

Committee: Development Control & Licensing Committee

Date: 2 September 2002

Agenda Item No: 7

Title: Budget Update and Strategy

Author: Michael Dellow (01799) 510310

Summary

- 1 On 19 September 2002, Resources Committee is expected to make recommendations to inform the Council in its final decisions on updated priorities and associated budget targets for 2003/2004.
- 2 This report is designed to give this Committee the opportunity to consider and amend the lists of priorities presented to Council on 16 July 2002 and to make recommendations on its own budget targets in light of the latest budget projections.

Background

- 3 A report to Resources Committee on 20 June 2002, (minute RE7 refers), outlined the process for setting 2003/2004 budget targets for each Committee to take account of the Council's updated priorities. It was agreed that £6.888 million should continue to be used as the working target for projection purposes, that the Council's priorities should be reviewed and updated as soon as possible, and that Members would prepare proposals for Committee budget targets by mid-August informed by further information from officers at the end of July.
- 4 On 3 July 2002, Scrutiny Committee 2 further recommended (minute S2.6 refers) that each Committee have the opportunity to input to the process before a final decision by the Council on 22 October 2002. It also recommended a list of additions to the Council's priorities.
- 5 This process was agreed by Council at its meeting on 16 July, when revised lists of priorities were presented both by the Administration and also by the Liberal Democrat group. The Council resolved that these two lists together with that from Scrutiny Committee 2 should be used as the basis for consideration of priorities and budgets during this cycle of Committee meetings.
- 6 As it turns out, it has not proved practical for Members to make any of their proposals for budget targets available to officers in time to build into this report. Nevertheless, it is anticipated that such proposals will be made available to the Committee in good time for its meeting.

Budget update

- 7 The June report to Resources Committee identified that additional net savings of about £305,000 were needed to meet the £6.888 million working target. By the end of July, officers completed their exercise to identify opportunities for reducing budgets and increasing income which were not dependent on changes in policy or existing service levels. The results of this exercise, previously distributed early in August, are presented here at Appendix BS07. After also taking account of a number of unavoidable growth items, they total to a possible net £258,000 reduction in the base budget.
- 8 Since then, pay negotiations for 2002/2003 and 2003/2004 have progressed to the stage where the budget implications can be assessed. The combined effect of the two settlement proposals is the need for an additional £80,000 at General Fund level beyond the 3% increase already allowed for in the projections for 2003/2004.
- 9 An updated General Fund base budget projection for 2003/2004, is presented at Appendix BS06. The above changes are taken into account, identified by a shaded background. This projection now shows that the net savings needed to meet the £6.888 million working target, have reduced from £305,000 to £127,000.

Priorities and Committee budget targets

- 10 Of necessity, because priorities and budget targets cannot be considered in isolation, this report and its appendices give the overall picture for the General Fund. Officers would expect, when presenting the report, to give greater emphasis to the matters relevant to this Committee itself. In particular they will be in a position to explain individual items in the appendices and to bring the Committee's attention to any emerging issues that may assist the Committee in its deliberations.
- 11 To assist Members in their consideration of the lists of priorities, the Chief Executive has prepared Appendix BS08 which brings together the proposals from Scrutiny Committee 2, the Administration and the Liberal Democrat group. Comments have been appended to each proposal, outlining, where relevant, the current position and possible budget implications – capital, revenue or reserves.
- 12 In the context of determining Committee budget targets for 2003/2004, the priority proposals with most relevance are obviously those with ongoing revenue implications. One-off proposals may be considered for funding from available revenue or capital reserves, as appropriate. As indicated to Resources Committee in June, the Council's revenue reserves are in a healthier position than previously estimated. The balance, subject to audit, on the New Financial Framework reserve at 31 March 2002 stood at £1.268 million – over £400,000 more than previously estimated.
- 13 Members are, in effect, being asked to prioritise and clarify their priorities, particularly those with ongoing revenue budget consequences. Such decisions have always been difficult. They will be equally difficult this year

since, reflecting one of the Council's existing priorities, the £6.888 million working target was based on a Council Tax increase not exceeding 2.5%, or the rate of inflation, and underlying assumptions about central Government support based on previous experience.

