

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 19
DECEMBER 2018 at 2.00 pm**

Present: Chairman A Mills
Councillors R Chambers, P Fairhurst, T Farthing (Substitute for
E Hicks), R Freeman, M Lemon, J Lodge, J Loughlin, H Ryles
and L Wells. A Mills (Chairman)

Officers in
attendance: N Brown (Development Manager), K Denmark (Development
Management Team Leader), B Ferguson (Democratic Services
Officer), D Gibson (Temporary Planning Officer), L Mills
(Planning Officer), M Shoemith (Development Management
Team Leader), E Smith (Solicitor) and Marcus Watts
(Environmental Health Manager – Protection).

N Brown (Development Manager), K Denmark (Development
Management Team Leader), B Ferguson (Democratic Services
Officer), L Mills (Planning Officer), M Shoemith (Development
Management Team Leader) and E Smith (Solicitor)

Also present: Councillors B Light, A Gerard, H Rolfe;
Matt Bradley and Martin Mason (Essex County Council -
Highways), Paul Calder, Keith Eden, Paul Gadd, Geoff Gardner,
Ana Grossinho (Air Quality Experts Global Ltd - AQEG), Jim
Ketteridge, Peter Le Grys, Ian Mitchell, Matthew North, Dan Starr,
Susie Stevens, Peter Stollery and James Waterhouse.

PC114 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Hicks.

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

PC115 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 14 November were approved subject to an
amendment to include a full transcript of the recording.

The minutes of the meeting held on 21 November were approved subject to the
following amendment to PC106:

The Members went on to discuss concerns with the road safety issues, ***with
particular regard paid to the safety of pedestrians on Bury Water Lane***, and
flood risks that the application presented given the current and historic issues at
the site.

PC116 UTT/18/0824/OP - LAND EAST OF THAXTED ROAD, SAFFRON WALDEN

The Development Manager said the public speaking on agenda items 3 and 4 would be taken together, as the applications were adjacent to one another.

Councillor Fairhurst said he objected to this process as each planning application should be determined on its own merits, as was consistent with previous practice of this Planning Committee. He asked why the applications had not been completely separated and highlighted the way in which the applications had been linked throughout the reports. He said he had serious legal reservations regarding this process.

The Chairman said it would only be the public speaking that would be taken together; two separate votes would be held to determine each application separately.

The Solicitor said the Committee could regulate its own procedure and she had no objection to the public speakers for both applications being heard at the same time. The two sites were adjacent and, although each application should be determined on its own merits, an important Highways mitigation measure could only be delivered if both applications were granted. She added that this was a procedural, not a legal, matter.

The proposal related to outline planning permission, with all matters reserved except access, for the provision of up to 150 dwellings of mixed housing types and tenure. The scheme would provide 40% affordable housing, with a mixture of tenure for both rent and shared equity; 5% of these dwellings would be provided as bungalows. In addition to the dwellings, substantial new areas of open and recreational space were proposed, as well as a network of public footpaths, greenway corridors, cycle lanes and access to existing public transport links along Thaxted Road. To serve the residential development, a new signalised junction along Thaxted Road was also proposed.

The Development Management Team Leader highlighted the ECC Highways assessment and Air Quality Assessment of the application(s), which stated that the development was acceptable in terms of highway safety capacity, air quality and upon the AQMA. However, they had advised that if Members were to approve this application, they should also grant permission for the adjoining application UTT/17/2832/OP to enable the creation of a link road between Thaxted Road and Radwinter Road to enable traffic to route away from the existing highway network and provide some betterment.

PC117 UTT/17/2832/OP - LAND NORTH OF SHIRE HILL FARM, SAFFRON WALDEN

To enable public speaking on both applications, the Chairman moved proceedings on to Item 4 and asked the Development Management Team Leader to present the report on application UTT/17/2832/OP.

The application sought outline planning permission, with all matters reserved except access, for the provision for up to 100 mixed dwellings, including 40% affordable housing. As part of the development there would also be associated open space, drainage, landscaping, access and parking. The provision of land to

facilitate an extension to an already approved primary school, which formed part of the wider UTT/13/3467/OP application, was also proposed in order to enable a 2 form entry school on the site.

