

PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 2.00 pm on 3 JULY 2013

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

Officers in attendance: N Brown (Development Manager), R Dobson (Democratic Services Officer), N Ford (Senior Planning Officer), C Oliva (Solicitor), M Tourvas (Development Manager Team Leader –North) and S Wellard (Planning Officer).

PC7 INTRODUCTORY COMMENTS

The Chairman informed those present that a member of the public had immediately prior to the meeting indicated it was his intention to film it. Filming of public meetings was apparently permissible under new guidance issued by the Secretary of State for Communities and Local Government. Members of the public who were registered to speak could if they wished ask that filming should stop whilst they spoke. This option was not open to Members.

In reply to a member question, the Chairman said it was not necessary for the whole meeting and an individual was at liberty to only film a part of the meeting.

PC8 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors K Eden, E Godwin and R Eastham.

The following pecuniary interests were declared in respect of application UTT/13/1041/FUL Manuden:

Councillor Cheetham, as she knew one of the owners of the land.
Councillor Salmon, as he knew one of the owners of the land.

The Chairman asked to know the name of the person filming, who answered that he was Matthew North, a resident of Saffron Walden.

PC8 MINUTES OF THE PREVIOUS MEETINGS

The Minutes of the meeting held on 5 June and of the extraordinary meeting held on 6 June 2013 were received, confirmed and signed by the Chairman as a correct record.

PLANNING APPLICATIONS

(a) Approvals

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

13/1153/DFO Thaxted - Details following outline application UTT/1562/11/OP for the erection of 55 dwellings with approval for landscaping – land off Wedow Road, for Croudace Homes Ltd.

13/1501/HHF Saffron Walden – garage conversion and pitched roof to porch – 24 St John's Close, Saffron Walden for Mr and Mrs R Williams.

It was also agreed to include an informative note that the drawing appeared to contain an error in that it did not show how internal access would be gained between the extension and the main part of the house.

(b) Refusals

RESOLVED that the following applications be refused for the reasons set out in the officer's report

13/1190/OP Takeley – Erection of 4 dwellings with all matters reserved – land adjacent to Belstock, Cricketfield Lane, Molehill Green, Takeley for Mr James Salmon.

(c) Withdrawn

The following application was withdrawn.

13/0750/FUL Saffron Walden – Outline application with all matters reserved except access for residential development of up to 55 dwellings – land behind The Old Cement Works, Thaxted Road, for Tamcourt Ambit Ltd.

(d) Planning Agreements

13/0909/OP Henham – Outline for the erection of 14 dwellings with all matters reserved except access – land at Chickney Road for Mr T Smith.

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

1. The conditions set out in the report subject to the following amendments

in condition 2(A) to shorten the period during which application for approval of the Reserved Matters shall be made to the Local Planning Authority from not later than the expiration of 3 years, to the expiration of 2 years from the date of this permission; and an amendment to condition 2(B) similarly to shorten the period when the development hereby permitted shall be begun to not later than the expiration of 1 year from the date of approval of the last of the Reserved Matters to be approved.

2. A section 106 agreement 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 16 July 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) Affordable Housing provision
 - (ii) Education contribution
 - (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) Lack of affordable housing provision
 - (ii) Lack of education contribution

13/1041/FUL Manuden – application to vary condition 2 (approved plans) on application 0692/12/FUL regarding plot 6 (no.6 Langlands) – land at The Street, for Pelham Structures Ltd.

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

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph II unless by 15th July 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;

(II) In the event of such an agreement being made, the Assistant Director 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 Divisional Head of Planning and Building Control shall be authorised to refuse permission for the following reasons:

1. No provision of affordable housing;
2. No provision of community elements;
3. No provision of education contribution;
4. The application was granted planning permission as enabling development which has failed to be demonstrated.

Councillors Cheetham and Salmon left the meeting for the consideration of this item.

PC9

APPEAL DECISIONS

The Council's solicitor presented the report on Section 106 agreements and updated progress with outstanding schemes.

PC10

PLANNING AGREEMENTS

Members noted the outstanding Section 106 Agreements.

The meeting ended at 3.05pm.