

## **LISKEARD TOWN COUNCIL**

**MINUTES** of the **PLANNING COMMITTEE MEETING** held in the Council Chamber on Tuesday 30 June 2015 at 6.45 pm

### **PRESENT**

The Mayor - Councillor Phil Seeva Ex-Officio

The Deputy Mayor - Councillor Jane Pascoe - in the Chair

Councillors: Adam Hodgkins, Anne Purdon, James Shrubsole, Lorna Shrubsole and Christina Whitty

Also in attendance - Councillors Roger Holmes and Sally Hawken

Town Clerk: Steve Vinson

Minute Clerk: Stuart Houghton

Members of the Public: Jan Kent, Barry Vigus, John Hesketh, M. Halloway, V. Wright, V. Lockwood, Malcolm Mort, Roger Gill.

The Chairman advised those present of Housekeeping matters and reminded all that the meeting would be recorded.

### **103/15 APOLOGIES**

An apology was received from Councillor Joe Poulson.

### **104/15 DECLARATIONS OF INTERESTS REGISTERABLE OR NON REGISTERABLE**

The Chairman declared an interest in planning application PA15/03888 and would leave the room when this item was discussed.

### **105/15 MINUTES OF THE MEETING HELD ON TUESDAY 16 JUNE 2015**

Councillor Hodgkins proposed, Councillor Whitty seconded and the Committee **APPROVED** the Minutes of the meeting of the Planning Committee held in the Council Chamber at 6.45 pm on Tuesday 16 June 2015.

### **106/15 MATTERS ARISING FROM THE MINUTES**

None

### **107/15 PUBLIC SPEAKER**

The Chairman welcomed the members of public to the meeting and asked if they wanted to address the Committee.

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55/15

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Mr Mort addressed the Committee, he said that he had concerns about the drainage of the site, it was very wet and had rushes growing and springs issuing from it. It was a part of the Critical Drainage for the Moorswater area and the beech trees were a part of the groundwater control, they assisted to retain the natural run off. This would not happen when the area was constructed. Permeability tests had been made earlier this year but no results had been published, he noted that the excavations were still full of water, therefore this indicated that there was no natural drainage. The proposal was to pump drainage into the existing sewer system, this system had a history of blockages and breakages, it was constructed from pitch fibre pipes which had a known history of problems.

Other comments included

- A Tree Preservation Order had been applied for to protect the beech trees, this would not be determined until 8 July 2015
- The proposed entrance to the site was off an existing narrow road on a bend, this was not suitable
- Additional congestion would be made at school opening and closing times. The road was almost impassable now without the additional traffic generated from this site
- Excavations for drainage control would affect the roots of the trees and exasperate the drainage problem
- There were no local amenities close to this development
- The development would interfere with the current environmental and ecological systems, deer graze in these fields the visual amenity should be preserved

The Town Clerk reported that the Planning Officer had told him that the Ecological studies had not been completed; in particular there was no Bat survey. If the surveys had not been completed by the determination date of the application it would expire, therefore he thought that the application should be withdrawn. The developer had replied that he wanted to know the local opinions so that they could be taken into account.

The Chairman explained, to the public present, that the Town Council was only a consultee to Cornwall Council. Very often the Case Officer had a different opinion to the Town Councillors. When this happened the Town Council would be asked

1. To agree to disagree with the Case Officer
2. To change its decision on the item
3. To request that the item be called in, by the Case Officer or Ward Member, for decision by the Local Planning Committee of Cornwall Council.

## **108/15            APPLICATIONS FOR CONSIDERATION**

### **PA15/04130 - Ocean Housing Ltd, Land Ajoining Old Road and Woodgate Road**

Construction of 44 affordable dwellings, associated access. Open space and landscaping to be constructed in 2 phases.

The Town Clerk repeated the conversation he had with the Case Officer that ecological surveys for bats were not complete.

