

**MINUTES** of the Planning Committee Meeting held on Wednesday 15 May 2019 at 9.30 a.m. in the Shire House Suite, Bodmin.

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

**IN ATTENDANCE:** Mr. P Martin (Executive Support Officer) and Mrs. T Stiles (Senior Administration Assistant / Mayor's Secretary).

P/2019/121

**CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:**

There were no announcements. Apologies had been received from Councillors, A J Coppin, S H Kinsman and K W Stubbs.

P/2019/122

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

Councillor P Brown declared a Disclosable Pecuniary Interest in Agenda Item 129 – PA19/03487 - Renovation of two dwellings (51 and 51a Higher Bore Street), including the demolition of a rear extension and garage/workshop and the building of a new rear extension and a new dwelling – Mr P Brown, Cornish Lime – as the applicant.

Councillor Brown requested an opportunity to speak about the application in advance of the item being heard, which the ESO confirmed was possible under Standing Order 65.

P/2019/123

**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 a number of Members of the Public present, none of whom wished to make a representation at that time.

P/2019/124 – PA19/02221

Replacement dwelling – Plot 2, 35 Rhind Street, Bodmin – Heaton & Sons Ltd. (Resubmission of Planning Application PA18/11833; minute ref P/2019/022 refers);

**The ESO reported that there was some element of confusion with this application and the previous application submitted under PA18/11833 and highlighted the lack of detail within the application.**

**The Chairman considered that there was the potential for confusion amongst Members and requested that the ESO refer the application back to the Planning Case Officer for more clarity and detail.**

**The other Members present AGREED this course of action.**

P/2019/125 – PA19/02465

The re-siting of double chain link gates and adjacent chain link fencing, on our own service road - from top of the road to the bottom – Devon and Cornwall Constabulary, Tollgate Road, Bodmin – Mr S Page;

**Bodmin Town Council noted this application.**

P/2019/126 – PA19/03324 Construction of a single dwelling and ancillary site works (re-submission of Planning Application PA18/08575; minute ref P/2018/252 refers) – Land off Bodiniel Road, Bodmin – Mr & Mrs Hume, Purl Developments Ltd.;

**The ESO reported that there were a number of comments already lodged on Cornwall Council's Planning Portal, with five against and three in support. The ESO advised Members that there was a history of Planning applications and appeals related to this site and gave the Chairman the relevant information for consideration. Councillor J Cooper then gave the Committee a brief synopsis of the complex history with the site and issues related to close neighbours, with minute references P/2018/252 and P/2018/281 considered.**

**Councillor Brown reiterated his previous comments made during the Committee's lengthy discussion on the matter on 7 November 2018, whereby he stated that he did not feel that as a Planning Committee the Members present were suitably qualified to comment on such a complex matter involving the uncommon requirement for the planning process to give such consideration to the associated health issues. In response to a query from Councillor Bassett, the SAA/MS reiterated comments made by the Town Clerk during the meeting on 7 November 2019 which confirmed 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.**

**Following discussion Members requested that the ESO refer the case back to the Planning Case Officer and it was AGREED to make the following representation:**

**Bodmin Town Council's Planning Committee resolved not to support the planning application PA19/03324 and to refer the matter back to Cornwall Council for its consideration as they will have more information, some of which may be sensitive information, in order to be able to determine this application taking into account any material circumstances of local residents.**

P/2019/127 – PA19/03417 To note works to trees in a Conservation Area: Removal of 1 conifer tree situated on the land of the Barley Sheaf which badly overhangs my property – 2-4 Barley Sheaf, Lower Bore Street, Bodmin – Mr M Jones;

**Bodmin Town Council noted this application.**

P/2019/128 – PA19/03470 Proposed formation of 2 No. parking spaces at the front of existing dwelling – 4 Tanwood View, Bodmin – Mr M Langley;

**The ESO advised that Councillor A Coppin had submitted comments to him in advance of the meeting, which were read out by Councillor J Cooper as Chair and were based around the need for the use of permeable surfaces rather than tarmac.**

