

Jones, Gaynor

From: Graham [REDACTED]
Sent: 18 March 2024 09:06
To: Planning; Grahame Burgess; Tim Cowell; Sue Kincaid; Barry Warman; Ann Pentland; DBLOODWORTH; jan kinnin
Subject: Re: Application Number 23/1326/FH

You don't often get email from [REDACTED] [learn why this is important](#)

Dear Sir

I am most disappointed that you could not respond to me in a timely manner, however, as usual with Pentland they have moved the goal posts.

They have now instructed their agent to market the property for sale freehold with no service charge! Notwithstanding that it abuts an unadopted road, connection to the surface water drainage scheme of Terlingham Gardens and the soft landscaping from the gates to Juniper Way. There will be an ongoing liability which is currently falling on all the properties including Plot 1. The residents do not see why they should bear the costs in perpetuity.

If the property is sold on this basis then, de facto, they have taken it out of the scheme negating the S106 as it was intended to provide a development for the over 55s to live in a safe and secure environment with like minded people comfortable in the knowledge that they enjoyed protection of the S106 Agreement and the lease terms granted.

Whilst I do not wish to repeat our objections to the Planning Application I feel I should give some context as to how we are in the current situation.

The Council granted planning permission for the land to be used for the purposes of providing a development for the over 55s providing a variety of different types of accommodation including the 4 bedroom property which Pentland chose to erect. The development proved to be highly popular with the construction of the 'bungalows'. However, the last phase comprising apartments and houses arrived on the market at the end of the covid pandemic, market instability due to Liz Truss combined with the rise in inflation after the invasion of Ukraine giving rise to a rise in interest rates. The knock on effect was that Pentland were finding it difficult in selling properties. So much so that they abandoned the construction of the last block of apartments even though the groundworks were completed and the erection of the steel frame had commenced. They also prepared an alternative scheme comprising bungalows. although never submitted for approval.

At this stage Pentland entered into a cost cutting exercise making redundancies in their organisation. At the same time they stopped marketing the site in order to search for a single buyer! We could never see how this would work given the terms of the existing leases. The potential purchaser withdrew from negotiation because of the lease terms.

Plot 1 was offered to residents as a community hub, as it was within the development, but was rejected on the grounds of ongoing costs. Pentland then put the property on the market as an unencumbered freehold but the potential purchaser withdrew once they became aware of the provisions of the S106 Agreement as they could not meet the age restriction nor could it be used as a HMO. It has not been marketed as an age restricted property until recently.

As a consequence and to divest themselves of the site, as they no longer had any interest in it, they made the application to remove Plot 1 from the scheme in an attempt to maximise its market potential. Whilst at the same time complaining that they had not sold any properties. Ignoring market conditions that pertained and the fact that the properties had not been on the market.

In a mark of desperation Pentland are currently marketing the apartments at a price substantially below the original purchase price.. This appears to be an excessive discount and as you can imagine this has angered many of the existing purchasers by creating a discounted localised property market.

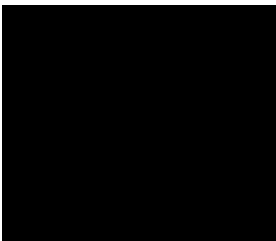
We now find ourselves with a landlord who has no intention of completing the agreed development and is hellbent on disposing of the immediately saleable properties regardless of the effects on their lessees and leaving behind an eyesore of concrete and steel and in the last few days has started dumping lorry loads of material on the site, the toxicity of which is unknown.

This begs the question of the status of the planning application. Do Pentland believe the likely result of application will be in their favour or are they ploughing on regardless. What steps will the Council take to ensure that Pentland Homes fulfil their obligations under the provisions of the original Planning Permission and S106 Agreement, Plot 1 is still subject to those conditions. Will you take enforcement action to protect the residents?

I look forward to receiving a reply urgently and also the name of the appropriate officer as it is rather difficult carrying out correspondence in a vacuum.

Yours sincerely

Graham Mitchelson
Chairman TGRA



On Fri, 8 Mar 2024 at 10:18, Graham <tgrach23@gmail.com> wrote:

Good morning

Thank you for responding to my previous inquiry so promptly.

It has been brought to my attention that Plot 1 Hurricane Way has been listed for sale by Burnap and Abel as an age restricted property subject to the balance of a 999 year lease and is subject to a service charge, in common with the other properties in Terlingham Gardens.

This has given me cause to wonder whether the above application has been amended to a change of use to Class C3 only leaving in place the age restrictions and care package? I would be grateful if you could confirm the current status of the application.

Kind regards

Graham Mitchelson
Chairman TGRA

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