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London
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13 December 2023

Our Ref: 35246

Your Ref: PA22/09009

Dear Mark Evans,

RE: An Application for a Non-Material Amendment Under Section 96A of the Town and Country Planning Act in Relation to Planning Permission ref. PA22/09009.

On behalf of our client, Bowmer And Kirkland, please find enclosed an application for a Non-Material Amendment (NMA) to planning permission ref. PA22/09009 (approved 15 May 2023) at Land Off Turfdown Road, Bodmin, Cornwall PL30 4AU.

The description of the approved development is as follows:

“Construction of a two storey Special Education Needs and Disability (SEND) school (use class F), provision of hard and soft landscaping, a Multi-Use Games Area (MUGA), sports facilities, new means of access and car parking”.

This Non-Material Amendment application seeks to change the wording of Condition 4 (Travel Plan) on the Decision Notice, more specifically, the trigger in which the final Travel Plan must be submitted and separate out the requirement to submit details of the Electric Vehicle Charging Points (ECV).

The full wording of Condition 4 is as follows:

“No development above slab level shall take place until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in line with Cornwall Council guidance: 'Travel Plans - Advice for Developers in Cornwall'.

The Travel Plan shall include (but shall not be limited to) the following:

Measures and mechanisms that effectively promote public transport, walking and cycling and limits the use of car-based travel;

Details of a programme of monitoring and review that establishes submission and approval mechanisms of the Local Planning Authority at regular intervals.

Details of EV charging facilities.

No part of the development shall be occupied prior to implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein for 5 years from the first occupation of the relevant phase of the development hereby approved”.

As Condition 4 reads, currently, a final Travel Plan must be submitted prior to development. Although a Framework Travel Plan was submitted in support of the planning application, no further details can be provided at this stage as it will require input from the end user. It is also proposed to separate the requirement to submit the final Travel Plan and details of the Electric Vehicle Charging Points (ECV) into parts, so they can be partially discharged. Therefore, we propose an update to the wording to the condition to read:

“A. No part of the development hereby permitted shall be first occupied unless and until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in line with Cornwall Council guidance: 'Travel Plans - Advice for Developers in Cornwall'.

The Travel Plan shall include (but shall not be limited to) the following:

Measures and mechanisms that effectively promote public transport, walking and cycling and limits the use of car-based travel;

Details of a programme of monitoring and review that establishes submission and approval mechanisms of the Local Planning Authority at regular intervals.

B. No part of the development hereby permitted shall be first occupied unless and until the details of Electric Vehicle Charging (ECV) Points have been submitted to and approved by the Local Planning Authority.

No part of the development shall be occupied prior to implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein for 5 years from the first occupation of the relevant phase of the development hereby approved”.

The proposed amended Conditions would continue to serve the objectives anticipated by the Council when imposing the Condition, but this will allow:

The Travel Plan to be produced by the end user, who will ultimately be delivering the Travel Plan, which will maximise the prospects of its success; and

The end user will also likely need to input into the specification and location of the ECV points.

It is considered that the amendments would not result in any material change and can be dealt with via a Non-Material Amendment.

The Non-Material has been submitted through the Planning Portal and the fee of £293 plus the £64 Planning Portal service charge have been paid. We look forward to receiving confirmation that the application has been validated in due course. In the meantime, should you have any questions, then please do not hesitate to contact me.

Yours sincerely



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