

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 2.00 pm on 5 DECEMBER 2013**

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

Officers in attendance: N Brown (Development Manager), M Cox (Democratic Services Officer), M Jones (Planning Officer), M Perry (Assistant Chief Executive - Legal), M Shoosmith (Development Management Team Leader – South), A Taylor (Assistant Director Planning and Building Control) and C Theobald (Planning Officer).

PC42

**CHAIRMAN'S ANNOUNCEMENT**

The Chairman opened the meeting and made the following statement.

'At the meeting of the Planning Committee on 20 November proceedings were disrupted by members of the public applauding, cheering, jeering and heckling speakers. It has been drawn to my attention that on a least one social media site there is a thread encouraging members of the public attending for the consideration of an application today to behave in the same way.

I wish to make it clear that such behaviour is totally unacceptable. Members of the public, the applicant, officers and members of the committee should be treated with respect. If there is any inappropriate behaviour today I shall not hesitate to suspend the meeting. If the behaviour continues after the meeting resumes I shall require those responsible to leave the room under the Council's Procedure Rules. Should they not do so I shall clear the meeting room and therefore the meeting will continue in the absence of the public.'

PC43

**APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Hicks, Loughlin and Salmon.

Councillor Cheetham declared a pecuniary interest in applications 13/2786/FUL and 13/2992/HHF Manuden as she knew the applicant.

Councillor Ranger declared a non-pecuniary interest in application 13/2060/OP Saffron Walden as his niece was one of the authors of the Saffron Walden Traffic Assessment.

PC44

## MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 20 November 2013 were received, confirmed and signed by the Chairman as a correct record subject to recording that the Chairman had a non-pecuniary interest in the applications referred to in minute PC40.

PC45

## PLANNING APPLICATIONS

### (a) Approvals

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

**13/2905/FUL Takeley** – demolition of existing dwelling and the erection of four dwellings – the Laurels, Dunmow Road for Mr Hynes.

**13/2617/NMA Stansted** - non material amendment to UTT/13/0749/FUL, addition of photovoltaic panels to plots 1-9, brick cill replaced by recon stone cill on all units, alternate named brick - Mead Court Development, Mead Court Stansted for Uttlesford District Council.

**13/2992/HHF Manuden** – proposed first floor extension – 18 The Street for Mr David Farnham.

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

### (b) Deferment

**13/2060/OP Saffron Walden** – outline application with all matters reserved except access for a residential development of up to 300 dwellings, pavilion building, extension to skate park and provision of land for open space/recreational uses – land south and north of Thaxted Road for Kier Homes Ltd.

Reason: for further consideration of issues relating to highways and education.

### Public speakers

Ray Gooding (ECC) spoke in relation education issues.

#### Speakers in support of the application

Jane Gray, Ian Mckernon, Derek Jones and Ian Mitchell (applicant)

#### Speakers against the application

Councillor Watson, Paul Gadd, Paul Garland, Jessica Wardill, Eryl Stafford, Joanne Stone, Steve Thomas, Matt North, Diana Hoy, Steve Ayles, Jen

Beaton, Wendy Clemens, Anthony Armon-Jones, Angie Foster, Melissa Jones, Samantha Walden, Nick Osborne, Alan Storah, John Lodge Richard Harrington (Saffron Walden Town Council), Mike Young (Wimbish Parish Council)

During the course of the discussion, at 4.40pm the Chairman adjourned the meeting following a repeated interruption by County Councillor John Lodge. Councillor Lodge was asked to leave the meeting but as he refused to do the Chairman asked all members of the public to vacate the chamber. At 5.00pm the meeting was reconvened and the public were readmitted. Councillor Lodge made a public apology and the Committee continued its consideration of the application.

**(c) Planning agreement**

**13/2912/FUL High Roding** – erection of 1 detached dwelling – land adjacent Village Hall, Dunmow Road for Mr A Hugo

RESOLVED that conditional approval be granted for the above application

1 subject to the following conditions

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-

i. proposed finished levels or contours;

ii. means of enclosure;

iii. car parking layouts;

iv. other vehicle and pedestrian access and circulation areas;

v. hard surfacing materials;

vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);

vii. proposed and existing functional services above and below ground (e.g. drainage power,

viii. communications cables, pipelines etc. indicating lines, manholes, supports.);

ix. retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of

plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 3 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 4 Prior to the erection of the development hereby approved (not including footings and foundations) samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policies GEN2, ENV1 and ENV2 of the Uttlesford Local Plan (adopted 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 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 to affordable housing provision.
- (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 the 21 December 2013 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:
- (i) Lack of contribution to affordable housing provision.

