

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 15 OCTOBER 2014**

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

Officers in attendance: N Brown (Development Manager), M Cox (Democratic Services Officer), M Jones (Planning Officer), L Mills (Planning Officer), C Oliva (Solicitor), M Shoemith (Development Management Team Leader) A Taylor (Assistant Director Planning and Building Control) and C Theobald (Planning Officer).

PC32 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Cheetham.

Councillor Menell declared a non - pecuniary interest in application 14/2569/FUL Great Chesterford as her grandchildren attended the academy.

Councillors Perry, Ranger, Menell and Loughlin declared a non- pecuniary interest in application UTT/14/2514/FUL Saffron Walden as members of the Housing Board.

Councillor Davey declared a non-pecuniary interest in application UTT/14/2003/FUL Saffron Walden as he knew the agent for the application.

Councillor Hicks declared an non- pecuniary interest in application UTT/14/2412/HHF Felsted as he knew the applicant.

PC33 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 17 September 2014 were received, confirmed and signed by the Chairman as a correct record.

PC34 BUSINESS ARISING

In answer to a question from Councillor Perry it was confirmed that an appeal had not yet been lodged in relation to application UTT/14/1108/FUL Saffron Walden.

PC35 PLANNING APPLICATIONS

(a) Approvals

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

UTT/14/2358/LB Thaxted – demolition of existing porch and erection of one and a half storey rear/side extension. Internal alterations – Coldhams Fee Pottery, Bardfield Road for Mr G Baines.

UTT/14/2357/HHF Thaxted – demolition of existing porch and erection of one and a half storey rear/side extension. Erection of cart shed – Coldhams Fee Pottery, Bardfield Road for Mr G Baines.

Subject to the addition of word to condition 2 to read 'the windows in the north elevation.

Ian Abrams spoke in support of the application.

UTT/14/2359/FUL Thaxted –Demolition of outbuildings and erection of detached dwelling with cart shed and store– land south south of Bardfield Road for Mr G Baines.

Subject to an amendment to condition 15 to read ' the windows in the western elevation'

John Fahy and Karen Williams spoke against the application. Lucy Carpenter spoke in support of the application.

UTT/14/2426/DFO Thaxted - Details following outline approval of UTT/13/0108/OP - details of the layout, access, scale, landscape and appearance (Reserved Matters) - Land East Of Barnards Field for Matthew Homes Ltd

UTT/14/1726/FUL Takeley – change of use from African cultural centre to guest house and conference centre – Takeley House, Brewers End, Dunmow Road for Mr M Girolami.

UTT/14/2569/FUL Great Chesterford - Alterations to access points and site walling, including: partial demolition of wall; replacement of fencing with walling; replacement of access gates and works to pedestrian access including path, patio and levelling - Great Chesterford Primary Academy, School Street for Great Chesterford Primary Academy

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

UTT/14/2570/LB Great Chesterford - Alterations to access points and site walling, including: partial demolition of wall; replacement of fencing with walling; replacement of access gates and works to pedestrian access including path, patio and levelling - Great Chesterford Primary Academy, School Street for Great Chesterford Primary Academy.

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

(b) Approvals with legal obligations

UTT/14/0425/OP Great Chesterford – outline planning with all matters reserved for residential development of up to 14 dwellings – land north of Bartholomew Close for Mr Hamilton.

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 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) A provision of at least 5% of dwellings shall be bungalows.
 - (ii) A provision of at least 5% of dwellings shall be wheelchair accessible standards.
 - (iii) Financial contribution towards primary and secondary education provision (final values to be set based upon number and mix of dwellings at Reserved Matters Stage).
 - (iv) A provision of 20% affordable housing
 - (v) The Cycle Way shall start and finish at a boundary of the land and the owners shall not after the dwelling adjacent to the Cycle Way have been occupied cause there to be any barrier to impede passage by pedestrians and cyclists along the Cycle Way wither at the boundaries of the Land or at any point on the Land to enable future development to be linked to the Cycle Way without further permissions or payment.
 - (vi) Pay the Council's reasonable costs
 - (vii) Pay monitoring 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 16 October 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) A provision of at least 5% dwellings shall be wheelchair accessible.
 - (ii) A provision of at least 5% of dwellings which shall be built to wheelchair accessible standards.

- (iii) Financial contribution towards primary and secondary education provision (final values to be set based upon number and mix of dwellings at Reserved Matters Stage).
- (iv) A provision of 20% affordable housing on site.
- (v) The Cycle Way shall start and finish at a boundary of the land and the owners shall not after the dwelling adjacent to the Cycle Way have been occupied cause there to be any barrier to impede passage by pedestrians and cyclists along the Cycle Way wither at the boundaries of the Land or at any point on the Land to enable future development to be linked to the Cycle Way without further permissions or payment.

Councillor Redfern, Victoria Choat and Neil Gregory spoke against the application. Paul Sutton spoke in support of the application.

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

UTT/14/2003/FUL Saffron Walden – demolition of existing building, erection of mixed use building for flats, shops and office use with associated parking and landscaping – Moores Garage, Thaxted Road for Ford Wells Development Ltd.

