

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 2pm on 29 JULY 2015**

Present: Councillor V Ranger (Chairman)  
Councillors J Davey, P Fairhurst, E Hicks, J Lodge, J Loughlin  
and A Mills.

Officers in attendance: E Allannah (Senior Planning Officer), N Brown  
(Development Manager), K Denmark (Development Management  
Team Leader), S Marshall (Planning Officer), L Mills (Planning  
Officer), C Oliva (Solicitor), J Pine (Planning Policy/DM Liaison  
Officer), A Rees (Democratic and Electoral Services Officer) and  
S Stephenson (Planning Officer).

**PC13 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors R Chambers, R Freeman  
and H Ryles.

*Councillor Mills declared a non-pecuniary interest in UTT/15/1076/FUL as the  
applicant was known to him. Councillor Ranger declared a non-pecuniary  
interest in UTT/15/1046/FUL as he had been a guest at an event held by  
Hastoe Housing Association in 2011.*

**PC14 MINUTES OF THE PREVIOUS MEETING**

The Chairman signed the minutes of the meeting held on 1 July 2015 as a  
correct record.

**PC15 MATTERS ARISING**

**(i) PC10 – Planning Applications**

Councillor Lodge referred to an incident that had occurred at the last meeting  
when Councillor Freeman had been approached by a member of the public  
following the consideration of application of UTT/15/0623/FUL Henham. He was  
advised that it was not appropriate to raise this issue under matters arising as  
the Planning Committee was a regulatory committee and only planning matters  
should be discussed.

**PC16 PLANNING APPLICATIONS**

**(a) Approvals**

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

**UTT/15/1615/DFO Little Dunmow** - Details following outline application UTT/13/2340/OP (outline application for removal of existing earth bunds; demolition of 1 and 2 Pit Cottages and other buildings/hard standings on site; and erection of 40 dwellings with associated access, parking and garaging and provision of public open space) - details of appearance, landscaping, layout and scale – Former Dunmow Skips Site, Station Road, Little Dunmow for Persimmon Homes

*Daniel Ratson spoke in support of the application.*

**UTT/15/1467/DFO Radwinter** - Details following outline application UTT/1042/12/OP (for the erection of 35 dwellings with vehicular access) - details for appearance, landscaping layout and scale - Land Off East View Close and Walden Road East View Close for Enterprise Property Group Limited

Subject to the following additional conditions

- 5 No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting throughout the site is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.  
REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the adopted Local Plan (2005).
- 6 No development shall take place until a Biodiversity Management Plan/ Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
  - a. A description and evaluation of features to be managed;
  - b. Ecological trends and constraints on site that might influence management;
  - c. Aims and objectives of management;
  - d. Appropriate management options for achieving the aims and objectives of the project;
  - e. Prescriptions for management actions;
  - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - g. Details of the body or organisation responsible for implementation of the plan;
  - h. On-going monitoring and remedial measures.

The Plan shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Plan are not being met) how

contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with Policy GEN7 of the adopted Local Plan (2005).

- 7 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (October 2013 and subsequent amendments) and the following mitigation measures detailed within the Flood Risk Assessment.

These mitigation measures can be summarised as:

- i. Limiting the discharge from the site during a 1 in 1 year event to 2 l/s, during a 1 in 30 year event to 3l/s and during the 1 in 100 year event + climate change to 3.5l/s.
- ii. Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.
- iii. The appropriate level of treatment for all runoff leaving the site, in line with table 3.3 of the CIRIA SuDS guide (C697).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent the increased risk of flooding, both onsite and offsite, and minimize the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with Policy GEN3 of the adopted Local Plan (2005).

- 8 The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development in accordance with Policy GEN3 of the adopted Local Plan (2005).

JUSTIFICATION: The impact upon flood risk can be immediate so it is considered proportionate that a scheme be agreed prior to any development on the site.

- 9 No development shall take place until the prior approval of a detailed drainage design in the form of plans and written explanation, in compliance with the above conditions, showing drainage for the highway and the development. The development shall be completed in accordance with these approved submissions.  
REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy GEN3 of the adopted Local Plan (2005).
- JUSTIFICATION: Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoil's during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate against increased flood risk to the surrounding area during construction therefore, there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development
- 10 Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.  
REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with Policy GEN3 of the adopted Local Plan (2005).

