

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 2.00 pm on 25 SEPTEMBER 2013**

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

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

**PC23 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors J Loughlin and D  
Perry.

Councillor Eden declared a pecuniary interest in application 13/1618/OP  
Stansted as he was part owner of the Bishop Stortford Rifle Club which was  
located in the vicinity of the site. Also in application 13/1937/OP Saffron  
Walden as Mayor of Saffron Walden as the Town Council had issued a  
public statement on this matter and he could be regarded as having  
predetermined the application.

Councillor Davey declared a pecuniary interest in application 13/2121/OP  
Great Dunmow as the owner of the property.

Councillor Mackman declared that he had previously circulated a statement  
in relation to applications 13/1618/OP Stansted and 13/1790/OP Elsenham  
as he thought he would be absent for the meeting.

**PC24 MINUTES OF THE PREVIOUS MEETINGS**

The Minutes of the meetings held on 28 August 2013 were received,  
confirmed and signed by the Chairman as a correct record.

**PC25 PLANNING APPLICATIONS**

**(a) Approvals**

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

**13/2197/FUL Henham** – change of use from agricultural to light industrial  
B1/B8 use – Parsonage Bury Farm for JF Pimblett & Sons.

*Mr Chapman spoke in support of the application.*

**13/1848/HHF Great Chesterford** – erection of rear extension, front first floor extension and carport – High Green, Rose Lane for Mrs Elfreda Tealby-Watson.

*Mr Coston spoke in support of the application.*

**(b) Refusals**

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

**13/2113/OP Takeley** – outline application for the erection of 4 dwellings with all matters reserved – land adj Belstock, Cricketfield Lane, Molehill Green for Mr A Salmon.

*Ray Gray, Robert Salmon and James Salmon spoke in support of the application. Richard Cheetham (Takeley PC) spoke against the application.*

**(c) District Council Development**

**13/2268/DC Takeley** – conversion of existing dwelling to form 1 ground floor flat and 1 first floor studio flat. Creation of hardstanding and dropped curb – 1 Coopers Villas, Coopers End Road for Uttlesford District Council.

RESOLVED that pursuant to the Town and Country Planning General Regulations 1992, permission be granted for the above application subject to the conditions set out in the officer's report

**(d) Planning Agreements**

**13/1937/OP Saffron Walden** – outline application for up to 52 dwellings with all matters reserved except access – land behind the Old Cement Works Thaxted Road for Tamcourt Ambit Ltd.

RESOLVED that conditional approval be granted for the above application

1 subject to the conditions set out in the report and the an amendment to condition 9 first line to read ' An assessment must be undertaken in accordance with the requirements of part (a) of condition 8'

2 A legal obligation as follows

(l) 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 18 October 2013 of being invited to do so the freehold owner 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 obligation to secure the following:

- (i) Payment of contribution to education provision.
  - (ii) Provision of 40% for affordable housing
  - (iii) Payment of contribution towards Health Provision.
  - (vi) Pay Councils reasonable costs
- (II) In the event of such an obligation 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 obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (i) No contribution to education provision..
  - (ii) No provision of 40% affordable housing
  - (iii) No contribution to health provision

*A statement was read of behalf of Councillor J Ketteridge. Councillor Redfern and Peter Clayden spoke in support of the application. Richard Freeman, Paul Gadd, Dan Starr and Councillor Balliger (Saffron Walden Town Council) spoke against the application.*

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

**13/1618/OP Stansted** - outline application with all matters reserved (except for access) for the redevelopment of site to provide approximately 160 house dwellings, up to 600 square metres of commercial (B1) floorspace, approximately 0.45ha reserved for educational uses, seven full size allotments, paddock and community woodland area with associated open space, landscaping, access, parking and drainage – Land at Walpole Farm Cambridge Road for Bloor Homes/Martin Grant Homes.

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions set out in the report and the following amendments
- i) Condition 2 part B – ‘the development hereby permitted shall be begun **no** later than the expiration of.....’
  - ii) Condition 4 A) i) all **known** previous cases.
  - iii) Condition 5 ‘no occupation of any part of the development or of each phase of development shall take place until a verification report **which shall include a verification plan** demonstrating completion of works.....’
  - iv) Condition 5 Reason -delete the following words

'If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved'

- v) Condition 12 – 'a post-evacuation **archeological** assessment...'
- vi) Condition 13 – 'the proposed drainage/sewage disposal works **strategy**...'
- vii) Condition 20 – Footpath 12, Stansted Mountfitchet shall **be surfaced**.....'
- viii) Condition 30 – delete the word 'only' from the first line.

