

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 6 JULY  
2022 at 10.00 am**

Present: Councillor M Lemon (Chair)  
Councillors G Bagnall, J Emanuel, P Fairhurst, R Freeman,  
G LeCount, R Pavitt, M Sutton and J De Vries

Officers in attendance: C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), A Luck (Environmental Health Officer), N Makwana (Senior Planning Officer), B O'Brien (Senior Planning Officer), M Shoemith (Development Management Team Leader), E Smith (Solicitor) and C Tyler (Senior Planning Officer)

Public Speakers: E Durrant, J Hartley-Bond, R Haynes, G Jones, Councillor G Mott (Elsenham PC & Ugley PC), R Siddle and M Young.

**PC173 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Merifield and Loughlin. Councillor De Vries acted as substitute for Councillor Merifield and had sent apologies for lateness.

Councillor Freeman declared that he was a Member of Saffron Walden PC.

**PC174 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 22 June 2022 were approved.

**PC175 S62A APPLICATIONS**

The Chair introduced the S62A Applications report that detailed three applications which had been submitted direct to the Planning Inspectorate.

The report was noted.

**PC176 SPEED AND QUALITY REPORT**

The Chair introduced the Speed and Quality Report.

The report was noted.

PC177 **QUALITY OF MAJOR APPLICATIONS REPORT**

The Chair introduced the Quality of Major Applications report.

The report was noted.

PC178 **S62A/22/0000004 (UTT/22/1474/PINS) - LAND EAST OF PARSONAGE ROAD, AND SOUTH OF HALL ROAD TAKELEY**

The Senior Planning Officer presented an application for the erection of a 14.3MW solar photovoltaic farm with associated access tracks, landscaping, supplementary battery storage and associated infrastructure.

The report was in relation to a major planning application submitted to the Planning Inspectorate (PINS) for determination, with the Council having the status of consultee.

The report recommended that PINS approve the application subject to completion of a S106 Obligation Agreement in accordance with Heads of Terms and Conditions as set out in Section 16 of the report.

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

- The possible benefits of the development.
- The position relating to Listed buildings.
- Provision of electricity for the airport.
- Landscape mitigation.
- The validity of the planning balance argument.
- S8 and the CPZ.
- CIL Regulations.
- De-commissioning arrangements.

Members discussed:

- S8 and not compromising the CPZ.
- Benefits to the airport of green energy against the benefits to the community.
- Potential harm to a heritage asset.
- Appropriate landscape buffers.
- The proposed location and any evidence of alternative sites having been considered.
- De-commissioning and restoration of the site; whether professional counsel had been taken.
- Control of the S106 Agreement.

*Councillor De Vries had joined the meeting at 10.45 am but took no part in the discussion.*

Councillor Bagnall proposed that the Council's representation to PINS should be for refusal of the application, as it contravened S7, S8, ENV2 and E4. This was seconded by Councillor Sutton. The motion was lost on the casting vote of the Chair.

Following discussion on the next Agenda item, Councillor Bagnall raised a point of order and this item was returned to.

The Chair then proposed that PINS approve the application in line with the report's recommendation. This was seconded by Councillor Le Count. The motion was lost.

Councillor Fairhurst proposed that a neutral response be communicated to PINS but that the following concerns be highlighted:

- Landscaping around properties.
- The need for consideration of other sites.
- Re-enforcing the S106 Agreement such that it is future proof.
- That the CPZ is considered sacred and that this proposal conflicts with S8.

Councillor Emanuel seconded the motion.

RESOLVED to communicate a neutral response to PINS but that the following concerns be highlighted:

- Landscaping around properties.
- The need for consideration of other sites.
- Re-enforcing the S106 Agreement such that it is future proof.
- That the CPZ is considered sacred and that this proposal conflicts with S8.

#### PC179 **UTT/20/2908/OP - LAND SOUTH OF BEDWELL ROAD, UGLEY**

The Senior Planning Officer presented an outline application for up to 50 market and affordable dwellings, public open space and associated highways and drainage infrastructure - all matters reserved except access. This application had been deferred at the Planning Committee meeting on 8 June 2022 to enable a site visit to take place and for further discussions and clarification to be undertaken on noise, air pollution and the request from the Parish Council for a contribution.

He referred to comments made by Elsenham Parish Council and Ugley Parish Council that had not been included in the Late List. He said that the parish councils considered the revised offer of £100,000 to be acceptable and also corrected Paragraph 14.12.2 that should have quoted the request for a contribution as being in the sum of £119,231. References were also made to noise issues, the clustered affordable homes and the unsuitability of three-storey flats.

The Senior Planning Officer recommended that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report .

