

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 8 JUNE  
2022 at 10.00 am**

Present: Councillor S Merifield (Chair)  
Councillors J Emanuel, P Fairhurst, R Freeman, G LeCount,  
M Lemon (Vice-Chair), J Loughlin, R Pavitt and M Sutton.

Officers in attendance: N Brown (Development Manager), P Coyle (Planning Team Leader), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), M Jones (Senior Planning Officer), S Marshall (Planning Enforcement Team Leader), E Smith (Solicitor) and L Trevillian (Principal Planning Officer).

Public Speakers: G Cook, P Doyle, S Doyle, E Durrant, Councillor J Fulcher (Little Canfield PC), J Liu, Councillor G Mott (Elsenham PC), J Stafford, J Tennant and C Willstead.

**PC155 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Bagnall.

Non-pecuniary declarations of interest were made by:

- Councillor Lemon as Ward Councillor for Hatfield Heath (Item 8).
- Councillors Fairhurst and Freeman as Ward Councillors for Saffron Walden and Members of Saffron Walden PC (Item 11).
- Councillor Loughlin as Ward Councillor for Ugley (Item 10).
- Councillor Sutton as Ward Councillor for Takeley (Item 9).

**PC156 MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 25 May 2022 were approved.

**PC157 S62A APPLICATIONS**

The Development Manager presented the S62A Applications report that detailed three applications which had been submitted direct to the Planning Inspectorate. He said that the recent addition had meant a slight delay in the process but that it would be brought to the next meeting.

In response to a question, the Development Manager confirmed that advance notifications would be forthcoming prior to the Former Friends' School item being taken forward by PINS.

The report was noted.

**PC158    QUALITY OF MAJOR APPLICATIONS REPORT**

The Development Manager presented the Quality of Major Applications report.

In response to questions in respect of the statistical analyses, he highlighted that it was still a very early stage of the rolling periods and that it was too early to come to clear conclusions.

The report was noted.

**PC159    SPEED AND QUALITY REPORT**

The Development Manager presented the Speed and Quality Report.

The report was noted.

**PC160    PLANNING ENFORCEMENT TEAM UPDATE**

The Planning Enforcement Team Leader presented the Planning Enforcement Team Update report. She outlined the make-up of the team, their priorities and provided examples of two recent cases.

In response to questions, she said that she was looking at taking forward better communication with District Councillors and Parish Clerks, within the bounds of confidentiality. She also spoke about the 'triage' process and de-minimus breach assessments.

The report was noted.

**PC161    PINS S62A/2022/0002/S62A/22/0000004 - LAND EAST OF PARSONAGE ROAD, AND SOUTH OF HALL ROAD, STANSTED, ESSEX, CM22 6PL**

This application had yet to be validated by PINS and had therefore been withdrawn from the Agenda.

**PC162    UTT/19/3173/FUL - LEA HALL, HATFIELD HEATH**

The Senior Planning Officer presented an application for the proposed refurbishment of Lea Hall, including the addition of new detached garage and detached swimming pool building. Conversion of barns and cottage to 8 dwellings and demolition of existing stables to be replaced by 5 dwellings with cart lodges and associated landscaping. This matter had been reported to Planning Committee on 16 March 2022 and the S106 Legal obligation had been brought back for consideration.

The application was recommended for approval subject to conditions as detailed in the recommendation in the report.

The Senior Planning Officer responded to questions from members in respect of:

- The 5 year land supply position.
- The cascade effect of the works being carried out with the works order outlined.
- The infrastructure works up to slab level being completed first.

Councillor Lemon said that he was happy that the S106 package fitted and proposed that the application be approved in accordance with the recommendation.

Councillor Emanuel seconded the proposal.

RESOLVED to approve the application, in accordance with the recommendation.

#### PC163    **UTT/21/3272/OP - LAND SOUTH OF STORTFORD ROAD, LITTLE CANFIELD**

The Principal Planning Officer presented an outline application with all matters reserved except access for the erection of up to 90 dwellings (including affordable housing together with access from B1256 Stortford Road), sustainable drainage scheme with an outfall to the River Roding, green infrastructures including play areas and ancillary infrastructure. He updated Members on information provided in the Late List and confirmed that the Environment Agency had recently responded as a consultee and had made no comments.

The application was recommended for approval subject to conditions as detailed in the recommendation in the report.

The Officers responded to questions from members in respect of:

- The lack of comments from the Landscape Officer.
- The involvement of the Parish Council in S106 discussions, which must be CIL compliant.
- The lack of response from the Urban Design Officer.
- The Country Protection Zone (CPZ).
- The 5 Year Land Supply calculation last carried out in February 2022.
- The distances to the nearest amenities.
- The net gain assessment and recent Environment Agency input; it was unclear whether the site had actually been visited.
- Future access to schools and health provision facilities, together with funding to be provided locally through the S106.
- Bio-diversity concerns.
- Notifications to Water authorities and consideration of displaced flooding.

Members discussed:

- The importance attached to the CPZ location when considering the tilted balance argument.

