

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 31 JULY 2013**

Present: Councillor J Cheetham – Chairman.
Councillors C Cant, J Davey, R Eastham, K Eden, E Hicks,
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 (Development Manager
Team Leader –South), S Heath (Planning Officer), M Jones
(Planning Officer), C Mathieson (Senior Planning Officer), C Oliva
(Solicitor), M Tourvas (Development Manager Team Leader –
North), A Taylor (Assistant Director Planning and Building
Control).

PC13 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor E Godwin.

Councillor Menell declared a pecuniary interest in applications 13/1606/HHF
and 13/1607/LB Littlebury as her son was the agent for the applications.
She also declared a personal interest in the Swards End applications as the
applicant was known to her.

Councillor Davey declared a pecuniary interest in the applications at
Swards End.

PC14 MINUTES OF THE PREVIOUS MEETINGS

The Minutes of the meetings held on 3 July and of the extraordinary meeting
held on 4 July 2013 were received, confirmed and signed by the Chairman
as a correct record.

PC15 PLANNING APPLICATIONS

(a) Approvals

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

13/1547/FUL Felsted – Use of land for the stationing of caravans for
residential purposes for 1 no. gypsy pitch together with the formation of
additional hard standing and a utility/dayroom ancillary to that use – the
Yard, Bartholomew Green for Mr D Buckley

Subject to

- i) An amendment of condition 2 to read 'pitch' not pitches.
- ii) Condition 9 (landscaping) to specify the requirement to retain the hedges bordering the site.

Michael Harmon and Peter Watson (Parish Council) spoke against the application. Nathaniel Green spoke in support of the application.

13/1365/FUL White Roding - Variation of condition 10 of planning permission UTT/0678/12/FUL (the premises shall not be open to the public other than between the hours 7.30 hours to 23.30 hours for no more than 80 days in one year) in order to allow opening hours between 7.30 hours and 00.30 hours except for overnight residents, and to allow events/functions to take place on no more than 180 days in one year – Colville Hall, Chelmsford Road for Mrs P Wisbey.

Substantive condition 10 was not varied and now reads as follows

- 10 The premises shall not be open to the public other than between the hours of 7.30 hours to 23.30 hours (except for overnight residents) for no more than 80 days in one year.
REASON: In the interests of the amenity of the area in accordance with policies GEN2 and GEN4 of the Uttlesford Local Plan(adopted 2005).

The following conditions were amended

- 22 Prior to commencement of the development of the buildings, the provision and implementation of improvements to the junction with the A1060 Chelmsford Road, as shown in principle on the submitted drawing numbered SK01 REVA. Such improvements are to include, but are not limited to, visibility splays of 2.4m x 160m in both directions and radius kerbs of 10m. all details are subject to the necessary safety audits and design checks and are to be agreed by the Highway Authority.
REASON: In the interests of highway safety and efficiency.
- 23 Prior to commencement of the development of the buildings the provision of a new access road from a revised junction with the A1060 as shown in principle on the submitted drawing numbered SK01 Rev A. Details to be submitted to and approved in writing by the Local Planning Authority
REASON: In the interests of highway safety and efficiency
- 3 Attach the following reason to condition
REASON: The proposed development lies on the site Colville Hall which is a protected scheduled monument and is a significant group of historic buildings dating back to the 13th Century. This application is concerned with the grade II Listed "Mill Pond barn", grade II * Listed Byre, grade II Cart-lodge, grade I Listed "Orchard Barn and the

“Stable-block”. The whole of Colville Hall is protected as a scheduled monument with a series of fish ponds possibly originally forming a moated complex. The proposed conversion of the buildings will alter the character of the present farm complex and has the potential to uncover evidence of earlier occupation on the site

Marc Bouldon and Hugh Brown (parish Council) spoke against the application. David Jones spoke in support of the application.

13/1471/HHF Saffron Walden – single storey extensions, internal alterations and construction of single storey outbuilding within garden – 23 Castle Street for Mrs Jenefer Bamborough

Victoria Joslow spoke against the application. Jenefer Bamborough and Gideon Brimmer spoke in support of the application.

13/1428/HHF Hatfield Heath – erection of shed to rear of existing garage – Rosemary Cottage, Stortford Road for Mr K Sullivan.

13/1606/HHF Littlebury – erection of single storey rear extension (amended scheme approved under application UTT/2120/11/FUL) Beech Cottage, Cambridge Road for Mr and Mrs Broomfield.

