

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 4 APRIL 2012**

Present:- Councillor J Cheetham – Chairman.
Councillors C Cant, J Davey, R Eastham K Eden, E Godwin, E Hicks, J Loughlin, K Mackman, D Perry, V Ranger, J Salmon and L Wells.

Officers in attendance:- M Cox (Democratic Services Officer), K Benjafield (Senior Planning Officer), N Ford (Senior Planning Officer), M Perry (Assistant Chief Executive - Legal), A Taylor (Assistant Director Planning and Building Control), C Theobald (Planning Officer) and S Wellard (Planning Officer).

PC67

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

An apology for absence was received from Councillor Ranger.

Councillor Eden declared a prejudicial interest in application 2457/11/FUL Saffron Walden as he lived near to the site. He would make a statement and then leave the meeting for the consideration of the item.

Councillor Menell declared a prejudicial interest in application 0211/12/FUL Littlebury as she was related to the agent.

Councillor Salmon declared a prejudicial interest in applications 0225/12/FUL and 0167/12/FUL Stansted as he knew the applicants.

Councillors Perry declared a personal interest in application 2457/11/FUL Saffron Walden as a member of Saffron Walden Town Council.

Councillor Mackman declared that in relation to application 2457/11/FUL Saffron Walden he would speak but not vote following advice from the Assistant Chief Executive - Legal.

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MINUTES

The Minutes of the meeting held on 7 March 2012 were received, confirmed and signed by the Chairman as a correct record.

PC69

PLANNING APPLICATIONS

(a) Approvals

RESOLVED that the following application be approved contrary to the Officer's recommendation.

2524/11/FUL Arkesden – change of use from agricultural land to domestic gardens – Waterbridge to Long Thatches for owners of properties Waterbridge to Long Thatches.

Subject to the following conditions:-

The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

All means of boundary treatment shall be post and wire fencing.

REASON: In order to protect the character and appearance of the countryside in accordance with Policies S7 and GEN2 of the Uttlesford Local Plan adopted 2005.

Before development commences full details of soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- b) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- c) details of siting and timing of all construction activities to avoid harm to all nature conservation features

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies S7 and GEN2 of the Uttlesford Local Plan adopted 2005.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no caravans/mobile homes, boats, motor vehicles or other chattels, sheds or other domestic buildings shall be stationed/stored on any part of the site without the prior written permission of the local planning authority.

REASON: In order to protect the character and appearance of the countryside in accordance with Policies S7 and GEN2 of the Uttlesford Local Plan adopted 2005.

Charlotte Turner spoke in support of the application.

RESOLVED that the following applications be approved subject to the conditions set out in the officer's report.

0054/12/FUL Ugley – Alteration and remodelling of house to create first floor accommodation – Harewood, Snakes Lane, Ugley for Mr S Kramer.

Mr Bagge spoke in support of the application.

0225/12/FUL Stansted - Removal of condition 12 (sustainable transport). Variation of condition 6 (no development within Classes A to E of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority); to read 'within Classes B, C and D of Part 1 of Schedule 2' on planning consent UTT/1861/11/FUL – the stables, High Lane for Mr and Mrs Butterfield.

The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

The development hereby permitted shall be constructed entirely of the materials details of which are shown on the schedule of materials on the planning application form unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

If within a period of 5 years from the date of planting any hedge or tree (or any hedge or tree planted in replacement for it) is removed, uprooted, destroyed or

dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to E of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To prevent the site becoming overdeveloped and to ensure that the conversion works respect and conserve the characteristics of the building in accordance with Policies H6 and GEN2 of the Uttlesford Local Plan adopted 2005.

The development hereby permitted shall incorporate all measures set out in the accessibility statement/drawing which accompanied the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with SPD Lifetime Homes and Accessible Playspace.

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

REASON: To avoid the displacement of loose material onto the highway in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

Before development commences a vehicular turning facility, of a design to be submitted to and approved in writing by the Local Planning Authority, shall be constructed, surfaced and maintained free of obstruction within the site for that sole purpose.

REASON: To ensure that vehicles can enter and leave the highway in forward gear in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

The vehicular hardstandings shall have dimensions of 2.9 x 5.5 metres.

REASON: To ensure adequate space for parking off the highway is provided in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the nearside edge of the footway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

The public's right and ease of passage over the public footpath no. 19, Stansted Mountfitchet shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

The development hereby permitted shall be implemented in accordance with the ecological scheme of mitigation/enhancement submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan adopted 2005.

Councillor Salmon left the meeting for the consideration of this item.

