

**MINUTES** of the Planning Committee Meeting held on Wednesday 2 October 2019 at 9.30 a.m. in the Shire House Suite, Bodmin.

**PRESENT:** Councillor E M Ahearn presiding; together with Councillors, P Brown, A J Coppin, J R Gibbs (arrived 9.35 a.m., from Item 223), P L G Skea and K W Stubbs. Councillor P T Cooper was also in attendance but did not vote, not being a Member of this Committee.

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

P/2019/221

**CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:**

Apologies had been received from Councillor J P Cooper. There were no announcements.

P/2019/222

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

There were no Declarations of Interest made.

P/2019/223

**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 3 members of the public in attendance, all of whom wished to make representation in objection to PA19/07864 (Agenda Item P/2019/227).

Mr. S Nicholls spoke regarding the legal conditional agreements which are specified within title deeds of a number of neighbouring properties regarding access arrangements. It was confirmed that there was no such arrangement in place for the application site, and that no approach had been made by the applicant to discuss. Mr. Nicholls stated that he appreciated the intention of the applicant to utilise the site but considered that to do so to construct a dwelling would be to the detriment of neighbouring households. Mr. Nicholls considered that the size and scale of the proposed development was not appropriate for the plot given issues with overlooking and that the height and footprint of the proposed dwelling was actually larger than had been outline in the pre-application submission.

(Councillor Gibbs joined the meeting at 9.35 a.m.)

Mr. Nicholls went on to confirm that the conditional rights of way in place gave access to garden plots and were too small for anything other than a hand barrow. Walking rights extend across and around the perimeter of the plot and the proposed plans would interfere with those rights. He also highlighted that there were currently no services available to feed the plot.

Members of the public also raised concerns about the lack of construction management plan submitted with the application and considered that any works associated with the construction of a new dwelling would cause unbearable noise and vibration for adjoining residential properties, disruption which would be exacerbated by the lack of adequate storage for building materials or plan for disposal thereof.

Councillor Coppin thanked the members of the public for giving their time to attend the meeting. He considered that some of the matters raised were civil rather than planning, but that there was lot of planning detail for the Committee to consider. He asked the members of the public present whether they had approached their Cornwall Council Ward Member to voice their concerns.

The SAA/MS was asked to provide Councillor Frost's contact details to Mr Nicholls.

Mr. A Barnett stated that as owner of 32 Rhind Street there was no provision for access to the plot in question to be granted, and he questioned how any construction could take place or dwelling be occupied without being able to have access.

The owner of number 34 Rhind Street stated that dormer windows proposed would overlook her property, and that half of the windows in the property would be facing a retaining wall at no more than two metres away. She also stated that the foundations would be sited less than three metres away from her property.

P/2019/224

To consider and, if approved, adopt the Minutes of the Planning Committee Meetings held on 7 August, 21 August, 4 September and 18 September;

**Copies of the draft minutes had been circulated with the Agenda.**

Minutes of the Planning Committee Meeting held on 7 August 2019

**The Minutes of the Planning Committee Meeting held on 7 August 2019 were approved and passed for signing.**

Minutes of the Planning Committee Meeting held on 21 August 2019

**As a matter of accuracy, it was NOTED that Councillor A Coppin had given his apologies for this meeting and this would be reflected in the final version of the Minutes.**

**The Minutes of the Planning Committee Meeting held on 21 August 2019 were approved and passed for signing subject to the minor amendment above.**

Minutes of the Planning Committee Meeting held on 4 September 2019

**The Minutes of the Planning Committee Meeting held on 4 September 2019 were approved and passed for signing.**

Minutes of the Planning Committee Meeting held on 18 September 2019

**The Minutes of the Planning Committee Meeting held on 18 September 2019 were approved and passed for signing.**

P/2019/225 – PA19/07839

Replacement of flat roof areas to protect against water ingress – Shire House Suite, 8 Mount Folly, Bodmin – Mr P Martin, Bodmin Town Council;

**Bodmin Town Council NOTED this application, as the applicant.**

P/2019/226 – PA19/07840

Listed Building Consent for the Replacement of flat roof areas to protect against water ingress – Shire House Suite, 8 Mount Folly, Bodmin – Mr P Martin, Bodmin Town Council;

**Bodmin Town Council NOTED this application, as the applicant.**

P/2019/227 – PA19/07864 Construction of 2 Bedroom Chalet Bungalow – Land to the North West of 26 Castle Street, Bodmin – Mrs Jewell;

