

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 30
AUGUST 2023 at 10.00 am**

Present: Councillor R Freeman (Chair)
Councillors G Bagnall, N Church, J Emanuel, R Haynes and
M Lemon and G Sell

Officers in attendance: M Bradley (Essex CC Highways Officer), N Brown (Head of
Development Management and Enforcement), C Edwards
(Democratic Services Officer), C Gibson (Democratic Services
Officer), J Lyall (Planning Lawyer), R McKeown (Essex CC
Highways Officer), F Nwanze (Interim Planning Team Leader),
M Sawyers (Planning Officer), L Trevillian (Principal Planning
Officer) and C Tyler (Senior Planning Officer)

Public Speakers: D Arora, R Baker, S Bampton, J Bean, J Cage, Councillor K
French, M Frost, Councillor S Gill, J Halstead, M Harman, C
Harris, Councillor S Harris, R Marshall, C McGregor, R Pearce,
K Rixson, J van Riemsdijk and P Wyndham-Pearce.

PC47 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were given by Councillors Sutton, Loughlin and Pavitt. Councillor Sell substituted for Councillor Loughlin.

Councillor Haynes declared for the record that in respect of item 6, he had an interest in a property within Bull Field but would not be recusing himself for that item.

Councillor Church declared a pecuniary interest in Item 11 and said that he would be recusing himself for that item.

PC48 MINUTES OF THE PREVIOUS MEETING

The Chair sought clarification on the wording on Page 8 item PC43 paragraph 3. The Democratic Services Officer said that he would get further detail and would include it in the minutes.

On the basis that the additional detail would be included, the minutes of the meeting held on 2 August 2023 were approved as an accurate record.

PC49 SPEED AND QUALITY REPORT

The Head of Development Management and Enforcement presented the standing Speed and Quality Report. He said that there had been significant improvements as highlighted by those items shown as green in the table.

The report was noted.

PC50 **QUALITY OF MAJOR APPLICATIONS REPORT**

The Head of Development Management and Enforcement presented the standing Quality of Major Applications report, and he indicated that the figures were moving in the right direction.

In response to questions, he referred Members to paragraph 6 of the report that detailed pending appeals. He said that he would revisit the figures shown as pending from April 2017 – March 2021. He also stated in respect of the data shown in paragraph 7 of the report that the main reasons for the level of the 2022 -23 costs had been due to catch-up post Covid.

The report was noted.

PC51 **S62A APPLICATIONS**

The Head of Development Management and Enforcement 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, the Jacks Lane application (S62A/2023/0016) had been refused and that two further Applications would be considered at the reserve Planning Committee on 13 September 2023.

The report was noted.

PC52 **S62A/2023/0019. UTT/23/1583/PINS - LAND KNOWN AS BULL FIELD, WARISH HALL FARM, SMITHS GREEN, TAKELEY**

The Head of Development Management and Enforcement presented a PINS application for access to and from Parsonage Road between Weston Group Business Centre buildings leading to 96 dwellings on Bulls Field, south of Prior's Wood, including associated parking, landscaping, public open space, land for the expansion to Roseacres Primary School, pedestrian and cycle routes to Smiths Green Lane together with associated infrastructure. He referred Members to information contained within the Late List, particularly those from Takeley PC.

He invited Members to comment on the proposal as consultees.

In response to various questions from Members, he:

- Said that the size of the buffer zone against the ancient woodland needed clarification to ensure the appropriate gaps were in place. Guidelines ranged from 10m to 15m.
- Said that the density per dwelling amounted to 19.8 hectares divided by 96 dwellings.

Members discussed:

- The feasibility of the school being extended due to the change of levels and trees.
- The various points made by Takeley PC.
- Amenity space and parking concerns.
- Size of buffer zone and any measurements being taken from the canopy and whether the buffer zone could be achieved throughout as a pinch point of less than 15m existed.
- Highways concerns through the cumulative impact on traffic on Parsonage Road. Not satisfactory access arrangements.
- CPZ and Infrastructure concerns.
- Landscape and Heritage impact harms. Impact on listed buildings, conservation area, protection of ancient woodland.
- Light pollution considered to be significant.
- The need to address the discrepancy on the eastern edge, page 20 of design and access refers.

Members generally agreed that had this application been submitted to this Committee it would have been refused.

Members agreed that the Head of Development Management and Enforcement would co-ordinate the objections and concerns expressed by the Committee, as consultees, and would submit them to PINS by the end of the week.

PC53 UTT/22/1802/FUL - LAND WEST OF WOODSIDE WAY, GREAT DUNMOW

The Head of Development Management and Enforcement presented a report updating Members on progress made on the S106 agreement following Planning Committee approval of UTT/22/1802/FUL on 11 January 2023, subject to completion of the S106 agreement.

