

PLANNING COMMITTEE held at ZOOM on WEDNESDAY, 18 NOVEMBER 2020 at 10.00 am

- Present: Councillor S Merifield (Chair)
Councillors G Bagnall, M Caton, P Fairhurst, R Freeman,
G LeCount, M Lemon (Vice-Chair), J Loughlin, R Pavitt,
N Reeve and M Sutton
- Officers in attendance: W Allwood (Principal Planning Officer), N Brown (Development Manager), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), N Makwana (Planning Officer), J Reynolds (Locum Lawyer), C Shanley-Grozavu (Democratic Services Officer), E Smith (Interim Legal Services Manager), C Theobald (Senior Planning Officer) and C Tyler (Senior Planning Officer)
- Public Speakers: N Clark, Councillor I Delvalle (Farnham PC Chair), Councillor G Driscoll, C Dunsford, J Fraser-Andrews, D Mayle, Councillor N Hargreaves, P Jarman (Farnham PC Clerk), R Navara and B Stubbings.

PC73 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillor Fairhurst declared a non-pecuniary interest as a member of Saffron Walden Town Council (Agenda Item 4).

Councillor Freeman declared a non-pecuniary interest as a member of Saffron Walden Town Council (Agenda Item 4).

Councillor Loughlin declared a non-pecuniary interest as Ward Member for Stort Valley, covering the Farnham area (Agenda Item 3).

Councillor Bagnall stated that the heading for Agenda Item 5 was incorrect and should state Great Canfield and not Takeley.

Councillor Reeve declared a non-pecuniary interest as Ward Member for Broad Oak and The Hallingburys, covering the Great Canfield area (Agenda Item 5).

PC74 MINUTES OF THE PREVIOUS MEETING

Councillor Loughlin referred to PC69 in respect of Friarton, Chatter End Road, Farnham and asked that the views of the public speakers to show them either being in favour or against the application should be reflected in the minutes. This was agreed by the Committee.

The minutes of the previous meeting held on 28 October 2020 were agreed and would be signed by the Chair as an accurate record at the next opportunity.

PC75 **UTT/20/1753/FUL - FRIARTON, CHATTER END ROAD, FARNHAM**

The Planning Officer stated that full planning permission was being sought for the erection of one detached dwelling, new access and the erection of detached garages for the proposed and host dwellings. The application had been deferred at the previous meeting, pending a site visit.

The application was recommended for approval with conditions.

Councillor Loughlin outlined her reasons for calling this item in to the Committee. The application was significantly different to the previous one and that it went against various ULP Policies. She said that she had originally supported the original application for a small retirement dwelling but that the application now included a home office facility, and no longer made any reference to retirement.

She said that she considered that this was no longer a retirement property, that it could be considered as straightforward backland development, and that the access arrangements had changed significantly.

Members discussed the history of planning applications for this site and expressed various concerns, including potential future development, surrounding access arrangements through a new wide driveway,

The meeting was adjourned at 11.00 am and reconvened at 11.05 am in order to address audio recording issues.

Members noted that the initial positive level of support amongst the community for the application had completely reversed in the light of the changes being made to the proposal and that there had been a significant shift in attitude amongst a small community.

Further concerns were expressed that this application was in fact for a completely different dwelling, that it constituted development creep, that the proposed new entrance was potentially dangerous and that it also opened up the potential for future development.

The Chair referred to the proposed loss of the long beech hedge, the situation where the proposed new driveway was to cross the footpath and said there were clear lessons to be learnt from the March 2020 application that had not been called in.

The Development Manager said that the critical difference related to the proposed new access arrangements.

Councillor Fairhurst said that this was not the same dwelling as originally referred to and he proposed refusal of the application on the grounds of ULP Policies GEN2, S7 and H4.

Councillor Loughlin seconded the motion.

RESOLVED to refuse the application on the grounds of ULP Policies GEN2, S7 and H4.

C Dunsford, R Navara, J Fraser-Andrews, B Stubbings, P Jarman (Farnham PC Clerk) and Councillor I Devalle Farnham PC Chair) all spoke against the application. C Smith was unable to attend the meeting and his presentation opposing the application was read out.

S King spoke on behalf of the two applicants in support of the application.

PC76 **UTT/20/0864/FUL - LAND BEHIND, THE OLD CEMENT WORKS, THAXTED ROAD, SAFFRON WALDEN**

The Senior Planning Officer said that this proposal was for the erection of 35 dwellinghouses. The proposal revised the previously approved development of the site which included 21 market houses and 14 affordable homes.

A comprehensive independent assessment of the consented scheme had determined that it was not viable to deliver all 14 affordable homes and that a reduction in number to 7 affordable homes was proposed. The other material change to the development would be the inclusion of an electric vehicle charging point with every unit.

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

Councillor Bagnall said that he objected to the fact that only 7 units of affordable housing were now being proposed and that this represented only 20% of units as against the Local Planning policy figure of 40%.

