



MINUTES of the Bodmin Town Council Planning Committee Meeting held on Wednesday 5 May 2021 at 10.00 a.m. via Zoom conference call.

PRESENT: Councillor E M Ahearn presiding; together with Councillors, P L G Skea, J A Bassett, J R Gibbs (arrived 10.30), P Brown and A J Coppin

ALSO PRESENT:

Cllr M Barberly who did not vote as not a member of the planning committee.

IN ATTENDANCE: Mr. P Martin (Town Clerk) and Ms. L Pinnegar (Senior Administration Assistant / Mayor's Secretary).

Meeting commenced at 10.01 am

<p>P/2021/089 Chairman's Announcements and Apologies;</p> <p>No announcements or apologies</p>	
<p>P/2021/090 Declarations of Interest – Members to declare interests in respect of Any items on the agenda;</p> <p>No declarations of interest</p>	
<p>P/2021/091 Correspondence sent and received:</p> <p>None received</p>	
<p>P/2021/092 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 as there will be a time constraint of 5 minutes per speaker);</p> <p>Speaker 1 Cllr M Barberly spoke on behalf of a resident who had approached him about the development on Westheath Road, wanted to ensure that the road signage and landscaping would be put in place.</p>	

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Speaker 2

Ben Wood, Planning consultant spoke in respect of item P/2021/096 - PA21/02625. He explained outlining planning permission had originally been granted in 2019 for 2 bungalows. The reserved matters application supplies the details not provided at that time. There have been no objections as far as he was aware and was attending to answer any questions the planning committee might have.

Speaker 3

C Howard wished to raise the matter of increased traffic at Scarlets Well with a view to requesting it goes on the agenda of the next meeting. The Chair resolved to discuss with the member of public after the meeting to decide on action required.

Speaker 4

Ian Jenkin spoke on behalf of agenda item P/2021/098 - PA20/06162, and to clarify any concerns raised when previously discussed. He advised there would be two parking spaces each for both the existing and new property, and throughout the build off road parking will be maintained.

Speaker 5

Jonathan Chick Walsingham Planning on behalf of Vistry Partnerships re P/2021/103 – PA21/02000, Reserved application. They were aware that there were a few concerns when this application was discussed at a previous meeting so have provided further information and are here to answer any further questions. They sent an email prior to the meeting which was distributed to the planning committee in advance of the meeting which he summarised at the meeting as follows:

“I refer to the Town Council’s comments in relation to the above application dated 8th April (attached).

We thought it would be helpful to respond to you directly on the points raised.

We note the Town Council’s reference to not supporting the application until ‘a highways report is viewed’. However, the outline planning application (LPA ref: PA18/08551) was supported by a full Transport Assessment which considered transport matters in detail. No further highway assessment or report is necessary at this stage as we are merely seeking to discharge the reserved matters relating to siting, layout, landscaping and appearance. If this is not what the Town Council are referring to we would be grateful if clarity could be provided.

The highways plans approved with the outline planning application show the speed restrictions which will be put in place along Westheath Avenue including extension of the 30mph zone. Further detail on the off-site public realm improvements will be submitted under a separate application to discharge condition 4 of the outline permission in due course. Prior to

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<p>submitting this our client is keen to hear the Town Council's views on providing a "Gateway" feature on the approach to the Town rather than just a standard 30mph sign. The attached gateway feature would be provided in conjunction with the proposed cycle lane and speed restrictions and we would welcome any comments or suggestions you may have.</p> <p>We assume the 'legal agreements' referred to in the Town Council's comments relate to transfer of the existing hedge to local residents living next to the site on Westheath Road. The hedge transfer is a separate matter our client has agreed to pursue to benefit the local residents and is not part of the application proposals. However, I can confirm that our client has been in contact with the local residents and that solicitors have been instructed to progress this matter. In the event that reserved matters approval is granted the agreements will be formalised and land transferred accordingly.</p> <p>Hopefully the above addresses the points raised by the Town Council in relation to the reserved matters application and we look forward to discussing details relating to condition 4 further in due course."</p> <p>Questions were invited. There were no questions from the planning committee at this stage of the meeting.</p>	
<p>P/2021/093 To consider and, if approved, adopt the Minutes of the Planning Committee Meeting held Wednesday 7 April 2021. Copies to follow, and to be signed off by Chairman on next visit to office.</p> <p>It was RESOLVED to confirm the accuracy of the minutes of 7 April 2021. Cllr Brown and Cllr Coppin abstained due to not being at that meeting.</p>	
<p>P/2021/094 Actions arising from previous minutes</p> <p>None</p>	
<p>P/2021/095 To consider further information received in respect of PA20/07691 Residential development comprising the construction of 170 dwellings with associated access, estate roads, infrastructure, open space and landscaping. Land Off Castle Street Bodmin Cornwall</p> <p>This item was adjourned from the previous meeting as the information was received from CC Planning to Cllr J Cooper, however he was not able to attend that meeting, and wasn't present at this meeting.</p> <p>The response from CC Planning was shared with the committee prior to the meeting as follows:</p> <p><i>"Dear Councillor Cooper,</i></p>	

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I am writing to you following a review of the determination process for PA20/07691.

