

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 26
JUNE 2019 at 2.00 pm**

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

Officers in attendance: N Brown (Development Manager), J Doe (Planning Officer),
M Jones (Planning Officer), A Mawson (Democratic Services Officer), L Mills (Planning Officer), E Smith (Solicitor),
C Theobald (Planning Officer) and C Tyler (Planning Officer)

PC11 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Loughlin and Merifield.

- 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 and as a member of Newport Parish Council. As a member of the 100 Parishes Society.
- Councillor LeCount declared a non – pecuniary interest as a member of Henham Parish Council.

PC12 MINUTES OF THE PREVIOUS MEETING

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

PC13 UTT/ 18/ 2523/FUL– WESTONS YARD, CHELMSFORD ROAD, WHITE RODING

The Planning Officer delivered the proposal to the Committee for the demolition of the existing buildings on the site and for the erection of seven new dwellings with associated access and landscaping.

The application was recommended for approval with conditions as laid out in the report.

In response to a member question the Planning Officer advised that the inclusion of the green field land was for drainage only and that this would be subterranean.

Councillors Bagnall, Fairhurst and Gerard raised objections in relation to the inclusion of the green field land and that they felt that the development was not linear in line with the aesthetics of the area.

The Development Manager advised the Committee of the dangers of refusing an application on brown field land that had been previously developed. There was discussion between officers and Members in relation to the development meeting the need that had been identified in the Strategic Housing Market Assessment (SHMA).

Councillor Bagnall proposed a motion for refusal of the application.

Councillor Gerard seconded the motion for refusal.

The motion was defeated.

Councillor Lemon proposed a motion for approval of the application.

Councillor Caton seconded the motion for approval.

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

PC14 UTT/19/0946/FUL LAND EAST OF DUNMOW ROAD, AYTHORPE RODING

The Planning Officer presented the proposal for the Erection of five residential dwellings including two Starter Homes, the formation of new vehicular access and associated parking and landscaping.

The application was recommended for refusal.

In response to a Member question The Development Manager said that he had called the application in at his discretion as the pre-planning advice had been given by a former member of staff and that he wanted to give the applicant the opportunity of a fair hearing.

Councillor Caton proposed a motion for refusal of the application.

Councillor Pavitt seconded the motion for refusal of the application.

RESOLVED to refuse the application for the following reasons:

1. The proposal, by reason of the introduction of built form at a prominent site by a corner of a road junction, would result in significant harm to the character and appearance of the area by urbanising the site and its setting. The proposal would detract from the open and rural character of the site. As such the proposal is contrary to Policies S7 and GEN2 of the adopted Uttlesford Local Plan; Policy SP 10 of the Regulation 19

Uttlesford Local Plan; and, the provisions of the National Planning Policy Framework.

2. The proposal is not sustainable development in that it represents development at an unsustainable location, not within a settlement or other site boundary. The creation of residential properties at this site would require future occupiers to travel by car to services. As such, the proposal would be contrary to the provisions of the National Planning Policy Framework; contrary to the adopted Uttlesford Local Plan Policy S7 and contrary to the Uttlesford Local Plan Regulation 19 version Policy SP10.

I. Coward and P. Calder spoke on the application.

PC15 **UTT/18/3369/FUL - LAND SOUTH OF OXLEYS CLOSE, STORTFORD ROAD, CLAVERING**

The Planning Officer presented the application for planning permission to erect 13 dwellings, with associated garaging, parking areas, private gardens, open space and landscaping. A new access off Stortford Road would lead to a new road serving the development.

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

Councillor Fairhurst said that he didn't like that the affordable housing was clustered together.

In response to a Member Question The Planning Officer said that there were 6 'affordable homes'; 2 shared ownership and 4 affordable rent.

The Planning Development Manager said that the site had been identified as a development site on the emerging local plan and that the biggest material consideration was that the application was approved on appeal in 2014 when Uttlesford had a five-year land supply, the difference was that in 2019 Uttlesford did not have a five-year land supply.

