

MINUTES of the Planning Committee Meeting held on Wednesday 21 March 2018 at 09.30 a.m. in the Shire House Suite, Shire House, Bodmin.

PRESENT: Chairman, Councillor A J Coppin presiding; together with Councillors, P Brown, J P Cooper, J R Gibbs, K J Phillips, L F Sanders and P L G Skea. Councillor K W Stubbs was also in attendance but did not vote not being a Member of this Committee.

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

P/2018/060

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:

Apologies were received from Councillors, J Gammon and S H Kinsman.

For the benefit of any Members using the paper copy Agenda, the Town Clerk advised that there had been a numbering error on that copy, which had been rectified on the electronic copy.

P/2018/061

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

Councillor P Brown queried whether he should declare a Non-Registerable Interest (NRI) in item 66 – PA18/01369 refers – as the applicant was a near neighbour, and was advised that these grounds were not sufficient for such an interest to be declared unless the applicant was a friend which would trigger a NRI. The Town Clerk advised that this would be a matter for the Member to consider.

Councillor J P Cooper declared a Non-Regisetrable Interest in item 67 – PA18/01460 refers – as he is friends with the applicants.

P/2018/062

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/2018/063 – PA17/11129

Change of use from A1 to A5 with external extractor fan - Break Thyme, 57 Fore Street, Bodmin - Mr J Fernandes - To reconsider application including change of use from shop to takeaway (item P/2018/004 refers);

The Town Clerk reported that Members had considered the previous application with reference to an extractor fan on 3 January 2018, and had supported it subject to provision of a suitable storage area / containers for refuse and recycling generated from the premises; appropriate provision of internal fire doors; and that consideration be given to the installation of an internal CCTV system.

The Town Clerk advised that this application had been submitted to deal with the erroneous omission of a change of use from the original application.

Following discussion it was AGREED to make the following

representation:

Bodmin Town Council supports this application.

P/2018/064 – PA18/00520 Formation of a parking area to provide two car parking spaces - 50 Flamank Park, Bodmin - Ms S Lowe - To reconsider application due to reclassification from household application to general application (item P/2018/024 refers);

The Town Clerk reported that this application was originally considered by the Committee on 7 February 2018, but had been reclassified as not all of the proposed parking site is in the ownership of the applicant. The Town Clerk advised that the Council had not supported the application given significant concerns over road safety.

Councillor J P Cooper noted that Highways East had raised similar concerns. Whilst it was felt that this large piece of ground would lend itself to the formation of a parking area, the Members present felt that the safety concerns and Highways objections could not be overcome.

It was AGREED to make the following representation:

Bodmin Town Council maintains its objection and does not support this application due to the road safety concerns and visibility splay in close proximity to a bend on Barn Lane and the junction with Statham Road and the adjacent ambulance station. In support of the consultation response by 'Highways Development Management East Majors' the Town Council would reiterate its serious concerns for safety with vehicular movements in an area where crossing traffic could occur to access these bays.

P/2018/065 – PA18/01165 Demolition of a wall to create second entrance offering access from St Nicholas Street - Lyndhurst, 66 St Nicholas Street, Bodmin PL31 1AG - Mr J White, Arco2 Architecture Ltd;

The Town Clerk reported that the application relates to the proposed creation of a secondary pedestrian entrance to St Petroc's School from St Nicholas Street. The current primary route to the school is via Athelstan Park. The secondary entrance proposal will require the creation of a safe pedestrian access path from St Nicholas Street, through a void area of ground to the east of Lyndhurst House and the car park situated at the front of Lyndhurst House. The Town Clerk further advised on detail of the application and the planned delineation between pedestrians and vehicles in the area of the proposed pedestrian route.

The Members present discussed safety and security concerns related to the potential access of this area outside of school hours. The Chairman stated that he did not feel that he could support the demolition of a wall in order to create an access point.

Following discussion it was AGREED to make the following representation:

Bodmin Town Council supports this application but would request that consideration is given to appropriate security measures to mitigate unauthorised access to the school outside of school hours (lockable gate) and further whether some form of lighting would reduce fear of crime.