*Adam Halford spoke in support of the application.*

**UTT/15/0362/FUL Elsenham** - Proposed erection of 6 dwellings with associated access, parking provision and landscaping - Elsenham Goods Yard (North), Old Mead Lane, Elsenham for Mr H Schneck.

**UTT/15/1201/FUL Takeley** - Erection of new dwelling and associated work - Land East of Bellstock, Molehill Green, Takeley for Mr James Salmon.

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 the erection of the development hereby approved (not including footings and foundations) samples of the 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 carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005). This pre-commencement condition is required to ensure the development is constructed in appropriate materials.

- 3 Notwithstanding the submitted details, prior to the erection of the development hereby approved 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:-
- i. proposed finished levels or contours;
  - ii. means of enclosure;
  - iii. hard surfacing materials;
  - iv. Soft landscape works shall include planting plans; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
  - v. 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). This pre-commencement condition is required to ensure the development is carried out using appropriate landscaping taking into account the safe operation of Stansted Airport.

- 4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.
- REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

*Councillor Bagnall spoke against the application. James Salmon spoke in support of the application.*

**UTT/15/1193/FUL Great Chesterford** - The erection of 1 no.3 bed dwelling and alteration to access - Land North of Dabbs House, London Road, Great Chesterford for Mr Scott Cranfield

Subject to an amendment to condition 6 below

- 6 No development shall take place until the proposed private drive has been widened to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with Policy GEN1 of the adopted Local Plan (2005).

*Gemma Dudley, Peter Leveridge and Philip Kratz spoke against the application. Hilary Lock spoke in support of the application.*

**UTT/15/1076/FUL High Easter** - Conversion of redundant farm building to dwelling - Tarr Potts, Slough Road, High Easter for Mr P Johnson.

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 the commencement of the development hereby permitted, samples of the external materials shall be submitted to and discharged by the Local Planning Authority. The development shall be implemented in accordance with these agreed details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 3 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the countryside location in accordance with GEN2 of the Uttlesford Local Plan (adopted 2005).

*Mark Jackson spoke in support of the application.*

**UTT/15/1655/HHF Ugley** - Proposed lost conversion and single ground floor link extension to connect garden room to main house. Retention of existing

garage but with roof rotated 90 degrees and a new infill extension to front to form front entrance porch - 7 Patmore Field, Ugley for Mr R Warry

*Robin Stretton spoke in support of the application.*

**(b) Approval with legal obligation**

**UTT/14/0127/FUL Great Dunmow** - Planning application for the erection of 99 dwellings, including 40 percent 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, Ongar Road, Great Dunmow for Taylor and Ms J R Mortimer, Ms S M Staines and Ms C A Stoneman

RESOLVED that conditional approval be granted the above application subject to

1 the following revised 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 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.  
REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.
- 3 Prior to the erection of the development hereby approved (not including footings and foundations) samples of the 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. Development shall be carried out in accordance with the approved details.  
REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: It is imperative that the details of materials are agreed before the development is commenced.

- 4 Prior to the erection of the development hereby approved full details of both hard and soft landscape works consistent with the

approved Landscape Strategy Plan 13.1705.01E and the Soft landscaping proposals Plan 13.1705.02 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:-

- 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).

JUSTIFICATION: The future landscaping of this site could be prejudiced if development occurs before landscaping is agreed

- 5 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 6 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), prepared by Hannah Reed & Associates, reference C211058/MH/January 2014, and the following mitigation measures:



1. Limiting the surface water run-off generated by the 1 in 100 year storm event, inclusive of an allowance for climate change, so that it will not exceed the current run-off from the site of 10.76l/s.  
2. Provide surface water attenuation on site for a volume of 1200m. in accordance with drawing number C-211058/110P3.  
REASON: To accommodate storm events up to and including the 1 in 100 year with climate change AND To mimic the current discharge rates to ensure flood risk is not increased off site, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

- 7 No building hereby permitted shall be occupied until the sustainable drainage system for the site has been completed in accordance with the submitted details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.  
REASON: To ensure suitable drainage for the development in accordance with Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The ongoing maintenance of the SUDS system needs to be secured before development, as initial development works can prejudice ongoing SUDS works.

