

PLANNING COMMITTEE

SUPPLEMENTARY REPORT OF THE HEAD OF PLANNING AND REGENERATION

12 OCTOBER 2022

**ITEM 4 APP REF: OUTLINE APPLICATION FOR UP TO 196
 ERE/0722/0038 DWELLINGS WITH ALL MATTERS RESERVED
 OTHER THAN THE MEANS OF ACCESS
 AT LAND NORTH WEST OF 1 TO 12 TWELVE
 HOUSES, SOWBROOK LANE, STANTON BY
 DALE, DERBYSHIRE FOR WULFF ASSET
 MANAGEMENT LIMITED**

Further consultation responses

Since publication of the main committee report, further submissions have been made by the applicant's agent in response to comments made by consultees. In response to re-consultation, some further comments have been provided by those consultees.

The agent provided a further statement in response to comments from the Council's Planning Policy Team. The statement was a reassertion of points made in the original planning statement submitted with the application. The Planning Policy Team have considered the Agent's comments but do not consider these add anything material to the assessment of the application and accordingly raise no further comments.

Derbyshire County Council's Flood Team had raised a number of queries which were addressed in a statement by the agent. The Flood Team responded to advise that they have no objection subject to a range of conditions. As none of the recommended reasons for refusal relate to flooding matters, this response does not alter them.

In response to comments from this Council's heritage consultant and the County Council's Archaeologist, an amended heritage statement was submitted with additional information contained therein. The County Council's Archaeologist considers that the amended statement does now provide a procedurally sufficient assessment of what is on the site. This Council's heritage consultant notes that the amended statement reaches the same conclusion as the original statement, which is that harm would be caused to the setting of the listed terraced block (Twelve Houses). As such, there are no amendments to the heritage related reason for refusal.

A late response to the original Travel Plan has been provided by the Sustainable Travel team within the Highway Authority. They consider the Travel Plan to be lacking an Action Plan. They consider that the Travel Plan provides a list of possible actions, and does not specify what would be done, by whom, and when. On the basis of the proposal being unacceptable for the fundamental reasons detailed in the main report, whilst these comments have been shared with the applicant's agent, that has been done for information only. No amended submissions have been sought as it is considered that the reasons for refusal cannot be overcome. It is considered that the shortcomings of the travel plan are related to the fundamental shortcomings of the site and its unsustainable location. As such, it is considered that they provide support for the existing reasons for refusal, rather than providing an additional one.

The recommendation remains to refuse the application for the reasons detailed in the main committee report.