

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 24
JULY 2019 at 2.00 pm**

Present: Councillor S Merifield (Chair)
Councillors G Bagnall, M Caton, A Gerard, G LeCount,
M Lemon, J Loughlin, R Pavitt, N Reeve, A Storah and M Sutton
and J de Vries

Officers in attendance: N Brown (Development Manager), R Davis (Temporary
Development Management Planner), K Denmark (Development
Management Team Leader), J Doe, A Mawson (Democratic
Services Officer), E Smith (Solicitor) and C Theobald (Planning
Officer)

PC24 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Cllr R Freeman and Cllr P Fairhurst.

- 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, and as a member of the 100 Parishes Society.
- 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 Loughlin declared that she was a member of the 100 Parishes Society.
- Councillor Sutton declared a non – pecuniary interest as member of Takeley Parish Council.
- Councillor Merifield declared a non – pecuniary interest as member of Felsted and Stebbing Parish Council.
- Councillor Pavitt declared a non – pecuniary interest as member of Chesterfords and Wendens Ambo Parish Council.
- Councillor Reeve declared a non – pecuniary interest for Hatfield Broad Oak regarding item three.

PC25 MINUTES OF THE PREVIOUS MEETING

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

UTT/16/3565/OP - LAND TO THE WEST OF BONNINGTONS FARM, STATION ROAD, HATFIELD BROAD OAK

The Development Management Team Leader presented the proposal for Outline application with all matters reserved, except for access, for community led mixed use development of up to 275 residential units, site for primary school, multi-use games area, kick about area, flexible neighbourhood building (A1, A2, A3, A5, B1, D1 and D2 uses), car park, trim trail and dog walking circuit.

The application was recommended for Approval subject to the conditions and Section 106.

In response to a Member question the Development Manager advised that the water board had been consulted and that the supply and waste water were two different issues, in relation to the supply the water board and companies are obliged to supply as many homes as was necessary. Ultimately there were no issues raised in consultation.

Councillor Loughlin said that the water pressure in Takeley was already very low.

The Development Management Team Leader advised that it was the responsibility of the supplier to maintain water pressure and not a material consideration.

Councillor Bagnall spoke about paragraph 170 of the National Planning Policy Framework 2012 (NPPF), referring to the site as a route through the landscape.

In response to Member questions the Development Manager advised against deferral for the reason of waiting for the decision of the 'Gladman Appeal' or Local Plan.

The committee were of the same mind that south of the Flich Way should not be developed.

Councillors Gerard and LeCount raised safety concerns in relation to the Highways for pedestrians.

Concerns were raised about the impacts on Hatfield Forest.

Councillor Bagnall proposed a motion to refuse the application.

Councillor Gerard Seconded the motion to refuse the application.

RESOLVED: To refuse the application and to bring the full reasons back to the next committee.

J Cheetham, P Hewitt, S Barsott, S Smith, B Bamber, R Mackley, K Artus, R Pomery and R McGowan spoke on the application.

The Development Management Team Leader presented the Outline application for residential development of up to 30 no. dwellings with associated roads and infrastructure with all matters reserved except access.

The application was recommended for approval subject to the conditions and Section 106 Agreement.

In response to a member question the Development Manager advised the Committee that it would be unlikely to have a decision on the Neighbourhood Plan before Christmas and the earliest a referendum could be held would be January or February. He also advised that the applicant would likely have an appeal decided before the referendum and could apply for costs.

Councillor Gerard said that there was scope for the Parish Council to request a Transport Study for the cumulative impact that all the new development has had on the Parish.

The Development Manager recommended that a decision be made, and that the application was policy compliant. Also that there were no affordable homes in the emerging Felsted Neighbourhood Plan in contrast to the application before the Committee.

The committee were fully supportive of the neighbourhood plan process and the Felsted Neighbourhood Plan.

In response to a Member question the Development Management Team leader said that the lower part of the site that was clear of development could be secured for community benefit in a Section 106 agreement. Any additional planning applications on that site would be considered independently on their own merits.

In response to a Member question it was advised by the Felsted Neighbourhood Steering Group representative that a new Housing Needs Survey would be carried out before the referendum.

Councillor Gerard proposed a motion to defer the application

Councillor de Vries seconded the motion to defer the application

The vote was split and the Chair used her casting vote to approve the motion to defer the application.

RESOLVED: to defer the application to enable work on the Neighbourhood Plan to come to fruition.

Cllr J Evans, R Ramm, R Freeman and N Tedder spoke on the application.