- The significance of Building Regulations being amended from 14 June 2022, particularly relating to energy management.
- Concerns regarding the bio-diversity net gains claims.
- The 8 listed buildings in the countryside and the location of the site abutting the Flitch Way.
- Concerns regarding future health surgery provision.
- Issues raised by the Parish Council.
- The need for a 5 year land supply and the appropriateness of the Local Plan.
- The linear extension to the village.
- The apparent lack of significant input from the Environment Agency.

Councillor Fairhurst proposed that the application be refused because of the impact on the CPZ, the listed buildings, the Flitch Way and the environment.

Councillor Sutton seconded the proposal.

This motion was lost.

Councillor Freeman proposed that the application be approved. This was seconded by Councillor LeCount. They accepted the condition that the Development Manager was willing to discuss the S106 with the Parish Council, that had to be CIL compliant.

This motion was lost.

Councillor Fairhurst proposed that the application be deferred in order that discussions could be had with the Landscape Officer, the Parish Council and the Environment Agency. This was seconded by Councillor Emanuel.

RESOLVED to defer the application in line with the proposed motion.

*J Stafford, G Cook and Councillor J Fulcher (Little Canfield Parish Council) all spoke against the application.*

*J Liu (applicant) spoke in support of the application.*

*The meeting adjourned for a comfort break at 12.05 pm and reconvened at 12.15 pm.*

**PC164      UTT/22/1174/TCA - NOTIFICATION OF INTENT TO CARRY OUT TREE WORKS WITHIN A CONSERVATION AREA AT SAFFRON WALDEN CASTLE**

This item was brought forward on the agenda.

The Development Manager presented a notification of intent requiring consideration of proposed tree works at Saffron Walden Castle. The trees were in the ownership of the District Council and the work proposed was the felling of

4 sycamore trees and the reduction of an extended limb of 1 sycamore tree bordering the Castle Hill Tennis Club.

The Development Manager responded to questions from members in respect of:

- There being no need for consultation with Historic England.
- Mechanisms to prevent tree felling.
- There being no formal obligation to notify the public in advance; this had been provided through the Committee agenda.
- The possibility of Tree Preservation Orders (TPOs) being obtained.
- Whether the tennis club was a commercial venture.
- Whether specialist advice had been sought from an arborist.
- The proximity of the fence.
- The fact that the trees belonged to the District Council and the fence to the tennis club.

Members discussed:

- The overall benefits provided by trees.
- The significant changes to views if the trees were removed.
- The possibility of allowing the works on the limb of Tree 1 (T1) to take place as it could constitute as a health and safety risk.
- There being no justification for TPOs.

Councillor Fairhurst proposed that objection be raised to the proposed tree works, with the exception of the essential works that were necessary on T1.

Councillor LeCount seconded the proposal.

RESOLVED that objection was raised to the proposed tree works, with the exception of the essential works to T 1.

*J Tenant and C Willstead spoke against the application. Statements were also read out from L Chitson and S Doyle opposing the application.*

*The meeting adjourned for a lunch break at 12.55 pm and reconvened at 2.00 pm.*

PC165    **UTT/20/2908/OP - LAND SOUTH OF BEDWELL ROAD, UGLEY**

The Planning Team Leader presented an outline application for up to 50 market and affordable dwellings, public open space and associated highways and drainage infrastructure with all matters reserved except access.

The application was recommended for approval subject to the signing of a legal agreement and conditions as detailed in the recommendation in the report with the exception of a Head of Terms for a contribution towards health and the removal of duplicated conditions.

Members raised questions in respect of:

- The siting of all of the affordable housing in a cluster, nearest to the M11 on the indicative layout.
- The significant continuous noise levels from the M11 and how this could be mitigated.
- The Air Quality Assessment (AQA) with particular reference to vehicle tyre wear.
- The apparent lack of consultation by the applicant
- The possibility of including Village Hall provision within the S106. This would require agreement from the applicant.

Members discussed:

- The AQA, particulates, tyre wear and environmental assessments.
- The views expressed by the Parish Council.
- Continuous noise issues and whether windows could be opened; together with consideration of a possible independent assessment of the submitted noise assessment.
- The Housing mix as shown in the indicative layout, particularly with reference to three storey buildings possibly being used as acoustic barriers.
- The need to see the existing application site in more detail.
- Possible congestion issues and the adequacy of existing roads.

Councillor LeCount proposed that the application be deferred:

- to enable a site visit to take place,
- to ensure Environmental Health input in respect of the AQA and noise assessments,
- to consider an illustrative layout,
- to involve the Parish Council in discussions,
- to consider provision of a community facility,
- to consider additional condition(s).

The applicant expressed his concern that he had requested that an Environmental Health Officer was present at the meeting to answer any questions which might arise in relation to the noise aspects of the scheme but that there had been no response.

Councillor Fairhurst seconded the proposal.

RESOLVED to defer the application in line with the proposal.

*Councillor G Mott (Elsenham Parish Council) spoke to ask that the application be deferred in order that discussions could be held relating to the S106 agreement.*

*E Durrant (Agent) spoke in support of the application.*

*The meeting ended at 2.50 pm.*