- 8 Construction work shall not begin until a scheme for protecting the proposed dwellings from noise from the A120 has been submitted to and approved in writing by the local planning authority; all works which form part of the scheme shall be completed before any dwelling is occupied.  
REASON: In the interests of the amenity in accordance with Policies GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 9 The development hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement contained within the Ecology Update Report dated July 2013 submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.  
REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: It is imperative that noise measures are addressed to ensure that they are in place before first occupation of the development.

- 10 No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and

approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

JUSTIFICATION: Matters of archaeological /heritage importance can be prejudiced if an appropriate scheme is not secure before any ground works.

- 11 No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

JUSTIFICATION: Matters of archaeological /heritage importance can be prejudiced if an appropriate scheme is not secure before any ground works

- 12 The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of 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 the NPPF.

- 13 Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include confirmation of:

- planting and plant maintenance in the perimeter of waterbodies;
- measures to limit access during the development stage e.g. goose proof fencing surrounding all waterbodies;
- signs deterring people from feeding the birds;
- access to the site for representatives of Stansted Airport as required for the purposes of monitoring bird activity.

The Bird Hazard Management Plan shall be implemented as approved, prior to the start of development and remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Stansted Airport.

JUSTIFICATION: Matters of aviation safety can be prejudiced if matters are not addressed before development takes place. As matters related to the construction process can prejudice highway safety.

- 14 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.  
REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).
- 15 No site clearance, preparatory work (including archaeological investigations) or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (a) All tree work shall be carried out in accordance with British Standard BS3998 - Recommendations for Tree Work.
  - (b) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years of the first occupation of the development, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.
  - (c) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with condition 4 at such time as may be specified in writing by the local planning authority,.
  - (d) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - (e) No equipment, machinery or structure shall be attached to or supported by a retained tree.
  - (f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.
  - (g) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the protection of trees within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.  
REASON: In the interests of protecting the character and amenities of the locality in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
- 17 The dwellings shall not be occupied until a means of vehicular, pedestrian and/or cyclist access has been constructed in accordance with the approved plans.  
REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
- 18 The garages and car parking spaces hereby permitted and shown on Planning Layout Plan 12/030/111E shall be kept available for the parking of motor vehicles at all times. The garage/car spaces shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.  
REASON: In the interests of the highway safety and ease of movement and in accordance with Policies GEN1, GEN2 and GEN8 of the Uttlesford Local Plan (adopted 2005) and the ECC Parking Standards (adopted 2009).
- 19 Before development commences, a Construction Management Plan including any phasing arrangements and which includes:  
a. adequate turning and off loading facilities for delivery/construction vehicles within the limits of the site  
b. an appropriate construction access  
c. an adequate parking area clear of the highway for those employed in developing the site  
d. wheel cleaning facilities  
e. dust suppression measures  
f. visitors and contractors parking facilities  
g. secure on site storage facilities  
shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented on commencement of development and maintained during the period of construction.

REASON: In the interests of amenity and highway safety, in accordance with Uttlesford Local Plan Policies GEN4 and GEN1 (adopted 2005).

JUSTIFICATION: By definition all construction method processes need to be agreed before the commencement of development.

- 20 Before development commences details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety, in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).

JUSTIFICATION: It is imperative that the required highway improvements are carried out before any other development is carried out. The highway improvements will also minimise the impact of the construction phase of the development.

- 21 Before development commences the highway works as shown in principle on drawing number ITB6214-GA-010 Rev. G, to provide an appropriate access into the site from the Ongar Road/Clapton Hall Lane/Lukin's Drive Roundabout along with amendments to the access arrangements for 1-7 Clapton Hall Lane shall be implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: To provide safe access and adequate inter-visibility between the 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 Uttlesford Local Plan Policy GEN1 (adopted 2005).

- 26 Before occupation of any dwelling, the bridleway as shown in principle on Architectus drawing number 12/030/11A running from Ongar Road along the western and southern boundaries shall be provided in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

REASON: In the interests of highway safety, efficiency and accessibility

- 27 Before development commences cross-sections of the site and adjoining land, including details of existing levels around the buildings hereby permitted and any changes in level proposed, together with the proposed floor levels within the buildings, 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: In order to minimise the visual impact of the development in the street scene and to protect the amenities of neighbours, in accordance with Uttlesford Local Plan Policy GEN2.

