

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2pm on 08 March 2017**

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

Officers in attendance: A Bochel (Democratic Services Officer), N Brown
(Development Manager), P Snow (Democratic and Electoral
Services Manager), K Denmark (Development Management
Team Leader), B Ferguson (Democratic Services Officer),
Elizabeth Smith (Temporary Legal Officer) and C Theobald
(Planning Officer).

The Democratic and Electoral Services Manager introduced Alistair Bochel and
Ben Ferguson as new members of the democratic services team.

PC52 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

An apology for absence was received from Councillor J Loughlin.

*Councillors Freeman and Fairhurst declared a non-pecuniary interest as
members of Saffron Walden Town Council.*

*Councillor Mills declared a non-pecuniary interest as he knew the applicants for
item 7 on the agenda (application UTT/16/3062/HHF).*

PC53 MINUTES

The minutes of the meeting held on 8 February 2017 were approved and signed
by the Chairman as a correct record.

PC54 CHIEF OFFICER'S REPORT, UTT/15/3537/FUL SAFFRON WALDEN

UTT/15/3537/FUL; Residential development of five houses with
garages/carports and removal of remaining bridge abutment, Goddards Yard
(Phase II) Thaxted Road, Saffron Walden.

The Development Manager recommended agreeing a Deed of Discharge
removing the Section 106 Obligation concerning affordable housing
contributions attached to this permission in the light of Government changes to
National Planning Practice Guidance confirming that contributions should not be
sought from developments of ten units or less.

He explained that, at the time the permission was granted, a legal challenge
had been made to the change to the NPPG issued by written Ministerial
Statement on 28 November 2014 so the change to the guidance had not come
into effect. A Court of Appeal decision in May 2016 had now reinstated the
change announced in November 2014 giving legal effect to the amended
guidance. As the development had not commenced, the applicants had

requested reconsideration of the Section 106 Obligation as they were fully entitled to do.

Councillors Freeman, Fairhurst and Lodge all expressed reservations about the removal of the affordable housing obligation on the grounds that it was wrong to remove retrospectively conditions correctly applied at the time.

The Temporary Legal Officer clarified that the Court of Appeal decision required the Council to remove the Section 106 obligation as the development had not commenced. The Development Manager confirmed that this was the only application affected by the Court of Appeal ruling and would not have widespread repercussions for other permissions granted.

The recommendation to allow a Deed of Discharge was then proposed and seconded and agreed following a vote.

RESOLVED to allow a deed of discharge removing the requirements of the Section 106 Obligation concerning affordable housing contributions on planning permission UTT/15/3537/FUL dated 12 July 2016.

PC55 UTT/16/3255/FUL THAXTED

Application for the construction of 9 dwellings with associated parking and landscaping – Little Maypole, Thaxted.

RESOLVED that the following application be deferred.

PC56 UTT/16/3549/FUL – BROXTED

Application for the demolition of sections of former hotel and outbuildings, the conversion of former barn and modern extension to 3 dwellings, conversion of former staff dwelling to 1 dwelling, restoration and conversion of Church Hall and Brewhouse to 3 dwellings with new cart lodge, extension to the western section of the former hotel and conversion to 1 dwelling with new cart lodge, alteration to the rear driveway and erection of 2 dwellings with cart lodges, erection of open cart lodging and storage areas and associated landscaping, alterations to vehicular and pedestrian access - Whitehall Hotel, Church End, Broxted for Mr B Martin.

RESOLVED that the application be approved subject to the conditions in the report.

It was also agreed to amend condition 3 and to include an informative note – that the open-space should be protected in any future planning decisions to retain the character of the building.

The Chairman recorded the Committee's thanks to Mr Martin for providing access to the site.

PC57 UTT/16/3550/LB - BROXTED

Application for the demolition of sections of former hotel and outbuildings, the conversion of former barn and modern extension to 4 dwellings, conversion of former staff dwelling to 1 dwelling, restoration and conversion of Church Hall and Brewhouse to 2 dwellings with new cart lodge, extension to the western section of the former hotel and conversion to 1 dwelling - Whitehall Hotel, Church End, Broxted for Mr B Martin.

RESOLVED that the application be approved subject to the conditions in the report.

PC58

UTT/16/3062/HHF - HIGH EASTER

Application for the proposed construction of a retractable swimming pool enclosure over an existing pool - Pentlow End, Slough Road, High Easter for Mr B Littler

Referred to Committee by Councillor S Barker if recommended for refusal for the following reasons: A swimming pool cover at this height will not be visually intrusive in the countryside, there is no effect on neighbours, the installation will enable the pool to rely solely on solar panel heating and the use of oil will be eliminated saving carbon emissions.

RESOLVED that the application be approved as it was not detrimental to the listed building and was environmentally safer, and subject to a condition to place a time limit on the commencement of the development.

Mr Littler spoke in support of the application.

The meeting ended at 3.06 pm