

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 25 JUNE 2014**

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

Officers in attendance: N Brown (Development Manager), M Cox (Democratic Services Officer), C Oliva (Solicitor), S Heath (Planning Officer), A Hutchinson (Planning Consultant) and A Taylor (Assistant Director Planning and Building Control).

PC8 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors R Eastham and K Mackman.

Councillor Menell declared a non-pecuniary interest in application UTT/14/1385/FUL Great Chesterford as her children attended the local school.

PC9 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 4 June 2014 were received, confirmed and signed by the Chairman as a correct record.

PC10 PLANNING APPLICATIONS

(a) Approvals

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

UTT/1385/FUL Great Chesterford – erection of wooden structure on school field – Great Chesterford Primary Academy, School Street for Mr Henry Weir

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

UTT/14/1111/HHF Saffron Walden – demolition of conservatory, alteration and conversion of loft to form first floor accommodation – 31 -33 Thaxted Road for Ms Swain and Mr Harvey.

(b) Planning Agreements

UTT/14/0005/OP Flich Green - Outline application for 98 residential units with all matters reserved except access together with earthworks and associated works. 2. Detailed application with all matters considered for the construction of

two football pitches, cricket square, pavilion, neighbourhood equipped play area, multi-use games area, youth shelter, car park, extending and re modelling of nature reserve, landscaping, erection of temporary bridge, erection of permanent footbridge over Stebbing Brook, earthworks and other associated works - Land Off Tanton Road Fritch Green for Enodis Limited and Enodis Property Development Limited.

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

- 1 The conditions set out in the report and the following amendments and additions
- 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) Community payment for education, health care services and highways.
 - (ii) Provision of 40% affordable housing;
 - (iii) Transfer of land for education purposes
 - (iv) Provision and transfer of public open space, sports pitches, car park, MUGA, NEAP, Youth shelter, pavilion and maintenance shed.
 - (v) Contribution towards maintenance of open space for 20 years
 - (ii) Pay monitoring costs
 - (iii) 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
 - i) Delete condition 1
 - ii) Condition 11- Condition 11- amend scheme of biodiversity mitigation/enhancement and future maintenance to Ecological Management Plan for Sports Pitches, Nature Reserve and Residential Development dated 4 June 2014
 - iii) Condition 6 – amend first para to 'No dwelling shall be commenced until'
 - iv) Conditions 12 and 13 – replace the word 'building' with the word 'dwelling'.
 - v) Condition 16 – insert the words 'prior to the commencement of the dwelling'.

- (III) If the freehold owner shall fail to enter into such an obligation, 31 July 2014 by the Assistant Director of Planning and Building Control shall be authorised to refuse permission in his discretion any time thereafter for the following reasons:
- (i) Lack of provision of community payment for education, health care services and highways.
 - (ii) Lack of affordable/social housing
 - (ii) Lack of provision of land for education purposes
 - (iv) Lack of provision of community facilities including public open space, sports pitches, car park, MUGA, NEAP, Youth shelter, pavilion and maintenance shed.
 - (v) Lack of contribution towards maintenance of open space for 20 years

Emma Nicholls (Parish Council) and Jessica Spark (Agent) spoke in support of the application.

PC11

SECTION 106 OBLIGATIONS; FINANCIAL CONTRIBUTIONS HELD BY THE DISTRICT COUNCIL

The committee received a report on financial contributions held by the district council under planning obligations. The report set out the amount of money held under each obligation. Most financial contributions were due on implementation and usually to be paid back if unspent or uncommitted after a period of 10 years. The planning obligations were monitored by officers to ensure compliance by developers.

In relation to the Stansted Area Housing Partnership it was clarified that Uttlesford held £1.6m, which had been earmarked for the Mead Court Development at Stansted.

It was noted that the ECC was not always a signatory to obligations, which meant the district council could be responsible for collecting education and transport contributions. Details of the money passed on were included in the report. It was confirmed that money collected had to be spent in Uttlesford on projects specified in the S106 agreement.

The report was noted.

PC12

TREES IN THE GROUNDS OF SAFFRON WALDEN MUSEUM

The committee considered a request to fell five trees in the grounds a of Saffron Walden castle. This was to improve the view of the castle as part of the restoration and public access improvement work to the ancient monument.

PC13 **APPEAL DECISIONS**

The committee noted the appeal decisions which had been received since the last meeting.

In relation to the appeal for Wedow Road Thaxted, the Development Manager explained that this application had been refused only for ecological reasons. Since then this issue had been addressed with a suitable biodiversity offsetting the appeal the matter had been resolved by the date of the appeal.

PC14 **EXCLUSION OF THE PUBLIC**

AGREED under Section 100I of the Local Government Act 1972 the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

PC15 **LEGAL ADVICE ON APPEALS**

The Committee received legal advice in relation to planning application UTT/13/0808/OP Elsenham.

RESOLVED that the Council does not defend the appeal in relation to application UTT/13/0808/OP Elsenham.

The voting was as follows:

For the proposal: Councillors Cant, Cheetham, Eden, Hicks, Menell, Ranger, Salmon, Wells

Against the proposal: Loughlin, Perry

Abstain: Davey, Godwin

The meeting ended at 4. 30 pm