The Planning Officer presented the application for the Erection of 16 no. dwellings with associated garages, parking and landscaping with new vehicular access to Chickney Road.

The application was recommended for approval subject to the conditions and Section 106 Agreement.

Councillor Gerard referred to policy H3 of the adopted Local plan and that the site failed to satisfy all of the criteria for allowing the infill of new houses on windfall sites in settlements including Henham.

The Committee agreed that the site was unsustainable and that the road was dangerous for pedestrian access.

The Development manager advised caution when using GEN1 as a refusal reason as Essex Highways hadn't raised an objection in consultation.

In response to a Member question the Development Manager confirmed that in order to install a pavement the applicant had advised that it would not take width away from the road.

Councillor LeCount proposed a motion to refuse the application.

Councillor Gerard Seconded the motion to refuse the application.

RESOLVED: to refuse the application for the following reasons:

1. The proposal, by reason of the introduction of built form at a site visible from both a vehicular highway and a public right of way, 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 rural and generally open character of the site and its setting. As such the proposal is contrary to Policies S7 and GEN2 of the adopted Uttlesford Local Plan; Policy SP 10 of the emerging 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. The local highway authority has stated that the remote location of the site is such that access to key local services and facilities, public transport, employment and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car. 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 emerging Local Plan Policy SP 10.
3. The proposal would result in future occupiers of the dwellings walking on a highway without a continuous footway to reach the centre of the village of Henham. The conflict between pedestrian and vehicular traffic would be

detrimental to highway safety and result in an unacceptable degree of hazard to all road users. As such the proposal is contrary to Policy GEN1 of the adopted Local Plan and Policy TA 1 of the emerging Local Plan.

B Bamber and S Lee spoke on the application.

PC29 UTT/19/0829/FUL - THE OLD CEMENT WORKS, LAND BEHIND THAXTED ROAD, SAFFRON WALDEN

The Planning Officer presented the application for the variation of condition C.3.3 (approved plans) on application UTT/1382/01/FUL to allow amendments to approved drawings 211/01/22, 211/01/29 & 211/01/28 and previously approved revised plan 539/002 Rev E by substitution with drawing 539/002 Rev F relating to Blocks C, D & E. Revised internal layouts which will facilitate improved AD M access and minor changes to the external elevations to accommodate internal layout changes.

The application was recommended for approval subject to conditions.

In response to a Member question it was confirmed that the changes in the application are internal changes only.

Councillor Pavitt proposed a motion to approve the application.

Councillor Lemon seconded the motion to approve the application.

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

PC30 UTT/19/0427/FUL - HAYDENS HOUSE, ONSLOW GREEN, BARNSTON

The Planning Officer presented the application for a change of use of residential outbuilding to single dwelling.

The application is recommended for approval subject to conditions.

In response to a Member question the Planning Officer confirmed that the application includes only the reuse of existing buildings and no increase to the footprint was included.

Councillor Lemon proposed a motion to approve the application.

Councillor Gerard seconded the motion to approve the application.

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

S Hayhurst spoke on the application

PC31 **UTT/19/0514/HHF - WEARNS FOLLY, 9 CARMEN STREET, GREAT CHESTERFORD**

The Planning Officer presented the application for the proposed erection of a boundary fence and gates to enclose this area of garden which is currently open to the south and north-west with chainlink fencing to the area adjacent to the playing field.

The application is recommended for approval subject to conditions.

Councillor Pavitt expressed concerns that the gate would obstruct a view of community value in the conservation area. He had concerns that the height of the closed board gate would obstruct the view of the church.

Councillor Lemon proposed a motion for deferral for a site visit.

Councillor Loughlin seconded the motion for deferral for a site visit.

RESOLVED: to defer the application pending a site visit.

PC32 **CHIEF OFFICER'S REPORT UTT/19/0391/FUL LAND AT BURY WATER LANE, NEWPORT**

The Development Manager presented the report to confirm the resolution from Committee of 26 June 2019 to REFUSE planning application reference UTT/19/0391/FUL for the following reason:

1. The proposed variations to the bund, due to its form, location and size would be out of character with the planned estate and the general area, and would cause demonstrable harm to the reasonable occupation and enjoyment of the occupiers of adjacent properties and the general area contrary to Policy GEN 2 of the Uttlesford Local Plan 2005.
2. The proposed alterations to the bund would detract the quality of the open space provided as part of the general development and therefore would be contrary to Policy ENV3 of the Uttlesford Local Plan 2005.

The report was noted and accepted by the Committee.

Meeting Ended 6.40pm