

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2pm on 11 MARCH 2015**

Present:: Councillor J Cheetham (Chairman)
Councillors J Davey, K Eden, R Eastham, E Hicks, M Lemon,
K Mackman, J Menell, D Perry, V Ranger and J Salmon.

Officers in attendance: E Allannah (Senior Planning Officer), N Brown
(Development Manager), M Cox (Democratic Services Officer),
C Oliva (Solicitor), S Stephenson (Planning Officer), A Taylor
(Assistant Director Planning and Building Control), C Theobald
(Planning Officer) and L Trevillian (Senior Planning Officer).

PC68

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Cant, Loughlin and Wells.

Councillor Cheetham declared a non- pecuniary interest in application UTT/3326/FUL Little Canfield as she knew the applicant.

In relation to application UTT/14/3799/FUL Wendens Ambo:-

- Councillor Hicks declared a pecuniary interest as his granddaughter was intending to purchase one of the flats.
- Councillor Ranger declared a non-pecuniary interest as the design company was known to him.
- Councillor Lemon declared a non- pecuniary interest as he knew the agent.

Councillor Davey declared a non- pecuniary interest in applications UTT/14/3266/OP Newport and UTT/14/3776/OP Ashdon as he knew the agent.

PC69

MINUTES

The minutes of the meeting held on 11 February 2015 were signed by the Chairman as a correct record.

PC70

PLANNING APPLICATIONS

(a) Approvals

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

UTT/3464/OP Widdington – outline application for the demolition of the existing detached dwelling to be replaced with 3 dwellings and new access

with all matters reserved except access, layout and scale –Churchmead, Church Lane for the Ellis Campbell Group.

Councillor Rose, Councillor Parry, Nick Turner and Margaret Hudson (parish council) spoke against the application. Toni Hilton spoke in support of the application.

UTT/14/3779/OP Ashdon – outline application for the erection of 2 detached dwellings and garages with all matters reserved except access and scale, and change of use from builders yard to residential – Land east of Hops Close Farm, Over Hall Lane for Mr I Ford.

Subject to additional conditions

5 Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 5 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until condition 4 has been complied with in relation to that contamination. REASON: (common to all parts): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

6 Any proposed external lighting should be minimised. Where external lighting is required it should be low pressure sodium or LED lamps with glass glazing, rather than plastic, as these produce the least amount of UV light possible, minimising the attraction effects on insects and minimising disturbance to local bats.

Any external lighting proposed for the development should be aimed carefully, to minimise illumination of boundary habitats and avoid light spillage into the sky, or horizontally out from any buildings, by using hoods or directional lighting.

External security lighting should be set on short timers and be sensitive to large moving objects only, to prevent any passing bats switching them on.

Boundary trees and shrubs should be protected by following BS 5837:2012.

Boundary vegetation should also be excluded from new gardens by stock fencing, or similar, which would allow the continued movement of wildlife between gardens and the surrounding countryside whilst

protecting the boundary trees and shrubs for future foraging and commuting bats and other wildlife.

If the two mature ash trees covered in ivy are proposed for removal then two dusk emergence bat surveys should be undertaken to check for any roosting bats in the trees. The surveys should follow Natural England and Bat Conservation Trust Guidelines and be undertaken by an experienced ecologist during the main active period for bats (May - September).

REASON: To avoid harm to protected/priority species in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 7 Materials should be removed off the site immediately upon demolition or should be placed into skips immediately to prevent reptiles or amphibians from sheltering in the material and becoming harmed by movement of the said material.

Ground vegetation should be strimmed slowly before commencement of other ground works. Strimming should be undertaken in two phases; the first phase to reduce vegetation to a height of approximately 15cm and the second phase to reduce the vegetation to approximately 5cm in height. The strimming should be undertaken in fine, dry and mild weather conditions between April and October when reptiles should be active and able to escape harm if required.

Construction materials should be stored on hardstanding or on pallets to prevent amphibians or reptiles from sheltering in the materials and being harmed by movement of the materials.

No construction work shall be carried out at night when amphibians are mostly active;

If holes or trenches are to be dug for the development they should be covered at night or should have a roughly sawn plank placed in them to facilitate escape.

If at any stage an amphibian or reptile is observed on the site, works should stop immediately and the animal should be allowed to disperse of its own accord, or an ecologist should be contacted for advice.

REASON: To avoid harm to protected/priority species in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 8 The existing builders yard currently operating from the site shall completely cease before first occupation of the dwellings hereby permitted.

REASON: To protect the environmental and residential amenities of the surrounding area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).3

Brian Christian spoke in support of the application.

UTT/14/3791/FUL Little Bardfield – erection of 1 detached dwelling – Land east of Guivers, west of Three Chimneys, Little Bardfield Road for Mr R Jones.

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 occupation of the development the width of the access at its junction with the highway shall not be less than 3 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.
REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.
- 3 There should be no obstruction above ground level in height within a 2m wide parallel band visibility splay required across the entire site frontage as measured from the edge of carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.
REASON: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.
- 4 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety, in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.
- 5 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).

- 6 All hard and soft landscape works shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings the completion of the development or in agreed phases whichever is the sooner and any plants which within a period of five years from the completion of the development die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the local planning authority.
- REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with GEN2.

