

MINUTES of the Planning Committee Meeting held on Wednesday 7 November 2018 at 9.30 a.m. in the Shire House Suite, Bodmin.

PRESENT: Councillor A J Coppin presiding; together with Councillors, J A Bassett, P Brown, J P Cooper, L F Sanders (arrived at 9.32 a.m.), P L G Skea and K W Stubbs.

Councillor P T Cooper was also present 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/2018/270

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:

There were no announcements and apologies were received from Councillors J R Gibbs and S H Kinsman.

P/2018/271

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

Councillor J A Bassett declared a Non-Registerable Interest in Agenda Items 278 and 279 – planning application references PA18/09265 and PA18/09553 – as she is a Director of intoBodmin CIC.

Councillor A J Coppin declared a Non-Registerable Interest in Agenda Item 284 as he is a Trustee of St Lawrence's Church.

P/2018/272

Presentation by Mr. O Ebelis regarding a forthcoming Planning Application for redevelopment of Priory House, Bodmin;

The owner of Priory House, Mr. Ebelis, attended to give Members an update on works to date which have been undertaken ahead of an application being submitted for Planning Permission to convert the disused building into 10 apartments.

Mr. Ebelis advised that extensive works had been undertaken to restore the fabric of the interior, which had been split into a series of very small offices and meeting rooms. He detailed the works that were underway to reinstate the much larger original rooms and other architectural features such as cornicing, and layout changes that would be required on the floors above ground floor, in order to achieve the best usable space.

In response to a query from Councillor J Cooper, Mr. Ebelis advised that as much as possible would be done to maintain the original external features, especially the pillars around the main entrance. He further commented that the gates would be repaired and kept in full working order.

In response to a query from Councillor J Bassett, Mr. Ebelis advised that there was a planned parking ratio of over one car per apartment, which the Town Clerk noted was generous in a town centre location. Mr. Ebelis commented that he was mindful of the good working relationship that he had with the Nail Gallery and Memory Matters and would be looking to maintain access and some level of parking for those businesses.

In further discussions around access for ongoing parks maintenance the

Town Clerk confirmed to Members that Bodmin Town Council had an easement over Mr. Ebelis' land and Mr. Ebelis commented that he would ensure that access was maintained for Bodmin Town Council and any future tenants of Narisa Hall. Mr. Ebelis advised that to date he had maintained an excellent working relationship with Bodmin Town Council and thanked the Council staff for their ongoing assistance.

In discussions relating to the former bunker which occupies part of the lower ground floor of the building, Members considered whether there may be any value in granting access to any local historians prior to wholesale changes, in order that they could photograph or otherwise document the room. Mr. Ebelis advised that he would be happy to allow access if approached, and advised that ultimately the bunker presents no usable or communal space and would in all likelihood be used for storage or to accommodate utility meters. In response to a query from Councillor P Cooper he advised that it would not be suitable as a store or charging zone for mobility scooters given the stepped nature of the access and change in levels.

In response to queries from Councillors J Cooper and P Cooper, Mr. Ebelis advised that there would be a service charge applicable to all apartments which would cover building and grounds maintenance, and that it was envisaged that once all apartments were sold, owners would be encouraged to form a management group.

The Town Clerk queried whether there would be a provision of communal bin storage areas, and what fire management methods would be employed in the building. Mr. Ebelis responded to advise that modern day building control has tended to move away from sprinkler systems etc, and focus more on early detection systems and subsequent fire separation. He also advised that the emergency services and Bodmin Town Council would be provided with all access codes required.

In response to a query over timescales from Councillor P Cooper, Mr. Ebelis advised that they were currently in good shape for submitting the application with all required reports having been completed. He considered that the build itself would take around 12 months, and would hope that significant inroads would have been made within 8 months from the date of planning approval.

The Members thanked Mr. Ebelis for his time and commented that they applauded the efforts to return the significant site to its former glory. The Town Clerk advised that Bodmin Town Council reserved the right to comment further, as and when a planning application was submitted and brought before the Town Council's Planning Committee.

Members also discussed the issue of the adjacent priory ruins, which are also in Mr. Ebelis' ownership. Mr. Ebelis advised that he would be working with archaeological experts to ascertain the best course of action to preserve the ruins, but commented that the fact they had been uncovered had left them vulnerable to significant degradation through weathering. Members considered that a separate approach to the Town Clerk could be made by Mr. Ebelis, if he wished to discuss future steps for their maintenance and preservation. The Town Clerk highlighted the maintenance liability for someone and noted that this currently sat with

the building owner.

P/2018/273

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 four members of the public in attendance.

