

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 22 AUGUST 2012**

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

Officers in attendance:- N Brown (Development Manager), M Cox (Democratic Services Officer), K Denmark (Principal Planning Officer), M Jones (Planning Officer), M Perry (Assistant Chief Executive – Legal) J Pine (Planning Policy/DC Liaison Officer), C Theobald (Planning Officer), A Taylor (Assistant Director Planning and Building Control) and M Tourvas (Principal Planning Officer).

PC16 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors E Godwin and E Hicks.

Councillors J Menell and R Eastham declared a non - pecuniary interest in application 0679/12/LB White Roding as a member of English Heritage.

Councillor Cheetham declared a non – pecuniary interest in application 1147/12/OP Great Dunmow because she knew people that lived on the development.

Councillors Salmon and Cheetham declared a pecuniary interest in application 0692/12/FUL Manuden as they were close friends with the landowner.

PC17 MINUTES

The Minutes of the meeting held on 25 July 2012 were received, confirmed and signed by the Chairman as a correct record.

PC18 PLANNING APPLICATIONS

(a) Approvals

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

0678/12/FUL White Roding – change of use of 4 barns to form wedding venue, demolition of lean-to extension and erection of single storey extension, creation of new vehicular access and car park, demolition of three outbuildings and change of use of 1 barn to D1 use – Colville Hall, Chelmsford Road, White Roding for Professional Vision Services.

Subject to the following amendment to conditions

- i) renumber the second condition 18 as 19 and then alter others as appropriate.
- ii) Condition 21 to read “Prior to the commencement of the development of the buildings....”
- iii) Condition 22 to read “Prior to the commencement of the development of the buildings...”
- iv) Condition 9 to include the requirement for dense planting in the gap.

Councillor Barker, Hugh Brown (parish Council) and Marc Bouldon spoke against the application. Anthony Decarnys spoke in support of the application.

0679/12/LB White Roding – change of use of 4 barns to form wedding venue, demolition of lean-to extension and erection of single storey extension, creation of new vehicular access and car park, demolition of three outbuildings, change of use of 1 barn to D1 use – Colville Hall, Chelmsford Road, White Roding for Professional Vision Services.

1360/12/FUL Takeley – Change of use of land for the stationing of 8 caravans for occupation by members of the applicant’s extended gypsy family, construction of hardstanding, access road, fences, alteration to existing access and associated hard and soft landscaping – land adjacent to Cranwellian, The Street, Takeley.

Subject to the following amendments

- i) Condition 12 to read ‘ until parts 1 to 3 of these conditions have been complied with’
- ii) An additional condition that
Prior to the commencement of any works on the proposed development a survey should be undertaken by a professional ecologist to confirm species are not present on the site. If protected species are found then a suitable mitigation strategy will need to be agreed with the LPA prior to work commencing. The contractors working on the site to be made aware of the possible presence of protected species and should these be found all works must cease pending the advice of a professional ecologist.

Jean Johnson and Carol Pratt (parish council) spoke against the application. Stephen Hayhurst spoke in support of the application.

1167/12/FUL Stansted – erection of 9 Chalets – Yuva Restauaurant, Cambridge Road for Mr Harun Khan.

Subject to the following amendments

i) Amended condition 7

Before development commences details of boundary treatment to demarcate the restaurant and chalet parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and the proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has

been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety, that appropriate parking is provided and boundary treatment in accordance with Policies GEN1, GEN2 and ENV2 of the Uttlesford Local Plan adopted 2005.

Additional Condition 10

There shall be no parking of vehicles associated with the chalet accommodation hereby permitted other than the 9 spaces shown on drawing no: YUVA/100A, received 7 June 2012.

REASON: To ensure adequate car parking spaces are provided to serve the chalet accommodation in the interests of highway safety. Furthermore, it is the policy of the Council that all parking required for Stansted Airport should be accommodated within the airport boundary, in order to protect character and residential amenity in accordance with Policies T3 and GEN2 of the Uttlesford Local Plan adopted 2005.

0742/12/OP Great Chesterford – change of use of former allotment land to residential use to provide 2 dwellings with provision of cart lodge for resident parking with new vehicle and pedestrian access – land off Rose Lane for J Bower.