The Chairman invited those who had registered to speak on applications UTT/17/2832/OP and UTT/18/0824/OP to address the Committee. The statements can be heard in full [on the Council's website](#).

The Development Manager said the Council did not have a five year land supply and therefore required the 250 houses that were proposed by the two applications. He said the link road, which was advised as a highways and air quality mitigation measure, would only be built if both applications were approved.

In response to a procedural question from Councillor Lodge, which referenced email correspondence between Councillor Rolfe and the former Leader of the Council, the Solicitor said the personal opinions espoused by members did not bring the Body Corporate into disrepute and was irrelevant in determining this application.

Members discussed the impact both developments would have on the highway network, with particular regard paid to air quality and the nature of the proposed link road.

Councillor Freeman said if the applications were approved, the proposed link road would be nothing more than a rat run, which would have a negative impact on quality of life for the people living in the new developments. He said he also had concerns relating to the dataset that had been used for the air quality modelling and questioned its legitimacy.

Councillor Lodge said there had been an anomaly in the first dataset he had seen. He added that there was a real air quality problem in Saffron Walden, with fourteen deaths relating to air quality in the past year.

Ana Grossinho (AQEG), an air quality expert, explained how the cumulative assessment had been carried out. She said the data set had been scrutinised by independent consultants (Ringway Jacobs) and she was confident that the conclusion in the report, which stated that the impact of these developments on air quality was negligible if the mitigation scheme was carried out, was sound.

Councillor Lodge said the link road would pass in front of the proposed primary school. This was contrary to the Essex Design Guide.

Councillor Fairhurst proposed to refuse application UTT/18/0824/OP. Councillor Lodge seconded the motion and said he was doing so as the application was contrary to policies GEN1, EN13, S7, ENV3 and ENV5 of the Uttlesford Local Plan (adopted 2005).

A recorded vote was requested.

For refusal UTT/18/0824/OP:

Councillors Fairhurst, Freeman and Lodge.

Against refusal UTT/18/0824/OP:

Councillors Chambers, Farthing, Lemon, Loughlin, Mills, Ryles and Wells.

The motion to refuse the application was defeated.

Councillor Mills proposed approval of application UTT/18/0824/OP. Councillor Chambers seconded this motion.

Councillor Lodge proposed an amendment to the motion. He asked that no work commence until a clear mitigation plan was approved by UDC and ECC Highways to show that proposed mitigation measures would prevent deterioration of air pollution levels within the Air Quality Management Area (AQMA).

The Environmental Health Manager – Protection said the conclusions of the cumulative air quality impact assessment stated that no further mitigation methods were required to prevent deterioration of air pollution levels within the AQMA, in relation to these proposed developments.

Councillor Fairhurst seconded the amendment.

For the amendment:

Councillors Fairhurst, Freeman and Lodge.

Against the amendment:

Councillors Chambers, Farthing, Lemon, Loughlin, Mills, Ryles and Wells.

The amendment was defeated.

Members then voted on the original motion to approve application UTT/18/0824/OP.

For approval UTT/18/0824/OP:

Councillors Chambers, Farthing, Lemon, Loughlin, Mills, Ryles and Wells.

Against approval UTT/18/0824/OP :

Councillors Fairhurst, Freeman and Lodge.

The application was approved.

The Chairman proposed to approve application UTT/17/2832/OP.

Councillor Ryles seconded the motion.

For approval UTT/17/2832/OP:

Councillors Chambers, Farthing, Lemon, Loughlin, Mills, Ryles and Wells.

Against approval UTT/17/2832/OP:

Councillors Fairhurst, Freeman and Lodge.

The application was approved.

The following people spoke on these applications:

Councillors B Light, A Gerard (on behalf of N Hargreaves) and H Rolfe. Keith Eden, Paul Gadd, Jim Ketteridge, Ian Mitchell, Matthew North, Dan Starr and James Waterhouse.

PC118 **UTT/18/2478/FUL - BLUEGATES FARM, STORTFORD ROAD, GREAT DUNMOW**

The meeting was adjourned at 4.55pm and reconvened at 5.00pm.

Councillors Fairhurst, Farthing and Wells left the meeting at this point.

