

## **15/12651/FUL - The Pippin, Calne**

With respect to Item 7C of the Agenda for the previous meeting, held on 4 May 2016 (15/12651/FUL Proposed Erection of a Building Comprising 32 Retirement Apartments with Associated Communal Facilities, Parking, Access & Landscaped Grounds. Rear Access Path & 3 Car Parking Spaces for Bank Premises on High Street) members are requested to note the addition of an INFORMATIVE, in support of refusal reason 4. The informative reads as follows:-

### **INFORMATIVE TO APPLICANT:**

**The applicant is advised that the Refusal Reason 4 is capable of being addressed and resolved through the preparation of a Section 106 Agreement to meet the identified Service & Infrastructure requirements arising from the development proposed.**

This is a standard informative attached to decision notices; in respect of the refusal of applications on the basis of the absence of a Section 106 agreement to address identified Service/Infrastructure requirements, as is set out in refusal reason 4. In the event of an appeal against a refusal of consent, the relevant refusal reason and informative are necessary to ensure that Service/Infrastructure requirements are addressed. The refusal reason was referenced in the report and officer presentation to the Committee. The Informative is a supporting note for the applicant and is a procedural matter.

It is common practice for Applicants/Appellants to seek to address the refusal reason by preparation of a Section 106 agreement, in conjunction with the Local Planning Authority through the appeal process and in the lead to an Inquiry/Hearing; so that the matter does not waste Inquiry/Hearing time. In preparing and submitting the report to Committee in respect of this application, the applicant had indicated an intention to address the identified requirements through the preparation of a Section 106 agreement, hence the Officer recommendation. As such it is considered that the Informative is appropriate.