

## SWT Planning Committee - 12 August 2021

- Present: Councillor Simon Coles (Chair)
- Councillors Marcia Hill, Ian Aldridge, Ed Firmin, Roger Habgood, John Hassall, Mark Lithgow, Craig Palmer, Ray Tully, Brenda Weston and Loretta Whetlor
- Officers: Rebecca Miller (Principal Planning Specialist), Alison Blom-Cooper (Assistant Director), Roy Pinney (Shape Legal), Briony Waterman and Tracey Meadows (Governance and Democracy) and Marcus Prouse (Specialist, Governance and Democracy)

(The meeting commenced at 1.00 pm)

### 34. Apologies

Apologies were received from Councillors Blaker and Wakefield.

### 35. Minutes of the previous meeting of the Planning Committee

(Minutes of the meeting of the Planning Committee held on 22 July, not circulated with the agenda but circulated separately)

**Resolved** that the minutes of the Planning Committee held on 22 July be confirmed as a correct record.

Proposed by Councillor Hill, seconded by Councillor Palmer

The **Motion** was carried.

### 36. Declarations of Interest or Lobbying

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Application No.	Description of Interest	Reason	Action Taken
Cllr C Palmer	3/21/20/0104	Previous Chair of Minehead Town Council when this application was discussed. Did not take part in	Personal	Spoke and Voted

		the discussion or the vote. Discretion not fettered.		
Cllr L Whetlor	3/21/20/0104	Applicant was known by the Cllr and family member.	Personal	Took part in the debated but did not Vote

37. **Public Participation**

Application No.	Name	Position	Stance
3/21/20/0104	Mr B Slade	Local Resident	Objecting

38. **Public Question Time**

Question from Mr Martin Pakes

Regarding the proposed demolition of swimming pool and erection of mixed-use development comprising of retail, commercial, restaurant, residential, car park and associated public realm at Coal Orchard, Taunton

Although the development is progressing, Conditions 3 (Surface water drainage) and 13 (Materials) have not been complied with. What steps are the Planning Committee taking to enforce these conditions?

**Response from the Planning Specialist;**

With regards to the water drainage scheme, whilst it had not technically and formally signed off, the submission and the technical design of a surface water drainage had been approved and agreed with the Lead Local Flood Authority who were the regulators for surface water drainage. How the Coal Orchard had been constructed was technically satisfactory. The final paperwork with regards to surface water details were to follow.

A Case Officer visited the site in September with regards to the materials used on site and these had been verbally agreed. The reason that this issue had not been finally signed off was because of a Section 73 Planning Application. The Section 73 sought to amend the original permission and it sought to amend the material condition. The Section 73 was accepted for the surface water drainage works for pre-commencement which would eventually become a compliance condition. The reason that this had not been issued yet was because we needed a Deed of a variation to the Section 106 agreement. When you arrange a Section 73 application you have effectively granted a new planning permission so any obligations that we secured on the original scheme would no longer exist if we did not prepare a Deed of Variation effectively the legal paperwork needed to be prepared which linked the original Section 106 to the new Section 73 application. This work was currently with our Solicitors in Shape Legal.

The Case Officer had written a report and this had been reviewed by the Principal Planning Specialist and the Chair of the Planning Committee, and based on the level of comments received, it was decided that this would be a Chair a delegated decisions referral decision and subject to those final technical points being resolved.

The developer had not been treated any differently to any of the other developers. The position that we were now in was to resolve those issues mentioned.

39. **3/21/20/0104**

Demolition of workshop and erection of 1 No. detached dwelling with associated works at Workshop, Quay Lane, Minehead, TA24 5QU

**Comments by members of the public included;**

- Concerns the application site once formed part of the residential curtilage of Proctors, Northfield Road'. 'Proctors 'never owned this site area in question. The conveyance document dated October 1946, when the house name was 'Glenleigh', and it makes reference to parts of this site area and the property to the West, as having belonging to 'The Minehead Land Company', and 'The Minehead Electric Supply Company Ltd.' Also at some time, the MOD had a Drill Hall on the site, and following that, the 'Brotherhood 'used it as a mission hall;
- There was no vehicle access from Quay Lane to Martlet Road, only pedestrian access;
- Concerns that the dwellings surrounding the site have all been erected through garden development from host dwellings along Northfield Road and Blenheim Road. Again this statement is incorrect, as 'Proctors ', formerly 'Glenleigh', at no time owned this land;
- Concerns with the statement that the existing building was in sound weather tight condition, and currently used as a workshop and store as ancillary space to the former owners residential dwelling. This statement was incorrect, as this building and site was never under the ownership of the 'Proctors' property, except for an area around the garage to the North of the workshop site;
- Concerns with right of way over a 3m wide section of the site for vehicle parking within the garage;
- Character and Appearance;
- Concerns that most of the dwellings were relatively modern and formed part of the rear gardens of dwellings along Northfield Road and Blenheim Road;

- Concerns with discrepancies with the existing floor plan and the proposed floor plan drawings. The North side wall of the existing garage is one distance from the South wall of my garage, then the North wall of the proposed building, has moved more than halfway across the shared maintenance access way, towards my garage. On their drawing, my boundary line is shown to the West of the rear of my garage, and then shown dotted between the two garages, but no boundary line to the front of my garage, is not shown. This, as shown on my documents, runs from the East end of the workshop garage, in a North direction to my boundary, and this area is within the 'Proctors ' boundary;
- Access to this site was very constricted. Concerns with the uninterrupted access to my garage and rear gateway, while the work proposed, was being carried out;
- Concerns with the adverse effect that this would have on its foundations, being an old pre-cast concrete building;
- Concerns with the reservations as to the viability of this proposal because the construction traffic arising would create a completely unacceptable degree of obstruction off Quay Lane. This being a public highway upon which the proposed dwelling also has the use of the external space to the rear of the Eastern garage. Construction of the bike store and enclosed external space would be a breach of my legal easement, being also enjoyed by the affected neighbouring garage;

#### **Comments by Members included;**

- Over development of the site;
- Access issues for emergency vehicles;
- Concerns with the footprint and overlooking;
- No objections from Highways;

Councillor Habgood proposed and Councillor Hill seconded a motion for the application to be APPROVED with Condition 4 requiring either a licence from Natural England or a bird and bat roost assessment from the licensed ecologist removed.

The **Motion** was carried.

#### 40. **Latest appeals and decisions received**

Latest appeals and decisions noted.

(The Meeting ended at 2.00 pm)



