



Report to Area Plans West Sub-Committee

Date of Meeting: 13 October 2010

Subject: Extension of time to enter S106 obligation Former Hay Loft, Home Farm, Little Copped Hall, Epping Essex.

**Officer contact for further information: Jill Shingler (01992 56 4106)
Democratic Services Officer: Mark Jenkins (01992 56 4607)**

Recommendation: That a further period of 6 months from this date be allowed for the completion of the legal agreement under Section 106, required in connection with planning application: EPF/0513/09 for the conversion of the former hay loft to a single three bed dwelling.

Background:

1. Planning application EPF/0513/09 for the conversion of the former hay loft building at Home Farm, Little Copped Hall to a single three bed dwelling was considered by this Committee back in May of last year and Members resolved to grant consent subject to the conditions stated and subject to the completion, **within 12 months**, of a legal agreement to secure the removal of the half of the adjacent agricultural building closest to the site and removal of all resultant materials from the land, prior to the first occupation of the converted stables. The legal agreement is necessary as the removal of the building could not be conditioned as the building was not within the ownership or control of the applicant. Without the removal of the building the conversion of the hayloft to residential use would be unacceptable.
2. More than 12 months have elapsed since that decision and the legal agreement required has not yet been completed. A draft agreement has however now been received and is expected to be completed shortly. As the original timescale for completion of the legal agreement has passed a new resolution is required from Members if the application is to be granted.

The Director of Planning & Economic Development comments:

3. In Planning terms there has been no material change in circumstances, or in relevant policies, since the previous resolution in May 2009 and therefore it is considered appropriate to extend the period for completion of the Legal Agreement for a further 6 months, to enable planning permission to be granted.

Conclusions:

4. As there has been no material change in circumstances since the resolution in May 2009 to grant consent subject to the legal agreement and conditions, officers consider that the proposal is still acceptable and in accordance with adopted policies. It is clear that work has now been undertaken to draft the required legal agreement and officers are of the view that an extension of the time period for the completion of the agreement, to 13 April 2011 is appropriate in this instance.

