

Committee: Environment, Development Control
Date: 14 June 2005; 29 June 2005
Agenda Item No: 7
Title: The Planning Delivery Grant 2005/6
Author: John Mitchell (01799) 510450

Summary

- 1 The Council was awarded £251,197 Planning Delivery Grant (PDG) for 2005/6 plus £50,000 for submitting the Local Development Scheme in accordance with Government timetables. This is an increase of £84,736 on last year's total. It includes £95,663 for being an area of high housing demand and because of the authority's location in a Growth Area; £20,658 for e-planning and £132,067 for development control, of which £1,859 is for meeting or exceeding BV109 targets and £130,209 is for performance improvement in this area in relation to previous years. The level of grant is primarily performance related. The Planning Service was subject to a Best Value Inspection in January and was judged to be fair with promising prospects for improvement. The Inspection was sent to all Members and was reported to both Environment and Development Control Committees.
- 2 Members will be aware that Development Control performance has been steadily improving over recent months, and in the quarter January-March 2005 met the best value targets for speed of decision. In addition the Planning Policy team continues to deliver high quality policies in accordance with statutory timescales: the Council has an up-to-date local plan adopted in January and is well on the way to meeting government requirements for the new Local Development Framework. Staffing has remained stable after a major upheaval associated with the move from Great Dunmow, and new staff have been recruited since additional resources were allocated to the Planning Service last year, although recruitment of senior experienced staff in Development Control remains a problem. Over the last 3 years the Council has received over £750,000 PDG. This report sets out the areas where this years grant allocation should be apportioned, and invites Members to agree or amend this approach prior to detailed costings being finalised.

Background

- 3 In the past the grant has been used primarily for expenditure on consultants to bring in systems to improve performance and skills, IT, consultants to handle planning applications, temporary staff, recruitment and retention measures and training. The performance management systems arising from this expenditure are now in place. Five staff are now training on day-release courses to become qualified planning officers using an earmarked reserve of PDG from last year. PDG will need to be used to consolidate the

improvements already made and to meet the new challenges facing the service. It will need to continue to be used for external consultants and temporary staff to help with the applications workload. In addition it is proposed to retain the management consultants who developed and introduced the performance management systems to keep a "light touch" on the operation and development of the systems one day each quarter for the next year.

- 4 The new pressures facing the service next year primarily revolve around e-planning and the introduction of the technology and equipment to enable planning applications to be submitted on line – if we achieve this we will obtain an additional £100,000 grant next year. In addition the growing importance of biodiversity and wildlife considerations will require either an in-house resource or consultancy arrangements. The amount of work arising from the new High Hedges legislation is unknown and may require an additional resource. The continued and constant high pressure facing the development control service needs to be acknowledged. In summary it is considered that the Grant allocation should be used to cover the following areas, so as to best consolidate the achievements of the past and to meet the future challenges:

- New IT equipment, such as up to date PC's, new scanning and plan-printing equipment
- New IT software to ensure e-planning
- Enforcement trainee salary
- Continued payment of market supplements for staff, and possible increases depending on market conditions
- Training for members and staff
- An earmarked sum to assist with high hedges work, if required
- Continued employment of agency staff and consultants on planning application work
- In house or consultancy provision of biodiversity and wildlife expertise
- Retention of management consultants for infrequent "light touch" monitoring and review of performance systems
- Miscellaneous small-scale expenditure such as new furniture and small scale pro-rata contributions to county-wide planning and environmental initiatives

- 5 The detailed costing of these is still being evaluated and will be the subject of a future report. Members are invited to agree the areas for expenditure and to suggest, if necessary, any further areas where the grant could be used. It is suggested that, provided expenditure is kept within the limits of the Grant, the detailed apportioning of costs should be delegated to staff.

RECOMMENDED that the Committee agree the areas for the use of Planning Delivery Grant in 2005/6 and delegate authority to apportion costs and spend the grant within the areas set out in the report, and as may be amended by the Committee, to the Executive Managers of Development Services and Finance

Background Papers: Reports to Environment and DC Committees on the Planning Services Best Value Inspection.

Committee: Development Control Committee
Date: 29 June 2005
Agenda Item No: 8
Title: Advanced report of issues relating to major planning applications – Stansted Airport, Takeley
Author: Jeremy Pine (01799) 510460

Summary

- 1 This report concerns a revised application for approval of reserved matters that is defined in planning legislation as a major application. At this stage, Officers seek the advice of Members on whether there are additional matters that require consideration prior to drafting a conventional committee report containing a recommendation. Members are reminded they should not offer an opinion at this stage.