Councillor Menell left the meeting for the consideration of this item.

13/1607/LB Littlebury – demolition of existing lean-to rear extension and erection of single storey extension and alterations to window in first floor elevation (amended scheme to approved application UTT/2121/11/LB) – Beach Cottage, Cambridge Road for Mr and Mrs Broomfield.

Councillor Menell left the meeting for the consideration of this item.

(b) Refusals

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

13/1043/OP Great Dunmow/Little Easton - outline planning application with the details of external access committed. Appearance, landscaping, layout (including internal access), and scale reserved. Development to comprise: between 600 and 700 dwellings (Use Class C3); up to 19,300 sq m gross of additional development (including the change of use of existing buildings) for Use Classes: A1, A2, A3, A4, A5 (retail); B1(a)(offices); C2 (residential institutions care home); D1, D2 (leisure and community uses); car parking; energy centre; and for the laying out of the buildings, routes, open spaces and public realm and landscaping within the development; and all associated works and operations including but not limited to: demolition; earthworks; and engineering operations - Land west of Great Dunmow, Stortford Road, Little Easton for L S Easton Park Investments Ltd.

With the following additional reason for refusal

8. Insufficient information has been submitted to demonstrate that the proposed development would not unnecessarily sterilise mineral resources or conflict with the effective workings of Highwood Quarry, Little Easton Airfield. Furthermore it has not been sufficiently demonstrated that there would not be harm to the amenity of the occupants of the proposed development by virtue of noise, vibration, dust, visual impact and/or hydrogeological/land stability resulting from the working of Highwood Quarry, Little Easton Airfield, contrary to the Replacement Minerals Local Plan Pre-Submission Draft (published January 2013) Policy S8 (Safeguarding mineral resources and mineral reserves) and paragraphs 143 and 144 of the National Planning Policy Framework 2012. In addition, in considering cumulative effects the Environmental Statement has not taken account of the mineral/landfill development, and therefore does not comply with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
9. The application fails to provide adequate information to demonstrate to the satisfaction of the Highway Authority that the impact on the highway network is acceptable in terms of highway safety, capacity and accessibility. The proposal would therefore be contrary to Policies DM1, DM4, DM7, DM9, DM10, DM11, DM13, DM14, DM15, DM17 and DM20 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1, adopted 2005

Chris Audritt, Sue Gilbert (Little Easton Parish Council) and Wendy Barron (Great Dunmow Town Council) spoke against the application.

13/1535/FUL Great Dunmow – change of use from office to A5 (hot food takeaway). Insertion of new windows and entrance unit. Erection of extract duct and air compressors – 1A Station House, Station Road for Domino's Pizza Group Ltd.

Reason:

1. The proposal would fail to reduce the potential for crime and does not contain any mitigating measures to minimise the environmental impact on neighbouring properties contrary to the provisions of Uttlesford Local Plan Policy GEN2.
- 2 The proposal would generate noise and disturbance that would be detrimental to the occupiers of residential properties on Station Road contrary to the provisions of Uttlesford Local Plan Policy GEN4.

Councillor G Barker, Robert Jenkins, John Worby, David Watts, Philip Milne (Town Council) spoke against the application Richard Unwin spoke in support of the application.

13/1655/OP Swards End –outline application for the erection of 3 No. dwelling and garages with all matters reserved except access – land at the vineyard, Cole End Lane for Mr Mone

Reason: The proposed development by reasons of its design, size, scale and location would have a detrimental impact upon the open and rural nature of the countryside and would fail to protect or enhance it, contrary to Policies S7, GEN2, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

Councillor A Ketteridge, Sue Porter, Paul Ward, Roger McNaught, Chris Sykes, Rosemary Gorman, Geoff Woollerson (parish Council) spoke against the application. Brian Christian spoke in support of the application.

Councillor Davey left the meeting for the consideration of this item.

(c) Planning Agreements

UTT/13/1393/OP Takeley – proposed residential planning application of up to 100 dwellings, to include provision of 6.3 hectares of public open space – land south of Dunmow Road, Brewers End for Amsted Properties Ltd.

RESOLVED that conditional approval be granted for the above application

1 subject to the conditions set out in the report and

i) amend condition 2 as follows

(A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.

(B)The development hereby permitted shall not be begun later than the expiration of 1 year from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

ii) The following additional conditions

6. No dwelling shall be occupied until there has been the provision of improvements to bus stop infrastructure to the east and west bound bus stops on Dunmow Road in the vicinity of the site. These improvements shall include but not be limited to raised kerb, shelter, seating, real time information, flag and timetable casing. Prior to the commencement of the development details of the improvements shall be submitted to and approved in writing by the Local Planning Authority. The

improvements shall subsequently be implemented as approved.

