

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 10.00 am on 12 FEBRUARY 2014**

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

Officers in attendance: N Brown (Development Manager), M Cox (Democratic
Services Officer), C Oliva (Solicitor), K Denmark (Development
Management Team Leader) A Howells (Support and Business
Manager) and A Taylor (Assistant Director Planning and Building
Control).

PC55 CHAIRMAN'S STATEMENT

The Chairman opened the meeting with 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.

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.'

PC56 CHAIRMAN'S ANNOUNCEMENTS

The Chairman asked that the Committee's deepest sympathy be sent to
Councillor Janice Loughlin following her recent tragic loss.

She explained that because of the number of application to be considered the
meeting was starting at 10.00am. At the end of item 4.4 the meeting would be
adjourned and commence again at 2.00pm to consider items 4.5 – 4.13.

PC57 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors J Davey, K Eden, J
Loughlin and L Wells.

PC58 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 15 January 2014 were received, confirmed
and signed by the Chairman as a correct record.

PC59

ITEM WITHDRAWN

It was noted that Item UTT/13/3123/FUL Strethall had been withdrawn.

PC60

PLANNING APPLICATIONS

(a) Approvals

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

13/3393/FUL Little Easton - Removal of condition 4 (further details of the youth shelter required in accordance of condition 19 shall be submitted to and approved by the local planning authority before the occupation of the 30th open market housing unit.) from planning permission UTT/13/1663/DFO - Sector 4 Woodlands Park, Great Dunmow For Wickford Development Company Ltd

13/3444/DFO Great Chesterford - Reserved matters application following outline consent UTT/12/5513/OP for the development of residential dwellings and open space, providing details of layout, appearance, landscaping and associated infrastructure -Land south of Stanley Road and Four Acres and west of B184, Walden Road, Great Chesterford for Bellway Homes Ltd

Joanna Francis and Jake Nugent spoke in support of the application.

The Assistant Director Planning and Building Control left the meeting for the consideration of this item.

13/3041/FUL High Easter – proposed extensions to existing bus garage and workshop area – Lodges Coaches, The Garage, The Street for LW Lodge and Sons Ltd.

13/2910/FUL Henham – change of use from agricultural to light industrial B1/B8 use – Parsonage Bury Farm for JF Pimblett & Sons.

14/0004/HHF Saffron Walden – single storey front infill extension and single storey rear extension – 10 Butler Close for Mr and Mrs G Thompson.

(b) Planning Agreements

UTT/13/2917/FUL Elsenham - Demolition including site clearance of 32 Hailes Wood and redevelopment of site and land adjacent to provide 32 dwellings, public car park, public play area: all association access, parking, landscaping and highway improvements - Land adj Hailes Wood, Hailes Wood Elsenham for Charles Church

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions in the report and an additional amendment relating to a slab level agreement.
- 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) Financial contribution towards early years, childcare and primary education provision
 - (ii) Financial contribution towards healthcare provision
 - (iii) Provision of affordable housing
 - (iv) Maintenance of car park and play area
 - (v) Provision of off-site highway works to improve the junction of Hailes Wood/High Street and the public right of way beside the Crown PH
 - (vi) Pay the Council's reasonable costs
 - (vii) 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 permission subject to the conditions set out below
 - (III) If the freehold owner shall fail to enter into such an obligation by 12 March 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) Lack of education provision
 - (ii) Lack of healthcare provision
 - (iii) Lack of affordable housing provision
 - (iv) Lack of provision of public car park and play area
 - (v) Lack of provision of off-site highway works to improve the junction of Hailes Wood/High Street and the public right of way beside the Crown PH

Councillor Perry requested that a recorded vote be taken. The voting was as follows:

For the proposal – to refuse the application:

Councillors Mackman, Perry, Salmon

Against the proposal – to refuse the application:

Councillors Cheetham, Hicks, Menell, Ranger

Abstain:

Councillors Cant, Eastham, Godwin

The motion for refusal of the application was lost.

Councillor Ranger proposed approval of the application, which was duly seconded. On being put to the vote the motion was carried.

Councillor Morson and Robert Bayley spoke against the application. A letter was read from Councillor Parr against the application. Nicky Parsons spoke in support of the application.

13/3406/FUL Saffron Walden - Detailed proposal for 52 dwellings with access from Radwinter Road including landscaping and associated infrastructure including demolition of existing buildings Site at 121 Radwinter Road - Countryside Properties PLC and 121 Radwinter Road Partnership.

