

Committee: Planning

Agenda Item

Date: 3 June 2015

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**Title: West of Woodside Way, Great Dunmow -
LPA ref UTT/13/2107/OP**

**Author: Andrew Taylor, Assistant Director Planning
and Building Control** Item for decision

Summary

1. Members will recall that this application was reported to Planning Committee on 29 April 2015 and before that on 12 February 2014. Members resolved to approve the planning permission subject to a S106 legal obligation.
2. At the last meeting the commencement condition was altered from 1 year to 3 years.
3. Since that meeting it has become clear that the condition as set out in the report was not in its full form and therefore for completeness the Committee is asked to consider the full condition 2 dealing with the commencement and submission of reserved matters.
4. The purpose of this report is to seek the Committees endorsement for this alteration.

Recommendations

The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

It is recommended that condition 2 of the application read as follows:

(A) Application for approval of the first Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 year from the date of this permission.

(B) Application for the approval of further Reserved Matters for the subsequent phases of development as identified by the phasing plan shall be made to the local planning authority before the expiration of 9 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 12 years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Financial Implications

5. None. There are no costs associated with the recommendation.

Background Papers

6. Report to Planning Committee 12 February 2014 and 29 April 2015.

Impact

7.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Great Dunmow North
Workforce/Workplace	None

Situation

8. The matter was considered at Planning Committee on 29 April 2015 when the Committee resolved to grant planning permission for the development subject to a S106 legal obligation with a varied condition 2.

9. It has now become clear that the wording of the condition set before the Committee was not the full version. For clarity therefore the full condition is set out below and members are asked to consider this amendment.

10. The recommendation is that condition 2 be varied as follows to allow for the submission of the reserved matters to commence in accordance with the usual timescales and to be phased over a number of years due to the scale of the site:

(A) Application for approval of the first Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 year from the date of this permission.

(B) Application for the approval of further Reserved Matters for the subsequent phases of development as identified by the phasing plan shall be made to the local planning authority before the expiration of 9 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 12 years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Conclusions

11. Officers consider that the clarification above provides a condition which is reasonable and that planning permission should now be issued, subject to the signing of the S106 obligation, with a varied condition 2.