

**EXTRAORDINARY PLANNING COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 17 DECEMBER 2012**

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

Officers in attendance:- M Cox (Democratic Services Officer), N Brown (Development Manager), K Denmark (Development Management Team Leader), C Oliva (Solicitor) A Taylor (Assistant Director Planning and Building Control), M Tourvas (Development Management Team Leader) and S Wellard (Planning Officer).

PC39 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Hicks.

Councillor Eastham declared a pecuniary interest in application 12/5513/OP Great Chesterford as he was employed by the agent.

Councillor Ranger declared a non - pecuniary interest in application 12/5349/FUL Hatfield Heath as he had been a guest at an awards function organised by the applicant.

PC40 PLANNING APPLICATIONS

(a) Approvals

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

12/5226/FUL Saffron Walden – erection of 31 sheltered apartments including communal facilities, access, car parking and landscaping – Lodge Farm, Radwinter Road for Churchill Retirement Living Ltd.

Subject to

- i) Deletion of condition 12
- ii) The submission of a unilateral undertaking relating to the provision of £395,000 towards off-site affordable housing contribution.

Ellie Smith spoke in support of the application.

12/5238/FUL Saffron Walden - Variation of condition 7 on planning permission UTT/0498/12/FUL to read "Clear to ground visibility splays of 2.4m x 37.7m to the west and 2.4m x 50.4m to the east of the access as shown on drawing no. 205 dated January 2012 to include the removal of all scrub vegetation" - former gas Works, Radwinter Road for Taylor Wimpey East London.

12/5030/FUL Widdington – variation of condition no.2 of planning application UTT/0770/12/FUL to allow minor changes to the approved plans for the erection of 4 dwellings – Church View, Church Lane for Grange Builders LLP.

0166/12/FUL Stansted – proposed basement and two storey side extension – 27 Brewery Lane for Mr Jonathon Rich.

Councillor Salmon declared a pecuniary interest as a colleague of the applicant and left the meeting for the consideration of the item.

12/5584/FUL Great Dunmow – change of use of detached outbuilding which encloses a pool to use as dog hydrotherapy and exercise practice – 5 The Dell Great Dunmow for Ms C Littlemore.

Subject to amendments to the following conditions

- i) Delete condition 3
- ii) Condition 4 – opening hours on Monday to Saturdays from 10.00am to 6.00pm.
- iii) Condition 5 - The applicant to read 'Ms C Littlemore'.
- iv) Condition 6 – to read 'The use hereby permitted shall be restricted to a maximum of five sessions a day and only one customer shall attend each session'.

John Robinson spoke in support of the application.

(b) Delegation to the Assistant Director Planning and Building Control

12/5227/CA Saffron Walden –Demolition of two buildings and reduce the height of the flint and stone wall – Lodge Farm, Radwinter Road for Churchill Retirement Living Ltd

RESOLVED that the Committee gives delegated powers to the Assistant Director Planning and Building Control to approve the above application following the expiry of re-advertisement of the CA notice.

(c) Planning Agreements

12/5513/OP Great Chesterford – outline application for residential development with all matters reserved except access – Land South of Stanley Road and Four Acres and west of B184, Walden Road for Camilla Fox and Zoe Benyon.

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

- i) Condition 2 – reduce timescale for reserved matters application to be received to 1 year.
- ii) The access onto Four Acres to be pedestrian and cycle access only.
- iii) The dwellings located behind the Elms should not be higher than 5.5m

- iv) A slab level condition for the dwellings located behind the Elms.
- v) No time limit for return of land associated with the land provided for potential school/community use.

and a legal obligation as follows

- (1) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (iii) unless before 9 January 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 1999, 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:
- a. Payment of contributions towards education provision
 - b. 40% affordable housing provision provided in blocks of no greater than 10.
 - c. Provision of Local Area of Play and Public Open Space and contributions of maintenance for 20 years.
 - d. Provision of at least 4 single storey 1 or 2 bed bungalows
 - e. A provision of at least 5% which are built to wheelchair accessible standards
 - f. The provision of 2.1ha Community Use Land/Education Land next to the Community Centre
 - g. Prior to development payment towards early years and childcare provisions
 - h. Provision of footpath/cycle path through the development towards Stanley Road (the vacant site) and they will not object or seek payment to future scheme linking to it.
 - i. Meet Council's reasonable legal costs.

Councillor Redfern, Mr Schneider and Joanna Francis spoke against the application. Rob Haywood spoke in support of the application.

Councillor Eastham, having declared a pecuniary interest left the meeting for the consideration of the item.

12/5349/FUL Hatfield Heath – affordable housing development consisting of 14 dwellings and allotments – Land at Broomfields for Hastoe Housing Association.

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 before 9 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 and retention in perpetuity of all 14 units as affordable dwellings, administered by a Registered Social Landlord.
 - (ii) Provision of allotments.
 - (iii) 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:
 - (i) No affordable housing
 - (ii) No provision of allotments.

Ulrika Maccariello spoke in support of the application.

1335/12/FUL Takeley – erection of 41 dwellings (including affordable housing) with new vehicular and pedestrian access, associated infrastructure and landscaping – Land at Brewers End, Dunmow Road for Countryside Properties (UK) Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report (the deletion of condition 10) and a legal obligation as follows

The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph II unless before 12 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 agreement to secure the following:

- (i) Pro-rata uplift in the community payment for education of £120,613 to provide additional primary school places.
 - (ii) Provision of 40% affordable housing
 - (iii) The provision of public open space, with a three month option of transfer of land to Takeley Parish Council and 20 year contribution to maintenance costs.
 - (iv) 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:
 - (vii) No uplifted community payment
 - (viii) No provision of affordable housing

Trevor Dodkins spoke in support of the application.

(d) 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.

12/5597/DC Takeley – change of use from 3 bedroom semi-detached house into ground floor one bedroom flat and first floor studio flat, each with own entrance – 4 School Vilas, Molehill Green for Uttlesford District Council.

The meeting ended at 4.30pm.