REASON: In the interests of highway safety, efficiency and accessibility, in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan, adopted 2005.

- 7 No dwelling shall be occupied until there has been the provision of a footway on the southern side of Dunmow Road from the site access to tie in with the existing footway, together with 2 dropped kerb pedestrian crossing points with tactile paving to the east and west of the site access. The footway and crossing points shall be carried out in accordance with details which have been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety, efficiency and accessibility, in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan, adopted 2005.
8. No development or preliminary groundworks shall commence until a programme of archaeological evaluation has been secured and undertaken in accordance with a written scheme of investigation which has previously been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to the local planning authority following the completion of this work.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan, adopted 2005.
9. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been previously approved by the local planning authority in consultation with its historic environment advisors.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan, adopted 2005.
- 10 The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan, adopted 2005.

11. No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority, details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at www.aoa.org.uk/operations-safety). These details shall include:
- any earthworks
 - grassed areas
 - the species, number and spacing of trees and shrubs
 - details of any water features
 - drainage details including SUDS – Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS)' (available at www.aoa.org.uk/operations-safety).
- No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- REASON: To avoid endangering the safe movement of aircraft and the operation of Stansted Airport through the attraction of birds and an increase in the bird hazard risk of the application site.
12. Prior to the commencement of development hereby permitted details of the Sustainable Urban Drainage Schemes (SUDS) shall be submitted to and approved in writing by the Local Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at www.aoa.org.uk/operations-safety). The submitted Plan shall include details of:
- Attenuation times
 - Profiles & dimensions of water bodies
 - Details of marginal planting
- No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- REASON: To avoid endangering the safe movement of aircraft and the operation of Stansted Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)
13. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- monitoring of any standing water within the site temporary or permanent

- sustainable urban drainage schemes (SUDS) – Such schemes shall comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at www.aoa.org.uk/operations-safety).

- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow. The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Stansted Airport.

- 14 Prior to the commencement of development a Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, in accordance with the general principles outlined in the Phase 1 Habitat Survey (Rev D dated May 2013) and shall include:
- (i) Aims and objectives of mitigation;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed, including but not restricted to the public open space and new planting;
 - (iv) Sources of habitat materials;
 - (v) Timing of the works;
 - (vi) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation including the specific native species that will be used for planting;
 - (vii) Details of the location, height, design and luminance of all fixed lighting for both construction and occupation phases of the development to minimise impacts on foraging bats;
 - (viii) Prescriptions for management actions;
 - (ix) Detailed descriptions of biodiversity enhancement measures that will be taken on-site as outlined in the Phase 1 Habitat Survey (Rev D dated May 2013);
 - (x) The Plan shall include demonstration of the feasibility of the implementation of the biodiversity mitigation & enhancement plan.
- The development hereby permitted shall be implemented in accordance with the approved plan.
- REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies.

15. Should the development hereby approved not have been commenced within 2 years of the date of existing surveys, a further biodiversity survey of the site shall be carried out to update the information previously submitted with the application, together with an amended Biodiversity Mitigation & Enhancement Plan to mitigate/compensate the impact of the development upon the identified rare or protected species. The new biodiversity survey and Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved biodiversity survey and Biodiversity Mitigation & Enhancement Plan.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies. Legally protected species were not recorded on the development site, however may colonise the area in the intervening time if there is a delay to development. Badgers and bats particularly are highly mobile and opportunistic.
16. Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.
REASON: To enhance the sustainability of the development through better use of water, energy and materials.
17. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.
REASON: To enhance the sustainability of the development through efficient use of water resources.
18. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to

throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development

REASON: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

2 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 (III) unless by the 23 August 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) Community payment for education
- (ii) Provision of 40% affordable housing
- (iii) Provision and transfer of open space
- (iv) Contribution towards maintenance of open space for 20 years.
- (v) Contribution towards additional healthcare provision.
- (vi) Provision of allotment space of 0.5 hectares and associated parking.
- (vii) Pay Councils reasonable costs

(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 Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:

- (i) Lack of provision of payment for education
- (ii) Lack of Provision of 40% affordable housing
- (iii) Lack of provision of public open space
- (iv) Lack of provision of payment for healthcare facilities
- (v) Lack of provision of allotments and associated parking.

