

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 25  
JANUARY 2023 at 2.00 pm**

Present: Councillor R Freeman (Chair)  
Councillors G Bagnall, C Criscione, J Emanuel, G LeCount, B  
Light, J Loughlin, R Pavitt and M Sutton

Officers in attendance: N Brown (Head of Development Management and  
Enforcement), C Gibson (Democratic Services Officer),  
D Hermitage (Director of Planning), J Mann (Environmental  
Health Officer), C Shanley-Grozavu (Democratic Services  
Officer), M Shoemith (Strategic Applications Team Leader),  
E Smith (Solicitor) and K Wilkinson (Strategic Development  
Engineer – Essex CC)

Public Speakers: D Bird, Councillor Maureen Caton (Stansted Mountfitchet PC),  
Councillor Melvin Caton, Councillor J Evans, S Hadland, E  
Ledwidge and Councillor N Reeve.

**PC265 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

In the absence of both the Chair and Vice-Chair, Councillor Freeman was nominated and seconded for the Chair. Members supported the nomination and Councillor Freeman took the Chair.

Apologies for absence were received from Councillors Merifield, Lemon and Fairhurst. Councillor Criscione substituted for Councillor Lemon and Councillor Light for Councillor Fairhurst.

Councillors Bagnall and Sutton declared that they were both Ward Members for Takeley.

Councillor Criscione declared a personal interest as his wife was an employee of a company providing transportation services to Universal Aviation but that this had no bearing on his participation in the discussion. The Chair confirmed that this was in order.

**PC266 MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 11 January 2023 were approved.

**PC267 UTT/22/0434/FUL - LAND NORTH OF STANSTED AIRPORT**

The Strategic Applications Team Leader presented an application for Outline planning permission for the demolition of existing structures and redevelopment

of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, electric substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved.

The application was recommended for approval subject to conditions as set out in section 18 of the report and the details contained in the Late List.

*There was an adjournment taken to address technical issues during the submissions from the Public Speakers between 2.50 pm and 3.00 pm.*

In response to various questions raised by Members, officers:

- addressed questions relating to traffic modelling outside of the A120 and the M11, additional traffic movements and the CAP scheme for peak hours 6.00 – 9.00 and 16.00 – 19.00. It was recognised that particularly relating to the 4 Ashes junction there was a need to keep HGV's on the main strategic roads and away from the villages.
- said that Little Bury Lodge was not listed.
- clarified that the slides showing Burton End were actual points of reference.
- said that Sport England had objected, they removed their Directive objection, to the scheme but that the football club would not become homeless as there was a requirement within the S106 Heads of Terms for a new pitch to be put in first. The relocation arrangements would be agreed with Sport England.
- said that air quality concerns and any requirement for a receptor could be addressed through the conditions.
- provided information in respect of financial benefits to be gained through additional business rates.
- said that discussions were on-going in respect of the need to move the border control point.
- said that there would be no loss of ancient woodland and that a fence buffer and hedging would be required at the reserved matters stage, particularly to protect nutrients in the soil that would protect the woodland from air quality issues.
- said that external lighting and noise management schemes had been addressed within the conditions.

Members discussed:

- Air Quality conditions and the possibility of a receptor being put in place.
- Sustainability issues relating to foul drainage water and waste heat recycling and the principles outlined in para 14.3.25 and 14.3.40.
- There currently being a lot more hard surfacing on site and the landscaping as part of the scheme would help reduce this, provide softening and improve drainage at reserved matters stage.

A point of order was raised and the Chair made it clear that it was not acceptable for notes to be passed to Members by the public during the debate. This was supported by the Council's Solicitor who said that the expertise was provided at the top table.

Members further discussed:

- Highways management issues, protection of local networks, the need for improvements to the A120 and the 4 Ashes junction and the arrangements for no right turns out of the site. The Head of Development Management and Enforcement said that all three Highways Authorities had been working very closely on this and that concerns would be addressed through the conditions. The Director of Planning referred Members to para 14.7.2 of the report in that the NPPF stated in Paragraph 111 that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on safety, or the residual cumulative impacts on the road network would be severe”. The Strategic Development Engineer – Essex CC said that traffic modelled movements of 7,000 per day were within acceptable limits.
- Concerns about the lack of community engagement and the need for further details as to the benefits to the local community
- Outstanding concerns from Sport England. The Head of Development Management and Enforcement said that all measures in respect of proposed sports facilities were mitigation measures.
- The benefits to the community of further local employment opportunities being brought to the area.
- The benefits of good childcare arrangements.
- The need for better transport connectivity and an active travel plan.
- Concerns that the majority of green space was all to the north west of the development. The Strategic Applications Team Leader indicated that this would be picked up at the reserved matters stage.
- Future possible location of the ATC, although not a planning consideration.
- Possible benefits to local government finances, although not a material planning consideration.
- Comments made by Place Services relating to ecology having been taken into account in the conditions.
- The increase in time from 3 to 5 years for application for approval of the Reserved Matters from the date of the permission.

Members discussed the fact that this was likely to be the biggest in-district application for a number of years and the fact that various issues had been raised that were considered to be outstanding. It was suggested that both the conditions and the S106 be brought back to Committee for future consideration; another suggestion was that these could be agreed with the Chair.

The Director of Planning said that it would be unusual to bring back conditions and the S106 to Committee. The Solicitor agreed.

The Chair said democratic accountability was important and that matters relating to conditions and the S106 would best be left with officers.

A compromise arrangement was suggested in that prior to final sign-off the proposed conditions and S106 details be emailed to Members for any specific concerns to be raised.

Councillor Criscione proposed that the development be approved, in line with the recommendation and that details of the proposed conditions and the S106 be circulated to Members for comment prior to final sign-off.

Councillor LeCount seconded the proposal.

RESOLVED that the Director of Planning be authorised to grant planning permission for the development subject to those items set out in section 18 of this report –

- A) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out
- B) Conditions

The conditions and the S106 Agreement to be circulated to Members for comment prior to final sign-off.

and

If the freehold owner shall fail to enter into such an agreement, the Director of Planning shall be authorised to refuse permission following the expiration of a 6-month period from the date of Planning Committee or other period to be first expressly agreed by the Director of Planning.

*Public Speakers: Various issues were raised by Councillors Melvin Caton, N Reeve (Portfolio Holder for the Economy, Investment and Corporate Strategy), J Evans (Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan) and Maureen Caton (Stansted Mountfitchet PC)*

*S Hadland (Applicant) spoke in favour of the application and was supported by E Ledwidge and D Bird, who addressed issues raised by the public speakers.*

*The meeting ended at 4.47 pm.*