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions in the report and the following additional conditions
 - i) Condition 1 – amend the implementation date to the expiration of 2 years from the date of the decision.
 - ii) An additional condition for the submission of landscaping.
- 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 30 March 2014 of being invited to do so the freehold owner enters into a binding agreement to cover the matters relating to application ref: UTT/13/1981/OP and also as 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, health care services and towards cycle infrastructure improvements.
 - (ii) Pay monitoring costs
 - (iii) Pay Councils reasonable costs
 - (iv) A link regarding implementation between this application and planning application UTT/13/1981/OP.
 - (v) Provision of open space and play area.
 - 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 before 18 March 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) Lack of provision of community payment for education, health care services and towards cycle infrastructure improvements.
- (ii) Lack of affordable/social housing.
- (iii) No link regarding the implementation between this application and planning application UTT/13/1981/OP.
- (v) No provision of open space and play area.

Councillor Mackman requested that a recorded vote be taken. The voting was as follows:

For the proposal – to approve the application:

Councillors C Cant, J Cheetham, R Eastham, E Godwin, E Hicks, J Menell, V Ranger, J Salmon.

Against the proposal – to approve the application

Councillors, K Mackman, D Perry,

Paul Gadd spoke against the application. Guy Caddish spoke in support of the application.

13/3091/FUL Henham – demolition of existing office/storage building and erection of 2 dwellings and garages including new access – land rear of Woodend Cottages, Chickney Road for Mr JRC Smith

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) Affordable Housing Financial Contribution
 - (ii) Pay the Council's reasonable costs
- 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 by 31 March 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) Lack of affordable housing financial Contribution

Paul Sutton spoke in support of the application

13/2107/OP Great Dunmow – outline application with all matters reserved for up to 790 homes, including primary school community buildings, open space including playing field and allotments and associated infrastructure – land west of Woodside Way for Barratt Homes. CJ Trembath & the Buildings Partnership

RESOLVED that conditional approval be granted for the above application subject to the conditions in the report

- 1 the following amendments to the conditions
 - (i) Amend condition 1(changes in bold)
Approval of the details of the **access**, layout, scale, landscaping and appearance (hereafter called “the Reserved Matters) shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.
 - (ii) Rewording of condition 2
 - (a) Application for the approval of the reserved matters for phase 1 (as identified by the phasing plan required by condition 3) shall be made to the local planning authority before the expiration of 1 year from the date of this permission. The development hereby permitted shall be begun either before the expiration of 2 years from the date of this permission, or before the expiration of one year from the date of approval of the reserved matters for phase 1, whichever is the later.
 - (b) Application for the approval of reserved matters for the subsequent phases of development as identified by the phasing plan shall be made to the local planning authority before the expiration of 9 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 12 years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.
 - (iii) Amend condition 10
Prior to the commencement of development of each phase a Wildlife Protection Plan for the site **for that phase** shall be submitted to and approved in writing by the Uttlesford Planning Authority. (rest of the condition remains the same)
 - (iv) Amend condition 11
Prior to the commencement of development of each phase a Biodiversity Mitigation and Enhancement Plan **for that phase** shall be submitted to and approved in writing by the Uttlesford Planning Authority. (rest of the condition remains the same)
 - (v) Amend condition 14
Prior to the commencement of development details of the deer fencing to be erected on the **eastern** and northern boundaries of

High Wood SSSI shall be submitted to and approved in writing by the local planning authority. **The fencing as approved shall be erected prior to the first residential occupation.** Subsequently the fencing shall be maintained to the agreed specification requirements thereafter.

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) Delivery of affordable housing (30% to be agreed)
 - (ii) Contribution to education provision
 - (iii) Transfer of land for primary school and EY&C facility
 - (iv) Contribution to healthcare provision
 - (v) Provision of community facilities
 - (vi) Provision of LEAPS, NEAP and public open space and associated maintenance payment
 - (vii) Provision of sports pitches and pavilions and associated maintenance payment
 - (viii) Provision of allotments
 - (ix) Payment of commuted sum of £19,000 in relation to proposed signalised pedestrian/cycle crossing
 - (x) Residential Travel Plan
 - (xi) Highway works including crossing points and pedestrian and cycle links
 - (xii) Provision of bus service
 - (xiii) Maintenance of fencing to High Wood SSSI
 - (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 agreement by 13 March 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 delivery of affordable housing (% to be agreed)
 - (iii) No contribution to education provision
 - (iv) No transfer of land for primary school and EY&C facility
 - (v) No contribution to healthcare provision
 - (vi) No provision of community facilities
 - (vii) No provision of LEAPS, NEAP and public open space and associated maintenance payment

- (viii) No provision of sports pitches and pavilions and associated maintenance payment
- (ix) No provision of allotments
- (x) No payment of commuted sum of £19,000 in relation to proposed signalised pedestrian/cycle crossing
- (xi) No residential Travel Plan
- (xii) No highway works including crossing points and pedestrian and cycle links
- (xiii) No provision of bus service
- (xiv) No maintenance of fencing to High Wood SSSI

Tony Clarke, Chris Audritt and Trudy Hughes spoke against the application. Robin Meakins and Andrew Blackwell spoke in support of the application.

