

**EXTRAORDINARY PLANNING COMMITTEE held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 19 APRIL 2012**

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

Officers in attendance: M Cox (Democratic Services Officer) R Harborough  
(Director of Public Services) A Hutchinson (Consultant Planner), C  
Oliva (Solicitor) and A Taylor (Assistant Director Planning and  
Building Control).

**PC72 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors R Eastham, J Menell and  
L Wells.

Councillor Favell declared a personal interest as a resident of Flitch Green and  
a member of the Flitch Green Parish Council.

**PC73 PUBLIC SPEAKERS**

At the start of the meeting the following speakers made representations in  
relation to the applications.

Councillor Stephanie Favell (Uttlesford DC)

**Objectors**

Chris Earle  
Ron Withers

**Felsted Parish Council**

Alan Thawley  
Chris Woodhouse

**Flitch Green Parish Council**

Emma Nicholls

**Agent**

Jennie Bean

**PC74 PLANNING APPLICATIONS**

The Extraordinary meeting had been called to consider 6 applications relating to  
Flitch Green and Felsted. The decisions were as follows

**(a) Refusal**

RESOLVED that the following applications be refused for the reasons set out below:-

**UTT/0365/09/OP Flitch Green/Felsted** – erection of 168 dwellings, parkland and landscaping – Flitch Green for Enodis Property Development.

Reasons for refusal:

- 1) The proposal includes the provision of housing outside the development boundary of Flitch Green as defined by the Oakwood Park Local Policy 1. Insufficient justification has been supplied as to why development outside the established development boundary should be approved. The proposal is therefore contrary to Oakwood Park Local Policy 1 of the Local Plan.
- 2) The development would extend the built form of housing closer to the village of Felsted. This would lead to a coalescence of settlements in this area contrary to the established settlement character and contrary to policies S1, S2, GEN2 and Oakwood Park Local Policy 1 of the Local Plan.
- 3) The proposal is in an unsustainable location and would rely on travel by the private car. Insufficient proposals for public transport provision increases have been made and the proposal is therefore contrary to Paragraphs 34 and 35 of the National Planning Policy Framework.

**0190/09/FUL Flitch Green/Felsted** – construction of two sports pitches, cricket square, nature reserve, access bridge, sports pavilion and associated landscaping and other works- Flitch Green for Enodis Ltd and Enodis Property Development Ltd

Reasons for refusal

- 1) The proposals are not well located to the existing residential properties of Flitch Green. This would result in distances of travel which would reduce the usability of the facility to such an extent that it would fail to provide the necessary recreational provision for the development. The proposal is therefore contrary to policy LC3 and Oakwood Park Local Policy 1 of the Local Plan.
- 2) The proposal is in an unsustainable location and would rely on travel by the private car. Insufficient proposals for public transport provision increases have been made and the proposal is therefore contrary to Paragraphs 34 and 35 of the National Planning Policy Framework.
- 3) The proposal fails to provide sufficient playing field provision as required by the National Playing Fields Association. This under provision would be harmful to the future recreation provision of the residents of Flitch Green and should be resisted. The proposal is therefore contrary to policy LC3 and Oakwood Park Local Policy 1 of the Local Plan.

**2170/11/FUL Felsted** – provision of access road from Taunton Road – land adjacent to community hall, Flitch Green for Enodis Property Development Ltd.

Reasons for refusal

- 1) The proposal includes the provision of infrastructure outside the development boundary of Flich Green as defined by the Oakwood Park Local Policy 1. Insufficient justification has been supplied as to why development outside the established development boundary should be approved. The proposal is therefore contrary to Oakwood Park Local Policy 1 of the Local Plan.

**(c) Planning Agreements**

**1403/10/OP Flich Green/ Felsted** - erection of 7 no. residential units, D1 non residential institution/D2 assembly and leisure unit, 2 No class A1 retail units, parking, access and associated works – land at Webb Road and Hellett Road for Enodis Property Developments Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report (with an amendment to condition 6 to read D1/D2) and a S106 legal obligation as follows

(I) 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 II unless by 19 October 2012 the freehold owner enters into a binding agreement 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 agreement to secure the following:

- (i) The construction and provision for use of the shop units and the D1/D2 units before the occupation of any of the dwellings approved under this application.
- (ii) Highway contribution
- (iii) Pay Council's reasonable costs.

(II) In the event of such an amended agreement being made, the Assistant Director of Planning and Building Control shall be authorised to grant permission subject to the conditions set out below.

(III) If the freehold owner shall fail to enter into such an Agreement, the Assistant Director of Planning and Building Control shall be authorised to refuse permission for the following reasons:

- a. Lack of facilities to serve the community of Flich Green.

**1211/09/FUL Felsted** - Outline application for reclamation of despoiled land and redevelopment for up to 216 dwellings (being a net addition of up to 160 dwellings following appeal decision), public house, associated highway, engineering works and landscaping. (Variation of condition 90I planning approval UTT/0023/03/OP to read: "Not more than 650 dwellings shall be occupied on the former sugar beet works site until a class D1 non residential

institution or D2 assembly or leisure facility, a public house and shopping facilities have been constructed (but not fitted out) thereon, in accordance with schemes submitted to and approved in writing by the Local Planning Authority"- Flitch Green for Enodis Property development Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report (with an amendment to condition 14 to read 'not more than **693** dwellings') and a S106 legal obligation as follows

(I) 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 19th 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
- (ii) 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) The required affordable housing provision has not been forthcoming and as such the proposal would be contrary to policy H9 of the Uttlesford Local Plan 2005 which requires an element of affordable housing on such schemes.

**1310/10/FUI Felsted** -Outline application for reclamation of despoiled land and redevelopment for up to 216 dwellings (being a net addition of up to 160 dwellings following appeal decision), public house, associated highway, engineering works and landscaping. (Variation of condition 90I (Not more than 650 dwellings shall be occupied on the former sugar beet works site until a doctor's surgery, a public house and shopping facilities have been constructed (but not fitted out) thereon, in accordance with schemes submitted to and approved in writing by the Local Planning Authority)- Flitch Green for Enodis Property Development Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report (with an amendment to condition 14 to read 'not more than **693** dwellings') and a S106 legal obligation as follows

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discretion to refuse planning permission for the reasons set out in paragraph (III) unless by 19<sup>th</sup> 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
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(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) The required affordable housing provision has not been forthcoming and as such the proposal would be contrary to policy H9 of the Uttlesford Local Plan 2005 which requires an element of affordable housing on such schemes.

The meeting ended at 5.00pm.