

# Droitwich Spa Town Council

MINUTES of the meeting of the PLANNING COMMITTEE held in the Council Chamber, St Richards House, Victoria Square, Droitwich Spa, on Monday 2 June 2014 at 6.00pm.

PRESENT: Councillor R E Murphy (Chairman)  
Councillor T J Noyes (Vice-Chairman)  
Councillor G R Brookes (Ex-officio)  
Councillor Mrs P E Davey  
Councillor E Harwood  
Councillor K J Jennings  
Councillor R G Seabourne

NON-MEMBERS PRESENT: Councillors R G Beale, Mrs G Noyes, A M Sinton, P Stevens and Mrs E A Taft.

APOLOGIES FOR ABSENCE: Councillors Mrs M A Lawley and R J Morris (committee members) also Councillor M C J Barratt.

## 12 MEMBERSHIP OF THE COMMITTEE

The Membership and Chairmanship of the Committee, as determined at the Annual Meeting of Council held on 19 May 2014, was noted.

## 13 DECLARATIONS OF INTEREST

Declarations of non-pecuniary interests were made as follows:

Agenda Item 6(a) – Planning Applications:

- W/14/00873/CU - 42 High Street WR9 8ES, Mrs M Gandy: Councillor R G Seabourne – inasmuch as he knew the Applicant.
- W/14/00793/LB – Woodrow Houses, The Holloway, The Coventry Charity: Councillors G R Brookes and Mrs E A Taft – inasmuch that they were both on the Board of the Trustees of the Coventry Charity.

## 14 MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 14 APRIL 2014

RESOLVED That the Minutes of the Meeting of the Planning Committee held on 14 April 2014 be confirmed as a correct record and signed by the Chairman.

## 15 PRESENTATION: ELAINE GODWIN AND GRAEME DUERDEN, WYCHAVON DISTRICT COUNCIL – THE ROLE OF THE COMPLIANCE OFFICER

A copy of Wychavon District Council's Local Enforcement Plan was circulated at the meeting to those present.

The Chairman welcomed Mr Duerden and Mrs Godwin to the meeting. Mr Duerden stated that he was the Development Control Manager with responsibility for enforcement, and the

new Compliance Officer was located within his team. He referred to the Local Enforcement Plan and the Service Improvement Plans, including the principles of enforcement, such as what constituted a breach of planning control, how these were dealt with, the need to concentrate resources and also the need to provide an informative service. Some 700+ cases a year were logged, plus numerous other enquiries dealt with. He referred to some scenarios including retrospective applications.

Mr Duerden then introduced Mrs Godwin, who had been in the role for 6 months. Mrs Godwin advised that she shared her time between her customer services/planning support role, something that she had been doing for the last 7 years, and the new Compliance Officer role. She explained about reviewing the discharge of conditions pre-commencement, and the monitoring of various planning lists etc. She liaised with town and parish councils, undertook site visits and hoped that information exchange would help her in her role. She reported an example, being the creation of 5 flats at the old Bullock's Café building, rather than the 4 flats that had been granted planning permission.

In response to questions, Mr Duerden advised:

- it was not a criminal offence to start building without the benefit of planning permission, the planning system enabled development to be regularised;
- a formal Discharge of Conditions letter was sent out once a development had been completed;
- minor developments did not fall within the remit of the Compliance Officer;
- although a rare occurrence, it was possible to enforce demolition, also default powers existed whereby the Local Planning Authority could effect the works necessary;
- specifically upon the enforcement issue relating to Land between Sunrays, Dodderhill Cottage, Crutch Lane, the history of the site going back to 1971;
- addressed Councillor Brookes' concerns as to whether his options as the District Ward Councillor had been fully advised by the Planning Officer at the time the 2012 scheme for the Crutch Lane development was under discussion;
- upon targets in the Service Delivery Plan and the discretionary duty whereby the test of expediency was used to enable negotiations and an amicable solution to be achieved;
- the requirement for significant risk/harm to be identified prior to the issue of a Stop Notice;
- upon matters relating to the occupation of premises, the storage of caravans, engineering works, Section 278 Highway Agreements (with specific reference to Hanbury Road Developments).

The Chairman stated that Mr Duerden and Mrs Godwin had been invited to speak in general terms upon the role of the Compliance Officer and that it was his intention not to permit any more discussion on the Crutch Lane matter. Councillor R G Seabourne reminded Councillor Brookes that as a District Councillor this issue was better addressed at District level and thanked Mr Duerden for his unfailing courtesy and extensive knowledge in responding to the questions from individual councillors, particularly those from Councillor Brookes. The Town Clerk confirmed that the specific item relating to Crutch Lane was not on the Agenda for the meeting and that if desired this should be an item on the Agenda for the next meeting when full notice in accordance with the Freedom of Information Act would be given.

In response to a question from Councillor Jennings, Mrs Godwin advised of her role to date with the old Bullocks Café development.

