

**EXTRAORDINARY DEVELOPMENT CONTROL COMMITTEE held at
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 1.00 pm on 9
DECEMBER 2010**

Present:- Councillor J F Cheetham – Chairman.
Councillors E C Abrahams, C A Cant, C M Dean, C D Down,
K L Eden (at start of the meeting), E J Godwin, J I Loughlin, J E
Menell, M Miller, D G Perry, J Salmon and L A Wells.

Officers in attendance:- M Cox (Democratic Services Officer), R Harborough
(Director of Public Services) K Hollitt (Principal Planning Officer).
C Oliva (Solicitor) and M Ovenden (Head of Development Control).

Also present:- Will Cockerell (Principal Environmental Health Officer), Janet
O'Boyle (District Environmental Health Officer), Emma Featherstone
and Mathew Bradley (Essex County Council Highways) and Rob
Dowle (Savills).

DC50

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor R Clover and C Smith.

Councillor Eden declared a personal interest in both applications as a member of Saffron Walden Town Council. He then declared a prejudicial interest as the Council's representative on the Saffron Walden Museum Society. He made a statement before the leaving the room for the remainder of the meeting.

Councillor Menell declared a personal interest as a member of Littlebury Parish Council who had made representations on both applications.

Councillor Perry declared a personal interest as a member of Saffron Walden Town Council.

DC51

WELCOME

The Chairman welcomed everyone to the meeting and explained how the meeting would be conducted. She said that there had been considerable public interest in the applications and many representations had received both for and against the proposals. This extraordinary meeting had been arranged to enable the public to give their views and to allow full discussion of the issues. She outlined the main policy issues relating to the application and explained that the Committee would need to take account of the effect of each of the proposals as well as the cumulative retail impact of both developments. The discussion and questions would cover both applications but the vote on each would be taken separately at the end of the meeting.

The Principal Planning Officer then gave a brief outline of the two applications.

DC52

PUBLIC SPEAKING

The following people made representations.

District Council

Statement read on behalf of Councillor Tina Knight.

Supporters

Nicky Agar, Edna Forrest, David Powell, Alfonso Smith, Peter Day, Brian Gough, Neil Perrin, Christine Latham, John Gaywood.

Objectors

Paul Gadd, Stephen Willoughby, Peter Riding, Paul Garland, Dr Tony Philips, Malcolm Domb, Michael Young, Richard Freeman, Hilary Morrish, Bruce Munro, Jane Gruber, Jan Durkin, Rufus Barns, Stephen Preston, Ernest Effer, Clive Porter, Bruce Hyatt, David Sandys-Renton, Jessica Wardill, Sarah Decent.

Town Parish Councils

Victoria Knight (Thaxted), statement read from Lizzie Sanders (Littlebury), Eric Hicks (on behalf of Barnston Parish Council), Trudi Hughes (Great Dunmow Parish Council), David Watson (Saffron Walden Town Council).

Applicant

Michael Kissman (Tesco), Jeff Wilson (Sainsburys).

The Committee was then adjourned at 3.20 pm and reconvened at 3.35pm to consider the applications

DC53

APPLICATION UTT/1451/09 SAFFRON WALDEN

Application for the erection of new a foodstore (use class A1) including café, automatic teller machines, surface level parking, new roundabout and highway works, landscaping, servicing and associated works – site at Thaxted Road (former civic amenity site and Granite site) – Sainsburys Supermarkets Ltd for Mr S McGarth.

RESOLVED that the application be refused on the following grounds:-

The proposal would have a significant adverse impact on the turnover of the main town centre anchor Waitrose store. This loss of retail turnover is likely to result in Waitrose abandoning plans to commit to expansion plans for its town centre food store. This, together with the loss of footfall to the town centre associated with linked trips would result in a significant adverse impact on the town centre affecting the vitality and viability of the centre. As a direct result of this significant adverse impact this would be likely to result in an impact on the range and quality of the comparison and convenience offer in the town centre. This would be contrary to national policy set out in PPS4.