Mrs. Christine Howard spoke briefly to thank the Councillors who had supported the Halgavor residents in their campaign about Bd-UE2 Site Allocation (Halgavor Urban Extension) by attending the meeting on 19 October.

She also reiterated her previous comments over the desire for Bodmin to develop a Neighbourhood Plan.

P/2018/274 – PA18/07769

Change of use of former band practice hall to a mixed use of A3 café and D2 public meeting space – Bodmin Band Room, Narisa Hall, Priory Road, Bodmin – Mrs N Langridge, Priory's of Cornwall CIC;

Bodmin Town Council noted this application, as the building's owner.

P/2018/275 – PA18/08347

Proposed erection of new dwelling adjoining the existing dwelling with variation of condition 2 (approved plans) in respect of decision PA18/01811 (minute ref P/2018/068 refers) to enable redesign of footprint and floor layout – Land East of 1 Higher Bore Street, Bodmin – Mr C Fitzgerald;

The Town Clerk reported that the application had last been before this Planning Committee on 21 March 2018 (minute ref P/2018/068 refers) and that the Council had not supported the application at that time given significant road safety concerns, massing and a lack of amenity space.

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

Bodmin Town Council supports this application with the condition that the boundary with Higher Bore Street is suitably treated with a Cornish style wall in order to prevent any onsite parking from occurring to mitigate concerns that vehicles could access the site and increase road safety concerns given visibility splay and its close proximity to the sharp bend adjacent to Town Wall. This boundary treatment can be negotiated with the applicant to ensure that it is proportionate and in keeping with the area provided that it does not enable onsite vehicular parking.

Bodmin Town Council would also request that a construction management plan is in place to mitigate road safety concerns during construction given the inevitable delivery of materials and loading / unloading that will take place during this phase and the impact that it could have upon this busy section of road.

P/2018/276 – PA18/08737 Change of use from commercial to residential – Fore Street Veterinary Surgery, 88 Fore Street, Bodmin – Mr M Phippen, Kernow Veterinary Group;

Bodmin Town Council supports this change of use.

P/2018/277 – PA18/09030 Application for Listed Building Consent namely the siting of 1 internally illuminated static fascia sign and 1 internally illuminated static hanging sign – Public Rooms, Mount Folly, Bodmin – Mr G Greaves;

The Town Clerk reported on comments received from statutory consultee Historic Environment Planning (HEP) with regard to the removal of proposed neon ropes and the relocation of proposed display boxes on the South elevation. It was noted that they issue of flank signage on the East elevation was now due to fall under Advertisement Consent, rather than Planning, and as such HEP was happy to support the application.

Following discussion, it was AGREED to respond to reiterate previous comments made in respect of the flank signage on the east elevation and as follows:

Bodmin Town Council is supportive of the changes to signage proposed to the south elevation.

However, Bodmin Town Council would continue to request that an alternative solution to signage on the eastern elevation is sought as it would not be supportive of an internally illuminated sign which does little to demonstrate a sympathetic approach to design given its siting on a listed building and within a conservation area.

Bodmin Town Council would reiterate its previous comments and request that the applicant gives further thought to this elevation given its prominence and relationship with the Mount Folly (conservation area) and given the close proximity of the Grade II* Shire Hall. The applicant is directed to refer to Cornwall Council's 'Cornwall Shopfront Design Guide' section 11 refers, which might afford an opportunity to consider a more personalised approach to creative signage which is more sympathetic to the area, rather than using a fairly utilitarian approach to signage.

It might be more appropriate for small focused LED fitting to illuminate any signage, rather than an internally illuminated option.

Bodmin Town Council would support an option which is sympathetic to the Grade II Public Rooms to include methods of fixing.

It was noted that Councillor P Brown abstained from this vote.

P/2018/278 – PA18/09265 Change of use of former public library to a community and arts space – Bodmin Library, Lower Bore Street, Bodmin – IntoBodmin CIC;

Councillor J A Bassett reiterated her Non-Registerable interest in

this item and the one immediately following, as a Director of intoBodmin CIC and left the meeting during the discussion and voting thereon.

The two items were considered together.

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

Bodmin Town Council supports this application for change of use.

P/2018/279 – PA18/09553 Listed building consent for change of use of former public library to a community and arts space – Bodmin Library, Lower Bore Street, Bodmin – IntoBodmin CIC;

This item was considered in conjunction with P/2018/278.

Bodmin Town Council supports this application.