It was NOTED that Councillor A J Coppin voted in objection to the application.

P/2018/066 – PA18/01369 Permanent change of use for the site to be used as Use Class B8 - Special Industrial Group F - Location Land North of Callywith Gate Industrial Estate, Old Callywith Road, Bodmin - Mrs and Mrs R Matthews;

The Town Clerk reported that the applicants' Agent advised that the site was previously a parcel of grass land. In order to enable the site to be utilised as a temporary storage area for adjacent works, creation of a new vehicular entrance to the site through the existing Cornish hedge, removal of existing topsoil, laying of hardcore, and provision of post and rail fencing around the site, had all already been carried out. The application is to now permanently change the use of the site to Class Use B8 - Special Industrial Group F - and no further works are planned to the site. Furthermore, the site will be used for storage only. Temporary storage containers may be stored on site along with vehicle parking.

Following discussion, it was AGREED to make the following representation:

Bodmin Town Council supports this application subject to there being appropriate planting to create a 'green' screen to mitigate the visual impact of this site at a key and primary gateway into the town which is of strategic value, particularly in light of the significant investment in this part of the town.

P/2018/067 – PA18/01460 Construction of a detached two bed dwelling with reverse level accommodation - Land East of Harleigh Terrace, Crabtree Lane, Bodmin - Mr J Moyse;

Councillor J P Cooper reiterated his Non-Registrable Interest in this item and left the meeting during the discussion and voting thereon.

The Town Clerk reported that the proposed dwelling would be tucked behind Harleigh Terrace and not completely visible from Beacon Road. The dormer bungalow design naturally has a lower ridge height than the existing properties to the north of Harleigh Terrace along with the site sitting on lower ground, thereby decreasing the risk of any loss of light and any concern of overlooking between existing neighbouring properties and the proposed new dwelling. The Town Clerk further reported on the proposed mix of materials within the application, and advised that the applicant's Agent has highlighted the mix of architectural and finishing styles in the near vicinity. Finally, the Town Clerk advised that there is an existing vehicular 'shared private' access lane to the side of 1 Harleigh Terrace.

The Members present discussed the very limited amenity space which caused some Members concern, but were cognisant of the fact that similar developments have, in the past, provided similar levels of amenity space. Councillor L F Sanders advised that a letter of objection from neighbours citing concerns of overlooking had been submitted to the Planning Authority shortly before the meeting, a position with which Councillors, A J Coppin and P Brown were minded to agree.

Following discussion it was **AGREED** to make the following representation:

Bodmin Town Council does not support this application in its current form due to the proposed dwelling being out of character, particularly in respect of the terraced houses which are within very close proximity to the application site. Whilst the Council noted the comments from the applicant's agent, the Council maintains the view that any development should take more cognisance towards local vernacular and the use of local materials.

Further, the Town Council considered that there would be a lack of amenity space afforded any occupants of this property and had serious concerns with overlooking from neighbouring properties which would lead to a loss of amenity for existing residents and future occupiers of this proposed dwelling.

P/2018/068 – PA18/01811 Proposed erection of new dwelling adjoining existing dwelling (resubmission of withdrawn planning application PA17/03693) - Land East of Higher Bore Street, Bodmin - Mr C Fitzgerald;

The Town Clerk reported that PA17/03693 for the proposed erection of a one bedroom bungalow was considered by the Planning Committee on 7 June 2017 (item P/2017/109 refers) and advised that the Council did not support the application at that time.

Councillor J P Cooper noted that there were safety concerns raised by Highways East which all Members present felt had merit. There followed a discussion relating to concerns over the acquisition of the parcel of land in question, which had previously been a grassed area maintained by the Council prior to being fenced off, presumably by the homeowner. Despite these concerns the Chairman advised that this was a civil matter rather than a material planning concern.

The Members discussed the content of the applicant's Design and Access Statement, and noted further concerns over the fact that the garage element of the application was certainly out of character with properties in the surrounding area.