The Members present were in agreement with Councillor Coppin's comments and following discussion it was AGREED to make the following representation:

**Bodmin Town Council supports this application on the proviso that suitable permeable surfaces are used, and not tarmac as stated in the application. The Council considers that development that could cause additional surface water run-off into the leat should be mitigated as much as possible by the use of permeable surfaces or other means to slow the amount of water entering the leat.**

P/2019/129 – PA19/03487 Renovation of two dwellings (51 and 51a Higher Bore Street), including the demolition of a rear extension and garage/workshop and the building of a new rear extension and a new dwelling (re-submission of Planning Application PA18/09596; minute ref P/2018/314 refers) – Mr P Brown, Cornish Lime;

**Councillor P Brown spoke to give a response to comments made in objection to the application, on Cornwall Council's Planning Portal, by a neighbour at the adjoining property. Councillor Brown addressed concerns raised by the neighbour which broadly were based around setting a precedent for infill development in gardens in built-up areas; overlooking; and the size of the proposed extension.**

**Councillor Brown stated that the extension for his property was in fact designed to work in absolute harmony with the neighbour's own approved plans (for a rear extension), with the sole intention of mutual benefit and cost savings to both parties, alleviating any issues of the Party Wall etc. Act 1996. He further stated that initial concerns by Bodmin Town Council's Planning Committee (raised when considering PA18/09596 on 19 December 2019) and neighbours regarding massing and overlooking had been addressed within this new application, with the design being amended to include directional windows, as well as replacing the original proposal of four flats with one 3-bedroom mews house. Councillor Brown considered that the current proposal had been arranged in such a way to comfortably fit on the plot leaving ample parking and more than adequate amenity space, moreover meeting the design standards set by Cornwall Council.**

**Councillor Brown did raise concerns that comments had been made which he felt attempted to bring into question both his integrity and that of the Town Council's Planning Committee.**

**Councillor Brown reiterated his Disclosable Pecuniary Interest and left the meeting at 9.51 a.m., for the duration of the discussion and voting thereon.**

**The Chairman reminded the Members present that they were there to consider the material planning considerations of the application before them. Members took some time to consider the public comments which had been submitted to Cornwall Council's Planning**

**Portal.** Councillor Sanders commented that she felt that building large properties in gardens was inappropriate in built up areas, and Councillor J Cooper responded to advise that there was considerable precedent of such infill. He also referred to Policy 24 of the Cornwall Local Plan which broadly concerns the protection of Cornwall's historic rural, urban and coastal environment, with specific reference to Conservation Areas.

**Members also discussed the value of site visits and were reminded by the Chairman that papers were sent out in advance of meetings to enable thorough preparation, which could include site visits if required. The SAA/MS advised that section 23 of each application form contained details of who should be contacted (agent or applicant) in order to arrange a site visit.**

**Councillor Skea considered that application should be supported given the benefit of bringing back two properties into a habitable state, and thereby preventing them from further deteriorating and becoming more dilapidated than they currently are.**

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

**Bodmin Town Council supports this application, in accordance with the Cornwall Local Plan (Policy 24: Historic Environment). The Council considers that this development would appropriately protect properties within Bodmin's Conservation Area which would otherwise fall into a greater state of disrepair.**

**It was NOTED that Councillor Sanders voted against this proposal.**

**Councillor Brown rejoined the meeting at 10.03 a.m.**

P/2019/130 – PA19/03497 To note works to trees in a Conservation Area: Notification of works to trees within a conservation area – Various works to trees – Sir John Moore House, Victoria Square, Bodmin – Miss H Rescorle, Environment Agency;

**Bodmin Town Council noted this application.**

P/2019/131 – PA19/03800 Outline application for construction of two bungalows on the land to the rear of 6 Priory Road with associated access and amenity – Land NE of 6 Priory Road, Bodmin – Mr & Mrs Pilsworth;

**The ESO reported on the detail of the application and advised that no comments had been submitted on the Planning Portal at the time of the meeting.**

**Members considered that the application was suitable for the size of the plot and that many elements met with the requirements of the Cornwall Local Plan. The Chairman commented that, as ever, careful consideration must be given by the applicant to vehicular access and the management of any associated construction traffic.**

