

**EXTRAORDINARY PLANNING COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 10.00 am on 2 OCTOBER 2013**

Present: Councillor J Cheetham – Chairman.
Councillors 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: N Brown (Development Manager), M Cox
(Democratic Services Officer), M Perry (Assistant Chief Executive
– Legal), K Denmark (Development Manager Team Leader –
South) and A Taylor (Assistant Director Planning and Building
Control).

PC27 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors C Cant and E Hicks.

PC28 PLANNING APPLICATIONS

(a) Authority to Assistant Director Planning and Building Control

UTT/13/0808/OP Elsenham, Henham and Ugley - outline application with all matters reserved, except access, for up to 800 dwellings; up to 0.5ha of Class B1a and B1c employment uses; up to 1,400 sqm of retail uses; a primary school; up to 640 sqm of health centre use; up to 600sqm of community buildings; changing rooms; access roads including access points to B1051 Henham Road and Old Mead Road, a construction access and haul road from B1051 Henham Road, a waste water treatment works access from Bedwell Road, a provision of a link road at Elsenham Cross between the B1051 Henham Road and Hall Road; a waste water treatment works and other associated infrastructure, landscaping and boundary treatment works. Demolition of all existing buildings - Fairfield Site, Station Road, Elsenham for Fairfield (Elsenham) Ltd.

RESOLVED that the Assistant Director Planning and Building Control in consultation with the Chairman of the Committee have delegated authority to refuse the following application after the advertisement period has expired on 17 October 2013.

Reasons: Policies S3, S7, S8, ENV3 and ENV5 of the Uttlesford Local Plan were quoted.

*Speakers against the application: Councillor Morson, Councillor Parr, Councillor Dean (statement read), Nick Edwards, Maria Jasper, Geoff Gardener (on behalf of Elsenham and Henham Parish Councils).
Speaker in support of the application: Phil Copsey (David Lock Associates)*

The meeting was adjourned at 11.30am and reconvened at 1.00pm.

(b) Planning Agreements

13/1769/OP Newport - outline application for the erection of up to 84 houses of which 40% will be affordable, together with the provision of associated open space, a local area equipped for play (LEAP) and allotments and incorporating alterations to the width and alignment of Bury Water Lane, the provision of a new footway to the north of the Lane and alterations to the junction of the Lane with Whiteditch Lane and the provision of two passing places and a footway to School Lane - land at Bury Water Lane, Bury Water Lane for Mr and Mrs D & MA Hill.

RESOLVED that conditional approval be granted for the above application

- 1 Subject to the conditions set out in the report and an amendment to condition 16 to require the footway to be constructed at grade with the road.
- 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 1 November 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) Community payment for education and health care services.
 - (ii) Provision of 40% affordable housing.
 - (iii) Provision of landscape buffer, open space and play equipment
 - (iv) Contribution towards maintenance of open space for 20 years
 - (v) Provision of allotments
 - (vi) Pay monitoring costs
 - (vii) 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 in the report
 - (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 of landscape buffer, open space and play equipment
- (iv) No contribution towards maintenance of open space for 20 years
- (v) No provision of allotments

*Speakers against the application: Councillor Rose, Councillor Parry, John Smith, Neil Hargreaves, David Mayle, Judy Emanuel, Cecile Gravier, Julia Collins, Tony White, Bill Bampton, Mr Ryan, Ted Denyer (parish council).
Speaker in support of the application: Angus Hudson.*

13/1817/OP Newport -Outline application for redevelopment with a mix of a residential care facility (for illustrative purposes, for 120 persons), separate assisted living units for people over 65 years of age (40 units); associated medical and recreation facilities in a Care Support Facilities block (including mobile medical treatment, hairdresser, etc); the construction of 5 no. respite care bungalows; and 5 no. detached dwellings (open market housing separate to the care facility) fronting Bury Water Lane. Vehicular access to the site would be secured from Bury Water Lane following the demolition of the dwellings known as No. 1 & 2 Hillside, Bury Water Lane, Newport, Essex CB11 3UA. - Hillside and Land to the Rear Bury Water Lane for Mr & Mrs A I and B I Barba and Brampton

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 4(i) to read 'persons over the age of 65'
 - ii) An additional condition for wheelchair accessibility as follows
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' and shall be adaptable for wheelchair use. 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.

- 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 9th October 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 agreement to secure the following:

- (i) Community payment for health care services
 - (ii) Provision of off-site highway works
 - (iii) Pay monitoring costs
 - (iv) 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 community payment for health care services
 - (ii) Lack of provision of off-site highway works

Speakers against the application: Councillor Rose, Councillor Parry, Peter Ascot, Neil Hargreaves, Susan Cameron, Jeremy Reed, Ted Denyer (parish council).

Speaker in support of the application: Bill Bampton.

13/1959/OP Stansted Outline application for the demolition of existing livery buildings and construction of a residential development with access from Church Road and comprising circa 53 new residential units together with flood alleviation works and land and landscape re-profiling. As well as wider proposals in the adjoining Stansted Park to improve public access and management, including; the provision of 2.99 hectares of public open space, community allotments, and new public footpath routes, cycleways and bridleways -Elms Farm, Church Road, Stansted for Knight Developments & Gemmill Bros Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report, the application being referred to the Secretary of State as contrary to policy 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 23 October 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 agreement to secure the following:
- (i) Community payment for education
 - (ii) Provision of 40% affordable housing
 - (iii) Provision of open space
 - (iv) Provision of allotments

- (v) Provision of footpath link
 - (vi) Provision of Permissive Footpaths
 - (vii) Contribution towards maintenance of open space for 20 years
 - (viii) Revocation of the Lawful use for the office development.
 - (ix) Pay monitoring costs
 - (x) Pay Council's reasonable costs
- (II) In the event of such an 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:
- (i) Lack of community payment for education
 - (ii) Lack of provision of 40% affordable housing
 - (iii) Lack of provision of open space
 - (iv) Lack of provision of allotments
 - (v) Lack of provision of footpath link
 - (vi) Lack of provision of Permissive Footpaths
 - (vii) Lack of contribution towards maintenance of open space for 20 years
 - (viii) Lack of revocation of the Lawful use for the Office development.

Speakers in support of the application: Councillor Dean (statement read), Geoffrey Sell (parish Council), Will Gemell.

Speakers against the application: Councillor Evans, Ray Woodcock, Jonathon Fox

(c) Site Visits

RESOLVED to visit the site of the following application on Wednesday 23 October 2013.

13/1828/FUL Stansted – erection of detached dwelling with associated garaging involving demolition of outbuilding – land at the Yews. Bentfield Road for Mr and Mrs Langer.

Reason: to assess the impact on the neighbouring property.

Nigel Collingwood spoke against the application. Timothy Langer spoke in support of the application.

The meeting ended at 4.40 pm