*Mr Hugo spoke in support of the application.*

**13/2678/FUL Wimbish** – demolition of existing nissen hut buildings and erection of 3 dwellings with associated access – Radwinter Mushroom Farm, Bent Road for Mr G Dobbs and Mr D A Moody.

RESOLVED that conditional approval be granted for the above application

1 subject to the following conditions

- 1 Time limit on commencement of development
- 2 Samples of materials to be submitted for approval
- 3 Submission of landscaping details for approval
- 4 Implementation of approved landscaping details
- 5 Retention of existing frontage hedging
- 6 Trial trenching and excavation (archaeology)
- 7 Basic Building Record (archaeology)
- 8 Permitted development rights removed
- 9 Lifetime Homes drawing to be submitted for approval
- 10 Contamination/remediation conditions
- 11 Vehicular access points to be constructed at right angles to highway
- 12 Width of accesses
- 13 Recessed entrance gates
- 14 No works during bird nesting season
- 15 Contact Natural England if protected species are found

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 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 to affordable housing provision.
- (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 the 1 February 2014, the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reason

- (i) Lack of contribution to affordable housing provision.

*Councillor Howell, Judith Thompson, Edward Brown, Mike Young (Wimbish PC), Stephen Graves (Radwinter PC) and Mark Jackson spoke in support of the application.*

**13/2884/FUL Little Canfield** – Variation of condition 5 (use of renewable/low carbon energy technologies) of planning permission UTT/1398/11/FUL (erection of 7 dwellings and associated infrastructure) to remove all reference to 10% renewables - land adjacent to Warwick Road for Mr O Hookaway.

RESOLVED that conditional approval be granted for the above application subject to the conditions 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 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 Island Sites financial contribution
  - (ii) Payment of monitoring fee
    - (i) 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 18th December 2013 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 payment of Island Sites financial contribution

**13/2786/FUL Manuden** - Variation of condition 2 of planning permission UTT/0692/12/FUL (community/sports Hall, car parking and 14 no. dwellings) for revisions to plot 3 (3 Langlands) and the addition of three underground storage tanks adjacent to the village hall - Land at the Street, Manuden for West Whittle Properties Ltd.

RESOLVED that conditional approval be granted for the above application subject to the previously agreed 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 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 the 4 affordable housing;
- (ii) Restriction to prevent market homes without provision of community elements;
- (iii) Post completion financial assessment and identification of excess funding and its retention for reinvestment in the development (or similar);
- (iv). Payment towards early years and childcare provision as stated within Essex Developers' Contribution Guidance 2010 after the first £100,000 of profit goes to the New Charity set up to manage the village/sport hall and pitches. Payment contribution towards education to be agreed particularly if the total end profit is below £160,307;
- (v) 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 6<sup>th</sup> January 2014 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 Provision of 4 affordable housing units
- ii) No Restriction to prevent market homes without provision of community elements
- iii) No Post completion financial assessment and identification of excess funding and its retention for reinvestment in the development
- iv) No Payment towards early years and childcare provision as stated within the Essex Developer's Contribution Guidance 2010, after the first £100,000 of profit goes to the New Charity set up to manage the village/sports hall and pitches. Payment contribution towards education to be agreed particularly if the total end profit is below £160,307

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

PC46

### **TREES AT CHANTRY HALL HENHAM**

The Committee considered an application to reduce two lime trees in the grounds of Chantry Hall, Henham by 25%. The trees were subject to a Tree Preservation order. The trees had been inspected by the Council's

Landscape Officer who had considered that the reduction would not be significant or detrimental to the health or amenity value of the trees.

RESOLVED that approval be granted for the reduction of trees.

PC47

### **TREES AT MABERLY COURT SAFFRON WALDEN**

The Committee considered an application to fell a cypress tree in the grounds of Maberly Court, Saffron Walden. The Council's Landscape Officer had concluded that the felling of the tree would not be detrimental to the quality or character of the conservation area.

RESOLVED that no objection be raised to the felling of the tree.

PC48

### **APPEAL DECISIONS**

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

The meeting ended at 6.30pm.