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 mindful 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 agreement to secure the following:
 - (i) Payment of financial contributions towards affordable housing
 - (ii) Payment of contributions towards primary and secondary education provision as per the formula for calculating education contributions
 - (iii) Pay the Council's reasonable costs
 - (iv) Pay Council's monitoring charge
- (II) In the event of such an agreement 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 21 November 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 financial contributions received for affordable housing
 - (ii) No financial contributions received towards education provision

Paul Gadd spoke against the application. Brian Christian spoke in support of the application.

(c) District Council development

UTT/14/2514/FUL Saffron Walden – demolition of existing garages (40no.) and the erection of residential units. The proposal shows 6 units in total 4no. 2 bed house and 2 no. 1 bedroom houses with associated car parking and private and shared amenity space – garage site at Catons Lane for Uttlesford District Council

RESOLVED that pursuant to the Town and Country Planning (General) Regulations 1992, permission be granted for the development proposed subject to the conditions in the officer's report.

Nick Green spoke in support of the application.

(d) Refusals

RESOLVED that the following applications be refused

UTT/14/2234/DFO Newport – Details following outline approval granted under UTT/12/5198/OP for the erection of 23 dwellings, including 9 affordable units, new vehicular access, parking, garaging, drainage and ancillary works involving demolition of existing dwelling-Carnation Nurseries, Cambridge Road, Newport for Bloor Homes Eastern.

Reason: The proposed development by reason of its layout, scale and design is unacceptable by reason of its substandard parking layout resulting in on-street parking to the detriment of the pedestrian and highway safety, contrary to Policies GEN8 and GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Trevor Faulkner spoke in support of the application.

(e) Site visit

RESOLVED to visit the sites of the following applications.

UTT/14/2412/HHF Felsted – proposed demolition and replacement of two storey extension – the Old Post House for Mr Alan Mills.

Ruth Jenkinson spoke against the application.

UTT/14/2413/LB Felsted – proposed demolition and replacement of two storey extension – the Old Post House for Mr Alan Mills.

UTT/14/2333/FUL Debden – erection of 2 detached dwellings with associated access and garaging – land south of Hill House, Church Lane for Mr and Mrs Cahill.

Councillor Knight, Henry Blackie, Judith Forster, Jane Pearce, Ray Pedler and Ilse Pedler spoke against the application.

PC36 CARNATION NURSERIES NEWPORT

The Development Manager presented a report which suggested an amendment to the current Section 106 agreement. This stipulated that 40% of the development should be designated for affordable housing and that no more than four affordable houses could be built in any single cluster.

The variation suggested an option to offer gifted units to the local planning authority and to allow the affordable housing to be built in a cluster.

It was clarified that the variation only gave the council the option of the gifted units, if it decided against this the development would default to the traditional 40% affordable housing. A decision on which option in the obligation would be pursued would be made based on housing needs. It was considered that the proposed variations would still result in the appropriate delivery of affordable housing in line with the Council's housing strategy and planning policies. .

RESOLVED that the proposed variations be accepted and an appropriate Draft of Variation be prepared to cover the proposed changes.

PC37 TPO 14/2748 – 53 LANDSCAPE VIEW SAFFRON WALDEN

Councillor Perry raised a point of order. He had received legal advice that he could not read out a letter about the application from a neighbouring property.

The Assistant Director Planning and Building Control advised members the past site history was not relevant. The site had been inspected by a County Council arboriculturist who had stated in the report that the tree was of high amenity value, but suggested the tree's dominance in the garden could be seen as unreasonable. Given the tree was in reasonable health and would not be adversely affected by a small reduction, a 2 metre linear crown reduction was recommended. The crown should also be thinned by up to 20% by removing suppressed secondary growth and any deadwood.

The Solicitor read out part of a statement on behalf of the applicant.

Councillor Perry proposed the recommendations outlined in the report. This was seconded by Councillor Salmon. Members discussed the proposal.

The Assistant Director Planning and Building Control said the Council could not designate a person to carry out the works. The conditions were standard conditions for such an application and complied with national legislation. Any failure to adhere to the conditions would be unlawful.

Councillor Perry withdrew his proposal and subsequently proposed the refusal of the application. This was seconded by Councillor Davey. A new substantive proposal had been made and members discussed the grounds for refusal.

The Assistant Director Planning and Building Control said specific reasons for refusal would be needed as the arboriculturist had said works would not harm the tree. Also, the Inspector's decision dated 4 December 2013 was for another application.

Councillors Perry, Mackman and Loughlin stated that the Inspector's decision was still relevant given the similarities between the two applications and how recently the decision was made. The Inspector had stated the tree was not excessively large. This was still a relevant consideration for the new application.

Councillor Cant spoke against the proposal. She noted that for other similar applications the Committee had always voted in line with the recommendations outlined in the report.

RESOLVED that the application be refused.

PC38 **TPO 14/2749 – 53 LANDSCAPE VIEW SAFFRON WALDEN**

Members' received information about an application to fell a walnut tree at 53 Landscape View, Saffron Walden.

RESOLVED that the application be refused.

PC39 **APPEAL DECISIONS**

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

The meeting ended at 6.00 pm.