Our Service Director; Head of Development Management; and Area Group Lead (copied into the email), have together reviewed the most recent consultee reply received from Bodmin Town Council (attached) and sought advice from the Ward Member Councillor Frost.

The assessment is that it would not be reasonable to take this current planning application to the East Sub Area Planning Committee. The decision made is that the determination of this planning application will be through delegation to the Service Director.

Management have carefully taken account of the following matters in this decision:

As you will know, myself and Highways Development Management consultee attended a virtual meeting with Bodmin Town Council on Friday 26th February 2021, where the Town Council aired their concerns about this current application in the context their impression of wider traffic issues for the town.

We explained what is and is not a material planning considerations for this allocation, including the extent of highway works that can be sought directly as part of this development.

Highways:

Highways Development Management reviewed this planning application including setting out the following advice as the consultee response 29th January 2021 to the most update to date plans received which the Town Council were consulted on and which were discussed again at the recent virtual meeting.

For clarity:

- 1. A footway to Boxwell Park has been proposed indicatively shown on plan ref: C20072-C115 (REV B). This verge is confirmed HMPE. With use of the parking lay-by in between, this will complete the connection from site to Boxwell Park, which then offers a further walking route to the town centre, which does not rely solely on Castle Street. (see attached plan)*
- 2. A footway from the site access on to and over Love Lane, connecting with Launceston Road has now been proposed indicatively shown on plan ref: C20072-C116 (REV A). This link is the most important connection between the site and Launceston Road for retail facilities, supermarket and bus stops. (see attached plan)*

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3. *Whilst I accept that both these additions will appear to constrain the carriageway widths, full detail design will be secured by condition, and tracking of the road can inform whether additional passing spaces are needed, or whether the footways can reduce marginally. However, the only method of reducing the impact of rat-running traffic on this area, is to deter, by increasing the length of time taken, and convenience of this route. The carriageway will experience intermittent width reductions. Varying widths, whether resulting in informal or formal priority workings will also control road speeds and deter drivers cutting through this route to Castle Street, to get to the westbound A389. Our priority has to be those who have to, or want to walk, over a drivers desire to reduce a journey time, often only in perception. The road will still function as it does now for any residents that require it for access.*

4. *Vehicular Access and Impact*

Transport Assessment has been reviewed, and can be accepted. Conclusions reached under review are noted, however as stated above, access to this allocation was always envisaged via the consented and constructed Callywith College site access.

In line with the Town Council comment, the proposal will both provide highways infrastructure, as outline above, in the form of highway improvements for pedestrians, but also, a contribution will be sought to a highway improvement scheme in the locality under the Bodmin Transport Strategy. Contributions are levied on open market dwellings only. Details of the scheme to which it should be allocated to, and confirmation of the final sum, will be provided under separate cover.

Travel plan has been reviewed and in combination with the delivery of hard measures in the form of the footway improvements detailed above, are likely to contribute to achieving modal shift more effectively with respect to this site.

5. *Estate Road Layout*

Layout has been revised following initial feedback, and design features to emphasise residential setting have been introduced, include a low speed design at site access.

In terms of the Section 38 Adoption Plan, much of the site indicated as desired for adoption now complies with CC Adoptions Policy. For the avoidance of any doubt, approval of this layout proposal for adoption is not offered by virtue of acceptance of layout details on this application. In order for the Highway Authority to adopt any road offered for adoption the applicant will need to enter into a S38 agreement with the Highway Authority and go through the Technical Approval process which may require further changes in design.

