

PLANNING COMMITTEE held at ZOOM on WEDNESDAY, 17 JUNE 2020 at 2.00 pm

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

Officers in attendance: S Abel (Electoral Services Officer), N Brown (Development Manager), M Cranitch (Planning Officer), B Ferguson (Democratic Services Manager), C Gibson (Democratic Services Officer), N Makwana (Planning Officer), H Peacock (Electoral Services Officer), E Smith (Solicitor), C Theobald (Planning Officer) and C Tyler (Planning Officer)

Public Speakers: J Buck, P Ewin, Councillor N Hargreaves, C Loon and C Southcott

PC14 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Lemon. Councillor Freeman was appointed as Vice-Chair for the meeting.

PC15 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were agreed and would be signed by the Chair as an accurate record at the next opportunity.

PC16 UTT/19/1508/FUL - LAND EAST OF ST EDMUNDS LANE, GREAT DUNMOW

The Senior Planning Officer stated that this application had previously been presented to the Planning Committee on 6 May 2020. The application had been approved subject to a S106 agreement being entered into between the Council and the applicant relating to the following matters:

- Commuted sum payments
- Supervision of the delivery of the discounted market units
- Protection of the frontage hedge
- Negotiated terms of any agreed draft S106 being reported back to Members for their further consideration.

It had also been agreed that the presented scheme should be subject to a revised proposed site layout drawing being submitted to and approved by the LPA showing the formation of a hammerhead at the end of the proposed service road to be an additional condition imposed upon any planning permission granted.

The Senior Planning Officer confirmed that the revised site plan now contained a hammerhead terminus at the end of the proposed service road. He said that officers were of the view that Counsel's Advice obtained following the Planning Committee meeting on 6 May 2020 should be accepted.

Members were requested to endorse their original committee resolution made on 6 May 2020 to grant planning permission for this self-build/custom build housing scheme subject to the planning conditions contained within the original committee report (Conditions 1-13), but with an additional condition:

14 The site frontage hedge onto St Edmunds Lane shall be retained with the exception of that extent of the hedge to be trimmed down to 600mm where required for improved access sightlines and/or that a new hedge be planted behind the sight lines.

and subject to the revised Unilateral Undertaking submitted by the applicant/ developer dated 27th May 2020 committing the applicant/ developer to the following legal obligations:

- Commitment to self-build/ custom build housing
- Payment of early years childcare, primary and secondary education contributions
- Highway contribution towards a Great Dunmow Bus Strategy.

The application was recommended for approval with conditions with unilateral undertaking.

Members discussed Counsel's Advice and the developer's 2015 fall-back position. Concerns were expressed particularly about the early years, primary and secondary education contributions that were considered inadequate at the present time but were acknowledged as being what the 2015 fall-back position permit.

Councillor Fairhurst proposed the motion to approve the application with conditions with Unilateral Undertaking.

Councillor Reeve seconded the motion.

RESOLVED to approve the application subject to conditions and Unilateral Undertaking.

Councillor Reeve raised a Point of Order that some of the concerns expressed, particularly relating to fall-back positions as opposed to current positions needed to be picked up in future policy reviews. The Development Manager stated that this could be picked up within the S106 Scrutiny review.

The Senior Planning Officer presented a proposal for outline application with all matters reserved except access, for the erection of one detached dwelling with related infrastructure.

He said that a previous application for two dwellings had been refused and that on appeal the Inspector considered that the development would alter the rural appearance of the site, encroach the countryside setting and that the long access track would be out of place. The proposed new single dwelling would be served by a new access to the front of the site. The Highways Authority had been consulted; no objections had been made subject to the imposition of conditions. Although a speed limit of 60mph was in force a speed survey had been conducted showing average speeds between 43mph and 44mph.

The application was recommended for approval, subject to conditions.

