

Report to District Development Control Committee



**Epping Forest
District Council**

Date of meeting: 14 December 2011

Subject: Planning Application EPF/1907/10.

Land rear of Oakley Hall, Hoe Lane, Nazeing.

Demolition of Glasshouse and sundry structures and erection of 50 bed care home with associated ancillary parking and landscaping EPF/1907/10.

Extension of time to enable completion of section 106 agreement.

Responsible Officer: Jill Shingler (01992 564106)

Democratic Services: Simon Hill (01992 564249)

Recommendation:

(1) To agree to an extension of time to allow a further 3 months from the date of this meeting for the completion of the Section 106 agreement, previously required, to enable Planning Application EPF/1907/10 to be granted subject to the conditions set out in the minutes of the District Development Control Committee Meeting of 5 April 2011.

Report:

1. Planning application EPF/1907/11 for a 50 bed care home at Oakley Hall, Hoe Lane, Nazeing was considered by this Committee in April of this year and a decision was made to grant consent for the development subject to conditions and subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act within 6 months of the resolution..

2. The agreement requires the following:

“(1) £25,000 to Nazeing Parish Council for community improvements payable in five annual £5,000 instalments;

(2) An initial payment of £40,000.00 to the West Essex Primary Care Trust, followed by 5 annual payments of £5,000 resulting in an additional provision for a further £25,000;

(3). £3,000 to Essex County Council to monitor the submitted travel Plan;

(4). £140 to Essex County Council to provide 4 x “Slow “markings on Hoe Lane;

(5). Implementation of an onsite, ecological enhancement scheme to accord with approved submitted particulars or by way of contribution of funds towards enhancements; and

(6). *A clause stating, "The home will give priority to residents within Epping Forest District prior to admission. Local residents of Nazeing will be offered a 10% discount for private fees and top up fees during the first five years of operation of the home."*

3. The applicant was unable to complete the legal agreement within the 6 months allotted, despite their best efforts, due to issues relating to the changing ownership of the land. They have now advised the Council's Solicitor that they are in a position to complete the agreement, but they are unable to do so as they are outside the time for completion that was set by Committee.

Conclusion

4. Officers are of the view that there has been no change in circumstances since the original decision of the Committee and that an extension of time of 3 months to enable satisfactory completion of the Legal Agreement is an appropriate course of action.

5. Member agreement is therefore required for an extension of the timescale to enable completion of the agreement and prevent the need for the submission of a new planning application and to enable the development to go ahead in accordance with the details previously agreed as acceptable.

6. The original report and the minutes for the meeting held on 5 April 2011 are available to view on either the Council's website in the Local Democracy section or the Committee Management system.