6. *Initially, conditions should secure:*

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- Construction, surfacing, drainage and lighting details for car parks, internal road and cycle/footpaths to Cornwall Council Highway Design Guidance/Specifications. This information can be obtained at <https://www.cornwall.gov.uk/transport-and-streets/roads-highways-and-pavements/highway-and-infrastructure-adoptions/design-and-construction-guidance/>
- Detailed design including construction, surfacing and lighting details for all works (including roads/footpaths) affecting public highway, or forming junctions with public highway (including Castle Street and Love Lane). Where footpaths are connecting with existing public highway, visibility for/of emerging pedestrians should be included, as well as pedestrian/cycle guardrails, as appropriate, and/or other measures to prevent use by motorised vehicles.
- Detailed design for all indicative works shown for works to create footways on Love Lane.
- Connection to north of road 3 into land to north should be secured by condition. Path should be taken up to red line, with opening created.
- CTMP has been updated and is accepted, compliant implementation of the CTMP should be secured by condition.

So this is a current position of Conditional Support on Traffic and Transport matters.

Heads of Terms (Legal Agreement):

So for clarity, I provide the following information on the Section 106 Heads of Terms (this is currently being drafted between the Applicants and CC Legal) in response to consult advice:

- Affordable Housing (51 affordable homes to provided pepper potted throughout scheme layout) – see attached spreadsheet – this responds to latest advice from Affordable Housing Team.
- Education (off site contribution) £314,640
- NHS Health contribution £57,086
- Public Open Space – onsite provision and off site contribution of £109,140
- Transport Contribution - £125,000

Approximately £605,866 of offsite contributions (evidence based) to mitigate the impacts of this development on the town.

Highways

For clarification, and to summarise, this development, which is an allocated site, so included within the Transport Strategy growth delivery expectation, will now be making a contribution of approx. £125,000 towards the Launceston Road/Cooksland Road Junction improvement (signalisation) and substantive pedestrian infrastructure upgrades to Love Lane, offering

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connectivity from the site to the Town Centre via Barnfield (an alternative route to Castle St) and to facilities at Launceston Road. Additionally, it substantially improves connectivity for the College, with additional walking and cycling routes, again, as alternative routes to Castle St.

Other matters:

Noise – I can confirm that I have received a formal response on behalf of Asda, confirming that they have lifted their initial objection and have agreed a planning condition with the applicant’s noise consultant. I have also received an updated consultee response today from Public Protection Team following their review of the latest overall noise assessment data submitted by the applicant’s noise consultant (this is attached for your reference). It is a position of conditional support.

I am awaiting other consultee responses due on Drainage to enable me to complete the assessment. However I am hoping that the applicants have submitted sufficient information to address initial advice.

Delegation process:

In conclusion, it is assessed that the proposal complies in full to the requirement in the allocation document and that it would be unreasonable to make another decision apart from the one being recommended for approval.

Subject to receiving and responding to technical consultee responses and resolving any outstanding matters; and completion of the Section 106 Planning Obligation; will be then be completing an officer report through delegation by the Service Director; and determine this planning application as one of conditional support. “

Cllr Bassett confirmed she supported the development but wanted the infrastructure in place and referred to a previous meeting with planning where they asked BTC planning to come back with their ideas. Cllr Bassett is in favour of a one-way system, involving Castle Street, Love and Pound Lane.

Cllr Brown feels the road system in the area is completely unfit for purpose.

Cllr Barbery feels that the safety of the children using the college is being put at risk.

Cllr Coppin feels the new roundabout and road that was put in to facilitate the area should have been continued down to the College, that could have been the safe access into the new housing estate. Castle Street top end should be either one way or blocked off. Also concerned about the heavy construction traffic.

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<p>The Town Clerk informed the meeting that he had no response to his letter to Robert Jenerick MP, Secretary of State or from CC on the matter.</p> <p>Cllr Skea is not against the proposal but feels there should be a one-way system in place to mitigate any road danger. He would also like the Town Clerk to follow the lack of response from CC.</p> <p>Cllr Bassett would contact WestCountry Homes to gauge their opinion on a one-way system or any ideas they may have.</p> <p>The information from CC Planning was noted.</p> <p>The Planning Committee do not feel their concerns and questions have been answered by Cornwall Council Planning and whilst not against the development need reassurance and commitment that suitable infrastructure plans are being put in place. It was RESOLVED that the Town Clerk resend his letter to Robert Jenrick Secretary of State for Housing and ask why he has had no response and copy in The Chief Executive of Cornwall Council.</p>	
<p>P/2021/096 - PA21/02625 Reserved Matters application following Outline approval PA19/03800 dated 25th July 2019 (appearance, landscaping, layout and scale) for construction of two bungalows Land North East Of 6 Priory Road Bodmin Cornwall PL31 2AF Mr David Hollyoak Oakhart Developments Ltd</p> <p>10.30 am Cllr J Gibbs joined the meeting.</p> <p>It was RESOLVED to support this application.</p>	
<p>P/2021/097 - PA21/00666 To consider further information received from Cornwall Planning re Demolish the existing rear single story kitchen extension, garage and porch. Rebuild with two story rear extension, new porch and garage 8 Kay Crescent Bodmin PL31 1QU. Mr Thomas George</p> <p>This application was previously discussed and further information was requested regarding the roofline. The response from CC Planning was received as follows:</p> <p><i>"I have taken a look at the application with regard to the design guide and also other additions in the vicinity.</i></p> <p><i>I consider that, whilst large in scale, the proposal is situated to the rear of the property and as such Number 8 will remain predominantly unchanged from public views. In addition, the ridge is maintained at a lower level than the host giving a subservient impression. There are several other examples in the</i></p>	

