

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 2
AUGUST 2023 at 2.00 pm**

Present: Councillor R Freeman (Chair)
Councillors G Bagnall, N Church, R Haynes, M Lemon,
J Loughlin, R Pavitt and M Sutton

Officers in attendance: C Bonani (Planning Lawyer), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), D Hermitage (Strategic Director of Planning), C Tyler (Senior Planning Officer) and A Vlachos (Senior Planning Officer)

Public Speakers: F Bullen, C Davison, S Gibson, Councillor S Gill, Councillor N Hargreaves, A Martin, Councillor E Oliver and F Woods.

PC37 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillor Emanuel.

Councillor Pavitt declared that he was Ward Member for Littlebury, Chesterford and Wendens Ambo but that he would not be recusing himself from Item 7.

PC38 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5 July 2023 were approved as an accurate record.

PC39 SPEED AND QUALITY REPORT

The Director of Planning presented the standing Speed and Quality Report. He said that the positive information all showed in the right-hand column as green.

The report was noted.

PC40 QUALITY OF MAJOR APPLICATIONS REPORT

The Director of Planning presented the standing Quality of Major Applications report. He said there were currently 8 appeals pending and that the figure is below 10%.

The report was noted.

PC41 S62A APPLICATIONS

The Director of Planning presented the S62A Applications report and updated Members on the current situation in respect of progress made. He said that since the report had been published, UTT/23/0950/PINS- Land Tilekiln Green had been refused in line with the views expressed by the Planning Committee.

The report was noted.

PC42 UTT/22/1578/OP - LAND TO NORTH OF ELDRIDGE CLOSE, CLAVERING

The Senior Planning Officer presented an Outline application with all matters reserved except for access for up to 32 dwellings, including public open space, sustainable drainable systems, landscaping and associated infrastructure and associated development.

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.

In response to various questions from Members, officers:

- Said that, in relation to any road adoption scheme, any development in Essex was covered by Highways Act legislation. The methodology of adopting a road was explained.
- Said that no sewage scheme had been submitted yet but that any scheme must have adequate sewer connection.
- Explained the landscape impact evaluations between major and medium/low impacts.
- Said that the line of trees to the west were outside the application site but an enhanced scheme within the site could be conditioned.

Members discussed:

- The views expressed by the Parish Council.
- The impacts on amenities, landscape, sustainability and lack of bus service.
- Concerns still outstanding from the previous deferral, particularly relating to sewage and access through a narrow road to a potentially squashed development.
- The circumstances whereby Clavering PC did not have a Neighbourhood Plan in place.
- The tilted balance, impact on the countryside and Clavering's linear village, loss of agricultural land, the ecology impact and nature conservation. Officers explained how Place Services had removed their holding objections.
- The current lack of a 5-year land supply and the improved position moving towards that figure and if it impacted on this application.

Councillor Haynes proposed that the application be refused on the grounds of being contrary to S7 – The Countryside, ENV5 – Protection of agricultural land and GEN2- design and street scene not in keeping with Clavering.

Councillor Bagnall seconded the proposal.

RESOLVED that the Director of Planning be authorised to refuse permission for the development on the grounds of S7, ENV5 and GEN2.

Councillor E Oliver, F Woods (Keep Clavering Rural), F Bullen and Councillor S Gill (Clavering Parish Council) spoke against the application.

A Martin (Agent) spoke in support.

The meeting adjourned for a comfort break between 3.10 pm and 3.15 pm.

PC43

UTT/23/0456/OP - CHESTERFORD RESEARCH PARK, LITTLE CHESTERFORD

The Senior Planning Officer presented a hybrid planning application for outline planning permission with all matters reserved except access for construction of a research and development building (ClassE(g)), works to improve estate road, car parking, landscaping and associated works on Plots 1400, 1500 and 1600, Plots 1700 and 1800, Plot 500 and Plot 1. Full planning application for construction of a research and development building (Class E(g), works to improve estate road car parking, landscaping and associated works on Plot 1100/1200.

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.

In response to a question about possible further contributions to feasibility studies, the Director of Planning said that further contributions were unlikely to be CIL Regulation compliant as it was highly unlikely we could demonstrate it was fairly and reasonably related to the development.

The Chair made it clear to the Committee that despite the Council being part-owners of the Research Park this application was to be dealt with as a planning matter.

Members discussed:

- The clear need for significant contributions to be made to improve travel and cycle/footpath facilities.
- The fact that Essex CC Highways had indicated that they were unaware of any proposed cycle links, despite that fact that Sustrans had produced a 20- page detailed proposal.
- The need to show ambition for cycleways and pathways and for all parties to agree a scheme through negotiations.

Councillor Pavitt proposed that the application be deferred with a view to finding a satisfactory scheme for funding a cycle/footpath between the Research Park and Saffron Walden as well as Great Chesterford.