**Councillor P Cooper commented that he had visited the site and felt that it was hard to imagine a site less suitable for development. He considered that the photographs used within the applicant's design and access statement were not representative of the plot's constraints. Furthermore, he considered that key elements of the pre-application advice given by Cornwall Council had not been factored into the current application.**

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

**Bodmin Town Council does not support this application. Members consider the plot to be wholly unsuitable for development given the serious access issues. It is understood that there are no access rights associated with this plot. Therefore, access and egress for the plot would be restricted to the point of being impractical, if not impossible, with no consideration having been given to the needs of services such as refuse collection or emergency services.**

**The proposed design of the house itself is considered to present overlooking and overshadowing issues for neighbouring properties. Bodmin Town Council considers that any construction attempted within this plot would cause unacceptable levels of noise nuisance to the neighbouring properties given the current density of properties surrounding the plot, and is at a loss to understand how construction materials / plant will be delivered to and associated spoils removed from the site.**

**Bodmin Town Council would urge the Cornwall Council Ward Member and Planning Case Officer to undertake a site visit at their earliest opportunity, in order that they assess for themselves the myriad problems associated with attempting to construct a dwelling on this plot.**

P/2019/228 – PA19/08240 Proposed domestic extension to form new open plan lounge, dining room and kitchen – 3 Queens Crescent, Bodmin – Mr R Smith;

**Bodmin Town Council supports this application.**

P/2019/229 – PA19/08269 To note application for works to tree(s) in a conservation area: G7 – Felling of Leylandii trees at eastern most edge of group and replacing with more suitable native trees – Sir John Moore House, Victoria Square, Castle Canyke Road, Bodmin – Miss H Rescorle;

**Members considered that this was a welcome removal of a group of very out of place trees which were long overdue for felling. Bodmin Town Council NOTED this application.**

P/2019/230 – PA19/08070 Reserved matters application for all reserved matters namely, access, appearance, landscaping, layout and scale following outline approval PA16/00610 for residential development without compliance with Condition 2 of Decision Notice PA18/06498 dated 19th December 2018 (minute ref P/2018/207 refers) – Land To The West Of Cooksland Road, Bodmin – Pearce Fine Homes;

Members discussed the complexities of the situation with a clearly non-relocatable gas governor giving rise to the requested removal of the condition. They also discussed their concerns with removal of conditions in general as experienced previously with large developments.

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

**Bodmin Town Council does not support the removal of Condition 2 in its current form due to concerns that it could lead to the possibility of dwellings being occupied before suitable access arrangements have been implemented and therefore that safe and suitable access to the site in the interests of highway safety and connectivity in accordance with Policies 12 and 27 of the Cornwall Local Plan may not be achieved.**

**Bodmin Town Council is cognisant of the difficult circumstance which has arisen with regard to the location of the utilities infrastructure but considers that the complex information associated with this application lies outside its sphere of knowledge and would therefore seek reassurance from the Local Highway Authority that a satisfactory provision is made prior to any dwelling being occupied.**

P/2019/231

National Association of Local Councils (NALC) Policy Consultation E-Briefing 10-19 – 5G Mobile Coverage in Rural Areas – To consider a corporate response to NALC by 5.00 p.m. on 11 October 2019

**The DCE gave a summary of the consultation, full details of which had been circulated with the Agenda. Councillor Coppin commented that the Council would want to be able to raise concerns about the siting of future masts, in order that they are not close to schools, play areas or areas of high-density residential development.**

**Members discussed the need for suitable mobile coverage in such rural areas as Cornwall and the principle of amending permitted development rights to support deployment of 5G and extend such mobile coverage.**

**Following discussions it was AGREED that Members would not support a move to amend permitted development rights as laid out in the consultation, and would seek to retain the right to be consulted via a full planning application process.**

**The DCE would respond to NALC prior to the consultation deadline in order that Bodmin Town Council's views could be incorporated into NALC's response on behalf of the sector.**

P/2019/232

Road Traffic Regulation Act 1984, S.16A – Bodmin Remembrance parade, 09:15 to 09:45 on 10 November 2019 – Closure of Turf Street, Mount Folly, and Church Square for their entire lengths, St Nicholas Street between Harleigh Road and Mount Folly, Bodmin

**Details of the proposed road closure had been circulated with the Agenda and were NOTED.**

**The meeting closed at 10.13 a.m.**