The Chairman then thanked Mr Duerden and Mrs Godwin for coming along to the meeting and giving such an informative presentation.

16 PLANNING APPLICATIONS

RESOLVED That the comments of the Planning Committee upon the planning applications received from Wychavon District Council, appended as a schedule to these Minutes, be approved.

17 AMENDED PLANNING APPLICATIONS

RESOLVED That the comments of the Planning Committee upon the amended planning applications received from Wychavon District Council, appended as a schedule to these Minutes, be approved.

18 DECISIONS OF THE LOCAL PLANNING AUTHORITY

Wychavon District Council, the Local Planning Authority, had issued seven approval notices, all but two of which accorded with the recommendations of the Town Council. One refusal notice had been issued - W/14/00664/CU – Witton Post Office, Worcester Road WR9 8AR – Proposed Conversion from A1 Shop and A1 Post Office to Sui generis Veterinary Clinic. The Town Council had recommended refusal of this application.

The Committee noted the Planning Appeal Decision: W/13/01254/PN Appeal Ref: APP/H1840/A/14/2212170 Dodderhill Court, Crutch Lane, Elmbridge, Droitwich, WR9 0BE Mr D T Jordan – Retention of Existing Landscaped Bund. The Appeal had been allowed and planning permission granted.

Information and correspondence from Wychavon District Council in relation to planning approval Ref No W/11/02666 – Breach of Condition relating to Highways – Hanbury Road was noted.

19 COUNCILLOR G R BROOKES

a) Hanbury Road Developments – Review of Progress

Councillor Brookes advised that as the matter had been given a good airing during the presentation from the Compliance Officer and Enforcement Team Manager (see Minute No 15 above) then it was his suggestion that a letter be sent to McCarthy & Stone requesting that the development of the site be concluded and therefore the pathway completed.

RESOLVED That a letter be sent accordingly.

b) Total Garage Worcester Road – Sainsbury plc – the Committee reviewed correspondence and a suggested letter drafted by Councillor Brookes to be sent on behalf of the Town Council. During the debate it was agreed that the letter be sent from the Mayor and should not contain any criticism of employees nor should it refer to historical matters involving Wychavon District Council.

RESOLVED That subject to the amendments as now discussed, the letter be sent to Sainsbury plc from the Mayor, with the full support of the Town Council's Planning Committee.

c) Vines Lane

The Committee noted the information and that a planning application would come before the Town Council in due course.

20 COUNCILLOR K JENNINGS: FUTURE OF THE HIGH STREET, WITH SPECIAL REFERENCE TO THE FUTURE OF BULLOCKS CAFE, PLUS CONCERNS OVER THE CONVERSION OF SHOPS TO RESIDENTIAL ACCOMMODATION.

Councillor Jennings requested in the light of information received from Mrs Godwin (see Minute No 15 above) and the heavy agenda, that this item be deferred to the next meeting to enable full consideration.

RESOLVED That this item be deferred to the next meeting of the Committee.

21 WORCESTERSHIRE COUNTY COUNCIL – ROAD TRAFFIC REGULATION ACT 1984 (AS AMENDED) (DISTRICT OF WYCHAVON - DROITWICH) (PERMITTED PARKING AREA AND SPECIAL PARKING AREA) (WAITING RESTRICTIONS AND STREET PARKING PLACES) CONSOLIDATION ORDER 2004 (VARIATION) ORDER 2013 [PROHIBITION OF WAITING ON U41552 ACCESS ROAD (OFF THE HOLLOWAY) DROITWICH]

The Committee noted this item for information only as the making of the Order had been supported by the Town Council previously [*Minute 245 refers: 10 March 2014*].

22 WORCESTERSHIRE COUNTY COUNCIL – ROAD TRAFFIC REGULATION ACT 1984 (U41551 HANBURY STREET (OFF HANBURY ROAD) DROITWICH) (PROHIBITION OF DRIVING) ORDER 2014

The Town Council had supported the making of this Order [*Minute 220 refers: 10 February 2014*].

23 WORCESTERSHIRE COUNTY COUNCIL (DISTRICT OF WYCHAVON - DROITWICH) (PERMITTED PARKING AREA AND SPECIAL PARKING AREA) (WAITING RESTRICTIONS AND STREET PARKING PLACES) CONSOLIDATION ORDER 2004 (VARIATION) ORDER 2014 [DISABLED PERSONS' PARKING PLACE ON THE DALE]

The Town Council had supported the making of this Order [*Minute 175 refers: 9 December 2013*].

24 WORCESTERSHIRE COUNTY COUNCIL – ROAD TRAFFIC REGULATION ACT 1984 (U41544 ST ANDREWS STREET, DROITWICH SPA) (TEMPORARY CLOSURE) ORDER 2014

The details of this Order were noted.

The meeting ended at 8.58pm.

Chairman of Committee \_\_\_\_\_  
07 July 2014

Chairman of Council \_\_\_\_\_  
23 June 2014