APPLICATION 1323/09/FUL SAFFRON WALDEN

Application for extension to Class A1 retail store, to include mezzanine floor, café, store for bulk storage and alterations to car park – Tesco Stores, Radwinter Road for Tesco Stores Ltd

RESOLVED that the Director of Public Services, in consultation with the Chairman of the Committee, be authorised to approve the above application subject to an agreement under S106 of the Town and County Planning Act 1990 to include: £180,000 to be paid towards the investigation and implementation of improvement measures at the Air Quality Management Area location of Thaxted Road/East Street/Chaters Hill and £3,000 to be paid for monitoring the Travel Plan

And subject to the following conditions

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.90A: The planning permission hereby granted does not relate to the CHP as shown on drawing nod 6533-PL221A and F/EXT/222-PL231. Reason: Insufficient details of the CHP have been submitted with the application to enable a full assessment of this element of the proposals.
4. C.5.3. Matching materials.
5. C.8.15. Restriction of hours of construction.
6. C.90B: The removal of existing vegetation on site shall be restricted to that identified on Plan ASP3: Vegetation Removed in the Landscape Supporting Statement. No other vegetation shall be removed without the prior written consent of the local planning authority. Reason: Retention of landscaping is required to ensure the proposals do not have an adverse impact on the character of the area.
7. C.90C: All hard and soft landscape works shown on drawing no APS4: Planting Plan in the Landscape Supporting Statement shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority. REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.
8. C.29.1. Flood risk management measures.
9. C.90D: Details of foul and surface water drainage for this site shall be submitted to and approved in writing by the local planning authority before any work commences on site. The drainage works shall be constructed in accordance with the approved plans. Reason: To ensure satisfactory drainage of the site.
10. C.90E: Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an

- assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details of how the surface water management features will be maintained and managed after completion.
Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the surface water system.
11. C.90F: No construction shall be commenced until details of surface water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage system is to be provided, the submitted details shall include:
- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and
 - iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Reason: To control the risk of flooding to the development and adjoining land.
12. C.90G: The development as designed, specified and built shall achieve an equivalent BREEAM rating of 'very good'. The applicant will provide the planning authority with a BREEAM 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 BREEAM 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
13. C.8.32. Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area)
14. C.90H: Before development commences details of the provision of suitable temporary access arrangements, including visibility splays, to the application site shall be submitted to and approved in writing by the local planning authority. Such details shall include details of wheel washing facilities, any necessary traffic management, turning and off loading facilities for delivery/construction vehicles within the limits of the site together with an adequate parking area for those employed in developing the site, clear of the highway. The measures shall be implemented as approved.
Reason: In the interests of highway safety.
15. C.90I: Before the first use of the extension hereby permitted the vehicle parking area shown on drawing no 6533-PL221A shall be hard surfaced

and marked out with parking bays, including parking spaces for the mobility impaired. The vehicle parking area shall be retained in this form at all times. The vehicle parking area shall not be used for any purpose other than the parking of vehicles related to the use of the development. Reason: To ensure appropriate vehicle parking is provided in accordance with Uttlesford Local Plan Policy GEN8 Vehicle Parking Standards.

16. C.90J: Before the first use of the extension hereby permitted 5 secure parking spaces for powered two wheeler vehicles as shown in principle on drawing no 6533-PL221A shall be provided. Such parking spaces shall be retained at all times for the duration of the development

Reason: To ensure appropriate powered two wheeler parking is provided in accordance with Uttlesford Local Plan Policy GEN8 Vehicle Parking Standards.

17. C.90K: Before the first use of the extension hereby permitted 6 secure, covered and conveniently located cycle parking spaces in addition to the existing 6 stands/12 spaces (subject to monitoring through the Travel Plan) as shown in principle on drawing no 6533-PL221A shall be provided. Such parking spaces shall be retained at all times for the duration of the development.

Reason: To ensure appropriate bicycle parking is provided in accordance with Uttlesford Local Plan Policy GEN8 Vehicle Parking Standards

The following additional conditions were agreed at the meeting:-

- The submission, approval and implementation of a Travel Plan.
- Works to Elizabeth Way/Radwinter Road traffic lights to commence prior to the use of the extended store.
- The development should achieve security by design certification and the parking area the Safer Parking Award Park Mark as a minimum level of security.
- Additional landscaping should be provided to the rear of the site.

It was noted that the application would be referred to the Government Office prior to a decision being issued.

The meeting ended at 5.30pm