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

Bodmin Town Council does not support this application given significant concerns for vehicle access and egress onto the busy

section of Higher Bore Street which is exacerbated by the location of this property which is in close proximity to a sharp bend where safe and suitable access does not appear achievable. The consultation response from the 'Highways Development Management East Majors' would be supported and endorsed by Bodmin Town Council.

Bodmin Town Council further considered that this application continues to raise concerns regarding massing together with a lack of amenity space. This proposed development is considered to be out of character with other dwellings in the vicinity and the inclusion of an integral garage within the plans is certainly out of character with other properties.

Whilst not a material planning consideration, the Town Council would query the land ownership of the corner plot as this site was formerly a green parcel of land maintained by the local authority which was subsequently fenced to create additional space alongside the existing property.

P/2018/069

Update on 5 day protocol meeting with Cornwall Council Principal Development Officer held on Wednesday 14 March 2018 regarding application PA17/09582 - Land to the North of Priory Road, Bodmin - Persimmon Homes (Cornwall) and Hawkstone 2002 Ltd (item P/2017/262 refers);

The Members present who had attended agreed that it had been a useful meeting and noted that the work done by Mr. Mark Evans (Principal Development Officer) with the developer which was appreciated by Councillors who attended this meeting.

For the benefit of Members who had not been able to attend, it was noted that the Council had agreed to disagree (with the Planning Authority) on the support for the planning application due to the very limited amount of local stone being used within the development (at key sight lines and at prominent positions within the scheme). Despite the strategic location of the development within the town, Councillors had felt it was tokenistic that only 12 properties in the whole development were to use local stone.

Councillor J P Cooper further commented that he felt the meeting served to highlight the need for Bodmin Town Council to develop a Neighbourhood Plan.

P/2018/070

Site Allocations DPD - Councillor P L G Skea to report following attendance at Examination Hearing held on 15 March 2018

Councillor Skea reported that he had put forward to the Examination Hearing all the points raised by Councillors and those members of the public who had attended Bodmin Town Council's Planning Committee meetings to make representations on this matter, with specific reference to the BdUE-2 (Halgavor) site allocation. Councillor Skea stated that he felt the Examination Hearings served merely as a tick-box exercise, and reiterated his position that the local residents who were objecting to the proposed BdUE-2

allocation in its current form should be supported by the Town Council at every given opportunity. Councillor Skea confirmed that Wainhomes were represented at the Hearing and provided robust answers to all lines of questioning by the Inspector.

In response to queries from Councillor J Gibbs, Councillor Skea advised that there was not yet a timescale provided on the decision making process, and that an in depth ecological report had been requested by the Inspector (to be carried out by Cornwall Council).

In response to queries from Councillor P Brown, Councillor Skea advised that the Environment Agency did submit a brief report to the Examination Hearing, but were now tasked with doing more in depth reports. The Town Clerk advised that Bodmin Town Council had historically raised concerns regarding hydrological issues at the Halgavor site and had questioned the density of the allocation, suggesting that it may have been more viable to consider a lower density development of Band D properties. Councillor J P Cooper commented that the Town Framework Plan has been eroded over time where the Town Council has had valid concerns disregarded en bloc by the Local Planning Authority. He felt that as a document this was not conducive to good consultation or consideration to communities that have to live with the outcomes of such Planning decisions.

Councillors, K J Phillips and J P Cooper raised the issue of insurance for householders in the BdUE-2 area and queried whether any potential developer would look to foot the bill for additional premiums with regard to increased flood risk. Councillor Phillips stated that she was concerned about the increased traffic flow over an ancient humpback bridge. Councillor Skea advised that Wainhomes had confirmed during the Hearing that all development traffic would be diverted in such a way that additional load for the existing bridge would be avoided.

Councillor P Brown felt that it was imperative that concerns raised over BdUE-2 carry as much weight as possible. He commented that Bodmin Town Council has always engaged with planning and not shied away from the need for development, but that repeated concerns over BdUE-2 could not continue to be disregarded.

