

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 7 JULY
AND THURSDAY 8 JULY 2021 at 10.00 am**

- Present: Councillor S Merifield (Chair)
Councillors G Bagnall, J Emanuel, R Freeman, G LeCount,
M Lemon, B Light (substitute for Councillor Fairhurst),
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), B
Ferguson (Democratic Services Manager), C Gibson
(Democratic Services Officer), M Jones (Senior Planning
Officer), N Makwana (Planning Officer), C Shanley-Grozavu
(Democratic Services Officer), M Shoemith (Development
Management Team Leader), E Smith (Solicitor), C Theobald
(Senior Planning Officer) and A Vlachos (Planning Officer)
- Public Speakers: L Carpenter, G French, Councillor N Hargreaves, D Hyde,
Councillor J Jewell, C King (statement read out), P Kratz, D
Mayle, P McKeown, A Richardson and S Stephenson.

PC16 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Fairhurst. Apologies were received from Councillors Freeman, Light, Loughlin and Pavitt, who were unable to attend the morning session on Thursday 8 July.

Councillor Emanuel declared a non-pecuniary interest as a Newport District Councillor and a Parish Councillor and also as a member of the Steering Committee for Newport, Quendon and Rickling group for the Neighbourhood Plan (Agenda Items 8 and 9).

Councillor Bagnall declared a non-pecuniary interest as a District Councillor and Parish Councillor for Takeley (Agenda Items 3, 4 and 5), a Ward Councillor (Agenda Items 7 and 11) and a Ward and Parish Councillor (Agenda Items 12 and 14).

Councillor Reeve declared a non-pecuniary interest in relevant items as a Ward Councillor for Broad Oak and The Hallingburys and declared that he was the Portfolio Holder for the Economy and a member of the Housing Board.

Councillor LeCount declared a non-pecuniary interest as a Henham Ward and Parish Councillor (Agenda Item 6).

Councillor Freeman declared a non-pecuniary interest as a member of Saffron Walden Town Council (Agenda Item 15).

Councillor Light declared a non-pecuniary interest as a member of Saffron Walden Town Council (Agenda Item 15).

Councillor Sutton declared a non-pecuniary interest as a Takeley Ward Councillor (Agenda Items 3, 4,5,7,11,12 and 14).

Councillor Lemon declared that he was a member of the Housing Board.

The Chair declared that she was also a member of the Housing Board.

PC17 **MINUTES OF THE PREVIOUS MEETING**

Councillor Light said that she had not been included in the list of attendees. This would be corrected.

The minutes of the previous meeting held on 9 June 2021 were agreed.

PC18 **UTT/20/0050/FUL - YEW TREE COTTAGE, SCHOOL LANE, TAKELEY**

The Senior Planning Officer presented an application for the demolition of an existing garage and for the erection of one detached dwelling with associated parking and landscaping. The application had been called-in by Councillor Bagnall.

The application was recommended for approval with conditions.

Members had the following concerns about the site and the surrounding area: -

- The risk of flooding, surface water drainage and contamination of the River Roding, including the foul smell from ditches on route to the site.
- It was an unsustainable location within the Countryside Protection Zone (CPZ)
- There were no local amenities and a limited bus service.
- The recent new properties that had already been built detracted from the area.
- There were access issues as the lane narrows and lorries could not pass.

The Development Manager responded and said that he had not been contacted by the Environment Agency about a flood risk assessment; he agreed that there was an unpleasant smell, but he said that did not necessarily mean the ditches were contaminated. He said there was a flood risk assessment for the application. He said there were no biodiversity issues raised by the Council's engaged Ecologist and Place Services had no objections.

In response to a question from Councillor Emanuel the Senior Planning Officer said that if the application was approved an additional condition could be added that the development would follow the recommendations within the Flood Risk Assessment and the drainage strategy.

Councillor Reeve said that within the Flood Risk Assessment report submitted on Monday, at paragraph 3.9, it was stated that there was a high risk of surface water flooding. He therefore said that the evidence was insufficient to accept the proposal and was minded to turn the application down.

Councillor Emanuel said that she did not think that there was sufficient reason to turn down this application. The Heritage Consultant said in the report that there was no potential harm to the listed building, and Highways had stated that there was no problem with access.

Councillor Sutton proposed that the application be refused. This was seconded by Councillor Bagnall.

RESOLVED to refuse the application on the basis of policy S8 and the unsustainability of the area.

D Hyde (agent) spoke in support of the application.

