

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 14
MARCH 2018 at 2.00 pm**

Present: Councillor A Mills (Chair)
Councillors R Chambers, J Davey, P Fairhurst, R Freeman,
E Hicks, M Lemon, J Lodge, J Loughlin and L Wells

Officers in attendance: A Bochel (Democratic Services Officer), N Brown (Development
Manager), K Denmark (Development Management Team
Leader), M Shoemith (Development Management Team
Leader), E Smith (Solicitor) and C Theobald (Planning Officer)

Also present: Councillors P Lees and E Oliver, S Clark, W Clark, G Gardner, S
Greenall, L Gregory, C Henley, J Keith, A Long, A Mitchell, D
Mitchell, D Mosley, M Park, L Prowse, V Richardson, J Smith, P
Watson, C Woodhouse.

PC99 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Councillors Fairhurst and Freeman declared non-pecuniary interests as members of Saffron Walden Town Council's Planning Committee. That committee had discussed Item 9 on the agenda, but neither Councillors Fairhurst nor Freeman had participated in that discussion.

Councillor Mills declared a non-pecuniary interest in Item 4, because the application was in his ward and so the owners of some of the affected properties were known to him. He had bought land from the applicant about twenty-five years ago but had never met him.

Councillor Mills declared a pecuniary interest in Item 10 because he was the applicant for that item. He said he would leave the room during the consideration of that item.

PC100 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 14 February 2018 were approved and signed by the Chairman as a correct record.

PC101 UTT/17/3197/FUL - LAND SOUTH OF SCHOOL LANE, HENHAM

The proposal related to the erection of 36 dwellings and the creation of additional infrastructure for the primary school, most notably the provision of a drop-off/parking area outside the school, the creation of a car parking area within the school and a new playing field.

Clarifying a point raised by members of the public, the Development Manager said that it was important to be aware that Uttlesford District Council's draft local plan's housing allocations carried little legal weight in decision-making.

In response to statements made by members of the public, the Legal Officer said that discussions between Uttlesford District Council and Essex County Council regarding a Section 106 agreement on the application were ongoing and progressing well.

Members said the safety of the public, and in particular children at the school, was of paramount importance. They expressed concern that access to the site was problematic and highways safety for pedestrians and others would be compromised.

Councillors Fairhurst and Lodge noted that the proposed site lay outside of development limits and said that this contravened the council's planning policy.

Councillor Fairhurst proposed to refuse the application. Councillor Lodge seconded this motion.

RESOLVED to refuse permission for the following reasons:

- 1) The proposal would give rise to a form of development which has a design which results in compromise to the road safety of other road users, in particular cyclists, pedestrians and those whose mobility is impaired. This would be contrary to Adopted Uttlesford Local Plan Policy GEN1(c) (adopted 2005).
- 2) The site is located outside the development limits and within the open countryside which will be protected for its own sake. In this location planning permission will only be granted for development that needs to take place there, or is appropriate to a rural area. The proposed development fails to protect or enhance the particular character of the part of the countryside within which it is set, in particular due to its adverse impact on the setting and character of Henham and Ugley Primary School. There are no special reasons why the development in the form proposed needs to be there. As such the proposal is contrary to Adopted Uttlesford Local Plan Policy S7 (adopted 2005).
- 3) The application fails to provide an appropriate mechanism to secure the mitigation measures required, including infrastructure requirements, which have been identified as being necessary in order to facilitate the development. The requirements are:
 - i) Provision of affordable housing

- ii) Provision and maintenance of open space and drop-off car park
- iii) Maintenance of SuDS
- iv) Provision of replacement playing fields and transfer of land to education authority
- v) Translocation of reptiles
- vi) Payment of financial contributions for education
- vii) Bus stop improvements

Councillor Lees, M Park, A Mitchell, A Long, V Richardson, L McDermott, G Gardner and M Mosley spoke on this item.

At 3.20, the Chairman adjourned the meeting. At 3.35, the meeting continued.

PC102 UTT/17/0649/OP - LAND OFF STEVENS LANE, FELSTED

The applicant had requested planning permission for the comprehensive redevelopment of a brownfield site with the construction of seven new dwellings, car parking bays, visitor parking provision and associated landscaping.

Members expressed concern that the number of dwellings proposed for construction would have a negative impact on the layout of the properties at the site, as well as the historic setting and character of the nearby properties.

Councillor Fairhurst proposed to reject the application. Councillor Freeman seconded this motion.