- 14 One major uncertainty that still overshadows the budget-making process is the level of Government support that the Council can expect for 2003/2004. A fundamental review of the revenue support grant system is still ongoing. A wide variety of proposed options for change are currently the subject of a consultation exercise. Depending on the options finally chosen by the Government, this Council could find itself either better off or worse off.
- 15 Possibly the most difficult budget decision the Council faces is the extent to which it wishes to protect the Council taxpayer from any such changes in the revenue support mechanisms. If it decides to let the Government be totally accountable for the changes it makes, then £127,000 in net additional savings is all that it is necessary to find. If, however, it wishes to protect its taxpayers, it will need to identify additional contingency savings, available to be taken as necessary when the current uncertainties are resolved.

The next stage

- 16 New procedures this year mean that the Council must consult with the public on its budget proposals before the November/December cycle of meetings. To have proposals to consult on, the Council's priorities and associated budget targets need to be decided by Council on 22 October 2002.
- 17 Meanwhile, officers will begin preparation of detailed estimates for presentation to Committee in the November/December cycle. These will be prepared on the basis of the updated Committee projections shown in Appendix BS06, subject to any amendments the Committee wishes to make.
- 18 In a parallel process, officers will also prepare costings and feasibility assessments for any changes with financial consequences resulting from the review of the Council's priorities. In some instances, as indicated by the comments in Appendix BS08, clarification from Members will be needed to quantify the proposals.

RECOMMENDED that, to progress the 2003/2004 budget making process, this Committee:

- a) considers the lists of priorities presented to Council on 16 July and summarised in Appendix BS08, and proposes such amendments to those lists as it wishes;
- b) clarifies as far as possible its views on any priorities relevant to this Committee where Appendix BS08 indicates it to be necessary to quantify the financial effect of those proposals;
- c) makes such proposals as it wishes for setting this Committee's budget targets for 2003/2004;

- d) confirms the updated budget projection for this Committee, as shown in Appendix BS06 and including the officer input from Appendix BS07, as the basis on which officers should prepare detailed estimates for consideration in the November/December cycle of meetings.

Background Papers: None

Committee: Development Control & Licensing
Date: September 2nd 2002
Agenda Item No: 8
Title: Oakwood Park Phase 2a/2b – Revised Layout
Author: Richard Aston (01799) 510464

Summary

- 1 This report concerns proposed alterations to a previously approved reserved matters for the erection of 130 dwellings, with garaging and associated ground works, reference UTT/1072/01/DFO & UTT/1073/01/DFO (Outline ref: UTT/0302/96/OP) at Oakwood Park, Felsted. The proposal involves the revision of the previously approved layout, resulting in an increase in the number of dwellings from 19 – 21 on the southern end of Phase 2b.

Background

The above reserved matters applications under reference (UTT/1072/01/DFO & UTT/1073/01/DFO) were previously approved by members in December 2001. Although the layout of this phase has been approved, it has not yet been completed. Further remediation works have been carried out on the subsequent phases to prepare them for development, as a result it has been found that ground contamination affecting a proposed link road between Phases 2a/2b and Phase 3, which is not part of the principal estate road, means that the road cannot now be constructed in its preferred location. As a result the LPA was asked to approve the siting and construction of the proposed link road running along the immediate edge of the southernmost part of Phase 2b. The position of the link road between the two phases was considered unacceptable because it would have resulted in a situation where the backs of the properties of Phase 2b would back directly onto the carriageway, which would result in an unattractive, unresponsive environment that would be contrary to the principles of good urban design.

Because of the contamination constraints, the developers were unwilling to move the road further to the south and instead sought with the house builder (Wimpey Homes), revisions to the layout of the southern end of Phase 2b. Because this has involved a minor increase in the number of dwellings, from 19 – 21, the approval of members is required. As can be seen on the attached revised plan, the layout has been revised and instead of a unattractive, dead frontage, the front elevations of the terraces will now face the roadway, creating a far more structured and acceptable street scene. In addition a Home Zone private Court has been included and on the corner of the site, the addition of two corner dwellings helps to maintain a continuity of frontage and articulate the area between the two road junctions. Consultation has

taken place with Essex County Council and no objections to the proposal have been received.