There followed a lengthy discussion over the history to the Site Allocations DPD, (consultation upon which the Town Clerk confirmed had been ongoing for a number of years and had recently closed with this Committee being engaged with the submission of Bodmin Town Council's consultation response); the density of allocations; the overall growth model for Cornwall; and the future aspirations for Bodmin's town centre, along with education and healthcare provision.

Following this discussion, it was AGREED that the Town Clerk would draft a letter to the Inspector to lay out the Council's ongoing concerns about the development model for Bodmin, to be brought back to a future meeting of this Committee for discussion before sending.

P/2018/071

Update on Planning Application PA18/01212 - Application for the modification of a planning obligation under Reference No. E1/2006/01621 dated 7 August 2008 - 4 Pennington Close, Bodmin - Mr A Keir and Miss S Lancaster (item P/2018/051 refers);

The Town Clerk reported that this application was considered by the Council's Planning Committee on 7 March 2018, and that the Council's representation had been not to support the application. There had followed a dialogue via email between the Town Clerk and the Planning Case Officer who had advised that Cornwall Council would not support releasing the property onto the open market, which had been an initial concern of the Town Council's Planning Committee, but that it was standard practice to review s106 provisions for lending issues as in this case.

Following liaison with Members of the Planning Committee via email prior to this meeting, it had been agreed to respond with the following:

Bodmin Town Council supports the approach with the updated s106 as outlined as it would preserve the affordability issue into the future. The Council would appreciate assurance that this will be the case.

The Council would therefore agree to disagree with a recommendation of approval on this basis.

The Chairman confirmed that he had requested sight of the replacement s106 once agreed, for information purposes.

This information was noted by the Committee.

P/2018/072

Update on PA18/0984 Works to trees in a Conservation Area - 5 Harleigh Road, Bodmin (item P/2018/037 refers);

The Town Clerk reported that the Planning Case Officer had responded to the Council's representation to advise the following:

The trees are of poor form aesthetically and have some physical defects and removal of these trees would not have a detrimental effect on public visual amenity and it would not be expedient to place a Tree Preservation Order in this situation to prevent the works from being enacted. Whilst we are unable to condition replanting - we will encourage it!

This information was noted by the Committee.

P/2018/073

Withdrawal of Appeal relating to Planning Application PA17/02101 (DCLG ref: APP/D0840/W/17/3179290) – Removal of condition 6 (footway details) attached to decision PA12/10197 dated 16.04.14 (Outline application for residential development of 42 dwellings (including 10 affordable units)) – Land South West of Bodmin Retail Park – Launceston Road, Bodmin – Mr M Cummings (item P/2018/014 refers);

This item was taken with the following Agenda item P/2018/074.

The Town Clerk reported that it was likely the appeals had been withdrawn because the applicant may have been successful in receiving Planning Consent for the applications in question, but that he had been unable to clarify that with the Case Officer at the time of this meeting.

This information was noted by the Committee.

P/2018/074

Withdrawal of Appeal relating to Planning Application PA17/01371 (DCLG ref: APP/D0840/W/17/3189816) – Reserved Matters application following Outline approval PA12/10197 dated 16.04.14 for residential development of 42 dwellings (including 10 affordable units) namely Access, Layout, Scale, Appearance & Landscaping – Land South West of Bodmin Retail Park, Launceston Road, Bodmin – Mr Martin Cummings (item P/2108/015 refers);

This item was taken with item P/2018/073 above.

P/2018/075

Cavanna Homes development plan boundary query from Councillor J P Cooper (item P/2018/054 refers);

A copy map had been circulated with the Agenda to show the three-field buffer between the edge of the development and the Castle Canyke fort, which had been originally conditioned by Historic England. The Town Clerk advised that these fields have been safeguarded by the planning authority to secure it's setting from the committed development to its west.

This information was noted by the Committee.