- 7 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. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities

vi. measures to control the emission of dust and dirt during construction

vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In the interests of the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 8 Before development commences details of 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. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005

- 9 Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building(s) hereby permitted and any changes in level proposed, together with the proposed floor levels within the building(s), shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To protect the amenities of neighbours and to minimise the visual impact of the development in the street scene, in accordance with ULP Policy GEN2 of the Uttlesford Local Plan adopted 2005.

Michael Edridge spoke against the application. Ray Jones spoke in support of the application.

UTT/14/3788/FUL Wendens Ambo - Revisions to roof line to create 1 No. residential unit, extension to southern elevation, including lift shaft, addition of dormer windows to roof; alterations to main entrance on western elevation to create glazed atrium - The Mill, Bearwalden Business Park, Royston Road for Mr R Wells.

Isabel Grant (parish council) spoke against the application. Alasdair Alan spoke in support of the application.

Councillor Hicks left the meeting for the consideration of this item.

UTT/14/3326/FUL Little Canfield – change of use of land, erection of stable building and construction of surfaced exercise area, all in connection with the keeping of and exercising of horses – Land east of Ladlers, Stortford Road for Mr and Mrs Rea

Subject to the following additional conditions

- 5 No development or preliminary groundworks shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme. The applicant will submit to the Local Planning Authority a post-excavation assessment (to be submitted within 6 months of the completion of the fieldwork, unless agreed in advance with the Local Planning Authority). This will result in the completion of a post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.
REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and Planning Policy Statement 5.
- 6 No development shall take place until a full scheme for the storage and disposal of waste has been submitted and approved in writing by the Local Planning Authority. The development will be carried and thereafter maintained in accordance with this approved scheme.
REASON: To comply with Policy GEN4 of the Uttlesford Adopted Local Plan 2005.

James Ray spoke in support of the application.

UTT/14/3730 Takeley - Application to vary condition 5 (staff parking arrangements) of planning permission UTT/14/2812/OP (outline application with some matters reserved for the development of a hotel comprising 8,670sqm of accommodation space (329 bedrooms) and associated parking and vehicle access) to include the concluding phrase "or until other temporary arrangements have been made available for the use of staff car parking to accommodate the lost staff spaces, which shall be available until the replacement staff car park is complete - Land south west of Enterprise House, Stansted Airport for Stansted Airport.

UTT/15/0227/FUL Great Easton – proposed demolition of 2 Stables and tack room and replacement with 4 stable and tack room – Homefield, Mill End for Miss M Felton.

(b) Refusals

RESOLVED that the following application be refused.

UTT/14/3279/DFO Elsenham - Details following outline application UTT/0142/12/OP (erection of 155 dwellings with associated infrastructure) – details of access, appearance, landscaping, layout and scale - Land North of Stansted Road for David Wilson Homes.

Reason: Contrary to policy GEN1 and GEN 2

Graham Mott and Peter Johnson (parish Council) spoke against the application. Peter Biggs spoke in support of the application.

(c) Approvals with legal obligation

UTT/14/3357/FUL Flich Green - Erection of 25 dwellings (including 10 affordable homes) a new vehicular access onto Hallett Road/Webb Road, new private vehicular accesses, and associated infrastructure - Land at Webb Road and Hallett Road, Flich Green for Pigeon Investment Management Ltd, GAG373 Ltd & GAG339 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) Provision of 40% affordable housing
- (ii) Education contributions
- (iii) Open space contributions
- (iv) Payment of monitoring fee
- (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 15th March 2015 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 for 40% affordable housing
- (ii) Lack of education contribution
- (iii) Lack of open space contribution

Alan Barber spoke in support of the application.

UTT/14/3266/OP Newport – outline application for the erection of 15 dwellings with all matters reserved except access and scale –Land south of Wyndhams Croft, Whiteditch Lane for Ford-Wells Ltd,

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

1. the conditions in the report and an additional condition as follows
17 – Prior to the implementation of the hereby development scheme details of phase 2 botanical survey shall be submitted and approved in writing by the Local Planning Authority REASON in order to protect any existing wildlife within the approved site in accordance with policy GEN7 of the adopted Local Plan 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 by the 20 March 2015 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 40% affordable housing
 - (ii) Education contribution.
 - (iii) Pay monitoring costs
 - (iv) 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, 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 provision of 40% affordable housing.
 - (ii) Lack of education contribution.

Councillors Parry and Rose, Peter Ascott and Ted Denyer (parish council) spoke against the application. Brian Christian spoke in support of the application.

(d) District Council Development

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

UTT/14/3655/FUL Newport - Demolition of current sheltered accommodation and replacement with sheltered accommodation scheme including 41 residential flats, 1 guest suite, communal accommodation, 13 parking spaces and new landscaped grounds - Reynolds Court, Gaces Acre, Newport for Uttlesford District Council.

Subject to

- i) an additional condition in relation to construction management
- ii) An informative note to Building Control to take account of possible impact of indoor lighting.

Councillors Rose and Redfern, Peter Ascott (parish Council), Ted Denyer and Darren Heffer spoke in support of the application. Councillor Parry Corinne Gliven and Neil Hargreaves spoke against the application.

PC71

APPLICATION TO FELL A TREE

The Committee considered an application to fell a horse chestnut tree in the garden of 12 Saville Close, Clavering, which was in the ownership of the council. The request had been made as the tree was causing damage to the property but as the felling of the tree would result in the loss of visual amenity it was requested that a suitable replacement tree should be provided.

RESOLVED that approval be granted for the tree to be felled and for a suitable replacement tree to be planted

PC72

APPEAL DECISIONS

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

The meeting ended at 5.25pm.