

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 2.00 pm on 20 AUGUST 2014**

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

Officers in attendance: E Allanah (Senior Planning Officer), N Brown (Development Manager), M Cox (Democratic Services Officer), L Mills (Planning Officer), C Oliva (Solicitor), J Pine (Planning Policy/Development Management Liaison Officer), A Taylor (Assistant Director Planning and Building Control) and C Theobald (Planning Officer).

**PC22 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Loughlin.

Councillor Ranger declared a pecuniary interest in applications UTT/14/1879/FUL and UTT/14/1880/LB Great Dunmow as the designer of the building.

He declared two further non-pecuniary interests as follows:-

UTT/14/0779/FUL Aythorpe Roding as he knew one of the employees of .Crest Nicholson Eastern.  
UTT/14/1688/FUL Saffron Walden as he had been the guest of Hastoe Housing Association at its awards dinner.

Councillor Hicks declared a non-pecuniary interest in applications UTT/14/1879/FUL and UTT/14/1880/LB Great Dunmow as in his capacity as deputy Chairman of the CVSU he had been working with the applicant regarding the use of the building as an office hub for the voluntary sector.

Councillor Eden declared a non-pecuniary interest in application UTT/1108/FUL Saffron Walden as a member of Saffron Walden Town Council but he had not been at the meeting when the vote had been taken.

**PC23 MINUTES OF THE PREVIOUS MEETINGS**

The minutes of the meeting held on 23 July 2014 were received, confirmed and signed by the Chairman as a correct record.

**PC24 PLANNING APPLICATIONS**

**(a) Approvals**

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

**UTT/14/1879/FUL Great Dunmow** – erection of entrance porch and installation of 2 roof lights – the Old Police Station, Stortford Road for West Essex Mind.

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

**UTT/14/1880/LB Great Dunmow** – erection of entrance porch and installation of 2 roof lights – the Old Police Station, Stortford Road for West Essex Mind.

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

**UTT/1938/FUL Stansted** – erection of floodlight on a pole with aerial extension – Stansted Bowls Club, recreation ground for Stansted Bowls Club.

Subject to an additional condition as follows

The floodlight hereby approved shall be of the fixed on/off type and not of the sensor light variety.

REASON: in the interests of the protection of residential amenity in accordance with ULP policies GEN2, GEN4 and GEN5.

**(b) Approvals with legal obligations**

**UTT/14/0122/FUL Takeley** – Demolition and removal of existing buildings and structures. Redevelopment of site to form 15 dwellings, formation of vehicular access, hardstanding etc – Ersamine, Dunmow Road, Little Canfield for Banner Homes and the Bush Family.

RESOLVED that conditional approval be granted for the above application

1. subject to the conditions set out in the report and the replacement of condition 2 as follows

Prior to the commencement of the development, details of the access from Dunmow Road (B1256) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to : a minimum carriageway width of 4.8metres with 2 metre wide footways on both sides and 8 metre junction radii. The development shall be carried out in accordance with the approved details prior to occupation of any dwelling. REASON: to provide adequate inter-visibility between users of the access and the existing public highway in the interests of highway safety, in accordance with policy GEN1 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 freeholder 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) secure provision of affordable housing and provision for a local lettings clause.
  - (ii) secure contributions towards education
  - (iii) secure contribution towards wheelchair adaptations
  - (iv) pay the Council's reasonable costs
  - (v) pay monitoring charges
- (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 15 September 2014 the Assistant Director of Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:
- (i) Lack of affordable housing provision
  - (ii) Lack of contributions towards education
  - (iii) Lack of contribution towards wheelchair adaptations

It was also agreed to include an informative note that the frontage hedge should be retained.

*Councillor Bagnall (Takeley parish Council) spoke against the application. Neil Cottrell spoke in support of the application.*

**UTT/14/0779/FUL Aythorpe Roding** – Demolition of existing buildings and redevelopment of site to provide 11 residential units (class 3) comprising 9 x 5 bed units, 1 x 2 bed units and 1 x 3 bed unit together with associated highways and landscaping improvements – Windmill Works for Crest Nicholson Eastern.

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 freeholder 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 affordable housing and provision for a local lettings clause
  - (ii) Secure contributions towards education
  - (iii) Meet Council's legal costs

- (iv) 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 20 September 2014 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:
  - (i) Lack of provision of affordable housing
  - (ii) Lack of contributions towards education

It was also agreed to send an informative note to ECC Highways asking for the consideration of a reduced speed limit when the development was completed.

*Mark Bedding spoke in support of the application*

**UTT/14/1688/FUL Wimbish** – erection of affordable housing development consisting of 11 dwellings, 3 of which are ‘open market’ – land at Mill Road for Hastoe Housing Association.

RESOLVED that conditional approval be granted for the above application subject to the 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 freeholder 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) Secure provision of affordable housing
  - (ii) Contributions towards education and school transport provision
  - (ii) Pay Council's reasonable legal 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 8 September 2014 the Assistant Director of Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:
  - (i) Lack of provision of affordable housing
  - (ii) Lack of contribution towards education and school transport

*Cllr Mike Young (Wimbish Parish Council) and Ulrike Maccariella spoke in support of the application.*

**(c) Deferral**

RESOLVED that the following application be deferred

**UTT/14/1108/FUL Saffron Walden** – change of use from class A1 (retail) to class A5 (hot food take-away), installation of 1 compressor unit, 1 no. extract grill and 1 no. fresh air intake grill – 1 – 2 Market Walk for DPGS Ltd.

Reason: To request a highways report and a marketing report and to obtain clarification on the pick- up/delivery arrangements.

**(d) Site visit**

RESOLVED to visit the site of the following application.

**UTT/14/1999/FUL Stansted** – erection of 1 dwelling – land at 40 Bentfield Road for Mrs M Luther.

*Simon Howard-Dobson spoke against the application. George Luther spoke in support of the application.*

PC25

**BYWAY 25 TAKELEY AND LITTLE CANFIELD**

The Committee was informed that the District Council was proposing to make an application to the Secretary of State for Transport for an Order under Section 249 of the Town and Country Planning Act 1990, which would restrict the use of Byway 25 to private vehicular rights and exclude the public from using any mechanically propelled vehicles, inclusive of cars and motorbikes.

The report explained the procedure to be followed, and gave details of the initial statutory local consultation that has been undertaken. The report incorporated guidance that the council had received to help the committee understand the likely timescale and the application process.

Councillor Bagnall from Takeley Parish Council spoke to the committee. He thanked Jeremy Pine for his diligence in getting to this point. He said the parish councils had been pursuing a solution to the problem of vehicular use of the byway for a number of years and the proposal would greatly improve the amenity of the residents.

The Chairman declared a non-pecuniary interest in this item as she lived at Smiths Green and had been involved with this issue for a number of years. She said it was the wish of all concerned to remove vehicles from this route and return it to a useable walking/cycling route for residents.

Some members were concerned about how it would be possible to enforce the exclusion of motorised vehicles. It was explained that once the application had been approved the council would look at the most effective way of blocking off the route.

RESOLVED that the District Council, via the Planning Committee, in its capacity as the local planning authority resolves:

- i) to improve the amenity of this part of the Parishes of Takeley and Little Canfield by the length of Byway 25 shown between points A to E on the attached plan ceasing to have any public right of way for mechanically propelled vehicles, inclusive of cars and motorbikes, and
- ii) to make an application to the Secretary of State for Transport for an appropriate Order, with the provision for any necessary structures, under Section 249 of the Town and Country Planning Act 1990.

PC26

## **APPEAL DECISIONS**

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

The meeting ended at 4.15 pm.