Accordingly it is recommended that permission be granted for the improved revised layout, in order to facilitate and accelerate the satisfactory future development of the site.

Background Papers: Approved site layout drawing – W0216-02-01
Revised site layout drawing – W0-216-02-01 Rev F

Committee: Development Control & Licensing Committee

Date: 2 September 2002

Agenda Item No: 9

Title: APPEAL DECISIONS

Author: Author: Jeremy Pine 01799 510460

The following appeal decisions have been received since the last meeting:

**1 APPEALS BY MRS L BARLOW
LAND AT STORTFORD ROAD, LITTLE CANFIELD, DUNMOW, ESSEX
REF NO: (A) ENF/154/00/D & (B) ENF163/98/D**

(A) Appeal against the serving of an enforcement notice requiring the removal of an unauthorised barn.

(B) Appeal against the serving of an enforcement notice requiring the removal of blocks and/or other materials from the gaps between the supporting poles of a pole barn.

<u>Appeal decisions:</u>	DISMISSED
<u>Date of decisions:</u>	17 July 2002
<u>Original decisions made by:</u>	COMMITTEE
<u>Date of original decisions:</u>	10 October 2001
<u>Officers' recommendations to DC CTTE:</u>	ENFORCEMENT ACTION

Summary of decision:

The Inspector was satisfied in both instances that the Council was not estopped from taking enforcement action. He was also satisfied that both notices were valid as both clearly identified what was being enforced against and the land is question. It was not necessary to identify accurately all the buildings or other physical features within the land. He noted that Essex County Council (re the A120) did not own any of the land at the time of serving of the notices, and that if it did have a sufficient interest at that time, it had not been substantially prejudiced by any failure to serve the notices upon it.

Appeal a) The Inspector was satisfied that the notice correctly identified what has happened as the erection of a building and that planning permission was required for it irrespective of whether the appellant claimed it was an agricultural building or a domestic one. The notice was also served within the requisite time period. The Inspector did not consider that the barn had been shown to be reasonably required to support agriculture within the unit at current level or those likely in the future. It was a utilitarian structure that did not conserve or enhance the natural beauty, amenity or traditional character of the landscape. He did not consider that the detrimental effect could be reduced by the demolition of other buildings, and no proposal, were before him to modify the building in any way.

Appeal b) The Inspector was satisfied that either alternative alleged in the notice (ie. non compliance with a condition requiring erection in accordance with approved plans or unauthorised subsequent building operations) had occurred as a breach of planning control.

The inspector did not consider that in the absence of a clearly demonstrated agricultural need for a building of this size and form in this position, the provision of walls between the piers was required to support agriculture on the unit. The walls had increased the apparent bulk and dominance of the building in the landscape.

The inspector did not consider that either notice was a violation of The Human Rights Act 1998 The enforcement actions were necessary in the public interest to protect the rights and freedoms of others.

Comments on decision: Welcome continued support for the Council's approach to the unauthorised developments on this site. Current dismissal rate on this type of appeal (i.e. enforcement 70% (78 cases).

**2 APPEAL BY FOXLEY BUILDERS LTD
CLAPTON HALL LANE, GREAT DUNMOW, ESSEX
APPLICATION NO: UTT/1190/01/FUL**

Appeal against the refusal of planning permission for a detached dwelling with garage and annexe.

Appeal decision:

DISMISSED

Date of decision: 31 July 2002
Original decision made by: COMMITTEE
Date of original decision: 9 November 2001
Officers' recommendation to DC CTTE: REFUSAL

Summary of decision:

The Inspector considered that the proposal would consolidate and expand the depth of the existing ribbon of development, harming the semi – rural appearance of that part of Clapton Hall Lane. He felt that separation distances between existing properties and the appeal proposal would ensure that privacy was maintained, but was concerned that vehicles using the access would disturb neighbours. He saw no conflict between the appeal proposal and Local Plan Policy GD7, which allocated the appeal site as part of a substantial peripheral landscaping and open space area adjoining existing housing.

Comments on decision:

Edged of town site considered semi – rural where existing character should be retained
Current dismissal rate on this type of appeal (i.e. “ infilling on edged of settlement)
since 1984/5: 85.% (160 cases).