This proposal was seconded by Councillor Bagnall.

RESOLVED that the application be deferred in line with the motion.

A statement was read out from Little Chesterford PC raising concerns to be addressed.

A statement was read out from M Brewer on behalf of Chesterford Park Ltd Partnership in support of the application.

The Chair then brought forward the following two items as there were public speakers waiting to speak.

PC44 **UTT/23/1311/FUL - CHALK FARM, CHALK FARM LANE, NEWPORT**

The Senior Planning Officer presented a full planning application for the erection of one single storey bungalow and associated works, following the demolition of the existing outbuilding.

He recommended that the Director of Planning be authorised to refuse planning permission for the reasons set out in section 17 of the report.

In response to questions from Members, officers:

- Confirmed that the height of the proposed building would be below that of the existing building.
- Said that Essex CC Highways had stated that the speed limit was 60 mph, and that the road was a type of public highway (byway).
- Said that, given the debate about whether the speed limit was 30 mph or 60 mph, the final decision could be delegated to the Director of Planning.
- Said that non-planning regulations were in place around any asbestos removal but that an informative could be included reminding the applicant of their responsibilities in the event of the application being approved.

Members discussed:

- Whether the design was fitting with the countryside. Views were expressed that the design was not fitting with the countryside but re-designing the scheme was not a matter for the Committee's consideration.
- The need to consider the materials being proposed.
- Whether the property was isolated and how good the access was.
- Members were of the view the principle of development was acceptable, taking into account that it would replace an existing outbuilding and was in close proximity to public transport.

There was considerable debate as to how to take this matter forward. After various proposals had been put forward the Chair proposed that the matter be delegated to the Director of Planning to grant planning permission, subject to satisfying the objections made by Essex CC Highways and more appropriate external finishing materials.

This was seconded by Councillor Loughlin.

RESOLVED that the matter be delegated to the Director of Planning to grant planning permission, subject to satisfying the objections made by Essex CC Highways.

Councillor N Hargreaves and S Gibson spoke in support of the application.

There was a brief adjournment between 4.20 pm and 4.30 pm, during which Councillor Haynes left the meeting.

PC45 UTT/23/0945/FUL - LAND OPPOSITE NOS 1 -5 DEBDEN DRIVE, WIMBISH

The Senior Planning Officer presented a section 73 planning application to vary the wording of condition 6 of the planning permission granted under reference UTT/22/2982/FUL. He recommended a variation to the original proposal and proposed that all external illumination within the site should only take place between 9.00 am and 6.00 pm on any day only when the site was attended unless there was an emergency. This would safeguard residential amenities and preserve the character and appearance of the area.

In response to questions from Members, officers:

- Summarised the 7 conditions stated in the most recent planning application.
- Stated that although there had clearly been concerns about general management issues, the only matter to be considered at this meeting was the issue of switches for the floodlights. The Director of Planning said that the odour management plan (condition 3) must be complied with, however, this matter should not be part of the consideration of the current application.

Members discussed:

- Planning enforcement issues and the consequences of any breaches of condition 6, whilst recognising that residents had clearly suffered greatly over recent times.
- Whether the lighting would benefit from manual or automatic timer switches.

C Davison (Public Speaker) was invited to give his further views as to the best way forward.

The Director of Planning outlined the various possible options to Members and said there was a need to safeguard amenities.

Councillor Lemon proposed refusal of any variation of the condition on the grounds of residential amenity. The proposal was seconded by Councillor Pavitt.

RESOLVED that the recommended variation be refused.

C Davison spoke against the application and statements were read out from Councillor S Luck and Wimbish PC expressing their concerns about the application.

PC46 **UTT/23/0414/FUL - LAND BEHIND OLD CEMENT WORKS, SAFFRON WALDEN**

The Senior Planning Officer presented an application to vary conditions 2 and 8 (plans) attached to UTT/20/0864/FUL (approved at appeal ref APP/C1570/W/20/3264407) – changes to plot 19. He said that the application had been previously deferred and that the rear elevation windows were proposed to be formed without opening casements and glazed with obscured glass to prevent overlooking the garden of 10 Tiptofts Lane and that an opening window serving bedroom 3 would be located to the side elevation. There would be no changes made to the levels.

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.

In response to questions from Members, officers:

- Said that the red line shown on the plans was a guide and that Members should make a planning judgement on bedroom 3.

Members expressed views that:

- There was opposition to obscured non-opening windows in a bedroom.
- The distance between dwellings was below recommended levels.
- The design was substandard and that the matter should be passed back to the developer to satisfactorily resolve the matter.

Councillor Bagnall proposed refusal of the application on the grounds of GEN2 design. This was seconded by Councillor Sutton.

On the casting vote of the Chair, it was:

RESOLVED that the application be refused on the grounds of GEN2.

The meeting ended at 5:20 pm.