

**SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**

**14<sup>th</sup> August 2018**

**Agenda item 7**

**Application ref : 18/00239/FUL**

**Land at West Avenue Kidsgrove**

Since the preparation of the main agenda report there has been contact with the agent for this application. They have explained that due to various factors, including the absence of staff due to the holiday period and difficulties that they have experienced in obtaining instructions from their joint clients, they have not yet been able to submit to the Council the additional information that they had asked been asked to provide. They say that they were also waiting in relation to the issue of air quality to hear from the Environmental Health Division, and that they had not expected the application to be on the agenda for the 14<sup>th</sup> August meeting. They do say that progress has been made on the obtaining of information - a speed survey and Road Safety Audit have both been undertaken, but there is further work to be done such as the preparation and checking of plans and reports before they are submitted, and they were not in a position to submit this material by before the Committee's guillotine (8<sup>th</sup> August) - and the work remains incomplete. They have agreed to extend the statutory period to a date after the September meeting so if the Committee were to defer a decision on the application a decision made at the September meeting would still be "in time" and the applicants could not in the interim appeal against the Council's failure to determine the application within the statutory period

It is surprising that the agents did not expect the item to be on this agenda given the contacts between your officers and the agent. As a general point Local Planning Authorities are encouraged to deal with applications in a timely manner, although it has to be said that the non-determination of this particular application is unlikely to be causing unacceptable uncertainty or concern to the owners or occupiers of neighbouring properties, as far as your officers are concerned. The information that has been requested was asked for on 15<sup>th</sup> May and the application as at the August meeting is on week 17, however the applicants have made it clear that they are prepared to address concerns raised by consultees.

It is for members to decide whether or not to determine the application on the 14<sup>th</sup> August or whether to defer the decision. If members were intent upon determining the application your officers would wish to have the opportunity to give a recommendation in that scenario, but taking into account the time that has elapsed on the one hand, and the stated intent of the applicants to address concerns raised, it is considered it would be reasonable to afford the applicants just one further opportunity to submit the material, whilst making it clear to them that material needs to be submitted by no later than the 17<sup>th</sup> August to enable the views of consultees to be obtained and that the intention is that the Committee will determine the application at its next meeting regardless of whether the material was submitted in time

A further consideration is that with the publication of the revised national planning practice guidance on Viability your officer now wishes to at least review the advice previously given on that matter, and time is required to do this.

**Amended Recommendation**

**That a decision on the application be deferred but only until the 11<sup>th</sup> September, to allow a further opportunity for additional information requested to be provided, consulted upon and taken into account by the LPA in its decision, and your Officer to review advice previously given in the light of the new planning practice guidance on Viability**

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