13/3118/OP Radwinter – outline application for 35 dwellings with all matters reserved except for vehicular access – Land east of East View Close and Walden Road East View close for Lady MB Parker and Mrs B Rayment

RESOLVED that conditional approval be granted for the above application

1 subject to the conditions in the report and the following amendments

- i) Revised wording of condition 1
Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- ii) Revised wording of condition 2
(A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.
(B) The development hereby permitted shall be begun no later than the expiration of 1 year from the date of approval of the last of the Reserved Matters to be approved.
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
- iii) Revised wording of condition 6
Prior to occupation of any dwelling, the upgrade of the surface of the western end of public footpath 87 from the development towards East View Close to provide a suitable surface for year round use to enable pedestrian access to the primary school and East View Close. Details to be submitted to and approved in writing with the Local Planning Authority

in consultation with the Highway Authority, prior to commencement of development.

REASON: In the interests of sustainability and accessibility. To ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

iv) An additional ecology condition

No development will commence on site nor any site clearance or on-site investigation works shall take place until an Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures set out in the Plan shall be implemented prior to any development or site clearance or on-site investigation works taking place or in accordance with a timetable set out within the approved Plan.

REASON: To comply with the requirements of the Habitats Regulations and in the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

(v) An additional construction condition

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. Access details of construction workers, vehicles and deliveries on to the site
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 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 obligations 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 - 12 Units for affordable rent on rural exception allocation basis i.e. first let offered (forever) to Radwinter residents or connection followed by cascade neighbouring Parish until UDC wide.
 - (iii) Maintenance of open space
 - (iv) provision of off-site land – extension to recreation ground
 - (v) Pay the Council's reasonable costs
 - (vi) 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 permission subject to the conditions set out below.
- III If the freehold owners shall fail to enter into such an obligation by 19 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 reasons:
- (i) Lack of financial contribution towards primary and secondary education provision
 - (ii) Lack of provision of affordable housing - 12 Units for affordable rent on rural exception allocation basis i.e. first let offered (forever) to Radwinter residents or connection followed by cascade neighbouring Parish until UDC wide.
 - (iii) Lack of contribution toward maintenance of open space
 - (iv) Lack of provision of off-site land – extension to recreation ground

Stephen Graves and Adam Halford spoke in support of the application

13/3368/FUL Little Easton - Removal of condition 11 (The plans and particulars submitted shall achieve a "code for sustainable homes" rating of "level 4") and condition 12 (Onsite renewable or low-level carbon energy technologies to provide 10% of the annual energy needs) of planning permission UTT/2507/11/OP. Sector 4 Woodlands Park, Great Dunmow for Wickford Development Company Ltd

- 1 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) All provisions set out in the S106 legal obligation attached to application ref UTT/2507/11/OP
 - (ii) Pay the Council's reasonable costs

- 2 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
- 3 If the freehold owner shall fail to enter into such an obligation by 21 March 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) Lack of provisions set out in the S106 legal obligation attached to application ref UTT/2507/11/OP

: **13/3439/FUL Little Easton** - Removal of condition 19 (the plans and particulars submitted shall include a scheme for the provision of a youth shelter to be installed on open space of the development.) from planning permission - Sector 4 Woodlands Park, Great Dunmow for Wickford Development Company Ltd

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) All provisions set out in the S106 legal obligation attached to application ref UTT/2507/11/OP
 - (ii) Prior to the occupation of any dwelling a provision of £10,000 contribution to youth services in Great Dunmow
 - (iii) Pay the Council's 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 21 March 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) Lack of provisions set out in the S106 legal obligation attached to application ref UTT/2507/11/OP
 - (ii) Lack of financial contribution towards youth services in Great Dunmow

Tony Clarke spoke against the application

PC61 **TPO SAVILLE CLOSE CLAVERING**

The Committee considered a report requesting a 20% crown reduction of a horse chestnut tree in the garden area of 12 Saville Road Clavering. It was considered appropriate to maintain the health and integrity of the tree.

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

PC62 **OTHER BUSINESS**

Councillor Mackman referred to two recent appeal decisions, at Ongar Road North Great Dunmow and Bullocks Lane Great Canfield. These would be reported to the next meeting of the Committee.

The Assistant Director Planning and Building Control said that as a result of the applications approved today, the Council had now delivered its five year land supply for the district.

The Chairman suggested that supplementary Planning guidance should be a topic for a future workshop.

The meeting ended at 4.30pm.