

BRECKLAND COUNCIL

PLANNING COMMITTEE - 30th SEPTEMBER 2013

REPORT OF THE DIRECTOR OF COMMISSIONING
(Author: Chris Raine, Senior Planner)

NORTH ELMHAM: RESIDENTIAL DEVELOPMENT AT STATION ROAD, NORTH ELMHAM

Applicant: Mr S Thompson

Reference: 3PL/20071688/O

DEFERRED ITEM REPORT

At the Planning Committee on the 01st of November 2010, Members agreed to approve the above application subject to the applicant entering into a S106 legal agreement to secure a number of contributions, including affordable housing; this resolution following on from the original resolution to approve a scheme back in March 2008. Unfortunately, it has not been possible to secure the agreement.

Given the failure to conclude this matter, and having regard to the changes set out in the Growth and Infrastructure Act 2013, which allows for an applicant to recoup their planning fees when an application has not been determined within 26 weeks of the application becoming valid, unless an applicant has agreed to an extension of time in writing, it is recommended that the application be refused.

It should be noted that a letter was sent requesting that an extension of time be agreed, but to date no written response has been received.

Conclusion

It is considered that in light of the failure to successfully execute the aforementioned legal agreement, and in the absence of an extension of time, Members are invited to refuse the application.