**It was AGREED to make the following representation:**

**Bodmin Town Council supports this application. The Council would ask that the applicant ensures that access and egress for construction traffic is carefully managed.**

P/2019/132 – PA19/03827 Non-Material Amendment to Application No. PA16/08465 dated 9th March 2017 (minute ref P/2016/210 refers) for Reserved Matters for the Construction of 75 new one, two and three bedroom dwellings (Phase 1 – forms part of a wider site which has received outline permission for 175 dwellings). Phase one occupies an area of approximately 5.89 acres to the north west of the wider 9.6 hectare site, adjacent to the Wainhomes Borough View Development. The proposal is for 75 new one, two and three bedroom homes. The layout of the homes adheres to the site's 'parkland' setting namely the provision of secure lockable cycle shelters in lieu of open sided shelters – Beacon Technology Park, Bodmin – Ms R Thomas, Cornwall Council;

**The Chairman reminded Members of the detail of the wider site development and noted that this non-material amendment was solely in relation to the proposed change in style of the cycle shelters.**

**It was AGREED to make the following representation:**

**Bodmin Town Council supports this application.**

P/2019/133 – PA19/03830 Non-Material Amendment to Application No. PA16/08465 dated 9th March 2017 (minute ref P/2016/210 refers) for Reserved Matters for the Construction of 75 new one, two and three bedroom dwellings (Phase 1 – forms part of a wider site which has received outline permission for 175 dwellings). Phase one occupies an area of approximately 5.89 acres to the north west of the wider 9.6 hectare site, adjacent to the Wainhomes Borough View Development. The proposal is for 75 new one, two and three bedroom homes. The layout of the homes adheres to the site's 'parkland' setting namely for the provision of external television aerials to the housing currently in construction on site – Beacon Technology Park, Bodmin – Ms R Thomas, Cornwall Council;

**It was noted that this non-material amendment was solely in relation to the proposed change in siting television aerials. The ESO reported that the original proposal was for aerials to be sited within the loft space of each property, but that the signal reception this resulted in was considered to be too poor to be acceptable.**

**It was AGREED to make the following representation:**

**Bodmin Town Council supports this application.**

P/2019/134 Update on Planning Application PA19/02541 (minute ref P/2019/094 refers) – Reducing the crown by 4 metres all over – 7 Homefield Park, Bodmin – To consider whether BTC wish to submit any comment in light of previous validation error and revalidation of the application to a tree under a Tree Preservation Order;

**The ESO reported that the Planning Case Officer had advised that the application had been mistakenly validated as being within a Conservation Area, which would have been for the Committee's**

information only and have been decided under delegated authority (as considered on 3 April 2019; minute ref P/2019/094 refers). The application had now been correctly revalidated as works to a TPO and had been referred back to the Committee in case they wished to make any additional comment.

Members gave consideration to the comments that had been submitted by the Tree Officer subsequent to the Planning Committee Meeting on 3 April 2019. The Chairman commented that he felt it would be remiss of the Committee to disregard the industry standard and views of the Tree Officer. It was **AGREED** to respond to the Planning Case Officer asking the applicant to agree a programme of works with the Tree Officer in accordance with his comments.

**It was NOTED that Councillor Bassett chose to abstain from the vote.**

P/2019/135

Correspondence from NHS Market Entry regarding Application for inclusion in a pharmaceutical list at 1-3 Omaha Road, Bodmin, PL31 1ES in respect of distance selling premises by Gulpepper Ltd.;

**A copy of the application and accompanying letter had been circulated with the Agenda. Members discussed the detail and considered that there was not enough information supplied as to what service Gulpepper Ltd would be providing. It was AGREED to refer back to NHS Market Entry requesting more in-depth information.**

P/2019/136

Cornwall Council Application Consultations: A Guide for Parish/Town Councils by Application Type;

**A copy of the email and a link to the document had been circulated with the Agenda, the contents of which were NOTED.**

**The meeting closed at 10.23 a.m.**