

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 5 JUNE
2019 at 2.00 pm**

Present: Councillor S Merifield (Chair)
Councillors G Bagnall, M Caton, P Fairhurst, R Freeman,
A Gerard, G LeCount, M Lemon, J Loughlin, R Pavitt, A Storah
and M Sutton

Officers in attendance: N Brown (Development Manager), K Denmark (Development Management Team Leader), A Mawson (Democratic Services Officer), L Mills (Planning Officer), E Smith (Solicitor) and C Tyler (Planning Officer)

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

No apologies for absence were received.

- Councillor Freeman declared a non – pecuniary interest as a member of Saffron Walden Town Council.
- Councillor Fairhurst declared a non – pecuniary interest as a member of Saffron Walden Town Council, and as Cabinet Member for Business, Economy, Jobs, Investment and Strategy; Youth Services.
- Councillor Gerard declared a non – pecuniary interest as Cabinet Member for Residents and Community Partnerships; Police and Emergency Services, as a member of Newport Parish Council, Newport, Quendon and Rickling Steering Group for item number three.
- Councillor Pavitt declared a non – pecuniary interest in item number three as the architect was doing some work for him.
- Councillor LeCount declared a non – pecuniary interest as member of Henham Parish Council.
- Councillor Bagnall declared a non – pecuniary interest as a member of Takeley Parish Council.
- Councillor Storah declared an interest in item number four as he was the planning consultant working for Saffron Walden Town Council and for a Local Residents' Group, and advised he would recuse himself for that item.
- Councillor Loughlin declared that she was a member of the 100 Parishes Society.

2 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were approved and signed as an accurate record.

**3 UTT/19/0004/FUL PARK VIEW AND PLEASANT VIEW, BRICK KILN LANE,
RICKLING GREEN**

The Planning Officer delivered the report; the site was located off Brick Kiln Lane, to the north-west of Rickling Green. It contained two detached bungalows and their grounds. The application was for planning permission to demolish the existing bungalows and replace with two houses, each with a separate driveway, garage and rear garden. The application was recommended for Approval with Conditions.

Councillor Gerard said that he was concerned about the landscaping and the scale of the development. He said that the development was on the edge of the village and as such was the first thing that anyone would see on the approach.

Councillor Storah took the Committee through parts of the adopted Local Plan (2005) and cited policy S7, H7, Gen 2 and the associated Replacement Dwellings Supplementary Planning Document and the National Planning Policy Framework. He said that he was not in favour of enabling the replacement of small houses with large ones.

Councillor Storah concluded that he believed this application was contrary to policy and proposed that on those grounds it be refused.

Councillor Freeman concurred with Councillor Storah and added that bungalows were becoming rare and that they were in need.

Councillor Fairhurst said that he felt in this instance size was a factor and that it would not enhance the character of the approach to the village.

Councillor Storah proposed that the application be refused.

Councillor Fairhurst seconded the proposal.

RESOLVED to refuse the application for the following reasons:

1. The proposed dwellings would, by virtue of their scale, fail to protect or enhance the character of their countryside setting, in conflict with Policy H7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the associated Replacement Dwellings Supplementary Planning Document and the National Planning Policy Framework.

Cllr Hargreaves and P Purkiss spoke on the application.

Councillor Storah Left the room.

The Planning Officer presented the application for the approval of reserved matters following a grant of outline planning permission for 85 residential dwellings including all necessary infrastructure and landscaping. Details of

appearance, landscaping, layout and scale were approved via an appeal on 21 August 2017 UTT/16/2210/OP).

The outline permission included the approval of access, with the current application seeking the approval of appearance, landscaping, layout and scale.

The application was recommended for Approval with Conditions.

Councillor Freeman raised concerns that up to 85 houses would be built as permission had already been granted, but that the committee had the opportunity to get the whole thing right before they were stuck with them. He raised concerns about the water run-off and drainage. He also raised issue with additional documents being added to the planning portal since December 2018, and the Town Council having not been consulted again. He said that only half of the issues that had been brought by the Town Council had been dealt with.

The Development Manager clarified that there was no obligation to re-consult with the Town Council. He pointed out that a number of items mentioned had already been dealt with on the outline planning permission and he was mindful not to 'double do' anything.

Councillor Fairhurst raised the issue with the removal of scrubland, the impact on bats and the 'bat corridor'. He said that he felt that he was not in the position to make the decision and proposed that the application be deferred.

The Development Manager advised that the application had been in process a number of months and asked Councillor Fairhurst to clarify for what reason he proposed deferral.