*The meeting adjourned between 11.25 am and 11.35 am following the public speakers.*

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

- Tree removal.
- Noise issues and the possible use of dwellings as acoustic barriers.
- The inclusion of three-storey buildings in the application, together with the possible habitable room layouts of the buildings.
- The elevation level of the motorway.
- Current land use arrangements.

The Environmental Health Officer responded to various questions relating to noise and pollution concerns.

Members discussed:

- The location of the proposed development being inappropriate in the countryside.
- Lack of sustainability.
- The level of noise and the need for measurable metrics.
- Acoustic barriers being provided by three-storey buildings.
- The possible layout of habitable rooms that might preclude some rooms from being used.
- Potential poor living standards.
- The removal of trees, alongside a lack of a tree replacement policy.
- The elevation level of the motorway.

Councillor Pavitt proposed refusal of the application on the basis of NPPF paragraph 185, GEN 2, PPG paragraph 35, ENV10 and 13 (air quality).

This was seconded by Councillor Freeman.

RESOLVED to refuse the applications on the grounds as specified in the motion.

*Councillor G Mott (representing both Elsenham Parish Council and Ugley Parish Council) raised various concerns about the application.*

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

#### PC180 **UTT/21/0688/FUL - LAND AT COLE END LANE, WIMBISH**

The Senior Planning Officer presented an application regarding the construction and operation of a ground mounted solar farm together with associated infrastructure, including inverters, customer switchgear, substation, medium voltage power station, security cameras, perimeter fence, access tracks and landscaping.

He recommended that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report:

*The meeting adjourned between 1.10 pm and 2.10 pm after the public speakers had made their representations.*

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

- The grading of existing land and the nature of the two different assessments.
- 12,000 trees to be planted and none removed.
- Listed buildings affected.
- De-commissioning costs.
- The Rochdale envelope implications.
- Energy output calculations.
- Arrangements for construction traffic routing and commuted sums .
- De-commissioning concerns.
- The basis for the calculation of a bond or deposit of £20,000.

Some further specific information was also provided by the applicant's representative.

Members discussed:

- De-commissioning aspects that would be picked up in the S106 Agreement.
- Security arrangements in respect of fencing, lighting and cameras, together with the need for screening and low-level red lighting.
- Food security concerns, alongside the evaluations of the grading of existing land.
- The need for efficient use of land and whether the proposed location was correct.
- Sustainable energy.
- The overall need for more information in respect of solar farms and the lack of a policy.
- The proposed bond or deposit of £20,000 and the need for specialist advice in respect of any calculation of the cost of future de-commissioning.
- No objections being expressed by Historic England relating to heritage assets and a scheduled ancient monument; the Council Heritage Officer had assessed low level harm.

Councillor Fairhurst proposed that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report together with additional conditions:

- The need for an informative on security fencing and lighting and the need to provide hedging as landscape screening.
- The need for the S106 Agreement to cover how the de-commissioning of the site would be undertaken and by whom.
- The need for an independent consultant to consider the necessary de-commissioning costs.
- The proposed 12,000 trees to be slightly more mature trees.
- The requirement for the S106 agreement to be brought back to the Committee to be ratified.

Councillor LeCount seconded the proposal.

RESOLVED that the Director of Planning be authorised to grant permission in line with the recommendation and the additional conditions

listed above, with the S106 Agreement to be brought back to the Committee to be ratified.

*M Young, G Jones and R Haynes (CPRE) spoke against the application. Statements were also read out from R Siddle and J White opposing the application.*

*J Hartley-Bond (Low Carbon) spoke on behalf of the applicant in support of the application.*

PC181 **UTT/22/0676/DFO - LAND EAST OF WAREHOUSE VILLAS, STEBBING ROAD, STEBBING**

The Senior Planning Officer presented a reserved matters application consisting of details of layout, scale, landscaping and appearance of the Affordable Housing Plots 1-7 following outline application UTT/19/0476/OP for the erection of 17 dwellings. The application related only to the western parcel of the site that encompassed the Affordable Housing dwellings that formed 40% of the total site approved under UTT/19/0476/OP for 17 dwellings. These were to be delivered by a specialised provider.

He recommended that the Director of Planning be authorised to grant permission for the development, subject to those items set out in section 17 of the report:

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

- The 7 affordable homes that would remain as social housing under the control of the English Rural Housing Association.
- The footpath to be delivered that linked to the existing network. The footpath was approved under the outline application, UTT/19/0476/OP.

Members discussed:

- The high quality of the scheme.
- The need for more detailed planting schemes to be provided.

Councillor Freeman proposed that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report, together with an additional landscaping condition that a more detailed planting scheme to be provided. This was seconded by Councillor Fairhurst.

RESOLVED that the Director of Planning be authorised to grant permission for the development, subject to those items set out in section 17 of the report, together with the additional condition.

*The meeting ended at 3.30 pm.*