He said that the NHS had advised that the original contribution was incorrect and that an error had been made. As a result the requested sum was being sought to increase from £61,710 to £154,992.

The Chair proposed approval for officers to revise the Heads of Terms to seek the increased revised contribution amount. Councillor Bagnall seconded the proposal.

RESOLVED that officers revised the Heads of Terms to seek the increased revised contribution amount.

The meeting adjourned from 10.55 am to 11.05 am.

PC54 UTT/22/3470/OP - LAND NORTH OF BAYNARD AVENUE, BAYNARD AVENUE, FLITCH GREEN, LITTLE DUNMOW

The Senior Planning Officer presented a hybrid application of an outline application for up to 72 dwellings, together with a building for use falling within

Use Class E and public open space. He referred to the Late List in that the plans were parameter plans and not indicative.

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.

Following on from the public statements, the meeting adjourned from 12.05 pm to 12.10 pm.

In response to questions from Members, officers:

- Said that although the Little Dunmow Neighbourhood Plan was possibly a year away, this would hold little weight in any discussion at the current time.
- Said that the Flitch Green Masterplan was now a settlement, which carried less weight moving forward.
- Said that, in respect of possible three-storey accommodation, they could be blocks of flats but this was not a matter for consideration now.

Officers from Essex CC Highways responded directly to various questions.

- They said that they had visited the site.
- They referred to Table 5.1 of the revised traffic assessment relating to trips generated. Figures showed AM - 9 arrivals, 32 departures and PM – 32 arrivals, 17 departures.
- They said the proposed gradient of access did not cause them any concerns.
- There had been no accident patterns and visibility splays would be sufficient.
- Vegetation would need to be removed at the access point.
- Regulations had now changed to allow 400 dwellings off a loop road, increased from 200.
- No consideration had been given to current agricultural access.

Members discussed:

- Road safety concerns and capacity constraints; together with serious parking issues with cars parked on the road, preventing traffic flow.
- Concerns that highways issues had not been fully resolved; the trips generated figures were considered to be light.
- The use of conditions for mitigation by the Highways Authority.
- The cumulative impact of up to 72 new dwellings.
- Removing vegetation could harm wildlife habitats.
- Infrastructure concerns. A new NHS surgery was being built at Felsted.
- Sustainability concerns regarding the existing access, possible pinch points am and pm and whether there could be any alternative access.
- The Construction Management Plan being a challenge.

Councillor Church proposed that the application be deferred in order to consider alternative access to the site; this was seconded by Councillor Sell.

RESOLVED that the application be deferred in order to consider alternative access to the site.

D Arora, Councillor Kevin French (Lt Dunmow PC), M Frost, M Harman, C Harris, Councillor S Harris (Flitch Green PC), R Marshall, C McGregor, R Pearce and P Wyndham-Pearce spoke against the application.

J Bean and J Cage (Agent) spoke in support.

The meeting adjourned for lunch at 12.55 pm and re-convened at 1.50 pm.

PC55 **UTT/22/0007/FUL - LAND EAST OF SCHOOL ROAD AND MAIN ROAD, FELSTED**

The Principal Planning Officer presented a planning application for the erection of a Solar Photovoltaic Farm. A resolution had been made to approve the application at Planning Committee on 3 August 2023, subject to conditions and a S106 agreement being brought back to this Committee. He said that as per the Late List an additional obligation had been agreed by all parties and he brought back the S106 agreement to the Committee.

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 draft S106 agreement was available on the UDC website and the report contained the key points.
- Said that a de-commissioning plan had yet to be prepared, agreed and reviewed by experts. This had to be in place prior to commencement of the scheme.
- Clarified the necessary arrangements for a bond agreement and the review process that would take place every 5 years. The Planning Lawyer confirmed that this was standard practice and would work.

Members discussed:

- The timeframe for having a de-commissioning plan in place being within 3 years of any application approval. This would all be included within the S106 agreement.
- The possibility of approaching previous solar farm providers and suggesting best practice arrangements be put in place retrospectively.

Councillor Emanuel proposed approval of the application; this was seconded by Councillor Bagnall.

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.

PC56 **UTT/22/3013/OP - HIGHWOOD FARM, STORTFORD ROAD, GREAT DUNMOW**

The Interim Planning Team Leader presented an outline application with all matters reserved except for access for a residential development comprising 14 self-build dwellings together with access from and improvements to Buttleys Lane. She said that a previous application of the same description was currently subject to appeal. She said that whereas concerns previously expressed by the Highways Authority had been resolved, heritage concerns remained and that there was also a lack of affordable housing in the application.

She recommended that the Director of Planning be authorised to refuse 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 viability assessors had confirmed that it was possible for affordable housing to be included within the scheme but that the applicant had said that it was not financially viable.
- Said that there would be design principles in place for all self-builds.