Councillor Storah said that he endorsed The Planning Development Manager's comments and he felt that there was a high chance of the decision being overturned on appeal without a five-year land supply.

Councillor Gerard stated that the application was clearly contrary to policy S7.

Councillor Storah proposed the motion to approve the application in line with the recommendations.

Councillor LeCount Seconded the motion for approval.

The motion for approval was defeated.

Councillor Gerard proposed the motion to refuse the application.

Councillor Bagnall seconded the motion for refusal.

RESOLVED to refuse the application for the following reasons:

1. The proposed development would result in the urbanisation of open countryside, thereby causing substantial harm to the rural character of the area in conflict with Policy S7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (NPPF). In the context of paragraph 11 of the NPPF, this adverse effect would significantly and demonstrably outweigh the benefits of the proposal.
2. The application does not include a mechanism, such as a S106 legal agreement, to secure sufficient affordable housing, equating to 40% of the total number of dwellings. The proposal therefore conflicts with Policy H9 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

P. Robinson spoke on the application.

**PC16 UTT/19/0671/FUL FORMER MOLECULAR PRODUCTS SITE, MILL END,
THAXTED**

The Planning Officer presented the proposal for the construction of eight apartments and associated landscaping. The relocation of a new build dwelling which had previously been granted planning permission (unit 25) and the relocation of a window within this dwelling.

The application was recommended for approval with conditions and section 106 agreement.

Councillor Freeman said that he was aware of the site and that the development was good and wanted to take the opportunity to ask that electric vehicle charging points were installed.

The Planning Officer confirmed that he had correspondence from the developer that stated that where properties were already constructed they could be retrofitted, and those with parking spaces next to the properties would be installed.

The Committee discussed the provision of open space for the apartments and the parking provision for the site.

Councillor LeCount proposed the motion to approve the application.

Councillor Gerard seconded the motion to approve the application.

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

Items 7 and 8 were debated together but voted on separately.

PC17 **UTT/19/0362/FUL - BARN AT HILL HOUSE, CAMBRIDGE ROAD, QUENDON**

The Planning Officer presented the application which sought planning permission for the conversion and the change of use of the building to a single dwelling. A proposed single storey extension, alterations, new access and gates are included.

The application was recommended for approval with conditions and section 106 agreement.

PC18 **UTT/19/0311/LB - BARN AT HILL HOUSE, CAMBRIDGE ROAD, QUENDON**

The Planning Officer presented the application which sought listed building consent for the conversion and of the building to a single dwelling. The development includes a proposed single storey extension and associated alterations.

The application was recommended for Listed Building Consent with conditions.

Following a question from Councillor Hargreaves the Planning Officer confirmed that the Conservation Officer had no objections.

Councillor Storah raised objections to the additional access to the site and proposed that a shared access be used to maintain the flint wall. He was also concerned about the new access and the reference to the use of the access in a 'controlled manner'. Both he and the Planning Development Manager said that this should be that the vehicles exit the access in a 'controlled manner in a forward gear'.

In response to a Member question the Development Manager said that the current classification of the land was 'garden land' and that granting this application would not lead to the loss of a listed building.

Councillor Gerard proposed a motion to refuse the application
(UTT/19/0362/FUL)

Councillor Fairhurst seconded the motion to refuse the application
(UTT/19/0362/FUL)

RESOLVED to refuse the application (UTT/19/0362/FUL) on the following reasons:

- 1 The loss of the boundary wall due to the introduction of the access and gates will result in harmful impact to the character of the conservation area. The development is not in accordance with ULP Policy ENV1 and the NPPF.

- 2 The proposed windows to the building will result in a significant loss of privacy and overlooking and overbearing impact onto the neighbouring properties private amenity space. The development is not in accordance with ULP policy GEN2 and the NPPF.

Councillor Gerard proposed a motion to refuse the application (UTT/19/0311/LB)

No seconder was found.

The Planning Development Manager advised the Committee that they could refuse the first application and still grant the listed building consent.

Councillor proposed a motion to approve the application (UTT/19/0311/LB).

Councillor Gerard seconded the motion to approve the application (UTT/19/0311/LB).