Background

- 2 As Members are aware, in order to improve the authority's performance in determining major applications within the 13 week target set by Government it has been agreed that Officers will prepare reports outlining the main issues relating to specific major applications prior to final determination. This will allow Members to identify additional planning issues they consider require investigation prior to determining the applications. The 13-week expiry date for this application is 8 August 2005, so a decision will need to be made at the meeting on 20 July.
- 3 The preliminary report relating to this application is attached to this item.

Background Papers: Application files UTT/0734/05/SA and UTT/1320/98/DFO

UTT/0734/05/SA - TAKELEY

Satellite 4 development
Stansted Airport. GR/TL 558-240. Stansted Airport Ltd.
Case Officer: Mr J Pine 01799 510460
Expiry Date: 04/07/2005

NOTATION: Airside within Airport Development Boundary in Adopted ULP.

DESCRIPTION OF SITE: The site is located airside approximately 290m north east of Satellite 3 and 200m north of the Radisson hotel.

DESCRIPTION OF PROPOSALS: These proposals are for a revised design for Satellite 4, superseding that which was approved in 1999. The revised design would reflect that of Satellite 3.

The new Satellite would measure approximately 245 x 21m and would be 11m high, the same as Satellite 3, but 3m lower than Satellites 1 and 2. The main reason for the height reduction is that Satellite 4 (like Satellite 3) would have only two levels compared to Satellites 1 and 2, which both had three.

As per the other satellite buildings, the departures level would be glazed to provide views across the apron areas and for natural lighting. Elsewhere, materials would consist of silver metal cladding panels, louvres for air intake and exhaust, and glazing.

Satellite 4 would have similar segregated arrival and departure arrangements to Satellite 3, namely arrivals at ground (apron) level and departures at first floor level. The building would be connected to the terminal by a pier connector, consisting of walkways and travelators linking into the existing passenger interchange facility south of and serving Satellite 3. Segregation of arriving and departing passengers would be retained along the pier connector and through the passenger interchange facility, which would be extended to the north east for the purpose of serving Satellite 4. The pier connector would be elevated, having a total height of 10m above ground level, identical to the new part of the passenger interchange facility. Safeguarded zones for the future extension of the track transit system to Satellite 4 would be provided.

Boarding aircraft would, like Satellite 3, be via fixed links to apron level and not moveable air bridges. The fixed links would reflect the design of the main building itself, and would contain lifts and stairs.

RELEVANT HISTORY: Outline planning permission for expansion to 15mppa granted in 1985. Reserved matters for terminal apron and satellite buildings 1 and 2 approved in 1987 for Phase 1 expansion (up to 8mppa). Reserved matters for Phase 2 expansion (8-15mppa) approved in 1999, which included details of satellite buildings 3 and 4. Revised scheme for satellite building 3 approved in 2001.

CONSULTATIONS: ECC Archaeology: The proposed development lies within an area where there is the potential of archaeological deposits surviving. The applicant should be required to conduct a field evaluation to establish the nature and complexity of surviving deposits. This should be undertaken prior to a planning decision being made. The evaluation would enable due consideration to be given to the archaeological implications and would lead to proposals for preservation in situ and / or the need for further investigation.

BAA Safeguarding: Holding reply issued.

Environment Agency: No objections.

English Nature: No comments. Should be contacted again if protected species are found at any stage.

Essex Wildlife Trust: No comments in view of the planning history.

Uttlesford Access Group: To be reported (BAA to present the proposals to the group on 28/6/05).

PARISH COUNCILS' COMMENTS: Stansted: No comment.

Takeley: No objections, but have concerns over light / air / noise pollution for residents in Molehill Green.

REPRESENTATIONS: This application has been advertised and no representations have yet been received. Period expired 17/6/05.

PLANNING CONSIDERATIONS: A valid planning permission exists for the erection of Satellite 4. The main issue, therefore, will be whether the revised design now proposed would be compatible with the countryside setting of the airport and the existing modern airport buildings in the vicinity, as well as being environmentally appropriate (ULP Policies GEN2, 4 and 5).

Background papers: see application file.

.....

Committee: Development Control Committee

Date: 29 June 2005

Agenda Item No: 9

Title: Appeals Decisions

Author: John Mitchell (01799) 510450

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DECISION & DATE	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Appeal A Mr P Yerby	The Coach House Hassobury Farnham	UTT/0544/04/LB	Appeal against refusal to grant planning permission for replacement of the existing double pitched roof with a single pitch roof	9 June 2005 DISMISSED	5 August 2004	The Inspector concluded that the development would materially detract from the architectural or historic interest of the listed building
Appeal B Mr P Yerby	The Coach House Hassobury Farnham	UTT/0547/04/F UL	Appeal against refusal to grant planning permission for raising of the roof to create first floor accommodation with additional dormers	9 June 2005 DISMISSED	5 August 2004	As above