P/2018/280 To appoint a Member to attend a Cornwall Council Planning Committee meeting to make representation regarding Planning Application PA18/07745 (minute ref P/2018/265 refers) – Application for Approval of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale) – Ellesmere, Copshorn Road, Bodmin – S Waddell and C Hoplins;

The Town Clerk reported that the application was unlikely to be called in to go before Cornwall Council's East Sub-Area Planning Committee by the Ward Member. He further advised that it would potentially be seen as unreasonable by the planning authority to request that this is taken to Committee given the support of the use of cladding by Bodmin Town Council in other schemes within very close proximity to this application site.

Councillor J Cooper commented that he felt strongly that this case was all about context, and that the prominence of the proposed development's roofline was key in the objection to the extensive use of cladding in this instance. The Town Clerk reiterated that all those comments had been made in the Town Council's original representation, but considered that the Local Planning Authority may consider it an unreasonable stance given the materials supported by Bodmin Town Council for use in nearby developments. Councillor P Brown considered that there needed to be a level consistency in this Committee's approach to materials.

Following discussion, it was AGREED that Councillor J Cooper would be nominated to attend Cornwall Council's East Sub-Area Planning Committee in the event of the application being called in.

P/2018/281 Town Clerk to update on Planning Application PA18/08575 (minute ref P/2018/252 refers) – Construction of single dwelling and ancillary site works – Land off Bodiniel Road, Bodmin – Mr and Mrs Hume, Purl Developments Ltd. – Please note correlation with Planning Application PA11/05591 (minute ref P/2011/155);

The Town Clerk reported that he had received an email from the

Planning Case Officer following the receipt of new information relating to an objection received by Cornwall Council.

Giving the history to the site and previous objections, he advised that previous planning refusal of a more extensive proposed scheme had been based on some complex health issues and personal circumstances of a resident of Flaxmoor Terrace. The Town Clerk advised that whilst it was uncommon for the planning system to aim to protect the rights of one private individual in preference to those of another (and the owners of a site should normally be able to develop their land within planning constraints), the personal circumstances of an individual can also be a material consideration in development control, where they also accord with a more general public interest.

Whilst the application PA18/08575 is a more modest scheme than the previously refused PA11/05591, and each planning application is considered on a case-by-case basis and on its own merits, the medical information that had come to light had prompted the Planning Case Officer to refer the case back to Bodmin Town Council under the 5-day Protocol for Local Councils, given that Bodmin Town Council had supported the application in principle.

Following a lengthy discussion, Councillor A Coppin considered that if there had been objections in place at the time this Planning Committee originally considered the current application then they would have looked at it differently, given the history with the site. At the time of considering the application the connection with the previously refused application had not been made either by the Local Planning Authority or by this Committee.

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

In light of new information and the complex health issues of a local resident at 6 Flaxmoor Terrace, which was a matter previously covered through an appeal process (PA11/05591 refers), Bodmin Town Council agrees with the recommendation that this application is refused.

P/2018/282

Update on Planning Application PA18/06761 (minute ref P/2018/216 refers) – Erection of warehouse and ancillary sales cabin for Class B8 use and the display, sale and outside display of storage, car parking, servicing and associated works – Site off Dunmere Road, Bodmin – Travis Perkins (Properties) Ltd (copy email and related documents enclosed);

The Town Clerk reported that there had been positive movements in terms of the provision of a Cornish hedge and advised that Cornwall Council were still looking to secure a safe and suitable pedestrian and cycle link from the site through to Berrycoombe School.

Members remained of the view however that the temporary nature of the buildings was not felt to be acceptable. Councillor P Brown considered that this Committee should be committed to dealing

with the issues that affect Bodmin visually.

Following discussion it was **AGREED** to make the following representation to the Planning Case Officer, and providing a copy of the response to the Cornwall Council Ward Member:

Bodmin Town Council does not support this application given the temporary nature of the scheme and the lack of recognition by Cornwall Council to time constrain planning consent on this basis. Members referred to paragraph 56 of the National Planning Policy Framework which includes statements around good design and sustainable development which this scheme would not achieve given its temporary nature. Bodmin Town Council considered that its previous support for this scheme was based on a condition to time constrain planning consent (3 to 5 years) to reflect the temporary nature of the development given its potential adverse visual impact on a main arterial route into the town.

Inclusion of a Cornish hedgerow to the frontage was a positive change and the Town Council would continue to press for a pedestrian / cycle link to Berrycoombe School given the ability to assist with modal shift and a safe route to the nearest primary school for the new developments along Dunmere Road.

P/2018/283

Update on Planning Application PA18/08776 (minute ref P/2018/254 refers) – Works to trees covered by a Tree Preservation Order, namely reduce the height by 4-5 metres and reduce the side branches of a lime tree T12 – 4 Donovan Way, Bodmin – Mrs P Beard;

A copy of the email update had been circulated with the Agenda and the contents were noted.