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<p><i>vicinity of extensions which follow the same pattern as the subject extension in maintaining existing eaves height with a lower ridge.</i></p> <p><i>For example the two storey side extensions at Number 2s & 10 Kay Crescent. There is also a near identical rear extension at 14 Kay Crescent.”</i></p> <p>It view of this further information it was RESOLVED to support this application.</p>	
<p>P/2021/098 - PA20/06162 Conversion and extension of domestic garage into single detached two storey dwelling Land East Of 14 Foulston Way Bodmin Cornwall PL31 2QH. Mr & Mrs Kappes</p> <p>The Chair informed the committee that an email had been received today from the applicants, advising that the property was for family members, not to build to sell, 2 car parking spaces will be available for both properties.</p> <p>The representative asked to speak in response to a proposal not to support due. The Chair agreed.</p> <p>Standing orders were suspended at 10.37 a.m.</p> <p>Ian Jenkins spoke on behalf of the applicant, he explained it was proposed to completely redesign the property to minimise the impact on the estate. Natural England and Historic England are happy with the setting and the impact on the surrounding area. There will be two extra parking spaces on completion. Purpose is for extended family to live in. No parking issues at present.</p> <p>The Committee were given the opportunity to ask questions.</p> <p>Standing Orders re-instated at 10.43 a.m.</p> <p>Councillors were sympathetic with the motive of the application but were in a dilemma as there was a concern about setting a precedent for other properties on the estate.</p> <p>It was resolved to do a site visit and seek the advice of Cornwall Planning and defer the decision till the next meeting of 2 June 2021.</p>	
<p>P/2021/099 - PA21/03141 Change of use and external alterations of Unit 2 from Class E(a) (formerly A1 Retail) to Use Class E(d) to be used as a gym. Unit 2, Bodmin Retail Park Launceston Road Bodmin PL31 2GA</p>	

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<p>There was concern that this was not being used as a retail unit, but it was noted that it had been empty for some time and it was preferable to have the building used.</p> <p>It was RESOLVED to support the application</p> <p>Cllr A Coppin abstained.</p>	
<p>P/2021/100 - PA21/03384 Felling of T1 (Lawson Cypress), T7 (Eucalyptus), T13 (Ash), T32 (Sycamore) and T42 (Ash) Tremayne House Park Drive Bodmin PL31 2QZ Belmont Property Management Bellenger</p> <p>Cllr Coppin stated he was against the felling of any trees and would like there to be a detailed management report, and replacement planting if the felling is necessary.</p> <p>It was RESOLVED to support this application provided there is reason for the tree management but would require a replacement planting programme to be in place.</p>	
<p>P/2021/101 - PA21/02682 Removal of existing single storey extension and construction of two storey side extension to create a new kitchen/dining room on the ground floor and new master bedroom above. 1 Tanwood View Bodmin PL31 2PN Miss Kathryn Cock & Mr Stewart Fullwood</p> <p>It was felt this was not out of keeping with other properties in the area.</p> <p>It was RESOLVED to support this application.</p>	
<p>P/2021/102 - PA20/08180 Conversion of building to 9 flats 85 Fore Street Bodmin PL31 2JB Mrs Janet Helson</p> <p>The Chair summarised that this was discussed before and there were concerns re parking and number of properties in the building.</p> <p>The consensus was that the number of dwellings in the building was still a concern.</p> <p>It was RESOLVED not to support the application on the grounds of overdevelopment, lack of amenity space per unit and lack of parking</p>	
<p>P/2021/103 – PA21/02000 To receive further information regarding Reserved Matters application following Outline approval PA18/08551 dated 1st June 2020 for appearance, landscaping, layout and scale for residential development of up to 45 dwellings Land SW Of Westheath Road Westheath Road Bodmin Cornwall</p>	