0167/12/FUL Stansted – Erection of shed – 27 Brewery Lane for Mr Jonathon Rich.

Councillor Salmon left the meeting for the consideration of this item.

0211/12/LB Littlebury – installation of triangular window to east elevation and strengthening/alterations to existing tie beams to barn for Chestnut Barn, Littlebury Green for Mr P Menell

Councillor Menell had left the meeting prior to this application being considered.

(b) Refusal

2520/11/FUL Farnham – demolition of extension to barn and outbuildings and partial demolition of stable building, conversion of barn to 2 dwellings, erection of outbuildings and creation of new vehicular and pedestrian access – Walkers Barn Levels Green for Hassobury Management Ltd.

Reason: The proposed conversion of this rural building would result in the loss of an existing economic use and local amenity. It has not been adequately demonstrated that there is no significant demand for economic re-use of the site and therefore the proposal is contrary to Criteria a) of Policy H6 of the Uttlesford Local Plan (adopted 2005).

Mr Frazer Andrew spoke against the application and Mrs Dutton spoke in support of the application.

2522/11/LB Farnham - demolition of extension to barn and outbuildings and partial demolition of stable building, conversion of barn to 2 dwellings, erection

of outbuildings and creation of new vehicular and pedestrian access – Walkers Barn Levels Green for Hassobury Management Ltd.

Reason: The proposed alterations to the building are unacceptable as the traditional character and appearance of the building would be adversely altered given that there is no planning permission forthcoming for a use, which constitutes an acceptable approach to preserving the building's special architectural and historic characteristics contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, The National Planning Policy Framework (2012) and Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

2420/11/FUL Takeley – Two storey dwelling with single garage, new vehicle and pedestrian access and demolition of existing sheds - Land rear of nos. 1- 4 Nursery Cottages, Dunmow Road for Mr K Leung

Reason: The design of the vehicular access as shown for the proposed new dwelling is considered to be unsatisfactory in view of the poor visibility which would be experienced by drivers of vehicles proceeding up the proposed access ramp without a level frontage strip onto Bennet Canfield in view of the garage block which exists to the side of No.37 Bennet Canfield to the immediate east of the proposed access point. As a consequence, the access would represent a highway hazard to pedestrians and other road users, including schoolchildren, using the footpath along Bennet Canfield and the tactile road crossing point also situated to the immediate east. The proposal is therefore considered to be contrary to ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005), which states that the design of the site must not compromise road safety.

(c) Planning Agreements

2457/11/FUL Saffron Walden – removal of conditions 37 and 57 attached to planning consent UTT/0188/10/FUL – Friends School, Mount Pleasant Road for Hill Partnership Ltd.

RESOLVED that provisional approval be granted for the above application subject to the transfer of S106 legal obligation linked to UTT/0188/10/FUL to this application.

- (l) The applicant be informed that the committee gives delegated powers to the Assistant Director Planning and Building Control in his discretion to refuse planning permission for the reasons set out in paragraph (III) unless by 4 October 2012 the freehold owner(s) enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:
- (i) provision of affordable housing contribution
 - (ii) payment of contributions towards education provision
 - (iii) payment of contribution towards air quality monitoring
 - (iv) completion of highway works
 - (v) phasing of development
 - (vi) open market housing

- (vii) application for the diversion to footpath - entering into a Section 257 of the Town and Country Planning Act 1990 regarding the diversion of the public footpath 17 Saffron Walden.
 - (viii) entering into a community use agreement
 - (ix) over 55's housing
 - (x) before occupation of development Signalising junction works to Debden Road/Mount Pleasant Road under Section 278
 - (xii) pay the Council's reasonable costs
- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant planning permission subject to the conditions set out below:
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (1) No provision of affordable housing
 - (2) No payment of contributions towards education provision
 - (3) No payment of contribution towards air quality monitoring
 - (4) No completion of highway works
 - (5) No phasing of development
 - (6) No diversion of the footpath
 - (7) No community use agreement
 - (8) No provision of over 55's housing
 - (9) No signalisation of junction works to Debden Road/Mount Pleasant Road

It was further AGREED that a letter be sent to Essex County Council requesting a review of the highway strategy for Saffron Walden and to consider the need for traffic lights at the Debden Road junction.

Councillor Eden spoke in relation to the application and then left the room while the item was being considered. Eryl Stafford (WeAreResidents.org group) spoke against the application.

PC70 **APPEAL DECISIONS**

The Committee noted details of the appeal decisions that had been received since the last meeting.

PC71 **PLANNING AGREEMENTS**

Members noted the schedule of outstanding section 106 agreements.

The meeting ended at 5.00pm