**3 APPEAL BY MR & MRS D WALSH
BLATCHES FARM, BRAMBLE LANE, LT DUNMOW, ESSEX
APPLICATION NO: UTT/0963/01/FUL**

Appeal against the refusal of planning permission for the conversion of a redundant farm building to form bed & breakfast accommodation.

Appeal decision: ALLOWED
Date of decision: 26 July 2002
Original decision made by: COMMITTEE
Date of original decision: 29 November 2001
Officers' recommendation to DC CTTE: REFUSAL

Summary of decision:

As the basic structure of the existing building would not be altered or rebuilt, the Inspector did not consider that the proposals amounted to substantial building reconstruction. He felt that the 4 units of accommodation would be relatively small in scale and would not have any adverse impact on the area. Traffic generation would not be excessive, but he delayed occupation by condition until the new access road crossing the new A120 and joining the old road has been completed. By condition, he also required details of all patio areas etc to be approved

Comments on decision:

Interesting Definition acceptable of "rebuilding".
Current dismissal rate on this type of appeal (i.e. holiday let conversions) since 1984/5: 33.% (6 cases).

**4 APPEAL BY MR AND MRS G PARRIS
MONTE VISTA, BELMONT HILL, NEWPORT, ESSEX
APPLICATION NO: UTT/0928/01/FUL**

Appeal against the refusal of planning permission for the conservatory, two storey extension and other alterations.

<u>Appeal decision:</u>	DISMISSED
<u>Date of decision:</u>	26 July 2002
<u>Original decision made by:</u>	OFFICERS
<u>Date of original decision:</u>	7 September 2001

Summary of decision:

The Inspector considered that the extension would have an overbearing impact on the neighbouring garden because of its bulk and proximity to the boundary. Because of its position, it would also overshadow the garden. As the neighbouring house was stepped down, the change in levels would result in the extension dominating the outlook from the back of the house to an unreasonable extent.

Comments on decision: Useful guide to assessing effects on neighbours' amenities.

Current dismissal rate on this type of appeal (i.e. householder) since 1984/5: 66% (39 cases).

Committee: DEVELOPMENT CONTROL AND LICENSING

Date: 2 September 2002

Agenda Item No: 10

Title: PLANNING AGREEMENTS

Author: Frank Chandley (01799 510417)

The following table sets out the current position regarding outstanding Section 106 Agreements:-

Planning Ref	Approved by Committee	Applicant	Property Position	Current
1 UTT/0791/98/REN	7.12.98	Wickford Dev Co Ltd	Emblems Great Dunmow	Negotiations continuing
2 UTT/1418/00/FUL	11.12.00	Messrs Sullivan	Brook Road Stansted	Agreement completed
3 UTT/1072/01/DFO	26.11.01	Wilcon Homes North London Little Dunmow	Phase 2a & 2b Oakwood Park negotiated	Agreement being
4 UTT/0091/01/FUL	14.1.02	Norwich Union Life and Pensions Ltd	Roundabout Access to Chesterford Park	Agreement completed
5 UTT/1555/01/FUL	4.2.02	Weston Homes PLC	Parsonage Rd Takeley	Agreement completed
6 UTT/0443/98/OP UTT/1123/00/OP	18.3.02	Pelham Homes Ltd Croudace Ltd	Rochford Nurseries	Negotiations continuing
7 UTT/0374/00/FUL	8.4.02	Croft Group Limited	Land at Millfields Stansted	Agreement completed
8 UTT/0816/00/OP	29.4.02	Countryside Properties Plc	Priors Green Takeley/Little Canfield	Agreements being negotiated
9 (1) 0203/01/FUL (2) 0204/01/LB (3) 0205/01/CA	1.7.02	Governors of Felsted School	Ingrams Close, Felsted	Agreement to be prepared
10 UTT/1591/01/OP	1.7.02	Aldis of Barlang Ltd	Hoblongs Industrial Estate, Great Dunmow	Agreement to be prepared by Essex County Council
11 UTT/0884/02/OP	22.7.02	Exors of D M Harris	83 High Street Great Dunmow	Agreement to be prepared by Essex County Council

Background Papers:

Planning Applications
Files relating to each application

FOR INFORMATION