



WILLAND PARISH COUNCIL

Clerk to Parish Council Mrs D Bird
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Dear Mid Devon District Council,

Enf/23/00002/INFO - Meadow Park Development - Potential breach of condition 17 23/01018/NMA Non-Material Amendment for Planning Permission 18/00175/MOUT

Willand Parish Council wish to make a formal complaint as to the way the potential non-compliance of Condition 17 has been dealt with. There has been a failure to deal with the initial concerns in a proper and expeditious manner. It now appears to have been decided to amend the condition set by a Planning Inspector at Appeal without any consultation or reference to the Parish Council. This does not follow the policy of the current administration to consult and work more closely with Town and Parish Councils.

There is a clear e-mail trail between Planning Officer, a Planning Enforcement Officer and our Chairman, Councillor Warren. He formally raised an Enforcement issue with Ms Williams on 28 January 2023 as earlier informal approaches had only led to a planning officer referring to the matter as an Enforcement issue. The matter was not even allowed to be discussed when the reserved matters application was decided at Planning Committee.

In that email Councillor Warren included the following: *I have raised this issue before with no satisfactory response. "The houses are now being built and one would not like to see a 'slippage' of time scale for occupation to take place before the works had to be completed".*

It was the 20th February 2023 before any contact was made from a Planning Enforcement Officer. That email contained the following: *"I can confirm that I have recently visited the site a week or so ago however, what I can confirm is that no houses are occupied at the time of my visit and none were near completion. Most of the structures were not at second floor level so I would not consider that the first occupation of these dwellings are imminent and at least 2-3 months away".*

On the 11th April 2023 Councillor Warren wrote to the Enforcement Officer pointing out that some of the houses were completed. He was copied in on some exchanges between the officer and the builder. None of which gave confidence that the condition would be complied with.

On 29th May 2023 Councillor Warren wrote to the Enforcement Officer stating: *"Are you able to give us an update on this please as time is marching on? Houses are being built with speed and there is no sign of works to comply with Condition 17".*

On 31st May 2023 Councillor Warren received an email from the Enforcement Officer which included the following: *"Unfortunately my last working day with Mid Devon is tomorrow, however, I see you have copied Angharad in on your email, where I'm sure Angharad will allocate this case to one of the other two enforcement officers to investigate further."*

Nothing further was heard until a member of the public, who is being affected by the works on the site, drew attention to application **23/01018/NMA** which they had seen on the Planning Portal. No formal notification has been received by the Parish Council or residents.

Examination of the portal noted the following: 23/01018/NMA | Non Material Amendment for Planning Permission 18/00175/MOUT to amend condition 17 from 'No dwelling shall be occupied until the off-site highway improvements to widen the footways along the B3181, shown on drawing number A-012 Rev: P1, have been carried out in accordance with details which shall have been first submitted to and approved in writing by the local planning authority' to **"allow a number of dwellings to be occupied prior to the works being completed in October"** | Land at NGR 303288 110467 Adj Meadow Park Silver Street Willand Devon

The application form sets out that wording and gives explanations as to the reason for it. At the end it states: "Following positive discussions with the planning officer and highways, it was agreed that a number of plots can be occupied prior to works being completed". It further states: "Details of the pre-application advice received 21/06/2023, It was discussed with Arron Beecham, Michelle Woodgate and Darryl Jagger that **Mid Devon would be happy to accept a change in wording to allow a certain number of plots to be occupied prior to works being completed in October"**".

Willand Parish Council discussed the whole issue at their meeting on 13th July 2023 and resolved to make a formal complaint.

The following morning Councillor Warren received an email from Mr Matthew Barks, Planning Enforcement Officer in which he stated:

"Further to previous correspondence with Angharad and Dean, I can advise that application 23/01018/NMA has recently been received from the developers following discussions they have had with the Local Highway Authority.

*"The application submitted is a Non Material Amendment for Planning Permission 18/00175/MOUT to amend condition 17 from 'No dwelling shall be occupied until the off-site highway improvements to widen the footways along the B3181, shown on drawing number A-012 Rev: P1, have been carried out in accordance with details which shall have been first submitted to and approved in writing by the local planning authority' **to allow no more than 15 dwellings to be occupied prior to the works being completed in October 2023.***

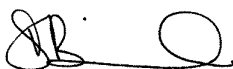
This application is currently being considered by officers and I've provided a link below if you wish to view it on the website."

It is noted that the figure of 15 dwellings has appeared instead of 'a number of dwellings'. No public record as to how that came about! It also says that the application is being considered by officers. It would appear from the application form and other information that the decision has already been made by an officer.

It is also noted that the applicant has been granted yet another period of closure of the public footpath although it is appreciated that this is granted by Devon County Council.

An early, honest response would be appreciated please.

Yours sincerely



Debbie Bird
Clerk to Willand Parish Council