

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th July 2021

Agenda Item 5

Application Ref. 20/01039/FUL

50 Castle Road, Mow Cop

A further representation has been received from the occupant of 'Sugar Well Farm' who raises the following comments and objections:

- They were only allowed to apply for refurbishment and regeneration of their property and not to "replace and re-build",
- An original objection letter by email before the 4th Jan 2021 deadline has not ended up on the electronic list of documents and not been taken into consideration or mentioned in the synopsis,
- The public consultation period was placed precisely over the holiday period and thus professional advice not available for the close off of the 4th Jan 21,
- The proposal will be visually dominating due to its height and location,
- The report reveals the 260% volumetric increase which is outside acceptable policies restrictions relating to Green belt development,
- No definition of what constitutes 'very special circumstances' is given within the report,
- The work of the Landscape Development Officer is acknowledged,
- Their own planning application was restricted due to the setting of the Listed Mow,
- The proposed dwelling could be 'sunk into the ground' by a metre,

Officers Comments

The concerns raised about how previous proposals were treated by the Local Planning Authority is not a material planning consideration in the determination of this planning application. Each planning application should be judged on its own merits at the time of the planning application submission and in accordance with planning policy and material considerations at that time.

There is also concern about a previous objection letter not forming part of the planning application file and those comments not taken into consideration. However, the comments have been taken into consideration and reported in the main agenda report.

In terms of the statutory publicity period undertaken this was carried out on the 10th December 2020 until the 4th January 2021. However, representations were still accepted on the planning application until the 14th July 2021.

Finally, the objection letter notes that the officer's report does not define what '*very special circumstances*' are. Whilst this point is noted, there is no definition for '*very special circumstances (VCSs)*' set out within either local or national policy, but rather a VSC can exist if any factor taken by itself or in combination with other considerations would outweigh the harm caused by the proposal. The degree of weight to be accorded to each is a matter for the decision maker, and in this case given the restoration of the

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plot, and the fall-back position available to the applicants through the use of permitted rights, VSCs exist to justify the proposal.

All other matters raised have been fully considered and set out within the main agenda report.

The RECOMMENDATION remain as set out in the main agenda report.

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