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<p>Vistry Partnerships</p> <p>SAA/MS was asked to read out the new information received from J C Walsingham Planning via email 21.4.2021.</p> <p><i>“I refer to the Town Council’s comments in relation to the above application dated 8th April (attached).</i></p> <p><i>We thought it would be helpful to respond to you directly on the points raised.</i></p> <p><i>We note the Town Council’s reference to not supporting the application until ‘a highways report is viewed’. However, the outline planning application (LPA ref: PA18/08551) was supported by a full Transport Assessment which considered transport matters in detail. No further highway assessment or report is necessary at this stage as we are merely seeking to discharge the reserved matters relating to siting, layout, landscaping and appearance. If this is not what the Town Council are referring to we would be grateful if clarity could be provided.</i></p> <p><i>The highways plans approved with the outline planning application show the speed restrictions which will be put in place along Westheath Avenue including extension of the 30mph zone. Further detail on the off-site public realm improvements will be submitted under a separate application to discharge condition 4 of the outline permission in due course. Prior to submitting this our client is keen to hear the Town Council’s views on providing a “Gateway” feature on the approach to the Town rather than just a standard 30mph sign. The attached gateway feature would be provided in conjunction with the proposed cycle lane and speed restrictions and we would welcome any comments or suggestions you may have.</i></p> <p><i>We assume the ‘legal agreements’ referred to in the Town Council’s comments relate to transfer of the existing hedge to local residents living next to the site on Westheath Road. The hedge transfer is a separate matter our client has agreed to pursue to benefit the local residents and is not part of the application proposals. However, I can confirm that our client has been in contact with the local residents and that solicitors have been instructed to progress this matter. In the event that reserved matters approval is granted the agreements will be formalised and land transferred accordingly.</i></p> <p><i>Hopefully the above addresses the points raised by the Town Council in relation to the reserved matters application and we look forward to discussing details relating to condition 4 further in due course.”</i></p> <p>The Chair and Town Clerk summarised that concerns were raised not because of the development but because of the missing infrastructure.</p> <p>Cllr Coppin was interested in the Gateway feature proposed.</p>	
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Standing orders were suspended at 11.07 a.m. to allow the planning consultants to speak.

Cllr Bassett left meeting at same time due to internet issues.

The Planning Consultants explained they had not submitted their proposal of a Gateway feature to CC yet but sent us an example of the kind of thing they were looking at with a view to gaining feedback. They explained they were limited to what they could do within the legal constraints but were looking at something in addition to the standard 30 mile an hour sign. Also been asked to create a cycle path.

The Chair said she would like to share the Gateway suggestion with the appropriate committee. Town Clerk agreed.

The Planning Consultants also confirmed that solicitors are in contact with each other regarding the ownership of the hedge to the residents. This cannot be completed until the reserve matters consent is determined in case there is any requirement for action around the hedge or land in the meantime. Once this is approved, they have no issue transferring the hedge to the residents.

Questions were asked about the cycle way. Planning consultants explained they were still in negotiation with Highways and have drawn up 4 different schemes for them to look at for the offsite part. Onsite there is a 3-metre cycle path throughout the scheme, from Westheath Avenue to Westheath Road. Offsite will be a white line on the road.

Cllr Bassett re-joined the meeting at 11.15 a.m.

Standing orders re-instated at 11.16 a.m.

The Town Clerk stated that Cornwall Council as drivers of reduced traffic via the masterplan need to identify where these cycle paths are going to start and end under section 17 National Planning Policy Framework.

Cllr Brown left the meeting at 11.25 a.m.

In summary the Committee felt that a Masterplan is missing for Bodmin in general, and around this development in regard to the road infrastructure which has not been delivered by Cornwall Council as was originally agreed raising ongoing safety concerns.

It was also unclear as to how the cycle routes on the development will connect with other cycle routes outside the development and through the local area.

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<p>It was proposed to ask the Town Clerk to write to Cornwall Council Planning for a Masterplan of the cycle paths for Bodmin, and around outstanding issues around the infrastructure of roadways and cycle ways of this development.</p>	
<p>Standing orders suspended at 11.31 a.m. to allow further discussions on the Scarlets Well traffic complaint.</p> <p>C Howard brought to the council's attention that residents at the bottom of Bodiniel View by entrance to lane to Scarlett's Wells sewage treatment, are experiencing what seems to be a huge increase in HGVs and driving dangerously and at speed.</p> <p>Cllr Ahearn thinks this is due to works being done there. She will make some direct enquiries as to what the cause of the increased traffic has been.</p> <p>Cllr Coppin has also reported to the relevant authorities.</p> <p>Standing Orders re-instated at 11.36 a.m.</p> <p>Meeting closed at 11.36 a.m.</p>	

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