PC19 UTT/20/0051/LB - YEW TREE COTTAGE, SCHOOL LANE, TAKELEY

The Senior Planning Officer presented an application for the demolition of the existing garage on the site as detailed on the previous agenda item. The application had been called in by Councillor Bagnall.

The application was recommended for approval with conditions.

Councillor Bagnall asked if this was linked to the previous application and should therefore be refused on the same basis. The Development Manager said that they should be treated separately, and that this application should not be prejudiced by the refusal of the previous application.

Councillor Pavitt proposed that the application be approved. This was seconded by Councillor Emanuel.

RESOLVED to approve the application with conditions.

PC20 UTT/20/1866/FUL - HAPPY DAYS, CHAPEL END, BROXTED

The Senior Planning Officer presented an application for the erection of three new detached dwelling houses with associated parking and landscaping. The application had been called in by Councillor Bagnall.

The application was recommended for approval with conditions.

Councillor Loughlin said she was concerned about the CPZ being eroded. Broxted and Takeley Parish Councils had said it was not sustainable and their comments should be upheld.

Members had similar concerns as for the application for Yew Tree Cottage relating to overdevelopment, flood risk issues and the lack of local amenities.

In response to a question from Councillor LeCount the Development Manager said that Highways had visited the site and said that visibility could be achieved with the removal of greenery. He said that in his opinion it was not a reason for refusal.

Councillor Light proposed that the application be refused. This was seconded by Councillor Sutton.

RESOLVED to refuse the application on the basis of policy S8; unsustainable development of the CPZ that adversely affects the open characteristics of the area, and Policy Gen 2 relating to overdevelopment.

D Hyde (agent) spoke in support of the application.

PC21 **UTT/21/0009/DFO - LAND SOUTH OF THE FARMHOUSE, OLD MEAD ROAD, HENHAM**

The Senior Planning Officer presented a reserved matters application for the erection of up to 9 dwellings for the consideration of layout, appearance and landscaping following on from the grant of outline planning permission by the Council in 2019. The principle of residential development at this site location has therefore been accepted.

The application was recommended for approval with conditions.

In response to questions from Members, the Senior Planning Officer confirmed that the parking provided was compliant with Essex County Council and Uttlesford's parking standards. He said that Highway informatives would be imposed, including one requiring that there shall be no discharge of surface water onto the highway. He confirmed that there was a condition requiring electrical vehicle charging points to be included.

In response to a question from Councillor Emanuel, the Development Manager said that it was not possible to have a condition preventing parking on the road; this would only be possible through a Road Traffic Order providing for a yellow line.

Councillor LeCount proposed that the application be approved. This was seconded by Councillor Pavitt.

RESOLVED to approve the application with conditions.

P McKeown (agent) spoke in support of the application.

The meeting was adjourned at 11:50am and reconvened at 1:00pm

PC22 **UTT/21/0320/FUL - LAND TO THE WEST OF STATION ROAD, TAKELEY**

The Senior Planning Officer presented an application for the erection of a grain and machinery store required in connection with the continuing agricultural use of arable land adjacent to Hatfield Park Farm. The report considered the new building in a revised siting position.

The application was recommended for approval with conditions.

In response to a question from Councillor Reeve the Senior Planning Officer said that the application required planning permission because it was within 3km of an aerodrome and was above 3 metres in height. The Airport had raised no objections. The Development Manager said it was before the Committee because it was called in by Councillor Driscoll.

In response to Members the Development Manager said he did not think it was necessary to condition the building for agricultural use only. The Senior Planning Officer said that this was covered in condition 5 which stated that it could not be converted to any other use without prior written permission from the Local Planning Authority.

Councillor Lemon proposed that the application be approved. This was seconded by Councillor LeCount.

RESOLVED to approve the application with conditions.

G French (agent) spoke in support of the application.

PC23 **UTT/21/0264/FUL - CHARLOTTE'S MEADOW, WHITEDITCH LANE, NEWPORT**

Councillor Emanuel recused herself at 1:15pm for this and the following application as she had a conflict of interest and did not think she could remain unbiased.

The Planning Officer presented an application for the proposed erection of one dwelling and associated works. This application added a further dwelling to 2 other houses that had already received planning permission. The application had been called-in by Councillor Hargreaves.

The Neighbourhood Plan for Newport, Quendon and Rickling had been adopted on 28 June 2021.

The application was recommended for approval with conditions.

Members made the following comments: -

- This was a large home and did nothing to address the lack of affordable homes in the area.

- Whiteditch Lane was not suitable for any further development.
- The Neighbourhood Plan had been adopted and the Committee should adhere to the plan and not allow the extra property.

