

Please quote:
Your reference:
Date: 13 June 2014
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Mr Hurrell (on behalf of the Save Ecclesbourne Glen Group) - by e-mail

Dear Mr Hurrell,

Rocklands - Development of New Building HS/FA/12/00952 & HS/CD/13/00792

Thank you for your letters sent to myself and Mrs Cameron and elected members yesterday. I will deal with the two issues you raised namely, a planning enforcement notice, known as a 'stop' notice in regard to works being carried out at Rocklands and the withdrawal of the planning application due to be heard at planning committee next Wednesday.

Stop Notice - HS/FA/12/00952 & HS/CD/13/00792

The advice given by the Department of Communities and Local Government Planning Practice Guidance states that, "The local planning authority should ensure that a temporary stop notice's requirements prohibit only what is essential to safeguard amenity or public safety in the neighbourhood; or to prevent serious or irreversible harm to the environment in the surrounding area."

A Stop Notice would not be appropriate in this instance because the works on the house are substantially complete and any works currently underway are not causing ongoing irreversible damage.

The Caravan Park is privately owned and the Council does not have the power to issue a stop notice preventing unspecified undefined future development.

Withdrawal of Planning application - HS/FA/14/00406

Whether to withdraw an application is a matter for the applicant to decide, not the local planning authority. In accepting the application the Council were satisfied that the application is valid, that the report is accurate and that sufficient information has been provided to enable Members to make an informed decision.

The members must consider the application on its own merits separately from other issues.

The committee report was published 5 clear working days before the meeting. The Planning Protocol allows for comments to be received up until 3 clear working days before the meeting. Any comments that have been received since the publication of the agenda have been published online as soon as possible after they have been received. Members will receive full details of any objections received between the publication of the agenda and the closing date for comments.



This application only relates to the area within the red line on the site plan, any works outside that red line, such as disabled access arrangements, or parking are not being considered as part of this application.

I hope that this letter addresses your concerns.

Yours sincerely

Chief Legal Officer

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