Mr Ransome	Old Post Office Bedlar's Green Great Hallingbury	UTT/1760/04/F UL	Appeal against refusal to grant planning permission for the change use of part dwelling to Children's Nursery	8 June 2005 DISMISSED	26 Jan 2005	The Inspector concluded that the site is unsustainable, has inadequate parking and the use would be noisy
Ms M U Walker	Land at 48 Stortford Road Great Dunmow	UTT/1701/04/F UL	Appeal against refusal to grant planning permission for the erection of a dwelling (revised submission)	8 June 2005 DISMISSED	3 Dec 2004	The Inspector concluded that the dwelling would be out of character and have adverse consequences for the adjoining dwelling
Mr K D Newham	Sabre Sport Sabre House Braintree Road Dunmow	UTT/0418/04/F UL	Appeal against personal planning condition following the grant of planning permission for the erection of a two storey dwelling and detached garage	8 June 2005 ALLOWED	2 March 2004	The Inspector concluded that the condition was unreasonable

D.J.A Developments	Concord Farm School Road Rayne Braintree	UTT/1650/04/F UL	Appeal against a condition requiring deliveries from 8:30-17:30 Mondays to Fridays only following the grant of planning permission for the change of use of poultry unit to archive storage	8 June 2005 ALLOWED	20 Dec 2004	The Inspector altered the hours to 0730-1900 Mondays-Fridays and 0730-1300 on Saturdays
Ian Pearce	Greenscroft Stortford Road Clavering	UTT/2006/04/F UL	Appeal against refusal to grant planning permission for addition of garden deck with hand rails and steps at the extreme rear of the property	8 June 2005 DISMISSED	12 Jan 2005	The Inspector concluded that the deck is intrusive and detrimental to amenity

Appeal A Mrs R Edwards	Broad Green Farm Broad Green Chrishall	UTT/1084/04/LB	Appeal against refusal to grant planning permission for the demolition of Barn 1, the restoration of Barn 2, and the erection of a boundary wall and entrance gate	7 June 2005 DISMISSED	3 August 2004	The Inspector concluded that there would be the loss of a good quality listed building, and the development would be incompatible with its status as a listed dwelling with attractive minor outbuildings in the open country
Appeal B Mrs R Edwards	Broad Green Farm Broad Green Chrishall	UTT/1082/04/F UL	Appeal against refusal to grant planning permission for the erection of a new outbuilding for office accommodation, and of a boundary wall and entrance gates	7 June 2005 DISMISSED	3 August 2004	As above

Appeal C Mrs R Edwards	Broad Green Farm Broad Green Chrishall	UTT/1080/04/F UL	Appeal against refusal to grant planning permission for extension of an existing temporary planning permission (UTT/1406/03/FUL) for a further twelve months, in respect of a temporary portakabin for site works	7 June 2005 DISMISSED	28 July 2004	As above
Mr and Mrs M Taylor	Gilvus Oak Park Road Elsenham	UTT/1285/04/O P	Appeal against refusal to grant planning permission for the erection of a bungalow	2 June 2005 DISMISSED	5 Nov 2004	The Inspector concluded that the development would adversely affect the character and appearance of the area
Mr & Mrs Farn	Jacklyn House Church Lane White Roding	UTT/1396/04/F UL	Appeal against refusal to grant planning permission for a new house	2 June 2005 DISMISSED	14 Oct 2004	The Inspector concluded that the development would be inappropriate in the green belt

Mr S Galpin	Land to the rear of Church Cottage, Church End Stebbing	UTT/1332/04/FUL	Appeal against refusal to grant planning permission for the erection of a detached dwelling with garage	31 May 2005 ALLOWED	9 Nov 2004	The Inspector concluded that the development would be satisfactory, although outside development limits
Hutchinson 3G UK Ltd	Birchanger Hall Farm Ongar Road Birchanger	UTT/153/03/FUL	Appeal against refusal to grant planning permission for replacement 17.5m monopole telecommunications mast, antennas, dishes and equipment cabin	20 April 2005 ALLOWED	11 August 2005	The Inspector concluded that the mast, at 2.5m taller than the present mast, would be acceptable, and preferable to an additional mast
Mr I Baxter	The Dairy Farm Little Hallingbury	UTT/1561/04/FUL	Appeal against refusal to grant planning permission for the change of use from agricultural to MOT bay	7 June 2005 ALLOWED	25 Oct 2004	The Inspector concluded that there would be no adverse effect on road safety, despite the absence of any information from the applicant

