

## **Planning Committee – 23 May 2018**

Present: - Councillor Bowrah, Brown, Cavill, Coles, Hall, Mrs Hill, Morrell, Mrs Reed, Townsend and Watson

Officers: - Tim Burton (Assistant Director – Planning and Environment), Joanne O'Hara (Wellington Heritage & Risk Project Manager), Martin Evans (Solicitor, Shape Partnership Services) and Tracey Meadows (Democratic Services Officer)

Also present: Councillor Farbahi and Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 5.00 pm)

### **36. Appointment of Chairman**

**Resolved** that Councillor Bowrah be appointed Chairman of the Planning Committee for the remainder of the Municipal Year.

### **37. Appointment of Vice-Chairman**

**Resolved** that Councillor Mrs M Hill be appointed Vice-Chairman of the Planning Committee for the remainder of the Municipal Year.

### **38. Apologies/substitutions**

Apologies: Councillors Mrs Adkins, M Adkins, Gage, Martin-Scott, Nicholls C Hill and Wedderkopp

Substitutions: Councillor Hall for Councillor Gage;  
Councillor Cavill for Councillor Martin-Scott;

### **39. Minutes**

The minutes of the meeting of the Planning Committee held on the 14 March and 4 April 2018 were taken as read and were signed.

### **40. Public Question Time**

Mrs Rudland, a resident of Upcott Crescent Taunton declared that a new resident had moved into number 39. The owner had the front garden flattened and now has up to 12 plus cars parked there which are for sale on the internet under various different Christian names and can be viewed at various addresses but still with the same mobile phone number. The owner had stated that the cars were only stored there as he did not have room on his commercial premises.

Taunton Deane Borough Council had investigated this complaint but as long as the owner stated that he was not selling cars from the property there was nothing that could be done to stop this happening.

The owner's activities had increased the traffic in the Crescent, this included car transporters delivering and removing cars from the property.

Number 39 Upcott Crescent was now an environmental eyesore and was detrimental to the pleasant nature of the neighbourhood. If these activities are allowed to persist it would set a precedent and it could mean that it could happen to other properties nearby and spread like throughout other areas.

In response Tim Burton, Director, Planning and Environment commented that this was something that was reported and a lot of information had been submitted. The Planning Enforcement Team had investigated this matter and the facts are a matter of degree and was not clear cut. Cars parked on the residents drive were not a 'Change of Material Use'. Officers had concluded that the extent of car sales on the property did not constitute a 'Material Change of Use'. That was the Council's stance on the position, the situation would continue to be monitored.

### **Jackie Calcroft on behalf of the Residents of Staplegrove Action Group**

All members of the planning committee [except those acting as substitutes] and some officers present will be aware of my letters of concern sent on behalf of RoSAG regarding progress since the Staplegrove outline planning application was granted on October 24th 2017.

This evening I would like to pose several of those related but still unanswered questions.

I appreciate that it was intended to consider the minutes of Oct 24 to-night but it will now be 8 months until the next meeting when these minutes are considered for approval. How can officers carry out duties when members have not approved minutes?

I would like to concentrate on the £7.2 million funding for the spine road. The minutes of Oct 24 clearly state that the member's approval includes Corkscrew Lane as access for the drop down road. There is no reference to the Housing Infrastructure Fund [HIF] £7.2 million to build the spine road and negate the need for this ridiculous and dangerous access point to which Full Council were all publicly opposed in December 15. The Council vociferously celebrated in the media their success in securing this £7.2million fund at the start of February. It is well documented "There will be no drop down road" Hopefully this will not turn out to be another administrative oversight.

In his letter April 25th to RoSAG which was not copied to planning committee members Councillor Williams's states "discussions around the S106 Agreement at Staplegrove West are at an advanced stage. The S106 has had to be drafted largely on the basis of no HIF award as any detail on how and when the money will be available has yet to be determined. When this becomes clearer a separate agreement [outside of the formal planning process] will need to be agreed "-----He goes on to outline the right of appeal on the part of the developers. But says that "I can assure you that the Council would in these circumstances, wish to defend the decision in a robust fashion and I would expect Somerset County Council to support any appeal in the same way"

3 questions: Have officers now secured a definitive timescale with Central Govt for the scrutiny of their bid and a possible release date of monies?

In addition how confident can officers be that the £7.2million funds will materialise before the land promoters push for detailed planning application? How confident are officers that Ptarmigan land promoters would enter into a, separate agreement to build the spine road and not use Corkscrew Lane for access?

I apologise if I appear overly concerned, cynical and even suspicious but hopefully you will understand my rationale.

Many of you seated around the table this evening will be feeling very frustrated, disappointed and even embarrassed. Please play your part in helping to unravel what we all wish to avoid That is --.a potential fiasco.

In response, Tim Burton, Director, Planning and Environment referred to the minutes in October. Before the award of the Housing Infrastructure Fund. In this was not available at that time. An answer could not be given in relation to a definitive time scale. Contact from the Project Manager from Homes England who was administering the fund for the awards in the South West last week that was simply to ask a number of detailed questions as part of the due diligence, some of which the Council would be able to provide a response to and some of which relied on answers from the site promoters and those that had been contacted to that effect. In relation to the housing infrastructure fund being confirmed before they press for a detailed permission, there was no straight answer with no time scale for the detail for the award of the infrastructure fund, there were no ongoing detailed negotiations with any developer on either Staplegrove East or Staplegrove West in terms of a detailed commission. Any background work being undertaken was uncertain at this point. A submission could be some time away but there was no control over when planning applications were submitted. The question of the developers entering into a separate agreement would have to be a benefit to the developers of the site to come forward more quickly as the infrastructure is all around accelerated. Developers looking at that site would want to an accelerated delivery and if it can be achieved without due detriment to their profit which is how the infrastructure fund works. The view was ultimately down to the developers. There was a resolution to grant planning permission

based on a certain set of circumstances which couldn't be taken into consideration at this point, if they chose to implement the planning permission as resolved by Members, there was no choice there, the hope was to see the benefits of any delivery.

#### **41. Declarations of Interest**

Councillor Brown declared that he was Ward Councillor for application No. E/0244/43/17.

#### **42. E/0244/43/17 – Unauthorised works to listed building to front of Tonedale House, Wellington**

Reported that a complaint had been received in July 2017 regarding alleged unauthorised works being carried out to the interior of Tonedale House, Wellington.

A site visit was carried out on the 20 July 2017, it found that a significant part of the interior of the building floors, ceilings and walls had been demolished. Following this incident, various interviews had been carried out to ascertain who actually carried out the works and on whose orders.

Historic England had assessed the demolition and its effects on the special character of the listed building. A building surveyor accredited in building conservation also assessed the structural integrity of the building.

Following concerns at the poor condition of the building resulting from the demolition, the Local Planning Authority served an S.54 Urgent Works Notice, Planning Listed Buildings and Conservation Areas Act 1990 to prevent the possible collapse of the building.

The owners of the building did not respond to the notice and did not carry out the works as set out. As such the Local Authority had stepped in an appointed contractors through its procurement regulations to carry out the works.

**Resolved** that :-

(1) To institute prosecution proceedings against the owner, Mancraft Ltd and named individuals associated with that company and the Contractor Haveco UK Ltd in respect of unauthorised works carried out to Tonedale House, Wellington

(2) Delegated authority be given to officers in consultation with the Chairman and Vice-Chairman in terms of the process of prosecution.

#### **43. Appeals**

Reported that two decisions and three appeals had been received details of which were submitted.

(The meeting ended at 6.05 pm)