Councillor Bagnall said that he couldn't find one of the drawings referred to in the application and that Highways had based their response on that drawing.

The Planning Officer advised that all the documentation was available online.

Councillor Bagnall said that it looked like that drawing had been superseded and Highways should have been given the new drawings to base their responses on.

Councillor Gerard said that the Committee deserved respect, that they know how to look at plans, and that the information in front of them was not adequate enough to make a determination. He said that he was aware that the Police wanted to comment on this application but that they had not done so. He said that there needed to be proper consultation for the new material considerations.

Councillor Freeman proposed a deferral as the three storey buildings were a cause for concern as they have been historically hard to occupy, this was raised as a concern by the housing officer and would also impact on the housing association.

The Development Manager said that this wasn't necessarily an issue for refusal but a delivery issue and void affordability issue. Briefing sessions would be arranged outside of Committee.

Councillor Freeman proposed deferral of the application.

Councillor Fairhurst seconded the motion for deferral.

RESOLVED to defer the application pending

1. Addressing issues over affordable housing delivery
2. Review of matters raised by Saffron Walden Town Council

P Summers, J McLaughlin, C Fiddy and T Tissard spoke on the application.

Councillor Storah returned to the room.

5

UTT/19/0484/OP FRIARTON, CHATTER END ROAD, FARNHAM

The Planning Officer presented the outline planning application for all matters reserved for the demolition of the existing garage and erection of a single detached dwelling with shared access. The access, appearance, landscaping, layout and scale would be assessed in a subsequent reserved application.

The application was recommended for refusal.

Councillor Loughlin referred to the Local Plan and stated that in this instance she couldn't see how S7 was a reason for refusal given that the development needs to take place there, and is appropriate to a rural area.

Councillor Loughlin challenged Gen 2 as a reason for refusal as she stated that there would be no adverse impacts from this development. She said that the Localism Act gave them powers to benefit the local community and that this was supported by the community.

Councillor Gerard said that he was sympathetic to the applicants and the site, but that he was concerned that by granting outline planning for one house that someone could apply for more further down the line and this would not be linear but back land development.

The Development Manager minded the committee not to get side-tracked by the personal story. That he was not questioning the applicant in any way and that control can be gained of that at the reserved matters stage.

Councillor Loughlin reminded the Committee that each application should be heard on its merits and that if more applications were to come after this one then they too would be heard on their own merits.

Councillor Fairhurst added that he too was concerned about the back land development, but noted that it was unusual to see such a positive community

response. He said he was concerned about setting a precedent. He queried that it wasn't a proposal for a bungalow, and pointed out that it wasn't visible to the road. He said that he was minded to support the application when looking at the harms versus the benefit.

The members queried a number of points in the report with the Planning Officer and Development Manager.

Councillor Loughlin also pointed out that the applicants had arranged for their own speed survey.

Councillor Gerard proposed refusal of the application based on the policies in the report.

This motion found no seconder.

Councillor Fairhurst proposed that the application be approved. The reasons given were that the site was sustainable and that the harms did not outweigh the benefits of the application.

The Development Manager advised the committee to add conditions to the approval, and the Planning Officer advised that there would be a suite of standard conditions added.

Councillor Loughlin seconded the motion to approve the application.

RESOLVED to approve the application in accordance with the conditions laid out in the decision notice.

C King and S King spoke on the application.

6

UTT/18/3293/FUL BRANKSOME, WHITEDITCH LANE, NEWPORT

The Planning Officer delivered the application for planning permission to demolish the existing bungalow and erect two dwellings and associated garages. The two existing access points off Whiteditch Lane would be utilised. The proposal was a revised scheme to that approved in May 2016, which included the re-use of the existing bungalow rather than its demolition and replacement (UTT/16/0280/FUL).

The application was recommended for conditional approval subject to S106 legal obligation.

In response to a Member question the Planning Officer confirmed that the site already has planning permission for two dwellings on the paddock to the rear of Branksome.

Councillor Gerard pointed out to the Committee that with the application before them the site would increase to 4 dwellings, replacing the one bungalow that was in existence.

Councillor Gerard drew the Committee's attention to Part C; Transport, paragraph 11.3 of the officer's report and spoke about the cumulative impact on the area and he said that the access to the site was by means of a by-way and spoke about the serious issues that this area have with traffic safety and that development on this site was not sustainable.

In response to a Member question the Development Manager said that Essex County Council Highways department have a responsibility to maintain the access as a 'by-way' but that this was a lower level of maintenance than that of a road.