P/2018/076

P/2018/076 Highways England forthcoming roadworks - A38 Glynn Valley routine maintenance overnight closures and drainage scheme - White Lodge drainage works postponement (item P/2018/053 refers);

A copy of an email from Highways England confirming that whilst the routine maintenance elements of the works would be going ahead as planned, the White Lodge drainage work had been postponed and would be rescheduled, had been circulated with the Agenda.

This information was noted by the Committee.

P/2018/077

Consultation of the draft revised text of the National Planning Policy Framework - to consider corporate response by 10 May 2018;

The Town Clerk advised that Members may want to consider developing a draft consultation response, which would need to be informed with their views, to be brought to a future Committee meeting (18 April or 2 May 2018) ahead of the deadline.

Councillor Brown considered that any Neighbourhood Plan that may be produced by Bodmin Town Council would need to follow the

development-led planning framework set out by central government, which would necessarily mean more development and not less. Councillor J P Cooper noted that the presence of a Neighbourhood Plan would at least mean that Bodmin Town Council would be able to set the tone for local development.

There followed a discussion over the relationship between developers and central government; self-build and small developments; and community engagement. It was noted that any timescale for producing a Neighbourhood Plan would depend on the will of the community to be involved.

Councillor J P Cooper suggested it may be helpful to have Bodmin's Planning Link Officer attend a future meeting of this Committee.

It was **AGREED** that the Town Clerk follow up with contact to Mark Evans (Cornwall Council Principal Development Officer) who was due to advise the Town Council as to the details of Bodmin's Planning Link Officer.

P/2018/078

Higher Bore Street - Proposed Disabled Persons Parking Bay - CORMAC Solutions Ltd on behalf of Cornwall Council (item P/2017/219 refers) - Consultation outcome;

The Town Clerk reported that the consultation had come before Committee in 2017 following local requests. A copy of the consultation outcome had been circulated with the Agenda and was noted.

P/2018/079

Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic for gas mains replacement – St Marys Road, Bodmin – Initially 1st to 21st March 2018 (24 hours, weekends included) now extended until 26th March 2018

Please click on the following link to view a map and associated documents: <https://roadworks.org?tm=158364>;

The Town Clerk reported that he had attended a round table discussion with Wales & West Utilities and representatives from Cornwall Council regarding ongoing issues with overrunning works and works apparatus being left behind after completion. He had been advised that efforts would now be focused on St Mary's Road / Fiveways following the completion of work in Robartes Road.

The Members present requested that the Town Clerk write to Cornwall Councillors, Leigh Frost (representing Highways) and Jacquie Gammon (St Mary's Ward Member) to highlight the ongoing issues.

Extra Item - P/2018/080

Update on Planning Application PA18/01034 – Proposed dwelling (one bedroom detached apartment), resubmission of PA17/04382 – 27 Castle Street, Bodmin – Mr P Mackie (item P/2018/039 refers);

The Town Clerk reported that the Planning Case Officer had

responded to the Council's representation to advise the following:

I sat down with managers today to discuss this scheme in light of the previous refusal and the Town Council's comments. Whilst we all share concerns about the siting development in rear gardens in this way, the application demonstrates a communal space for the 4 flats which is noted as being more than is enjoyed by many of the flats and houses in multiple occupancy in the town centre and provides a proportionate private garden space for the proposed unit of accommodation which offers a reasonable quality of accommodation for future occupiers. With this layout and in the absence of harm arising to the character and appearance of the area or demonstrable overlooking or other adverse impacts on neighbouring occupiers we are concerned that a reason for refusal on the grounds of amenity space would not be sufficiently strong. We are therefore seeking the views of the Town Council as to whether the members would agree to disagree with a recommendation of approval in this instance. I would be grateful if you could let me know within the next 5 working days so that I can review the Town Council's comments with managers next Tuesday.

Following discussion it was AGREED to make the following representation:

Bodmin Town Council considers that its original reservations about lack of amenity space were valid and would agree to disagree with a recommendation on this basis.

The meeting closed at 11.01 a.m.