

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 23 OCTOBER 2013**

Present: Councillor J Cheetham – Chairman.
Councillors C Cant, J Davey, R Eastham, K Eden, E Godwin, 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), S Heath (Planning Officer), M Jones (Planning Officer), K Mathieson (Senior Planning Officer), C Oliva (Solicitor), C Theobald (Planning Officer), A Taylor (Assistant Director Planning and Building Control).

PC29 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Councillor Cheetham declared a pecuniary interest in application 13/2592/LB Takeley as she was related to the applicant.

Members declared the following non-pecuniary interests
Councillor Cheetham in application 13/1684/OP Great Dunmow as she knew the people who owned the land.
Councillor Godwin in application 13/1967/FUL Saffron Walden as she worked for the same charitable organisation as the applicant.
Councillor Loughlin in application 13/1828/FUL Stansted as she knew the applicant.
Councillor Eden in application 13/1967/FUL Saffron Walden as he sat on the same committee as the applicant.
Councillor Menell in application 13/2395/FUL Saffron Walden as she knew one of the objectors.
Councillor Ranger 13/1828/FUL Stansted as he had worked for the agent.

PC30 MINUTES OF THE PREVIOUS MEETINGS

The Minutes of the meetings held on 25 September 2013 and the extraordinary meeting held on 2 October 2013 were received, confirmed and signed by the Chairman as a correct record.

PC31 BUSINESS ARISING

i) Minute PC25 - Application 13/1618/OP Stansted

In answer to a question from Councillor Cant, the Assistant Director Planning and Building Control confirmed that negotiations were on going regarding the S106 agreement including the issue of the number of years that the paddock should be retained.

ii) **Minute PC28 – Application 13/0808/OP Elsenham Henham and Ugley**

It was confirmed that this application would be considered at the next meeting of the Committee on 20 November 2013.

PC32

PLANNING APPLICATIONS

(a) Approvals

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

13/1663/DFO Great Dunmow - Details following outline application UTT/2507/11/OP for demolition of derelict former Brookfield Farmhouse and construction of up to 125 No. dwellings and associated estate roads, garages, car parking spaces, footpaths, cycleways, cycle stores, refuse storage, public open space, landscaping and foul and surface water drainage with pumping station, foul sewer along the B184 and dry balancing pond .Access to the development will be obtained from the un-constructed northern section of the Great Dunmow North West By-pass of approximately 0.55km in length (approved under Ref. No. UTT/0084/01/FUL but amended by this application to incorporate a right hand turn lane). Removal of existing spur from roundabout - Details of appearance, landscaping, layout and scale --Sector 4 Woodlands Park for Wickford Development Company Ltd.

Subject to the deletion of condition 4 and the following additional condition

Notwithstanding the submitted details of the youth shelter/rural shelter, further details of the youth shelter required in accordance with condition 19 shall be submitted to and approved in writing by the local planning authority before the occupation of the 30th open market housing unit. Subsequently the youth shelter shall be implemented in accordance with the approved details before the occupation of the 50th open market housing unit.

REASON: The submitted details are not acceptable in relation to the proposed location of the youth shelter/rural shelter which would have no natural surveillance and would give rise to safety concerns relating to the users of the facility having to cross the northwest bypass to access the shelter contrary to Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

Chris Audritt and Andrew Wise spoke against the application.

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.

Subject to an additional condition as follows:-

Prior to commencement of development, a cross-section drawing shall be submitted to the local planning authority for prior approval showing the dwelling hereby permitted having a roof ridge height not exceeding 7.5 metres. The dwelling shall be constructed in accordance with the details shown on that approved drawing.

REASON: In the interests of adjacent residential amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Mr Collingwood spoke against the application. Mr Langer spoke in support of the application.

13/2323/FUL Felsted - application to change condition 4 of UTT/13/0561/FUL dated 7 June 2013 from "No lights shall be erected within the site without the prior written agreement of the local planning authority." to "With the exception of any security lighting location on the DNO Substation, no lights shall be erected within the site without the prior written agreement of the local planning authority." - Land East Of Milch Hill Lane, Great Leighs for Lightsource SPV 16 Ltd.

13/2455/HHF Saffron Walden – single storey rear extension – 3 Blyth Court for Ms Nicola Walters.

13/2588/HHF Great Chesterford – erection of brick chimney to end gable for installation of wood burning stove – 6 Wakefield Close, Great Chesterford for Mr Mark Gale.

13/2592/LB Takeley – replacement window – Beech Cottage, Smiths Green for Mr R Cheetham.

Subject to the following conditions

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

*Councillor Cheetham left the meeting for the consideration of this item.
Mr Cheetham 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.

13/1967/FUL Saffron Walden – demolition of garage/store and erection of detached dwelling and garden wall – Land adjacent to Lindon Lodge London Road for R Del Tufo.

Andrew Frostick spoke in support of the application.

13/2174/CA Saffron Walden – demolition of garage/store – land adjacent to Lindon Lodge, London Road for R Del Tufo.