The Chairman reminded the Committee that they had to consider the material considerations for planning matters. Members commented

- The proposed access to the site was unsuitable as it was from a narrow road on a bend
- The development would increase traffic density, and highways safety issues, in an already heavily congested road that became intolerable at peak times
- The adjoining roads were used as a major route to the Moorswater Industrial site
- The application should be withdrawn until all surveys were complete
- Members were concerned about the drainage proposals the potential for flooding and the need to provide pumping stations
- The proposal would have a detrimental effect on the landscape values. The site contains old trees that the NPPF requires to be protected and would have an adverse impact on nature conservation
- There are no amenities on this side of Town and no public transport, therefore transport sustainability requirements cannot be met

The Chairman proposed, the Mayor seconded and the Committee **RESOLVED** to **RECOMMEND** that the Council **OBJECT** to the application as it was for an unsuitable site and was incomplete; it did not include full environmental, ecological, transport and drainage surveys, that were material consideration requirements, was disconnected from the Town Centre and would have an adverse impact on nature conservation and the ancient mature trees within the site.

The Chairman left the meeting at 7.20 pm. Councillor Whitty, the Deputy Chairman, took the chair.

### **PA15/03887 J. D. Wetherspoon, Taylors Garage, Barras Street**

Proposed demolition of disused fuel station and associated buildings and construction of a new public house development (A4 use) and associated works.

The Deputy Chairman read out comments made on the Cornwall Council Online Planning Register.

Comments made by the Highways Development Officer, East, were that he had no objections, but any proposal to alter the footway or to operate the construction phase from the highway would require the consent of the Street Works Team.

Comments made by the Environmental Health Planning Liaison Officer were that the information submitted with the application did not meet the minimum information requirements with regard to land contamination. The site had former industrial use so there was a possibility that land contamination could exist. An appropriate land contamination risk assessment should have been submitted, without this risk assessment an informed decision on the suitability of the site for the proposed use cannot be made.

A further concern was the effect of noise and odour from the development that might have an adverse impact on residents of adjoining properties. No information had been provided, that characterised the noise impact from all mechanical equipment to be installed in the premises, or noise from customers in outside seating areas and entertainment. The assessment must demonstrate that noise from the proposed development would not have an adverse impact on any nearby noise sensitive properties. If the assessment showed that mitigation measures would be required, full details should be provided to show how they would meet the requirements.

An assessment, to recognised standards, of the odour control from the kitchen extraction must also be provided.

The Environmental Protection Officer, Community Protection (Area 4) has stated that he was unable to provide an informed consultation response as to whether the proposed use would be suitable in this location until these assessments have been made.

Members discussions included

- Reference to the Liskeard Area Conservation Document
- The architecture of the area was mainly Victorian of eclectic design and materials
- The Victorian buildings are 3 or 4 stories high, the older buildings lower
- The Town does not have a particular style, all buildings were different
- A survey by the emerging Neighbourhood Plan team received overwhelming support for a development on this site, it would bring employment and vibrancy to the Town
- Some older buildings had been demolished to construct the Victorian buildings

- Concern was expressed about the effect of late night opening on nearby residents
- Disappointment was expressed that the application was not complete and could not be fully finalised
- The effect of overshadowing and reduced natural light to adjacent properties was a concern
- Opinions on the design of the building were personal, it had to be considered through the material considerations

Councillor L. Shrubsole proposed, Councillor Purdon seconded and the Committee **RESOLVED** to **RECOMMEND** that the Council **SUPPORT** the application provided that full details of the outstanding information was provided to the satisfaction of the Environmental Health Protection Officer.

The Deputy Mayor was asked to rejoin the meeting at 7.45 pm.

**109/15 ANY OTHER RELEVANT BUSINESS**

None.

**110/15 DATE OF NEXT MEETING**

The next meeting of the Planning Committee would be on Wednesday 8 July 2015 at 6.45 pm.