

Extract from the minutes of the meeting on 7 May 2014

PC83 (c) Planning Agreements

UTT/14/0127/FUL Great Dunmow – erection of 99 dwellings, including 40percent affordable housing, facilitated by new vehicular and pedestrian access from the roundabout junction of Ongar Road and Clapton Hall Lane, public open space including a children’s play area, green corridors, associated parking and landscaping.- Land South of Ongar Road for Taylor & Ms.J.R.Mortimer, Ms S.M.Staines & Ms C.A.Stoneman.

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions in the report and an additional condition for a slab level agreement.
- 2 An informative note requesting the planting of mature trees on the boundary with the A120.
- 3 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 agreement to secure the following:
 - (i) the provision of 40% affordable housing split 70:30 between rented units and shared equity units
 - (ii) to provide public open space and a LEAP before first occupation and offer it to the Town Council for adoption with a contribution to ongoing maintenance for 20 years
 - (iii) Primary education contribution of £294,013.00
 - (iv) Secondary education contribution of £289,854.00
 - (v) Highway contribution of £27,183 toward improvements of the Hobblings junction
 - (vi) Bus stop improvement works to the Gatehouse Villas and Chelmsford Road stops
 - (vii)Healthcare contribution of £16,800.00
 - (viii) Travel Plan
 - (ix) Council’s reasonable legal costs
 - (x) Monitoring contribution

(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 agreement by 30 June 2014, the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion any time thereafter for the following reasons:

- (i) Lack of contributions to essential healthcare and primary and secondary education facilities
- (ii) Lack of provision of 40% affordable housing
- (iii) Lack of open space and play equipment
- (iv) Lack of improvements to Hobblings junction, local bus stops
- (v) Failure to provide a Travel Plan

Councillor Mackman proposed refusal of this application, which was seconded by Councillor Davey. The motion was lost by 2 votes to 9.

The voting was as follows:

For the proposal for refusal: Councillors J Davey and K Mackman.

Against the proposal for refusal: Councillors C Cant, J Cheetham, K Eden, E Godwin, E Hicks, J Menell, V Ranger, J Salmon, L Wells.

It was then proposed by Councillor Ranger, seconded by Councillor Hicks that the application be approved, and the motion was carried by 9 votes to 2.

The voting was as follows:

For the proposal for approval: Councillors C Cant, J Cheetham, K Eden, E Godwin, E Hicks, J Menell, V Ranger, J Salmon, L Wells.

Against the proposal for refusal: Councillors J Davey and K Mackman

Sandra Lloyd, Dr Smite Price, Gerry Carden, Mike Dines, Will Lloyd, Ann Diezall, Dave Taylor, Barry Goodey, Sarah McCathy, Richard Elliott, Alan Storah, Philip Milne (Great Dunmow Town Council) spoke against the application. David Lander spoke in support of the application.