2 A legal obligation as follows

- (l) 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 4 October 2013 of being invited to do so the freehold owner 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 obligation to secure the following:

- (i) Contribution payment for education
- (ii) Provision and transfer of land for education use (0.45ha);
- (iii) Provision of 40% affordable housing; or an agreed proportion of gifted units to be offered to the Council;
- (iv) Provision and transfer of open space, community woodland, play area and 7 allotments - to be offered to Stansted Parish Council in first instance if they are not prepared to take the land on then the land to be managed and maintained by a Management Company;
- (v) Contribution towards the maintenance of open space for 20 years if the land is to be maintained by the Parish Council;
- (vi) Wheelchair accessible dwellings contribution or 5% of dwelling on site to be wheelchair accessible and provided on site;
- (vii) Off-site highway works;
- (viii) £48,000 contribution towards healthcare facilities;
- (ix) Option of providing the 600m<sup>2</sup> Class B1 office space units to the UDC for a period of 10 years;
- (x) The Assistant Chief Executive – Legal to negotiate with the applicant regarding the number of years that the Paddock should be retained.
- (xi) Contribution for monitoring S106
- (xii) Pay councils reasonable costs

- (II) In the event of such an obligation 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 obligation the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
  - (i) No contribution payment for education
  - (ii) No provision and transfer of land for education use
  - (ii) No provision of 40% affordable housing
  - (iv) No provision and transfer of open space
  - (v) No contribution towards maintenance of open space for 20 years
  - (vi) No wheelchair accessible dwellings
  - (vii) No off-site highway works
  - (viii) No contribution of £48,000 towards healthcare facilities.
  - (ix) The option of providing 600m<sup>2</sup> Class B1 office space units to the UDC for a period of 10 years.
  - (x) Failure to negotiate a period for the retention of the paddock.

*Speakers against the application: Councillors J Rich, A Dean and E Evans, Alan Storah, Ray Woodcock, John Davidson, Gail Hogg and Alison Thompson, Geoffrey Sell (Stansted PC), Nick Shutes (Ugley Parish Council)*  
*Speakers in support of the application: (Pegasus Group) Nicky Parsons, Phil Cooper, Julian Cooper, Stephen Clyne.*

*Councillors Eden and Mackman left the meeting for the consideration of this item.*

**13/1790/OP Elsenham** – outline application for a development of up to 165 homes, open space and allotments. All matters reserved except for access – Land South of Stansted Road Elsenham for Gleeson Developments Ltd.

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

- i) Condition 2 (B) - The development hereby permitted shall be begun **not** later than the expiration of 2 years from the date of approval.....'
- ii) Condition 16 – Prior to the commencement of the development details shall be submitted to and approved by the Local Planning Authority for the provision of a footway from the frontage of the site to Gilbey Cottages.

2 A legal obligation 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 2nd October 2013 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:

- (i) Community payment for education and health care services
  - (ii) Provision of 40% affordable housing
  - (iii) Provision and transfer of open space and play equipment
  - (iv) Contribution towards off-site play equipment and maintenance of open space for 20 years
  - (v) Contribution towards provision of a Community Centre
  - (vi) Provision and transfer of allotments
  - (vii) Contribution towards the provision of off-site highway works
  - (viii) Pay Monitoring Cost
  - (ix) The provision of cycle parking at the station.
  - (x) 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 obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (i) No community payment for education and health care services
  - (ii) No provision of 40% affordable housing
  - (iii) No provision and transfer of open space and play equipment
  - (iv) No contribution towards off-site play equipment and maintenance of open space for 20 years
  - (v) No contribution towards provision of a Community Centre
  - (vi) no provision and transfer of allotments
  - (vii) no contribution towards the provision of off-site highway works
  - (ix) no provision of cycle parking at the station.

*Councillor Parr, Dr Mott and Raymond Franklyn spoke against the application. Marie Nagy spoke in support of the application.*

*Councillors Eden and Mackman left the meeting for the consideration of this item.*

**13/2121/OP Great Dunmow** – outline application for up to 5 dwellings and associated garages with all matters reserved except access – land adjacent to Tower House, St Edmunds Lane for Mr J Davey.

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 would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 27th September 2013 the freehold owner 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 obligation to secure the following:
  - (i) Provision of 40% Affordable Housing
  - (ii) Pay Councils reasonable costs
- (II) In the event of such an obligation 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 obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
  - (i) No affordable housing provision.

It was also agreed to send an informative note in relation to protective species.

*Michael Foster and James Eyre spoke against the application. Brian Christian spoke in support of the application.*

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

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## **APPEAL DECISIONS**

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

The meeting ended at 6.30pm