694>

**A copy of this Notice was circulated with the Agenda and was noted.**

**The meeting closed at 11.18 a.m.**