

Committee: DEVELOPMENT CONTROL
Date: 27 MAY 2003
Agenda Item No: 7
Title: AFFORDABLE HOUSING AT LITTLEBURY
Author: John Grayson (01799) 510455

Summary

- 1 This report seeks Members' approval to a minor change in their resolution to grant planning permission subject to a Section 106 Agreement. The Agreement was to have provided for the maintenance of a play area, but this will now be an amenity open space instead.

Background

- 2 Some Members may recall agreeing to grant permission at their meeting on 16 December 2002, subject to conditions and a Section 106 Agreement. The Agreement was to cover the provision in perpetuity of the nine affordable dwellings and this will remain. However, it was also intended to cover the maintenance of the play area at the northern end of the site.

The proposed change

- 3 The applicants (the English Villages Housing Association, in conjunction with the Parish Council) have advised that they cannot ensure the safety of children if this area were officially for play, in view of the proximity of the railway line to the east. They propose amending the Agreement to provide for a general amenity open space on this part of the site instead.

Considerations

- 4 The change would have no effect on the Committee's decision in planning terms.

Suspension of Council's Procedure Rules

- 5 In view of the fact that rule 12 of the Council Procedure Rules prevents the Committee from rescinding or amending a decision which has been given within the last six months it will be necessary to suspend that Rule for the purpose of passing a resolution containing the amendment.

Conclusion

6 There are no objections to this minor amendment.

RECOMMENDATION:

- That the Committee suspend Rule 12 of the Council Procedure Rules
- That the proposed amendment to the Committee's previous decision be agreed.

Background Papers: application file no UTT/1463/02/FUL

Committee: DEVELOPMENT CONTROL
Date: 27 MAY 2003
Agenda Item No: 8
Title: APPEAL DECISIONS
Author: John Grayson (01799) 510455

The following appeal decision has been received since the last meeting:

**APPEAL BY M & S PAYNE
SEVERALS FARM, ARKESDEN
APPLICATION NO: UTT/0918/02/FUL**

Appeal against the refusal of planning permission for the erection of an agricultural storage building (retrospective).

<u>Appeal decision:</u>	ALLOWED
<u>Date of decision:</u>	22 April 2003
<u>Original decision made by:</u>	COMMITTEE
<u>Date of original decision:</u>	12 August 2002
<u>Officers' recommendation to DC CTTE:</u>	REFUSAL

Summary of decision: The Inspector concluded that the building and use were appropriate in the countryside, which did not harm the character and appearance of the area. (Some Members may recall that successful

enforcement action against a previous commercial use was supported on appeal.) Officers were concerned about the size of the building in relation to the holding and the potential for other less appropriate uses.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. Rural Area Policy) since 1984/5: .96% (135 cases).