Members discussed:

- The possible benefits of the proposed scheme of having additional dwellings available in Uttlesford and the need to encourage self-builds and affordable housing.
- The situation regarding the outstanding appeal and the likelihood that matters would be brought to a head as part of the appeal process.

Councillor Sell proposed refusal of the application in line with the recommendation and this was seconded by Councillor Haynes.

RESOLVED that the Director of Planning be authorised to refuse permission for the development subject to those items set out in section 17 of the report.

A statement was read out from G Duncan (Agent) in support of the application.

Councillor Church recused himself from the meeting at this point and left the room.

PC57 **UTT/23/0493/OP - LAND EAST OF GOODACRES, CHURCH END, BROXTED**

The Planning Officer presented an outline application for the erection of up to 7 residential dwellings with all matters reserved except access. This application had been put on the agenda because of Councillor interest. He said that the agent had indicated that he was willing to enter into an agreement for the provision of a village green to the north east of the site.

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:

- Outlined the relevant site history applications since 1966.

- Clarified the existing village green management arrangements and the location of the available open space.

Members discussed:

- Whether the scheme met the brief that the Parish Council was looking for and the need for further liaison between the agent and the Parish Council.
- Whether the proposal for 7 dwellings was too high.
- Concerns in respect of aircraft noise and the need for adequate noise insulation measures to be put in place. Internal noise requirements were covered in Condition 7. Aircraft noise metrics were discussed.
- The Parish Council having first option on the available open-space.

Councillor Emanuel proposed approval of the application with an advisory that the Parish Council had significant input to work with the applicant on the scheme.

This was seconded by Councillor Lemon.

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 an advisory that the Parish Council should be given significant input on the scheme.

K Rixson (Broxted PC) raised various concerns about the application and R Baker (Agent) spoke in support.

The meeting adjourned from 3.20 pm to 3.25 pm.

Councillor Church returned to the meeting prior to the next item.

PC58

UTT/23/1432/FUL - LAND TO THE WEST OF STORTFORD ROAD, CLAVERING

The Senior Planning Officer presented a S73 application to vary condition 1 of UTT/22/1103/DFO (Details following outline application UTT/20/2639/OP for the erection of 31 dwellings and 38 parking spaces). He confirmed that the ridge height remained unchanged on a lower contour.

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:

- Confirmed that the ridge height remained the same.
- Confirmed that the proposed amendment was material.

Members discussed:

- The need for transparency and to be confident that amendments were not made through stealth.
- The particular merits of the applicant looking to provide dwellings meeting those requirements of purchasers.

- The need for variations to be brought back to Committee if they were material and that this could provide positive improvements to schemes.

Councillor Bagnall proposed approval of the application; this was seconded by Councillor Sell.

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.

Councillor S Gill (Clavering PC) said that Clavering PC remained neutral on the development but stressed the importance of final ridge heights remaining unchanged and for full details of proposed variations to be given. S Bampton (Agent) spoke in support.

PC59 **UTT/22/1203/FUL - LAND OFF PELHAM ROAD, BERDEN**

The Principal Planning Officer presented an application for full planning permission for the construction and operation of a Battery Energy Storage System (BESS) and associated infrastructure. He highlighted the revised conditions as detailed in the Late List. He said that highway and transportation issues were for consideration and explained that around 90% of the proposed development fell within East Herts.

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 no formal consultation was necessary to contact emergency services.
- Said that the proposed Construction route shown in Figure 4 on page 310 had resulted from discussions with Essex and Hertfordshire Highways and the applicant.

Members discussed:

- Concerns that the A120 route would be far more logical, rather than for HGV traffic to have to go through various villages. This was considered to be an opportunity for possible leverage with the alternative route being explored through a factually based assessment.
- The need for an up-to-date assessment from the Fire and Rescue Service and the possibility of consultation with the Chief Fire Officers' Council.
- Emergency vehicle access.
- The different evidence surrounding the volume of trips assessments.

In light of the outstanding discussion points, Councillor Church proposed that the matter be deferred for further information to be provided. This was seconded by Councillor Bagnall.

RESOLVED that the application be deferred for further information to be provided.

J van Riemdijk spoke against the application and J Halstead (Agent) spoke in support.

PC60 **UTT/23/1597/HHF - 3 HAMILTON MEWS, SAFFRON WALDEN**

The Interim Planning Team Leader presented an application for a garage conversion, single storey side and rear extension to include a porch extension and new side window. The application was from a Council employee.

She 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:

- Confirmed there was adequate space available for parking for three vehicles.
- Said that there was a condition in place to retain the boundary wall.

Councillor Emanuel proposed approval of the application; this was seconded by Councillor Sell.

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.

The meeting ended at 4:25 pm.