

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 2.00 pm on 12 DECEMBER 2012**

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

Officers in attendance:- K Benjafield (Planning Officer), N Brown (Development Manager), M Cox (Democratic Services Officer), M Jones (Planning Officer), M Perry (Assistant Chief Executive - Legal), A Taylor (Assistant Director Planning and Building Control) and C Theobald (Planning Officer).

**PC34 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

An apology for absence was received from Councillor Loughlin.

Councillor Cheetham declared a pecuniary interest in application 12/5510/LB Takeley as her husband was the applicant. She would leave the room for the consideration of the application.

**PC35 MINUTES**

The Minutes of the meeting held on 14 November 2012 were received, confirmed and signed by the Chairman as a correct record.

**PC36 PLANNING APPLICATIONS**

**(a) Approvals**

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

**12/5235/DFO Saffron Walden** – Submission of reserved matters pursuant to outline planning application UTT/0400/09/OP with regard to the creation of an access road to serve the land approved for employment uses – Land at Ashdon Road for Persimmon Homes.

**12/5342/FUL Little Dunmow** – Demolition of existing agricultural research offices and agricultural storage buildings. Replacement buildings and 2 replacement agricultural storage buildings, together with associated improvements to existing vehicle access and parking arrangements – Throws Farm, Throws Corner, Brookend Road for Agrii.

**12/5438/FUL Takeley** – Variation of condition 4 on approved planning application UTT/1360/12/FUL – Land adjacent to Cranwellian, The Street for Mr T Jones.

Subject to an amendment to condition 11 to read 'remediation must not commence until parts 1 – 3 has been complied with' and the last line to read 'until condition 3 has been complied with'.

*Steven Hayhurst spoke in support of the application.*

**12/5142/FUL Takeley** – Erection of 6 dwellings and associated infrastructure – Land adjacent to the Olivia's, Dunmow Road for Mr Keith Price.

Subject to the following amendments

i) Condition 1

The development hereby permitted shall be begun before the expiration of 2 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.

ii) Additional conditions:

10. Before development commences details of surface water drainage works in relation to the construction of the crossover forming the new access road shall be 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 all surface water to the ground within the site by means of a sustainable drainage system, which should include levels of the drive, materials to be used and how it would be drained. The results of this assessment shall be submitted to the local planning authority. Subsequently the surface water drainage shall be carried out in accordance with the approved details before the first occupation of the dwellings and maintained in the same condition thereafter.

REASON: To control the risk of flooding to the development and adjoining land in accordance with Policies GEN2 and GEN3 Uttlesford Local Plan (adopted 2005).

11. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power,

- viii. communications cables, pipelines etc. indicating lines, manholes, supports.);
- ix. retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

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 GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

12. 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).

13. Before the development hereby permitted commences, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The buildings shall be designed as 'Lifetime Homes' . All the measures that are approved shall be incorporated in the development before occupation.

REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.

**12/5510/LB Takeley** – Replacement windows and french doors – Beech Cottage, Smiths Green for Mr. R Cheetham.

*Councillor Cheetham left the meeting for the consideration of this item.*

**(b) Refusal**

RESOLVED that the following application be refused for the reasons stated in the officer's report.

**12/5588/DOC Takeley** – To discharge condition 12 of UTT/1360/12/FUL Takeley – Land adjacent to Cranwellian, The Street for Mr T Jones.

**(c) Planning Agreements**

**1) 12/5270/FUL 2) 12/5271/CA 3) 12/5273/LB Great Dunmow** – 1) erection of 12 apartments, 2) demolition of existing garage buildings, showroom and

workshops 3) alterations including making good of walls, rendering and bricking up existing opening – 14 Stortford Road for Crownfield Holdings Ltd.

RESOLVED that conditional approval be granted for the above applications subject to the conditions set out in the report and an amendment to condition 9 to read 'parts 1 -4', 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 reasons set out in paragraph (III) unless by 17 March 2013 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) the payment of a financial contribution for education provision
- (ii) pay the Council's reasonable costs

(II) 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) There is insufficient provision for primary and secondary places in Great Dunmow and this development would add to the need for this provision. The application provides no mechanism for addressing or mitigating the shortfall in the provision in the locality. It therefore fails to comply with Policy GEN6 of the Uttlesford Local Plan and the Essex Developers' Guide to Infrastructure Contributions (Adopted as County Supplementary Guidance).

*Councillor Davey declared a non-pecuniary interest as a member of Great Dunmow Town Council who had offices in the next door property.*

**12/5198/OP Newport** – outline proposal for the demolition of existing nursery buildings and former packing shed and erection of 17 dwellings with new vehicular access and estate road involving the demolition of an existing frontage bungalow – Carnation Nurseries, Cambridge Road for Mr and Mrs Tiejido

RESOLVED that the Assistant Director be authorised to approve the above application following the final expiry of advertisement period, the conditions set out in the report, and an additional condition relating to an accessibility statement and a legal obligation as follows:-

- (I) The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless by 31 March 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 an agreement to secure the following:

- (i) the provision of bus stop improvements.
- (ii) payment of contributions towards education provision as per the formula for calculating education contributions.
- (iii) provision of affordable housing.
- (iv) pay the Council's reasonable costs.

(II)'''' 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:

- (i) No contributions for bus stop improvements
- (ii) No contributions towards education provision
- (iii) No affordable housing

*Peter Ascot and Ted Denyer and Mr Wilbraham spoke in relation to the application.*

PC37

### **PLANNING COMMITTEE DELEGATION**

The Committee was advised of minor amendments that were proposed to the Planning Delegation scheme. These reflected recent changes to legislation.

RESOLVED that the revised delegation to the Assistant Director Planning and Building Control be adopted by the Planning Committee.

PC38

### **APPEAL DECISIONS**

Members noted the appeal decisions which had been received since the last meeting.

The meeting ended at 4.10 pm.