RESOLVED to refuse permission for the following reason:

- 1) The development by reason of the number of dwellings proposed would result in an unsatisfactory housing layout for this undeveloped site lying outside development limits which would be incompatible with the linear pattern of housing development within Stevens Lane and which prevails for the settlement of Bannister Green as whole. As such, the proposal would be contrary to ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. Additionally, the development by reason of the number of dwellings proposed would not preserve the historic setting and agrarian character of the two adjacent Grade II listed buildings, namely Yew Tree Cottage and Stevens Farm Barn. As such, the proposal would be contrary to ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

S Clark, W Clark, L Gregory, J Keith, D Mitchell, L Prowse and P Watson spoke on this application.

PC1-3 UTT/17/2238/FUL - OAKLANDS, ONGAR ROAD, GREAT DUNMOW

The full application related to the demolition of the existing bungalow on the site and the erection of 25 no. dwellings comprising a mix of detached, semi-detached and terraced dwellings and bungalows, including 40% affordable housing, with associated service road, covered and hardstanding parking and landscaping.

Councillor Freeman proposed that a condition be applied to limit external noise levels to 45 decibels.

Members expressed dissatisfaction with the clumping off affordable homes in the southern corner of the site.

Members agreed to defer the application in order for alternative layouts to be considered.

PC104 UTT/17/2352/FUL - WELCOME BREAK SERVICE STATION, DUNMOW ROAD, BIRCHANGER

The proposal related to the creation of a new exit point onto the A1250 for HGVs. This would involve the revision to the layout of the Days Inn hotel car park, alterations to the internal road layout to create the new exit point, together with the removal of the boundary hedging and alterations to the road layout and markings on the A1250.

The Chairman proposed to approve the application. Councillor Chambers seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

J Smith spoke on this item.

PC105 UTT/17/2961/FUL - CLAVERING FARM, MILL LANE, CLAVERING

The Section 73A application requested retrospective planning permission, for the change of use of part of building 1 to retail use.

Councillor Wells said that 8am might be too early for the retail development to be operating on Sundays because it might negatively affect those living in dwellings nearby. Members said that 10am would be a more preferable time to begin operating on Sundays.

Councillor Chambers proposed to approve the application subject to the amended condition. Councillor Lodge seconded this motion.

RESOLVED to approve the application subject to the following amended condition:

- 1) The hours of operation of retail development hereby permitted and as shown on the approved block plan shall be as following:
Building 1 (A1)
07:00 till 17:00 - Monday to Friday
07:30 till 16:00 –Saturday
10:00 till 14:00 – Sunday

REASON: In the interests of the residential amenity of the neighbouring properties. The use of this site outside these hours would be likely to cause nuisance and disturbance to adjacent residents. In accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

Councillor Oliver, C Henley and S Greenall spoke on this item.

PC106 **UTT/17/3574/FUL - 97 GODDARD WAY, SAFFRON WALDEN**

The Section 73A retrospective planning application was for the change of use of the garage to sole trader nail business. The conversion of the garage includes the removal of the garage door and construction of window and internal alterations. A single off street parking space was proposed to the front of the site.

Councillor Freeman said he was concerned that the property could be sold as a business in the future, despite the fact that permission had never been given for its conversion into a nail business. He said he would also prefer the property owner to remain in residence at the address in order for it to continue as a business.

The Chairman proposed to approve the application subject to an additional condition. Councillor Davey seconded this motion.

RESOLVED to approve the application subject to the conditions in the report, and the following additional condition:

- 1) The permission hereby granted shall be restricted as a nail bar business and shall only be used/ operated by the occupier of 97 Goddard Way, as sole trader. No other use in that Use Class shall be implemented without prior written planning permission from the Local Planning Authority.

REASON: This restrictive use condition is required to ensure the use and operation of the nail bar will be incidental to the occupation of the main dwelling. The unrestrictive use of the nail bar will likely result in an intensification of use of the site and possible separation, that would be likely to cause nuisance and disturbance to adjacent residents. In accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

PC107 UTT/17/3663/LB - POLICE STATION, EAST STREET, SAFFRON WALDEN

The applicant had requested that the item be deferred so that the application could be amended.

PC108 UTT/17/2725/FUL - BELMONT, HOLLOW ROAD, FELSTED

The Chairman left the room for this application. As Vice-Chairman, Councillor Loughlin chaired discussion on this item.

The proposal related to the demolition of the buildings on the site and the erection of a new dwelling.

Councillor Fairhurst proposed to approve the application. Councillor Loughlin seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

C Woodhouse spoke on this item.

The meeting ended at 5.45pm.