Councillor Freeman said that he fully supported Councillor Bagnall and said that the issue of live/work units went back to around 2003 and were a device to get residential accommodation outside town development limits. He also stated that the fact that there was no legal requirement for affordable housing should not be relevant, that viability should not be a planning issue and should not influence any decision made. He said that he was minded to refuse the application as there was a need for affordable and social housing.

The Development Manager explained that viability was a valid planning reason and that the peculiarity of this site was that it was about land value. He said that live/work units had not been successful.

He also corrected the report's recommendation Paragraph (III) (ii) in respect of the S106 obligation and said that it should have stated "no 20% affordable housing provision" rather than "40%".

Cllr Fairhurst said that he needed to see more figures in respect of the viability of affordable housing and anticipated profit. He said that this lack of clarity meant that he would look to refuse the application.

There was some discussion about what the possible implications were if the application was refused, particularly relating to the amount of affordable housing and the option of reverting to the original scheme.

In response to a Member's question, the Development Manager explained that work/live units were originally set up with a larger than normal garage which could be used as a workshop to run a business from home.

The Interim Legal Services Manager said that where these units had been built previously, most had changed through a certificate of lawful use to purely residential dwellings.

Cllr Pavitt said that there was a need for small apartments and a low cost market and that if the application was refused it might result in smaller units being built.

Councillor Freeman restated that this had been a Government concept but that this was a valuable brownfield site that the developer would eventually use. He proposed refusal of the application on the grounds of ULP Policy H9.

Councillor Fairhurst seconded the motion.

RESOLVED to refuse the application on the grounds of ULP Policy H9.

The meeting was adjourned at 11.48 am and reconvened at 11.55 am.

PC77 **UTT/19/2149/OP - SANDHURST, GREAT CANFIELD ROAD, GREAT CANFIELD**

The Senior Planning Officer said that the site was on the east side of Great Canfield Road at Hope End to the north of Bullocks Lane. He said that the outline application with all matters reserved except for access and layout related to the erection of 5 detached dwellings and garages together with new service spine road involving the demolition of the existing storage and workshop buildings. The submitted site layout showed a line of 5 new dwellings with garages extending down a new spine service road terminating with a rear hammerhead. He indicated that the final mix of dwellings might change.

The application was recommended for approval with conditions.

The Interim Legal Services Manager left the meeting at 12.15 pm. Legal representation continued through the presence of the Locum Lawyer.

Various Members expressed concerns that the site was outside development limits, that it had always been the intention of the Council to protect land south of

the Flitch Way from development and that the application was for unsustainable development on a greenfield site.

Councillor Fairhurst said that the site was outside development limits and that the Flitch Way should be protected. He proposed refusal of the application on the grounds of ULP Policies S7, H4 and GEN7.

Councillor Bagnall seconded the motion.

RESOLVED to refuse the application on the grounds of ULP Policies S7, H4 and GEN7.

Councillor G Driscoll spoke on the application. He read out a statement from Great Canfield PC opposing the application and added his own comments that the Committee should consider imposing conditions, should they be inclined to approve the application.

PC78 UTT/20/0234/FUL - L/A BRANKSOME, WHITEDITCH LANE, NEWPORT

The Planning Officer said that the application related to a proposed change of layout to that approved under UTT/19/0937/FUL that had been for retrospective change of use from agricultural land to residential garden space, retention of bunding and landscaping. The proposed changes related to the form and height of the approved earth bund, the repositioning of a pond, and landscaping.

The application was recommended for approval with conditions.

Councillor Bagnall proposed deferring the item, pending provision of further documentation. The Chair agreed that the documentation provided did not provide enough detailed information.

Councillor Fairhurst seconded the motion.

RESOLVED to defer the item.

N Clark and Councillor N Hargreaves both spoke against the application.

PC79 UTT/20/1334/FUL - L/A BRANKSOME, WHITEDITCH LANE, NEWPORT

The Planning Officer said that the proposal related to the erection of a front section of boundary wall to a dwelling approved under planning permission UTT/18/1486/FUL. The existing wall did not have planning approval. It was proposed to dismantle the existing brick wall at the front of the site and reconstruct it nearer the dwelling and further away from the highway to meet concerns about Highways Authority visibility splays. These concerns had been the sole reason for an earlier refusal of planning permission for the existing wall application UTT/20/0124/FUL. Planning permission UTT/18/1486/FUL had allowed for native species hedging and trees as the boundary treatment between

the site and Whiteditch Lane. It also had allowed for a footpath beyond the site between the highway and the site.

The application was recommended for approval with conditions.

Members expressed concern that the existing brick wall did not have planning permission and that this matter should be managed through enforcement.

Councillor Freeman said that this matter should not have had to come to the Committee in the first place and that people were “pushing the envelope of consent”.

The Development Manager clarified that Members needed to take a view as to whether the proposal for building a wall was acceptable or not. He said that removal of the current wall could be managed through enforcement.

Councillor Pavitt proposed refusal of the application on the grounds of ULP Policy GEN2.

The Chair seconded the motion.

RESOLVED to refuse the application on the grounds of ULP Policy GEN2.

D Mayle and Councillor N Hargreaves both spoke against the application.

Meeting Closed 1.20 pm.