

COMMITTEE UPDATE SHEET

SUPPLEMENTARY REPORT OF THE PLANNING MANAGER

This sheet is to be read in conjunction with the main report.

Agenda Item No: 6 Planning Applications to be determined

Planning Site Visits held on 21 September 2018 commencing at 10:00hours.

PRESENT:-

Members: Councillors T Alexander, T Munro (Chair), P Smith, KF Walker, D Watson and J Wilson

Officer: Chris Fridlington

APOLOGIES

Apologies were received from Councillors PM Bowmer, J Clifton, D McGregor and R Turner (Vice Chair).

SITES VISITED

- 1) 16 George Street, Pinxton (18/00238/FUL)**
- 2) Sherwood Lodge, Bolsover (17/00615/FUL)**
- 3) Land off Hollin Hill, Clowne (18/00043/FUL)**

The meeting concluded at 12:00 hours

Summary of representations received after the preparation of the original main Committee Report and any recommendation based thereon.

Agenda item No: 6.1: Sherwood Lodge, Bolsover (17/00615/FUL)

No further representations to report but the legal agreement containing the obligations set out in the officer report has now been completed. However, with regard to the weight to be afforded to the site-specific policy WC6 in the emerging Local Plan, it is important for members to note the relevant policy in the revised National Planning Policy Framework is now at Paragraph 48, which says:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 49 goes on to say:

However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Finally, Paragraph 50 says where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.

In this case, the County Council have not recommended refusal for the current application on the basis of prematurity or on the basis that to grant permission for the current application would undermine the plan-making process.

Notwithstanding these points, the County Council have advised in the event that this Council was minded to resist the current application due to its inability to provide or allow for the provision of a link road in the future, they “would be happy to provide further evidence in connection with the relative merits of the two schemes, being mindful that the link road option was secured as part of a previous consent at a time when the land fell under the control of the District Council”.

In terms of WC6, the Local Plan has been submitted for examination in public so it is relatively well advanced and the policy itself is consistent with the aims and objective of the National Planning Policy Framework. Therefore, the policy carries some weight and an approval would undoubtedly give rise to a risk of the Local Plan being found unsound due to unresolved concerns about the transportation issues created by the development in the wider strategic planning context if there were no longer any provision for a link road through the site.

However, the unresolved objections to policy WC6 are considered to be the key issue in this case because without a willing landowner or willing developer, and in the absence of public funding for compulsory purchase of the site and infrastructure costs, it still cannot be demonstrated that WC6 would deliver a link road through the site if this application were to be refused.

Therefore, the officer recommendation of approval remains unchanged.

Agenda item No: 6.1: 16 George Street, Pinxton (18/00238/FUL) -

No updates or further representations to report.

Agenda item No: 6.3: Land off Hollin Hill, Clowne (18/00043/FUL) –

The applicants have submitted further medical information relating to their two sons from 2013 and 2016 but this information is not directly relevant to the merits of the current application.

No updates or further representations to report.