Subject to the following amendments:

- i) Delete condition 2
- ii) Condition 3 – the reason to read “Permission is granted in this case because the Local Planning Authority cannot demonstrate a sufficient supply of house building land at this point in time and the deliverability of this site weighs in its favour and permission should therefore be implemented rather than banked as banking would make no contribution to delivering new dwellings.”
- iii) Condition 4 – the reason to read “Permission is granted in this case because the Local Planning Authority cannot demonstrate a sufficient supply of house building land at this point in time and the deliverability of this site weighs in its favour and permission should therefore be implemented rather than banked as banking would make no contribution to delivering new dwellings.”
- iv) Condition 11 amend first line to ‘in accordance with condition 1 above’
- v) Delete condition 21 and make an informative note.
- vi) An additional condition to read “All reasonable steps and precautions to protect pedestrians of Rose Lane, the road surface of Rose Lane and the fabric of those dwellings fronting onto Rose Lane during the construction phase of the development hereby permitted shall be taken/observed in accordance with the suggested protection measures as set out in the letter from the Clarke Smith Partnership to Uttlesford District Council dated 16 July 2012 and the letter from Ridgeons to Mr R Bowker dated 17 May 2012 submitted with the planning application.’

REASON: In the interests of highway/pedestrian safety in accordance with the ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

David Turner spoke against the application.

(b) Refusals

RESOLVED that the following applications be refused.

1147/12/OP Great Dunmow – outline application for the erection of 73 dwellings (including affordable housing) with all matters referred except access – Land north of Ongar Road for Redrow Homes (Eastern) LTD

Reason:

The application site is located outside development where there is a presumption of protecting the countryside for its own sake. Adopted Uttlesford Local Plan Policy S7 states that development will only be given for development that needs to take place there, or is appropriate to a rural area. The development of this site with residential development would be detrimental to the character of the rural area. Furthermore it would result in new development within an unsustainable location where there would be a reliance on the private car. It has not been clearly demonstrated by the applicant that there is a requirement for development to take place in this location which outweighs the presumption in favour of protection of the site and the development is therefore contrary to Uttlesford Local Plan Policy S7.

Helen Kershaw and Councillor Clover (Town Council) spoke against the application. Steven Brown spoke in support of the application.

0507/12/OP Clavering – outline planning permission for the erection of 31 dwellings with some matters reserved except access, layout and scale – land west of the Cricketers, Stickling Green Road for Mr and Mrs Roger and Alma Vila.

Reason:

The application site is located outside development limits in the countryside which is to be protected for its own sake. Planning permission will only be granted for development that protects or enhances the particular character of the part of the countryside in which it is set or there are special reasons why the development in the form proposed needs to be there. The application site is an important undeveloped space, maintaining scattered and sporadic character of the area and its rural appearance. As such, the application site should be protected from urbanising development.

Furthermore, in the countryside, planning permission will only be granted for development that needs to take place there. It is recognised that the Council has a five year housing land supply shortfall. However, the application site fails the National Planning Policy Framework in so far as this environmental harm and the unsustainable nature of the site, being unsuitable for housing with

limited access to local services, contrary to encouraging trips by means other than by vehicle. Therefore, there are no exceptions that would outweigh the presumption in favour of protection of the environmental value of the site and the protection of the countryside for its own sake contrary to the National Planning Policy Framework, as well as saved Policies S7 and GEN2 of the Uttlesford Local Plan adopted 2005.

Councillor Oliver, Alexandra Weston and Stephanie Gill (parish Council) spoke against the application. Roger Vila spoke in support of the application.

(c) District Council Development

RESOLVED that pursuant to the Town and Country Planning (General) Regulations 1992, permission be granted for the developments proposed subject to the conditions recorded in the officer's report.

1161/12/DC Stansted – erection of CCTV/ANPR pole – land fronting 25 Cambridge Road for Uttlesford District Council.

1127/12/DC Saffron Walden – reduction of raised ground – land at Elizabeth Way for Uttlesford District Council.