Councillor Bagnall proposed that the application be refused on the grounds of NQRHA1, S7, Gen 1 and NPPF109. This was seconded by Councillor Lemon.

RESOLVED to refuse the application on the basis of NQRHA1, S7, Gen 1 and NPPF 109.

Councillor N Hargreaves and D Mayle spoke against the application. G French (agent) spoke in support of the application.

PC24 **UTT/20/2757/FUL - WYNDHAMS CROFT, WHITEDITCH LANE, NEWPORT**

The Development Management Team Leader presented an application for the proposed demolition of the existing outbuildings and the erection of two dwellings; alterations to existing access; new car parking and a turning area for the existing dwelling. The proposed dwellings would be located on the site of the existing outbuildings and had been designed to appear to be converted rural outbuildings.

The application had been called-in by Councillor Hargreaves.

The Neighbourhood Plan for Newport, Quendon and Rickling had been adopted on 28 June 2021.

The application was recommended for conditional approval.

In response to concerns from Members the Development Manager said that this was outside the development limits, but it was not as clear cut as the previous application as there were already existing buildings and gardens.

Members raised similar concerns as with the previous application in terms of unsustainability, overdevelopment and the recently implemented Neighbourhood plan.

Councillor Bagnall proposed that the application be refused. This was seconded by Councillor Reeve.

RESOLVED to refuse the application on the basis of NQRHA1, S7, Gen 1 and NPPF 109.

Councillor N Hargreaves spoke against the application. A Richardson (agent) spoke in support of the application.

Further note: At the reconvened Planning Committee on 8 July 2021, the Development Management Team Leader brought to the attention of members that an incorrect property had been identified in an aerial photo that had been referred to in the previous day's presentation. The Solicitor advised that the

photographs had been provided for information only and did not form part of the application. All relevant material pertaining thereto was available to them on the UDC Planning Portal. Members agreed that all relevant information had been available on the Council website and confirmed that the matter had been brought to their attention but that they remained content with their decision.

(Councillor Emanuel had again recused herself whilst this matter was discussed between 11.16 am and 11.21 am on 8 July 2021).

PC25 **UTT/21/1117/FUL - 1 NORMAN COURT, STANSTED**

Councillor Emanuel re-joined the meeting at 2:20pm

The Planning Officer presented an application for the proposed conversion of the former Warden's house into two one-bedroom flats. He said that Norman Court was owned by UDC and consisted of 23 flats.

The application was recommended for approval with conditions.

The Planning Officer responded to questions from Members: -

- He clarified that there was only 1 parking space for the 2 flats but there was a shared car parking area, the public transport links were good, and the flats were within walking distance of the local amenities.
- He said there was a lift that gave access to the upstairs flat.

Councillor Lemon proposed that the application be approved. This was seconded by Councillor Pavitt.

RESOLVED to approve the application with conditions.

The meeting was adjourned at 2:30pm and reconvened at 3:00pm

PC26 **UTT/21/0405/FUL - FORMER WINFRESH SITE, HIGH CROSS LANE, LITTLE CANFIELD**

The Development Management Team Leader presented an application for full planning permission for mixed use development on the site, comprising the continuation of part of the existing building for warehouse/storage distribution and associated office use. There would be internal refurbishment to create offices for the Council with an entrance canopy, and separate offices with a canteen for the Council's Waste and Refuse Services.

It was also proposed that there would be a replacement workshop, washdown area, additional car and cycle parking with associated works.

The application was recommended for approval subject to conditions and the highway visibility splays being resolved.

Councillor Light suggested that a shuttle bus service was provided to bring staff to the site from the main areas of travel. She was concerned about the increase in traffic.

The Development Management Team Leader said there was already travel plan condition requiring joint trips and car sharing when possible. She said it was not the Council's only office space, and the number of trips would be kept to a minimum.

Councillor Bagnall asked if consideration had been given to suggestions made by the Friends of Fritch Way. The Development Management Team Leader said that: -

- She believed that there were already traffic calming measures in place and there would not be any further measures conditioned in the application or required by ECC Highways.
- The shared 3 metre access and use of the car park at the weekend would not form part of the application but there was scope outside of this process for those to be considered at a later date.

It was agreed that an informative would be added regarding the existing restrictions to HGV's only turning left out of the site.

Councillor Freeman proposed that the application be approved. This was seconded by Councillor LeCount.

RESOLVED to approve the application, subject to conditions and the highway visibility splays being resolved.