The applicant sought planning permission for the demolition of an existing residential property and office building, and the construction of a replacement office building, cycle stores, bin store and associated hard and soft landscaping. No objections had been received from statutory consultees.

Councillor Chambers proposed approval of the application.

The Chairman seconded the proposal.

Councillor Lodge said he was concerned with the size of the building. He proposed deferring the application to allow for a site visit.

The Chairman seconded this proposal.

RESOLVED that the application be deferred to allow for a site visit.

Paul Calder spoke on this application.

PC119 **UTT/18/2366/FUL - GRANITE SITE, THAXTED ROAD, SAFFRON WALDEN**

The applicant sought planning permission to erect a hotel and ancillary restaurant. Associated development would include the formation of a car park, landscaping and the relocation of a substation, and the access road would be repositioned.

The Planning Officer had recommended the application for approval subject to conditions, although he proposed conditions 3 and 4 to be amended as follows:

Condition 3: *Prior to first use of the hotel*, a scheme for protecting the hotel bedrooms from noise must be submitted to and approved in writing by the local planning authority. The scheme must be implemented in accordance with the approved details prior to occupation of any bedroom.

Condition 4: *Prior to first use of the restaurant*, details of measures to suppress and disperse fumes and/or odours must be submitted to and approved in writing by the local planning authority. The measures must be implemented in accordance with the approved details prior to occupation.

Councillor Freeman proposed approval of the application.

The Chairman seconded the motion.

RESOLVED that the application be granted subject to S106 agreement.

S Stevens spoke on this application.

PC120 **UTT/18/1982/FUL - BARNMEAD, START HILL, GREAT HALLINGBURY**

The planning application sought full planning permission for the demolition of an existing dwelling house and replacing it with 9 residential dwelling houses and associated development at the site.

The Chairman proposed approval of the application.

Councillor Lemon seconded the motion.

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

PC121 UTT/18/1811/FUL - THE BELL HOUSE, HIGH STREET, HENHAM

The proposal related to the erection of three dwellings and the demolition of an existing detached garage on the site, to allow the construction of a new driveway to provide access to the new dwellings located to the rear of Bell House. The parish council had objected to the application.

Councillor Chambers said he had concerns regarding this application and proposed deferral to allow for a site visit.

Councillor Lemon seconded the motion.

RESOLVED that the application be deferred to allow for a site visit.

Geoff Gardner and Peter Stollery spoke on this application.

PC122 UTT/18/2895/FUL - THE DELLES, CARMEN STREET, GREAT CHESTERFORD

The applicant sought planning permission to erect a detached house and garage. The proposal represented an alternative design for plot 2 of the two dwelling development, originally approved by planning permission UTT/16/3394/FUL. This alternative design was required to rectify a design mistake that had led to the ridge height being one meter higher compared to the neighbouring property.

The Chairman proposed approval of the application.

Councillor Loughlin seconded the motion.

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

Peter le Grys spoke on this application.

PC123 UTT/18/2572/OP - CHAUMIERE, NATS LANE, WENDENS AMBO

The outline application sought consent for the erection of a new dwelling and the demolition of a garage. All matters were reserved except access, with the new access leading to the dwelling proposed via the driveway and enabled by the removal of the existing garage.

The Chairman proposed approval of the application.

Councillor Lodge seconded the motion.

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

PC124 UTT/18/2375/HHF - DE VIGIER AVENUE, SAFFRON WALDEN

The applicant sought consent for the erection of a two storey extension to the rear of their property. It would have a projection of 4 metres and a maximum height of 6.5 metres. At first floor level, a window would be placed in the rear elevation. At ground floor level, a door and a window would be placed in the side elevations.

Councillor Freeman said the issues that had led him to call the application in had been resolved. He proposed approval of the application.

The Chairman seconded the motion.

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

PC125 UTT/18/3069/HHF - MELBOURNE COTTAGE, LOWER GREEN LANE, WIMBISH

The application related to a two storey side extension with a single storey to the rear.

The extension would extend from the side elevation by 3.6m, set back from the front elevation with a depth of 5.2m. A further single storey extension would attach to the rear extending a further 3m.

Councillor Lemon proposed approval of the application.

Councillor Chambers seconded the motion.

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

The meeting ended at 5.55pm