3. An informative note that the 30mph limit at Brewers End Takeley should be implemented as soon as possible.

Geoff Bagnall (parish council) spoke against the application. David Fletcher spoke in support of the application.

13/1653/OP Swards End – outline application for the erection of 1 no. dwelling and garage with all matters reserved except access – plot 2 Land adj Guyvers, 2 Walden Road, Swards End for Mr T Slade.

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

- 1 Amendment to condition 2 - reserved matters application to be made not later than the expiration of 2 years from the date of the permission
Amendment to condition 3 – development shall be done no later than the expiration of 1 year from the date of approval of the last of the reserved Matters to be approved,
- 2 The following additional conditions
 - 1) No scrub, hedgerow or tree clearance shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for vegetation removal between 1st March and 31st August inclusive, a detailed hand-search of the affected area must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005)
 - 2) The development hereby permitted shall be implemented in accordance with Section 5 'Recommendations' of the Protected Species Assessment (dated March 2013) in all respects unless otherwise agreed in writing by the Local Planning Authority. The mitigation and enhancement measures shall thereafter be permanently maintained and retained.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005). Paragraph 109 of the NPPF states that the planning system should seek to enhance the natural environment by providing net gains in biodiversity wherever possible, and incorporating biodiversity in and around developments should also be encouraged under Paragraph 118.
 - 3) Should the development hereby approved not have been commenced within 2 years of the date of the existing Protected

Species Assessment, a further survey of the site shall be carried out to update the information previously submitted with the application, together with a Mitigation Plan to mitigate/compensate the impact of the development upon any identified protected species. The new survey and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved survey and Mitigation Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

2 and a legal 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 15 August 2013 the 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) Financial contribution towards 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:
 - (i) Lack of provision of affordable housing

Councillor A Ketteridge, Sue Porter, Paul Ward, Roger McNaught, Chris Sykes, Rosemary Gorman, Geoff Woollerson (parish Council) spoke against the application. Brian Christian spoke in support of the application.

Councillor Davey left the meeting for the consideration of this item

13/1670/OP Swards End –outline application for the erection of 1 No. dwelling and garage with all matters reserved except access – Plot 1, land rear of Highview, 6 Cole End Lane Swards End for Mr Olley.

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

- 1 Amendment to condition 2 - reserved matters application to be made not later than the expiration of 2 years from the date of the permission
Amendment to condition 3 – development shall be done no later than the expiration of 1 year from the date of approval of the last of the reserved Matters to be approved,
- 2 The following additional conditions
 - 1) No scrub, hedgerow or tree clearance shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for vegetation removal between 1st March and 31st August inclusive, a detailed hand-search of the affected area must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005)
 - 2) The development hereby permitted shall be implemented in accordance with Section 5 ‘Recommendations’ of the Protected Species Assessment (dated March 2013) in all respects unless otherwise agreed in writing by the Local Planning Authority. The mitigation and enhancement measures shall thereafter be permanently maintained and retained.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005). Paragraph 109 of the NPPF states that the planning system should seek to enhance the natural environment by providing net gains in biodiversity wherever possible, and incorporating biodiversity in and around developments should also be encouraged under Paragraph 118.
 - 3) Should the development hereby approved not have been commenced within 2 years of the date of the existing Protected Species Assessment, a further survey of the site shall be carried out to update the information previously submitted with the application, together with a Mitigation Plan to mitigate/compensate the impact of the development upon any

identified protected species. The new survey and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved survey and Mitigation Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

3

and a legal 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 15 August 2013 the 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) Financial contribution towards 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:
- (IV) 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 provision of affordable housing

Councillor A Ketteridge, Sue Porter, Paul Ward, Roger McNaught, Chris Sykes, Rosemary Gorman, Geoff Woollerson (parish Council) spoke against the application. Brian Christian spoke in support of the application.

Councillor Davey left the meeting for the consideration of this item.

13/1654/OP Swards End –outline application for the erection of 1 No. dwelling and garage with all matters reserved except access – Plot 3, land adjacent Guyversm, 2 Walden Road for Mr Slade.