S Stephenson (agent) spoke in support of the application.

The meeting was adjourned at 3:25pm

The meeting re-convened at 10.00 am on 8 July 2021, with apologies for absence from Councillors Freeman, Light, Loughlin and Pavitt

PC27 **UTT/20/2784/FUL - LAND AT TAKELEY STREET NEXT TO COPPICE CLOSE, DUNMOW ROAD, TAKELEY**

The Senior Planning Officer presented an application for the erection of 23 dwellings and new vehicular access onto Dunmow Road, open space, car parking and associated infrastructure. There would also be a landscape buffer zone along the east, west and southern boundaries. She said that the Urban Design Officer had been involved in the design process.

The application was recommended for approval subject to conditions and to the entering into of a S106 legal obligation.

Members referred to a previous application for 20 dwellings in 2017 that had been approved with subject to conditions and a S106 agreement.

Officers confirmed that this permission was still extant and that various issues were still being resolved.

Several members expressed the view that this application represented overdevelopment and that the proposed parking arrangements were highly complex, including provision of quadruple tandem parking.

Councillor Emanuel proposed that the application be refused on GEN 2 grounds of overdevelopment and that the parking arrangements were unsatisfactory. This was seconded by Councillor Bagnall.

RESOLVED to refuse the application on GEN 2 grounds and unsatisfactory car parking arrangements.

A statement from C King against the application was read out.

PC28 **UTT/21/0507/FUL - SITE AT CANFIELD DRIVE, GREAT CANFIELD ROAD, GREAT CANFIELD**

The Senior Planning Officer presented an application for the replacement of four static caravans with four detached one and a half storey dwellings with associated access and parking and a change of use of disused land to one travellers' plot.

The application had been called-in by Councillor Driscoll.

The application was recommended for approval with conditions.

Officers explained the changes in definition of traveller status that had occurred in 2015 whereby those who had ceased travelling permanently were now excluded. The link to ethnic origin was no longer as important.

Councillor Lemon said that he recognised the changes in lifestyle of the travellers and expressed his support for the application for permanent dwellings.

Councillor LeCount supported this view and said that the families involved had become part of the community.

Other members expressed concerns that:

- This was an unsustainable location.
- The views expressed by the Parish Council needed further consideration.
- Four identical dwellings were not ideal in a hamlet with many different types of dwellings.
- A site visit had not been undertaken.

The Chair proposed that the application be deferred in order to arrange a site visit. This was seconded by Councillor Emanuel.

RESOLVED to defer the application pending a site visit.

Councillor J Jewell (Great Canfield Parish Council) summarised the Parish Council's objections to the proposals as detailed in Paragraph 8 of the report. L Carpenter (agent) spoke in support of the application.

PC29 UTT/20/3401/HHF - 40 HAWTHORN CLOSE, TAKELEY

The Planning Officer presented an application for a first-floor side and rear extension with the proposed side extension constructed over the existing garage.

The application was recommended for refusal on the basis that the substandard parking provision, resulting from the extension would be insufficient and would not meet the adopted standards required for the dwelling as extended. The application had been called-in by Councillor Isham.

Councillor Reeve said that in the light of the photographs included with the application illustrating how three vehicles could be parked on the site, he considered that a pragmatic view should be taken in this case and that he considered the application to be acceptable. Members had undertaken a site visit to this property.

This view was supported by other members.

Councillor Bagnall proposed that the application be approved on the grounds stated below. This was seconded by Councillor Sutton.

RESOLVED to approve the application with conditions that the works be undertaken within three years, the car parking spaces be retained, the windows in the en-suite and the single casement window to the family bathroom to be obscure glazed as well as having window restrictors (as outlined in Paragraphs 11.15 and 11.16 of the report).

PC30 UTT/21/1291/HHF - 35 WINSTANLEY ROAD, SAFFRON WALDEN

The Planning Officer presented a Section 73A retrospective application for the erection of a timber framed gazebo on top of existing decking. He said that the proposal would be 0.23m taller than what would be allowed via Permitted Development rights, which would be the fallback position.

The applicant was a Council Member. The Development Manager said that the Council Member had drawn this matter to his attention as a legitimate mistake.

The application was recommended for approval with conditions.

Members considered the height of the gazebo and whether the proposal would be visually obtrusive or out of place. Members considered that any revised scheme would come to the detriment of the aesthetics and design of the gazebo.

Councillor Bagnall proposed that the application be approved. This was seconded by Councillor Reeve.

RESOLVED to approve the application with conditions.

The meeting ended at 11.45 am.