

UTTLESFORD DISTRICT COUNCIL

PLANNING COMMITTEE

ADDITIONAL SUPPLEMENTARY LIST OF REPRESENTATIONS

20 NOVEMBER 2013

PLANNING COMMITTEE APPLICATIONS

P.8 UTT/13/0808/OP – ELSENHAM - Fairfield Site, Station Road

REPRESENTATIONS: 14 additional letters of objection have been received – they comment on the process and reasons for refusal but do not alter the substantive comments already contained within the main report.

A letter from Holmes and Hills on behalf of the Joint Parish Councils Steering Group querying the process being followed.

A letter from the applicant commenting on the Scrutiny Committees decision to accept the Cabinet decision regarding the consultation on the additional housing numbers and sites for the draft Local Plan.

An email from Holmes and Hills attaching a Counsels Opinion obtained by the Joint Parish Councils Steering Group. (This has been circulated to all Planning committee members at the request of Holmes and Hills.)

In addition Officers' are aware that a number of emails have been sent direct to the members of the Planning Committee.

AMENDMENT TO RECOMMENDATION:

RECOMMENDATION – CONDITIONAL APPROVAL – SUBJECT TO S106 LEGAL OBLIGATION

- (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 5 December 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) 40% affordable housing provision
 - (ii) Contribution to education provision

- (iii) Provision and transfer of primary school
 - (iv) Provision and transfer of healthcare provision
 - (v) Provision of community facilities
 - (vi) Provision of LEAPs, NEAP and LAPs including possible MUGA and/or Skate Park
 - (vii) Provision of public open space
 - (viii) Implementation of Framework Travel Plan
 - (ix) Provision of transport interchange
 - (x) Provision of local centre, including retail floorspace
 - (xi) Provision of improvements to local bus services
 - (xii) Contribution towards the upgrading of the signals at B1051 Grove Hill/Lower Street
 - (xiii) Contribution towards the upgrading of traffic signals at B1256/Station Road/Parsonage Road, Takeley (Takeley Crossroads)
 - (xiv) Highway improvements including:
 - a) widening of Hall Road
 - b) provision of signals at railway bridge on North Hall Road
 - c) provision of 3m shared use cycleway/footway on Henham Road
 - d) Traffic management measures on Elsenham High Street
 - e) Provision of 2.4m shared use cycleway/footway on Hall Road
 - f) Enhancements to bridleway between Tye Green Road and Bury Lodge Lane
 - g) Upgrading of Public Right of Way (the Farmers Line)
 - (xv) Payment of bond to address impacts on local roads
 - (xvi) Payment of monitoring fee
 - (xvii) 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 by 5 December 2013** agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission **in his discretion at any time thereafter** for the following reasons:
- (i) No 40% affordable housing provision
 - (ii) No contribution to education provision
 - (iii) No provision and transfer of primary school
 - (iv) No provision and transfer of healthcare provision
 - (v) No provision of community facilities
 - (vi) No provision of LEAPs, NEAP and LAPs including possible MUGA and/or Skate Park
 - (vii) No provision of public open space
 - (viii) No implementation of Framework Travel Plan
 - (ix) No provision of transport interchange
 - (x) No provision of local centre, including retail floorspace
 - (xi) No provision of improvements to local bus services
 - (xii) No contribution towards the upgrading of the signals at B1051 Grove Hill/Lower Street

- (xiii) No contribution towards the upgrading of traffic signals at B1256/Station Road/Parsonage Road, Takeley (Takeley Crossroads)
- (xiv) No highway improvements including:
 - a) widening of Hall Road
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 - c) provision of 3m shared use cycleway/footway on Henham Road
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 - f) Enhancements to bridleway between Tye Green Road and Bury Lodge Lane
 - g) Upgrading of Public Right of Way (the Farmers Line)
- (xv) No payment of bond to address impacts on local roads