Mr N M Gurney	New Bungalow Old Mead Road Henham	UTT/1487/04/F UL	Appeal against refusal to grant planning permission for conversion of a commercial garage into a single storey dwelling	6 June 2005 DISMISSED	28 Oct 2004	The Inspector concluded that the development would be contrary to the policies for conversion of rural commercial buildings to residential use
Foxley Builders	Land at The Street Takeley	UTT/1430/04/F UL	Appeal against refusal to grant planning permission for construction of new access; pair of three- bedroom, semi- detached house with garages; pair of two- bedroom, semi- detached houses with garages; 6 three-bedroom semi-detached houses linked with garages; and link- detached, three- bedroom house	6 June 2005 DISMISSED	12 Nov 2004	The Inspector concluded that the development would be at too high a density, incompatible with the character of the area and internally unworkable with a poor standard of amenity for some of the dwellings

AGENDA ITEM NO: 10

Title: ENFORCEMENT OF PLANNING CONTROL – PROGRESS REPORT

Author: Clive Theobald (01799) 510463

	ADDRESS	UNAUTHORISED DEVELOPMENT	ACTION AUTHORISED	EFFECTIVE DATE FOR COMPLIANCE	APPEAL	COMMENTS
1	Land at Anvil Cross Howe Green Great Hallingbury	Airport related parking and engineering works	20/2/04	3/8/04		Commencing injunction served. Application to set aside dismissed. Application for committal agreed. Committal proceedings heard landowner fined £50,000 with costs. Costs paid. Application for appeal against fine and for permission to appeal refused. Prosecution successful. £2,500 fine and full costs awarded. Direct action being considered
2	27 Silver Street Stansted	Conversion of dwelling into three flats	7/6/03	1.3.05 (works/use) 1.6.05 (utilities)	Yes	Enforcement Notice served. Further planning application refused. Planning permission 26/1/05. Appeal against planning refusal. Informal hearing set for 26/7/05.
3	Land at Oak Lodge/Waterside Cottage, Jacks Lane, Takeley	Use of detached annexe by non-dependents relatives	31.8.04	8/4/05	Yes	Enforcement notice served Informal hearing on 07/06/05. Decision awaited.
4	Land at 8 Westbury	Derelict and neglected	31.8.04	24/2/05		Section 215 notice served.

	House, Stortford Road, Great Dunmow	condition of unoccupied dwelling and garden curtilage.				Compliance achieved.
5	Land adjacent to Netherfield, Bigods Lane, Great Dunmow	Change of use of agricultural land to garden	31.8.04			S106 agreement signed.
6	Land adjacent to Sidestream, High Street, Clavering	Extension of garden curtilage, widening of access bridge, hardstanding and shed	20.9.04	(i)31/1/05 (ii)31/2/05 (hardstanding) (iii)31/3/05 (reseeding) (iv)31/5/05 (access bridge)	Yes	Requisition for Information served Enforcement Notice served. Public Inquiry set for 28/6/05.
7	Bonningtons, George Green, Little Hallingbury	Change of use of outbuilding to bed and breakfast and airport related parking	11.10.04			Enforcement investigations proceeding. Planning permission granted for use on 13/6/05 following signing of section 106 agreement.
8	Hillenor, Chelmsford Road, Margaret Roding	Erection of building	1.12.04		Yes	Enforcement Notice served. Appeal lodged. Decision awaited.
9	Broxted Business Park, Pledgdon Barn, Pledgdon Green, Henham	Airport related open parking/storage of vehicles	23.12.04			Prosecution for failure to provide information. Injunction being sought against use. Legal proceedings continuing. Use has ceased (including combined other sites)
10	Canfield Service Station, Dunmow Road, Little Canfield	1 Airport related parking 2 laying of hard surface 3 Fence adjoining highway	12.1.05			Further requisitions for information served following further enquiries. Planning application received. Hearing for injunction at Harlow County Court adjourned to July. Judicial proceedings commenced (Stop Notice)

11	Midsummer House, Water Lane, Debden.	Erection of children's play structure outside residential curtilage.	16.3.05	Enforcement notice served. Structure removed. Compliance achieved.
12	Stebbing View, Dunmow Road, Stebbing	Change of use of agricultural land to garden.	8.4.05	Enforcement notice to be served. Negotiations continuing on S106 Agreement.
13	Griffin Farm, Great Canfield	1 B1/B2/B8 uses 2 Earth bound 3 Siting of mobile home	8.4.05	Planning permission refused for retention of uses. Further information being obtained. Appeal submitted against planning refusal.

PROSECUTIONS

	ADDRESS	DESCRIPTION
1	Manuden House The Street Manuden	Unauthorised felling of tree. Legal proceedings issued. First hearing date scheduled for 6 August 2004. Hearing adjourned to 1 October 2004. Pre-trial scheduled for 26 November 2004 Trial fixed for 19 April 2005 Defendant found guilty Fine imposed of £3,000 plus costs Appeal to High Court (case stated)