13/2395/FUL Saffron Walden – erection of one dwelling representing a variation in approved house type for Plot 10 – Goddards Yard Thaxted Road for Fowe Development Ltd

(c) Planning Agreements

13/1684/OP Great Dunmow - redevelopment to provide a mixed use scheme comprising 370 new residential units to include 70 extra care units (Class C3), 1.4ha of land for a new retail food store (Class A1), 2.1ha of employment land (Class B1, B2 and/or B8), 1.7ha of land for a new primary school and pre-school facility (Class D1), together with associated highway works, open space and landscaping, car parking and related infrastructure works. To be delivered in two phases: Phase 1 with no matters reserved and Phase 2 with all matters reserved except access - Land at Smiths Farm, Chelmsford Road for Crest Nicolson (Eastern) & Great Dunmow Estates

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 1- amend to 'The development to be begun before the expiration of 2 years.
 - ii) Condition 5 – amend to 'No occupation of the development shall take place'....
 - iii) Condition 6 – amend to 'No occupation shall take place'....
 - iv) Condition 12 -Amend (A) to - Application for approval of the reserved matters in relation to the B1/B2/B8 commercial development shall be made to the local planning authority no later than the expiration of 3 years form the date of this permission.
 - v) Condition 13 - An additional bullet point to require details of noise attenuation measures to be submitted.
 - vi) Condition 15 –Remove the reference to '10 metre wide'. Remove the word 'lighting' from the last bullet point.
 - vii) Additional condition

Prior to the commencement of the development of phase 1 full details of the construction access shall be submitted to and approved in writing by the local planning authority, Subsequently the development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety, in accordance with Uttlesford Local Plan policy GEN1 (adopted 2005).

viii) Additional condition –

There shall be no further additional floorspace created at the store whether by extension or internal alterations including the installation of mezzanine floors roofing open yards or sub-divided, unless approved in writing by the local planning authority

REASON: to define the scope of the permission and to limit the convenience and comparison sales so as not to unacceptably harm the viability and vitality of the town centre in accordance with the national policy framework 2012/

ix) Additional condition –

At no time shall the maximum net (sales) floorspace of the store exceed 1,394sqm made up of a maximum of 1,185sqm devoted to convenience good representing 85% of the total proposed net (sales) floorspace and a maximum of 209sqm devoted to comparison goods representing 15% of the net (sales) floorspace.

REASON: to define the scope of the permission and to limit the convenience and comparison sales so as not to unacceptably harm the viability of the town centre in accordance with the national planning policy framework 2012.

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 15 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) Affordable housing provision including a 70 bed extra care facility and 15 general needs affordable housing in Phase 1. Further affordable housing subject to on-going negotiations.
 - (ii) Phased delivery of Extra Care Unit
 - (iii) Contribution to education provision subject to on-going negotiations
 - (iv) Provision and transfer of land for primary school
 - (v) Contribution to healthcare provision
 - (vi) Provision of LEAPs and LAPs
 - (vii) Payment of sum for preparation and implementation of TROs
 - (viii) Improvements to Hoblongs Junction

- (ix) Improvements to bus stops
 - (x) Provision of bridleway link between the Flitch Way and Clapton Hall Lane
 - (xi) Payment of monitoring fee
 - (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 affordable housing provision
 - (ii) No phased delivery of Extra Care unit
 - (iii) No contribution to education provision
 - (iv) No provision and transfer of land for primary school
 - (v) No contribution to healthcare provision
 - (vi) No provision of LEAPs and LAPs
 - (vii) No payment of sum for preparation and implementation of TROs
 - (viii) No improvements to Hoblongs Junction
 - (x) No provision of bridleway link between the Flitch Way and Clapton Hall Lane

Graham Albon, Denise Albon, Wendy Barron (Great Dunmow Town Council) spoke against the application. Kieran Wheeler spoke in support of the application

13/1767/FUL High Roding - Demolition of existing dwelling and storage and mushroom sheds and erection of No. 31 dwellings, improvements to existing junction onto the B184 The Street, estate roads, footpaths, garages, car parking spaces, amenity space, allotments, foul and surface water drainage and landscaping.- Land at Meadow House Nursery, Dunmow Road, High Roding for Mr Rex Coxeter

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions set out in the report.
- 2 A legal obligation 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 9 December 2013 the 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) Financial contribution towards primary and secondary education provision
 - (ii) Provision of affordable housing
(a reasonable proportion to be allocated to local members in line with the local lettings policy)
 - (iii) Maintenance of public open space
 - (iv) Provision of allotments
 - (v) Pay the Council's reasonable costs
 - (v) Pay monitoring charge
- (II) In the event of such an obligation 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 education provision
 - (ii) Lack of affordable housing provision
 - (iv) Lack of provision of open space
 - (v) Lack of provision of allotments

PC33 APPEAL DECISIONS

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

PC34 PLANNING AGREEMENTS

The Committee received the schedule of outstanding S106 agreements.

The meeting ended at 5.30pm