Members wished to pass on their thanks to the Forestry Officer for his input.

P/2018/284

Integrated Transport Infrastructure Programme 2018 (EDG1574-001) – To consider a corporate response to Cormac Consultation regarding provision of a new bus stop with shelter and road markings adjacent to St Lawrence's Church on Westheath Avenue, Bodmin

Councillor A Coppin reiterated his Non-Registerable interest in this item as a Trustee of St. Lawrence's Church and left the meeting during the discussion and voting thereon.

The Town Clerk reported that were a bus stop in this location to go ahead there were concerns that it would lead to significant traffic disruption at Fiveways junction.

The Town Clerk advised that an e-mail had been received by a Member which highlighted the following concerns and observations with this proposed scheme:

If the proposed bus shelter were to be moved 50 meters back down the avenue towards the pedestrian crossing it would sit within the existing lay by offering a far more acceptable visual effect on the area. This in turn

would allow buses to pull out of the live carriageway when stopping for passengers, while maintaining traffic flow along the heavily stressed road section. The lay by is equipped with an existing rubbish bin that would encourage waiting passengers to responsibly dispose of litter in close proximity rather than leave it in the proposed bus shelter not wanting to walk to and fro during inclement weather, as per the drawing supplied.

The use of the lay by would also have the effect of moving waiting bus passengers away from the immediate road edge by approximately 6 to 8 meters reducing the impact of the traffic fumes on the waiting bus passengers and removing them further from harms way, the moving traffic.

Members considered that the proposed location would create significant safety issues for both drivers and pedestrians. It was considered that the use of lay-bys as bus stops should be progressed in order to avoid having buses stop in the highway. The Town Clerk confirmed that there was work to be done by Cornwall Council on TROs in order to deter vehicular parking in lay-bys.

Following discussion it was AGREED that the Town Clerk would draft a response based on Members' comments for submission

P/2018/285

Cornwall Council Draft Housing Supplementary Planning Document – to consider a corporate response by 5.00 p.m. on 30th November 2018 (copy email and letter enclosed);

The Town Clerk asked that Members give due consideration to the contents of the document and collate their thoughts to bring a consensus to the next meeting of this Committee on Wednesday 21 November 2018. Members queried what Cornwall Council had done in terms of meeting their requirements on self build since 2009.

Councillor J Bassett asked where the latest figures on Bodmin's housing needs could be found and the Town Clerk advised that he would seek information from Cornwall Council with a view to dissemination of information to Members and hopefully in time for the next Planning Committee meeting.

P/2018/286

Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic to allow Vodafone Group to carryout works to their apparatus – Castle Canyke Road, Bodmin – 20 December 2018 from 09:30 to 16:30;

A copy of the Intention Notice had been circulated with the Agenda and was noted.

P/2018/287

To endorse the following proposed street names, as submitted to Persimmon Homes, for the naming of four streets within the Priory Meadows Development (minute ref P/2018/258 refers):

- Audley Road
- Blackheath Road
- Pilgrims Walk
- Turfdown View

The Members present were happy to endorse the list as set out.

The Town Clerk reiterated the need for a bank of names to be developed in order that future street naming requests can be responded to in a timely manner.

Members agreed to give this matter some thought with the aim that it would form a future agenda item.

Extra Item – P/2018/288

Update on Planning Application PA18/01460 (minute ref P/2018/178 refers) – Construction of a detached 2 bed dwelling – Land East of Harleigh Terrace, Crabtree Lane, Bodmin – Mr J Moyse;

The Committee noted the comments from the Highways Officer in connection with a swept path tracking plan and that there could be an ability to accommodate access and egress in forward gear. Bodmin Town Council questioned this on the basis that the site is extremely constrained and that there could well be issues if there is more than one vehicle in play at any one time.

The Town Council continues to have grave concerns regarding road safety based on this access onto the busy Beacon Road and its close proximity to the railway bridge and the poor visibility splay that it affords.

Following discussion, it was AGREED to submit the following consultation response:

Bodmin Town Council does not support this application given the current layout which would seem to demonstrate insufficient space for vehicular turning on the site. Bodmin Town Council also has serious reservations regarding access and egress onto Beacon Road given the poor visibility splay and the fast moving traffic travelling along this road and over the bridge. Particular concerns were expressed about traffic travelling from the Lostwithiel Road direction given distances between the application site and the bridge i.e. reaction times for emerging traffic from the application site.

Bodmin Town Council would request that this application is determined by Cornwall Council's East Sub-Area Planning Committee given concerns that this scheme would adversely affect road safety in the area and that a suitable and safe means of access and egress has not been demonstrated.

The meeting closed at 11.16 a.m.