Councillor Gerard spoke about the pending transport assessment and said that he would like to wait for the outcome of that assessment. He said that there was a serious issue with what was happening along Whiteditch Lane. He read an excerpt of a letter from Kemi Badenoch MP which stated that demands on infrastructure were a material consideration for planning applications and case officers would consider this on a case by case basis. Insofar as its material factor a local planning authority can consider the cumulative impact of development in reaching a decision on the planning application.

Councillor Bagnall also cited paragraph 103 of the National Planning Policy Framework (NPPF) and said that he felt that this didn't fit well with paragraph 11.3 in the report. He also highlighted serious safety issues along the by-way.

Councillor Bagnall said that he felt that there was certainly over development of that area if not that site alone.

Councillor Loughlin referred to the NPPF Paragraph 102 (d) and (e) and stated that Whiteditch lane had failed to meet these criteria. Therefore contrary to the NPPF.

Councillor Gerard said there fundamental safety issues on both Whiteditch and Burywater Lane, with the Joyce Frankland Academy and the frequent student crossing activity.

Councillor Gerard proposed refusal of the application and felt that refusal should be on Highways issues.

The Development Manager advised the committee that historically Highways issues have been hard to defend and said that this would likely be overturned on appeal and could be very costly and that the contribution offered in mitigation could fall away. He said that he didn't know what the success would be based on a refusal on the grounds of cumulative impact.

Councillor Gerard said that he would like to propose refusal Highways grounds, cumulative impact.

The Development Manager clarified that this was GEN1 with cumulative impacts and the NPPF paragraphs that had been cited by Members.

The Planning Officer asked if it was refused on Highway Safety or if it was broader issues; Councillor Gerard confirmed that it was broader issues and that NPPF paragraph 109 was the main one.

Councillor Freeman gave additional reasons for refusal in congestion, safety of children walking to and from school.

The Development Manager advised the Committee that they could cite character of the area, plus the cumulative impact on the environment.

Councillor Fairhurst seconded Councillor Gerard's motion for refusal.

The Development Manager said that he was mindful not to put forward refusal reasons in haste without the checking mechanisms and that he would bring the refusal reasons back to Committee for ownership.

Councillor Storah asked when the study was likely to be produced.

Councillor Gerard advised that it would start in June and Councillor Hargreaves said that it would take about a week.

RESOLVED to refuse the application with the technicalities of the reasons for refusal to be brought back to the next committee meeting for Committee agreement.

Cllr Hargreaves, J Emanuel and Mr Bampton spoke on the application.

7

UTT/17/2100/FUL BULLOCKS FARM, BULLOCKS LANE, TAKELEY

The Development Management Team Leader delivered the proposal to remove condition 8 from UTT/16/1881/FUL to allow parking provisions to be constructed 'locally' to each phase/building construction group.

The application was recommended for approval with conditions.

The Development Management Team Leader suggested a change of wording of the conditions in the original application.

Councillor Fairhurst proposed approval of the application to include the updated condition.

Councillor Gerard seconded Councillor Fairhurst's proposal for approval.

RESOLVED to approve the application with the conditions outlined in the decision notice.

8

UTT/18/3518/FUL HOLROYD COMPONENTS LTD, SHIRE HILL INDUSTRIAL ESTATE, SHIRE HILL, SAFFRON WALDEN

The Planning Officer presented the application for the proposed demolition of existing two storey factory and offices and the proposed extension to existing industrial accommodation, providing two floors with accommodation and basement, with associated landscaping and engineering works.

The application was recommended for approval with conditions.

Councillor Freeman said that the Town Council were happy with the proposal.

In response to a Member question the Planning Officer advised that there was generally good sustainable transport links, the site was central to Saffron Walden.

Councillor Gerard confirmed that there was a bus service nearby.

Councillor Freeman proposed approval of the application.

Councillor Lemon seconded the proposal.

RESOLVED to approve the application with the conditions outlined in the decision notice.

9

UTT/19/0673/HHF 20 MILL CLOSE, ELSENHAM

The Planning Officer presented the application for a single storey extension to rear to incorporate existing out building and internal alterations.

The application was recommended for approval with conditions.

Councillor Fairhurst proposed that the application be approved.

Councillor Lemon seconded Councillor Fairhurst's motion for approval.

RESOLVED to approve the application with conditions outlined in the decision notice.

10

CHIEF OFFICERS REPORT UTT/19/0043/FUL 25 LOOMPITS WAY, SAFFRON WALDEN

The Development Manager resolved to remove the report from the agenda to be update at the next Committee meeting.

Meeting Ended 5:15pm