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

- 1 Amendment to condition 2 - reserved matters application to be made not later than the expiration of 2 years from the date of the permission
Amendment to condition 3 – development shall be done no later than the expiration of 1 year from the date of approval of the last of the reserved Matters to be approved,
- 2 The following additional conditions
 - 1) No scrub, hedgerow or tree clearance shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for vegetation removal between 1st March and 31st August inclusive, a detailed hand-search of the affected area must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005)
 - 2) The development hereby permitted shall be implemented in accordance with Section 5 'Recommendations' of the Protected Species Assessment (dated March 2013) in all respects unless otherwise agreed in writing by the Local Planning Authority. The mitigation and enhancement measures shall thereafter be permanently maintained and retained.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005). Paragraph 109 of the NPPF states that the planning system should seek to enhance the natural environment by providing net gains in biodiversity wherever possible, and incorporating biodiversity in and around developments should also be encouraged under Paragraph 118.
 - 3) Should the development hereby approved not have been commenced within 2 years of the date of the existing Protected Species Assessment, a further survey of the site shall be carried out to update the information previously submitted with the application, together with a Mitigation Plan to mitigate/compensate the impact of the development upon any identified protected species. The new survey and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the

development and thereafter the development shall be implemented in accordance with the approved survey and Mitigation Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

3 and a legal 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 15 August 2013 the 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) Financial contribution towards 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:
- (V) 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 provision of affordable housing

Councillor A Ketteridge, Sue Porter, Paul Ward, Roger McNaught, Chris Sykes, Rosemary Gorman, Geoff Woollerson (parish Council) spoke against the application. Brian Christian spoke in support of the application.

Councillor Davey left the meeting for the consideration of this item

13/1652/OP Swards End –outline application for the erection of 1 No. dwelling and garage with all matters reserved except access – Plot 2, land rear of Highview, 6 Cole End Lane for Mr Olley.

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

- 1 Amendment to condition 2 - reserved matters application to be made not later than the expiration of 1 year from the date of the permission

Amendment to condition 3 – development shall be done no later than the expiration of 1 year from the date of approval of the last of the reserved Matters to be approved,

2 The following additional conditions

- 1) No scrub, hedgerow or tree clearance shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for vegetation removal between 1st March and 31st August inclusive, a detailed hand-search of the affected area must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005)
- 2) The development hereby permitted shall be implemented in accordance with Section 5 'Recommendations' of the Protected Species Assessment (dated March 2013) in all respects unless otherwise agreed in writing by the Local Planning Authority. The mitigation and enhancement measures shall thereafter be permanently maintained and retained.
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005). Paragraph 109 of the NPPF states that the planning system should seek to enhance the natural environment by providing net gains in biodiversity wherever possible, and incorporating biodiversity in and around developments should also be encouraged under Paragraph 118.
- 3) Should the development hereby approved not have been commenced within 2 years of the date of the existing Protected Species Assessment, a further survey of the site shall be carried out to update the information previously submitted with the application, together with a Mitigation Plan to mitigate/compensate the impact of the development upon any identified protected species. The new survey and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and thereafter the development shall be

implemented in accordance with the approved survey and Mitigation Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

3 and a legal 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 15 August 2013 the 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) Financial contribution towards 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:
- (VI) 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 provision of affordable housing

Councillor A Ketteridge, Sue Porter, Paul Ward, Roger McNaught, Chris Sykes, Rosemary Gorman, Geoff Woollerson (parish Council) spoke against the application. Brian Christian spoke in support of the application.

Councillor Davey left the meeting for the consideration of this item

PC16

APPLICATION FOR CONSENT TO CARRY OUT WORK TO A TREE LANDSCAPE VIEW SAFFRON WALDEN

The Committee considered a request for a crown reduction of up to 50% of a walnut tree in the grounds of 53 Landscape View, Saffron Walden.

A statement from the applicant was read to the Committee. The request was made on the grounds that the tree had outgrown the garden, gave excessive shading to the lawn, beds and house and previous pruning had allowed brittle stems to grow that tended to brake off . The work was the minimum

maintenance required to keep the tree in good condition whilst reducing excessive shading.

The tree had been inspected by the Council's Landscape Officer who had found it to be a mature tree in good health. It was not considered to be disproportionately large to affect the full enjoyment of the garden or the ambient light to the windows. It was clearly visible from the public highway and significant to the local environment. It was considered that a 50% reduction would reduce the visual amenity and be detrimental to the long term health of the tree.

The Committee agreed with the conclusions of the Landscape Officer but asked that the applicant be advised that a crown reduction of around 20/30% would be more acceptable.

RESOLVED that the application for up to 50% crown reduction of the walnut tree is refused on the grounds that the reduction would be detrimental to the health and visual amenity value of the tree and its contribution to the quality of the surrounding area.

The meeting ended at 7.15pm