2 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 agreement to secure the following:

- (i) the provision of 40% affordable housing split 70:30 between rented units and shared ownership 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) Maintenance Plan of SUDS system (if not adopted by statutory undertaker)
- (iv) Primary education contribution of £294,013.00
- (v) Secondary education contribution of £289,854.00
- (vi) Highway contribution of £27,183 toward improvements of the Hobblings junction
- (vii) Bus stop improvement works to the Gatehouse Villas and Chelmsford Road stops
- (viii) Healthcare contribution of £16,800.00
- (ix) Travel Plan
- (x) Council's reasonable legal costs
- (xi) 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 28 August 2015 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

(vi) Lack of securing of ongoing maintenance of SUDS system

A recorded vote was requested and the voting was as follows

For: Councillors Hicks, Loughlin, Mills and Ranger

Against: Councillors Davey, Fairhurst and Lodge

*Alan Storah, Dr Smita Price, Ann Dazell, Sandra Lloyd, William Lloyd and Councillor Milne spoke against the application. Hayley Ellison spoke in support of the application.*

**UTT/15/1046/FUL Little Hallingbury** - Affordable housing development comprising 16 no. dwellings and associated vehicular access, pedestrian access, field access, roads and landscaping - Land at Dell Lane, Little Hallingbury for Hastoe Housing Association

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

- 1 the conditions set out in the report, an amendment to condition 3 as below and the removal of condition 10, which was to appended as a note to the decision notice
- 3 Notwithstanding the submitted drawings, details of hard and soft landscaping (including planting, hard surfaces, boundary treatment, external lighting and retained landscape features) must be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must 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 must 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 must 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 compatibility with the rural character of the area and in the interest of good design, in accordance with Policy S3 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

- 2 and a legal obligation as follows

(I) The applicant be informed that the Planning 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 suitable provision of affordable housing
- (ii) pay Council's costs of monitoring the maintenance of the approved sustainable drainage system
- (iii) 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 28 August 2015 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 suitable provision of affordable housing
- (ii) Lack of payment of Council's costs of monitoring the maintenance of the approved sustainable drainage system

*Nigel Bennet, Ian Woods and John Cowper spoke against the application.  
Freda Townsend and Ulrike Maccariello spoke in support of the application.*

### **(c) District Council Development**

RESOLVED that pursuant to the Town and Country Planning (General) Regulations 1992, permission be granted/refused for the developments proposed subject to the conditions in the Officer's report

**UTT/15/1745/NMA Saffron Walden** - Non Material Amendment to UTT/14/2514 – Brick detail removed from brick plinth. Columns to porches removed - Garage site at Catons Lane, Saffron Walden

**UTT/15/1722/LB Saffron Walden** - The proposal seeks consent to cut out internal doorway in emergency centre wall, remove internal dividing wall and build new wall creating a larger office space - Council Offices, London Road, Saffron Walden, CB11 4ER

PC17

### **SECTION 106 OBLIGATIONS: FINANCIAL CONTRIBUTIONS HELD BY THE DISTRICT COUNCIL**

The Planning Policy/DM Liaison Officer presented his report on the Section 106 financial contributions held by the Council. Since last year's report the Council had collected around £2.731 million in contributions from developers. Just over two thirds of this total was for education.



In March 2014, the previous Government issued Guidance which stated that contributions should not be sought from developments of 10 units or less. There were over 20 existing obligations for such developments where affordable housing contributions were required, but development had not yet started. The Council could no longer collect these contributions which would have totalled £1.57 million.

The Council had taken part in a Local Government Association survey which looked at the impact of the new thresholds. The responses to the survey were currently being analysed by the LGA and a report was due to be published shortly.

In response to a question, it was explained that the County Council was not always required to be a signatory, sometimes the District Council acted as the sole signatory in order to speed up the process. The Solicitor added that the County Council acted as a signatory when required to.

The report was noted.

#### PC18 **PLANNING AGREEMENTS**

The Committee received the list of outstanding Section 106 agreements.

The meeting ended at 4.45pm.