

UTT/1380/08/FUL Langley Upper Green

Development Control, item 6

Committee: DEVELOPMENT CONTROL COMMITTEE

Agenda Item

Date: 2 SEPTEMBER 2009

6

Title: UTT/1380/08/FUL

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Item for
decision

Summary

1. Members considered an application at their meeting on 25 February 2009 under reference UTT/1380/08/FUL. This related to the erection of 8 dwellings on land adjacent to Grange Cottages, Langley Upper Green, Langley.
2. Members resolved to grant planning permission as per the recommendation and the conditions on the subject. This was subject to a Section 106 Agreement.
3. An error in the schedule of conditions has been identified.

Recommendations

Members issue a new resolution to grant planning permission amending the conditions to be imposed.

Background Papers

UTT/1380/08/FUL. Committee report attached.

Situation

1. Application reference UTT/1380/08/FUL sought planning permission for the erection of 6 no. terraced houses and 2 no. semi-detached houses with associated parking on land adjacent to Grange Cottages, Langley Upper Green, Langley. This was an exception site for social housing.
2. This application was considered by Members at the meeting of the Development Control Committee on 25 February 2009. It was resolved to grant planning permission subject to the conditions outlined on the schedule and subject to a Section 106 Agreement.
3. The Section 106 Agreement has now been signed and the decision notice can be issued. However, it has come to light that there was an error on the original list of recommended conditions.
4. Condition C.8.28 was included on the schedule of recommended conditions. This condition is normally imposed when granting planning permission for householder extensions and requires applicants to improve the energy efficiency of the original dwelling. This condition is not appropriate for the proposed development and fails to meet the tests set out in Circular 11/95.
5. The condition that was proposed to be included on the schedule of conditions was condition C.8.29. This condition reads as follows:

C.8 29- Condition for compliance with code level 3 (five or more dwellings)

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The development as designed, specified and built shall achieve a 'Code for Sustainable Homes' rating of 'Level 3'. The applicant will provide the planning authority with a Code for Sustainable Homes design-stage assessment of the rating of the proposed development, carried out by an accredited assessor, before work commences on-site. The developer will provide a Code for Sustainable Homes post-construction assessment of the rating of the as-built development within four weeks following its completion, also carried out by an accredited assessor.

REASON: In the interests of the promotion of sustainable forms of development and construction to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

6. This proposal relates to the development of 8 dwellings and on such developments there would normally be a requirement for the developer to incorporate on-site renewable or low-carbon energy technologies to provide 10% of the annual energy needs of the approved development in-use.
7. This requirement has been omitted and it is considered that it would be unreasonable to impose this requirement at this late stage.
8. It is therefore recommended that Members issue a new resolution to grant planning permission subject to a S106 Agreement but amending condition C.8.28 to condition C.8.29.