(c) Planning Agreements

0692/12/FUL Manuden – erection of village hall/changing rooms, multi-use games area, sports pitches, car parking and 14 dwellings with access road off Clavering Road – site off the Street for Manuden Parish Council.

RESOLVED that conditional approval be granted for the above application subject to

- I) the conditions set out in the report, and the following amendments
 - i) condition 7 to read 'prior to the commencement of the development....'
 - ii) Condition 8 to read 'prior to the commencement of development.....'
 - iii) Delete condition 14
 - iv) Delete condition 15 and add as an informative note.
 - v) Condition 17 – amended hours of construction for 7.00am to 6.00pm Monday to Friday. 8.00pm – 1.00pm on Saturday.
 - vi) Delete condition 25
 - vii) Condition 26 to read ' the Village Hall.....'
 - viii) Condition 31 – Hours of use be amended to 0800 – 2400.

- II) A legal obligation as follows:-

The applicant be informed that the committee would be minded to refuse planning permission unless by 22 February 2013 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

1. Provision of the 4 affordable housing;
2. Restriction to prevent market homes without provision of community elements;
3. Post completion financial assessment and identification of excess funding and its retention for reinvestment in the development (or similar);
4. Payment towards early years and childcare provision as stated within Essex Developers' Contribution Guidance 2010 after the first £100, 000 of profit goes to the New Charity set up to manage the village/sport hall and pitches. Payment contribution towards education to be agreed particularly if the total end profit is below £160, 307;

Angela Khalil and Dr Atkinson spoke in support of the application.

Councillor Cheetham and Councillor Salmon having declared a pecuniary interest left the meeting for the consideration of this item.

1304/12/FUL Takeley – change of use from vacant land to airport car parking for a temporary period of 3 years – site 500 Coopers End Road Stansted Airport for AP27 Limited c/o Arora Management Services Limited.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report and a 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 reason set out in paragraph (III) unless by 22nd February 2013 the freehold owner(s) enter 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) Charging a levy on each car park transaction to support improvements to public transport, cycling and walking at the airport in response to objectives of the Stansted Area Transport Forum as set out in the 2008-2015 Airport Surface Access Strategy
 - (ii) Payment of 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 obligation, the Assistant Director Planning and Building Control shall be authorised to refuse to grant planning permission for the following reason:
- (i) The provision of further passenger car parking within the airport boundary would, in the absence of a levy being charged, not encourage movements by means other than driving a car contrary to Policy GEN1(e) of the ULP.

Councillors Cheetham and Salmon having declared a pecuniary interest left the meeting for the consideration of this item. The vice-chairman Councillor Eden took the chair for this item.

0545/12/REN Saffron Walden – renewal of planning application UTT/0284/05/OP for demolition of existing buildings, change of use of land from industrial to residential and erection of 12 dwellings – Goddards Yard for F W Goddard Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report and a legal obligation as follows:-

The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless within 6 months of being invited to do so 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 an agreement to secure the following:

1. Prior to development commencing a payment of appropriate contribution to secondary school education as stated within the Essex Developers' Contribution Guidance 2010 (or equivalent at time of commencement of development).

0240/12/OP Little Canfield – Demolition of motel/restaurant, associated outbuildings and no.2 Hamilton Road. Erection of 13 dwellings with associated access – Stansted Motel and No.2 Hamilton Road for Dales Development Ltd

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report.

The applicant be informed that the committee would be mindful to refuse planning permission unless within 6 months of being invited to do so 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 an agreement to secure the following:

Prior to the Implementation of the development, pay to Uttlesford District Council

i) Primary School Contribution - the sum of thirty-two thousand eight hundred and forty-five pounds (£32,845) Index Linked from the date of the permission to date of payment

ii) School Transport Contribution - the sum of seven thousand pounds (£7,000) Index Linked from the date of the Permission to date of payment.

Mr Blackwell spoke in support of the application.

Councillor Eastham declared a pecuniary interest and left the meeting for the consideration of this item.

PC19 **APPEAL DECISIONS**

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

PC20 **PLANNING AGREEMENTS**

The Committee noted the list of outstanding planning section 106 agreements.

The meeting ended at 7.45pm