Members discussed the speed limit in force that required visibility of 215 metres and were concerned that the Highways Authority was satisfied with a visibility limit of 120 metres, based on lower average speeds. Several Members supported the application on the basis that it was now one property and that the three conditions from the Highways Authority ensured there was no planning reason for refusal. Some mention was also made of windfall sites and that this area should also be considered for future learning needs.

The Chair said that in all future debates there should always be discussion first prior to any proposals being made.

Councillor Fairhurst proposed a motion for refusal of the application on the basis that the 60mph speed limit required greater visibility distance to be in place.

Councillor Bagnall seconded the motion. This was lost.

Councillor LeCount proposed the motion to approve the application subject to conditions.

Councillor Pavitt seconded the motion.

RESOLVED to approve the application subject to conditions.

C Loon spoke on the application.

The Committee adjourned at 3.30 pm and reconvened at 3.35 pm.

PC18 **UTT/20/0029/FUL - LAND AT POND MEAD COTTAGE, HIGH STREET, WIDDINGTON**

The Planning Officer presented a proposal for the erection of one dwelling, designed as an accessible home. The dwelling had been designed as a traditional exposed oak-frame, possessing a pitch roof. The proposed accessible

home would be 1.5 storeys with two floors and four bedrooms, with a number of large family rooms. The new house faced West/East to view and used the accessible landscape, which would be planted to include wild areas, Essex hedgerows, groups of trees and a natural pond. Three parking spaces were proposed, with an additional space to be located under the car-port of the dwelling.

The Planning Officer said that at the time of the report there had been 7 neighbour representations received but that there had now been 25 representations received of which 23 supported the application. The support was based on sympathetic proposals to allow one long term resident to remain in the village, the house would be within a large garden of an existing dwelling and three more detached houses had been built in the gardens of adjacent properties, setting a precedent.

The application was recommended for refusal on the basis that by reason of its size, scale, design and siting it neither protected nor enhanced the character of the countryside. It was of significant proportions that introduced an unacceptable level of bulk and massing to this part of Widdington. It fell outside of any established building line and would cause harm and detriment to the openness and wider character and beauty of the countryside, contrary to Policy S7, H4, GEN2 and the NPPF.

Members discussed the size and scale of the development and whether it was considered to be a backfill development. It was recognised that the property would be wheelchair accessible. Some Members stated that the proposal was contrary to planning policy, unless material considerations suggested otherwise.

Members noted that the level of local support for the application was unprecedented and the view was expressed that local people should be involved in the decision-making process.

Councillor Loughlin said that she supported the application for valid planning reasons and proposed that it be approved with conditions.

- The property had to be built within three years
- In line with suggested Highways conditions in the report
- In line with suggested biodiversity conditions in the report
- Details required of materials and landscaping
- M4 (high level) condition for wheelchair accessibility
- In line with land contamination conditions.

Councillor Reeve seconded the proposal.

Councillor Caton abstained from the vote as he had left the meeting for a short period during this Agenda Item.

RESOLVED to approve the application with conditions.

J Buck, P Ewin, Councillor N Hargreaves and C Southcott spoke on the application.

PC19 **UTT/20/0522/HHF - MIDDEN, WIMBISH**

The Planning Officer presented a proposal for a single storey extension and porch to be erected on the west elevation of the building and the creation of a car port, also to the west, across the hardstanding apron from the existing dwelling. The single storey extension slots in between the existing dwelling and a workshop, which is also owned by the applicant. The car port slots in between this workshop and the side of a neighbour's shed to the north. The existing access is the subject of a further planning application where it is proposed to close off this access and return it to garden whilst opening up another access point to the east.

The Planning Officer stated that this application had been brought to the Committee as a member of staff was related to the applicant. He said that the proposed porch exceeded the permitted development size of 3m².

The application was recommended for approval, subject to conditions.

Councillor LeCount supported the application and proposed the motion for approval.

Councillor Loughlin seconded the proposal.

RESOLVED to approve the application, subject to conditions.

A written submission by the applicant was read out to the Committee.

Meeting Closed 4:40pm