RESOLVED to approve the application (UTT/19/0311/LB).

N. Hargreaves, C. Williams and I. Abrahams spoke on the application.

PC19 UTT/19/0391/FUL LAND AT BURY WATER LANE, NEWPORT

The Planning Officer presented the application to vary conditions 2 (Schedule of plans) and 3 (Hard and soft landscaping works) of UTT/16/1574/DFO to allow amendment to the bund.

The application was recommended for approval with conditions.

Following a Member question the planning officer advised that the maximum steepness of the bund would be 1:3 and that access to the informal greenspace would be possible. The members were concerned about children having access to such a steep gradient.

Councillor Pavitt said that the developer was trying to negate the cost of moving the excess soil.

The Committee discussed the overbearing height of the bund and potential overlooking, as well as the loss of amenity and the degradation of the environment.

The Planning Development Manager advised the committee that if members were minded to refuse that he would come back in the next meeting with a reason for refusal.

Councillor Gerard proposed a motion to refuse the application.

Councillor Fairhurst seconded the motion to refuse the application.

RESOLVED to refuse the application. The details of the refusal would be brought before the Committee at the next meeting.

N. Clark and J. Emanuel spoke on the application.

PC20 **UTT/19/0966/FUL LAND SOUTH OF THE FARMHOUSE, OLD MEAD ROAD, HENHAM**

The Planning officer presented the proposal for the Variation of condition 11 (Removal of existing buildings) on UTT/18/3370/OP to read:

"Prior to occupation of the first dwelling of the development hereby approved in principle, all of the existing buildings shown coloured in green as number annotated on the 'buildings to be retained and demolished' plan drwg. ref. 218069 VOC 001 B dated 24/04/19 (i.e. Buildings 1-13) shall be demolished and any materials arising therefrom not used in the development permitted shall be removed from the site"

The application is recommended for approval.

Councillor Fairhurst proposed a motion to approve the variation to the conditions.

Councillor Gerard seconded the motion to approve.

RESOLVED to approve the variation to the conditions as per the recommendation in the report.

J. Salmon spoke on the application.

PC21 **UTT/19/0551/FUL - HAMMER HILL FARM, STANBROOK ROAD, THAXTED**

The Planning officer presented the application to seek the removal of an agricultural occupancy condition, condition 1 of planning permission DUN/10/64.

The application was recommended for unconditional approval.

Councillor Lemon proposed the motion to approve the application.

Councillor Fairhurst seconded the motion.

RESOLVED to approve the application.

J. Freeman spoke on the application.

PC22 **CHIEF OFFICERS REPORT UTT/19/0043/FUL - 25 LOOMPITS WAY,
SAFFRON WALDEN**

The Development Manager presented the report to the Committee with the recommendation that the Planning Committee confirm the resolution from Committee of 10 April 2019 to approve planning application reference UTT/19/0043/FUL subject to the conditions in the report.

Councillor Fairhurst proposed the motion to adopt the report.

Councillor Gerard seconded the motion.

RESOLVED to adopt the report as stated.

PC23 **CHIEF OFFICERS REPORT UTT/18/3293/FUL BRANKSOME, WHITEDITCH
LANE, NEWPORT**

The Development Manager presented the report in which the reasons for refusal for application UTT/18/3293/FUL were clarified.

The recommendation was that Planning Committee confirm the resolution from Committee of 5 June 2019 to REFUSE planning application reference UTT/18/3293/FUL for the following reason:

The proposal would exacerbate further the cumulative impact of development in Whiteditch Lane and Bury Water Lane resulting in significant detrimental harm upon matters of highway safety and harm to the rural countryside setting of the area contrary to Policies GEN1 and S7 of the Uttlesford Local Plan 2005 and Paragraphs 109 &180 of the National Planning Policy Framework 2019.

Councillor Gerard proposed the motion to confirm the resolution as stated in the Chief Officer's Report.

Councillor Fairhurst seconded the motion.

RESOLVED to adopt the resolution as stated.

Meeting Closed 5pm