

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 2pm on 16 DECEMBER 2015**

Present: Councillor V Ranger (Chairman)  
Councillors R Chambers, J Davey, R Freeman, E Hicks, J Lodge,  
J Loughlin, A Mills and H Ryles.

Officers in attendance: N Brown (Development Manager), M Jones (Planning Officer), C Oliva (Solicitor), A Rees (Democratic and Electoral Services Officer), M Shoesmith (Development Management Team Leader), L Trevillian (Senior Planning Officer) and M Watts (Principal Environmental Health Officer).

**PC36 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor P Fairhurst.

**PC37 MINUTES OF THE MEETING HELD ON 18 NOVEMBER 2015**

The minutes were received and signed by the Chairman as a correct record.

**PC38 MATTERS ARISING**

**(i) PC34 – Planning Applications**

Councillor Lodge asked what progress had been made on Condition (l)(iii) of the Section 106 agreement for UTT/15/0726/FUL Felsted. In response, the Development Manager said a second opinion had been received and discussions were ongoing between officers and the developers. An update would be circulated to Members.

**PC39 PLANNING APPLICATIONS**

**(a) Approvals**

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

**UTT/15/2089/DFO Flich Green** – Details following outline application  
UTT/14/0005/OP – Details of appearance, landscaping, layout and scale - Land off Tanton Road, Flich Green for Bloor Homes Eastern

*Nicky Parsons spoke in support of the application*

**UTT/15/2764/FUL Takeley** – Change of use of former Petrol Filling Station and Class A3 Restaurant to 139 bay car park, for Weston Group Business Centre,

with the erection of brick screen wall, erection of a waiting shelter, lighting and landscaping within the site

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) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, submitted to and approved in writing by the Local Planning Authority within one month from the date of the identification of the source of contamination.

The measures in the approved remediation scheme shall then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of the development.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 3) No other external lighting, other than the bollard lighting indicated on the approved plans shall be installed, without the prior written approval of the Local Planning Authority.

REASON: To ensure the development does not adversely affect the residential amenities of nearby dwellings or the wider rural character of the area in compliance with Policies GEN4 and GEN5 of the Uttlesford Local Plan.

- 4) Prior to commencement of the development 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 the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1

- 5) A soft landscaping scheme consisting of the planting of native species of trees and shrubs shall be planted on the perimeter strip that demarcates the site in accordance with a landscape and planning schedule that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All planting, seeding or turfing and soil preparation comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the site, 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 make appropriate provision for conserving and enhancing the natural environment in the interests of biodiversity and to ensure the development does not adversely affect the residential amenities of nearby dwellings or the wider rural character of the area in compliance with Policies ENV 7, ENV8 GEN4 and GEN5 of the Uttlesford Local Plan.

- 6) No CCTV cameras or other surveillance equipment shall be installed within the site without receipt of the express written consent of the Local Planning Authority prior to its installation.

REASON: To ensure the development does not adversely affect the residential amenities of nearby dwellings or the wider rural character of the area in compliance with Policies GEN4 and GEN5 of the Uttlesford Local Plan.

- 7) No vehicles associated with passengers using Stansted Airport shall be parked on this site for more than 24 hours in any period of 14 days.

REASON: To ensure adequate car parking spaces are provided solely to serve the vehicle hire operated on the site. Furthermore, it is the policy of the Council that all parking required for Stansted Airport should be accommodated within the airport boundary, in order to protect the appearance of the countryside in accordance with Policies GEN7 & T3 of the Uttlesford Local Plan.

- 8) The premises hereby permitted shall not open before 6.30am on Mondays to Saturdays nor after 19:00 pm on Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.

REASON: The use of this site outside these hours would be likely to cause nuisance and disturbance to adjacent residents contrary to Uttlesford local plan policy GEN4.

- 9) The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

- 10) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities, particularly in relation to the Flich Way Local Wildlife Site;
- b) Identification of biodiversity protection zones;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to features identified in the Ecological Assessment (Dated October 2015) during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works or similarly competent person; and the
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be implemented and adhered to throughout the construction period of the development hereby approved.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and for compliance with Local Plan policies in accordance with Uttlesford Local Plan policy GEN7

- 11) Any lighting approved shall only be illuminated between the hours of 06:30 and 20:00

Reason: The use of lighting on this site outside these hours would be likely to cause nuisance and disturbance to adjacent residents contrary to Uttlesford local plan policy GEN4.

12) Notwithstanding the submitted details, no development shall take place until full details of the brick and mortar details have been submitted to the Local Planning Authority for approval. The development shall be carried in accordance with the approved details, and thereafter retained.

REASON: To ensure that the design of the development accords with the street scene and character of the area in accordance with Policy GEN2 of the Uttlesford Adopted Local Plan 2005.

Justification: The choices of material for the wall are imperative to assimilate the development into the street scene.

*A statement was read out on behalf of Takeley Parish Council in support of the application. Peter Luder spoke in support of the application.*

**UTT/15/2336/FUL Saffron Walden** – Change of use of land from grassland to highway use - Land Adjacent Unit 44 Shire Hill Industrial Estate, Saffron Walden for Manor Oak Homes

Subject to an amendment to Condition 3 below

3) The development hereby permitted shall not be implemented unless in conjunction with the reserved matters application relating to planning consent UTT/13/3467/OP and in accordance with the associated conditions and Section 106 Obligation.

REASON: To ensure the protection of both sites in the interest of the amenity of the surrounding locality in accordance with S1, SW6, S7, GEN1, GEN2, GEN4, GEN5, GEN6, GEN7, ENV12, ENV13 and ENV14 and the National Planning Policy Framework.

#### **(b) Approval with legal obligations**

**UTT/15/2632/DFO Elsenham** – Details following outline application UTT/1790/OP (erection of up to 165 dwellings with associated parking, landscaping and open space) – details of appearance, layout scale and landscaping - Land South of Stansted Road, Elsenham for Crest Nicholson

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 by the 21 December 2015 the freehold owner enters into a binding agreement to vary the existing Section 106 Obligation attached to outline planning permission UTT/13/1790/OP binding obligation to cover the additional 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) Maintenance details and arrangements (including details of an management company) regarding the Parking Barns to be provided as noise mitigation measures
  - (ii) Maintenance details and arrangements (including details of an management company) for the provision of the agreed Sustainable Urban Drainage Scheme.
  - (iii) Pay Councils reasonable costs
- (II) In the event of such a variation to the extant 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 a variation of the extant 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 ongoing securing of the ongoing noise mitigation measures
  - (ii) Lack of adequate ongoing maintenance of the SUDs system.

*Councillor Parr, Dr Graham Mott, David Whipps and Dan Thomas spoke against the application. Kieran Wheeler and Matt Richards spoke in support of the application*

PC40

#### **ANY OTHER BUSINESS**

Councillor Ranger thanked all the members of the public who had attended Planning Committee meetings throughout the year.

Members thanked Councillor Ranger for his chairmanship of the Committee since the beginning of the 2015/16 municipal year and wished him and his family a happy Christmas and New Year.

The meeting ended at 3.40pm.