

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 6
MARCH 2024 at 10.00 am**

Present: Councillor R Freeman (Chair)
Councillors N Church, J Emanuel (Vice-Chair), R Haynes,
R Pavitt and M Sutton

Officers in attendance: N Brown (Head of Development Management and Enforcement), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), I Hunt (Planning Lawyer), M Jones (Senior Planning Officer), J Pavey-Smith (Senior Planning Officer), M Shoemith (Strategic Applications Team Leader), C Tyler (Senior Planning Officer) and A Vlachos (Senior Planning Officer)

Public Speakers: Councillor P Lavelle.

PC143 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were given by Councillors Bagnall, Lemon, Loughlin and Gooding (substitute for Councillor Lemon).

The following non-pecuniary declarations were made:

- Councillor Haynes; recused himself from Item 9 as he knew the applicant. Thaxted and the Eastons Ward Member for Items 13 and 14.
- Councillor Sutton: Takeley Ward Member for Item 8.
- Councillor Emanuel: Item 6 - knew property owner next door to property.
- Councillor Church: Item 6 – had a previous business relationship with the applicant.

PC144 MINUTES OF THE PREVIOUS MEETING

Additional wording was agreed to PC137 at the bottom of page 9:

“Suburbanisation associated with the scheme and impact on the setting of the conservation area” to be added to the paragraph below:

“Councillor Pavitt proposed refusal of the application in that it had not adequately demonstrated that lighting would not result in unacceptable harm to the character and appearance of the surrounding area and to the significance of the protected lane. There would be permanent harm to the protected lane.”

With this addition, the minutes of the meeting held on 7 February 2024 were approved as an accurate record.

PC145 SPEED AND QUALITY REPORT

The Head of Development Management and Enforcement presented the standing Speed and Quality Report. He highlighted that the Quality of major development figure for April 2021 to March 2023 currently stood at red 13.5% and for April 2022 to March 2024 was currently green at 4.76%.

The report was noted.

PC146 QUALITY OF MAJOR APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the standing Quality of Major Applications report. He highlighted the two pending appeals in Clavering.

The report was noted.

PC147 S62A APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the S62A Applications report. He highlighted three recent decisions made by PINs:

- Eldridge Close, Clavering (refuse).
- Hartford End, Felsted (refuse).
- Rush Lane, Elsenham (approve).

In response to a question about submissions made to PINs, he said that there was no requirement to change applications and that identical applications could be submitted.

The report was noted.

PC148 UTT/23/0878/DFO - LAND WEST OF THAXTED ROAD, DEBDEN

The Senior Planning Officer outlined the report. He said that Planning Committee on 22 November 2023 had deferred the determination and that the applicants had exercised their right to appeal against non-determination and the Council had therefore lost its jurisdiction in decision-making. He said that various emails had been received from the public after the deadline had passed for submission to the Addendum List. He said that the officer's recommendation remained in support of the development.

The Senior Planning Officer explained that the planning committee would not be deciding on whether to approve, refuse or defer the application but rather on whether and how officers should act in the appeal process given that the decision would be up to the Planning Inspectorate.

He recommended that the Committee support the proposal subject to the section 106 Obligation and conditions included in the officer's report dated 22 November 2023. If that proposal was supported the Committee would be confirming that the Council would not defend the appeal other than conveying support for the application. If the Committee would not support the proposal, then robust and defensible reasons for not supporting the application should be agreed to inform any defence of the appeal.

In response to questions from Members, officers:

- Clarified the issue of manorial rights.
- Explained that the S106 Agreement had covered the matter of the provision of public open space (POS) and that it was understood that the current application proposed a POS to the front of the site (without including the attenuation ponds/SUDS features) which would play a mitigation role in reducing flood risk from the development within the site and elsewhere.
- Confirmed that the landscaping proposals presented the same space to be used for the attenuation ponds as wildflower meadows.
- Detailed the six car parking spaces for visitors.
- Said that matters such as refuse cart access had been covered by Essex CC Highways.
- Said that reference could be made to the emerging policy of the Uttlesford Design Code (without including it in any putative reason for refusal).
- Said that by previously deferring the application, this had given the applicant the opportunity to revisit issues, but this had not happened.

Members discussed:

- That the previous grounds for deferral were still applicable as grounds to have refused the application without a deferral and conveyed their frustration that the applicant had failed to take the opportunity offered to revisit issues.
- Concerns in respect of the 3-storey height of the block of flats, inappropriate layout and design; all flaws remained.
- Concerns that for the proposed triple tandem parking arrangements that would create an urban aesthetic for the development at the entrance to the village.
- Concerns that the development was out of context with the village.
- Concerns on the impact on neighbours and on overbearing impacts.
- Concerns that despite the amount of work into revisions requested from the case officer, the applicant failed to perform some last actions to make the details of the scheme acceptable.

Councillor Emanuel proposed that the Council's response should be to not support the proposal, and that robust and defensible reasons for not supporting the application should be agreed to inform any defence of the appeal in accordance with the members' discussion/debate.

This was seconded by Councillor Pavitt.

RESOLVED that the Council's response should be to not support the proposal, and that robust and defensible reasons for not supporting the application should be agreed to inform any defence of the appeal.

The putative reason for refusal to be as follows:

The proposed development, by reason of its appearance, scale and layout, would be detrimental to the character and appearance of the area on a visually sensitive location at the entrance to the village. The layout would create a conflict between the public open space and the sustainable urban drainage systems associated with flood risk mitigation. Triple tandem parking arrangements and the size of the block of flats along with its proximity to existing residential properties, would harm the visual amenity of the area. The development will not function well and add to the overall quality of the area over its lifetime, will not be visually attractive as a result of good layout and will not be sympathetic to the local character, including the surrounding built environment and landscape setting. Therefore, the proposal would fail to comply with policies S7, GEN2(a)-(b) and GEN6 of the adopted Uttlesford Local Plan (2005), and paragraphs 135(a)-(c) of the National Planning Policy Framework (2023).

PC149 **UTT/23/2187/DFO - LAND NORTH OF STANSTEAD AIRPORT**

The Strategic Applications Team Leader presented a planning application for reserved planning matters following outline planning permission being granted for "the demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route and other associated works with matters of layout, scale, appearance and other landscaping reserved". Outline planning permission was granted in August 2023 subject to a schedule of conditions and a Section 106 Agreement.

She recommended that the application be approved, subject to those items set out in section 18 of the report.

In response to questions from Members, officers:

- Explained the BREEAM ratings.
- Clarified employment considerations that had been considered as part of the Outline application.
- Discussed the possibility of conditioning roof loading as there was a need for roofs to be of sufficient strength.

Members discussed:

- The need to condition that roofs be of sufficient strength prior to development.

Councillor Emanuel proposed approval of the application together with a new condition to ensure that roofs were of sufficient strength. This was seconded by Councillor Sutton.

RESOLVED that the Strategic Director of Planning be authorised to grant permission for the development together with the new condition detailed above.

The meeting adjourned for a comfort break from 11.15 am to 11.25 am.

PC150 **UTT/23/2964/OP - HIGHWOOD FARM, STORTFORD ROAD, GREAT DUNMOW**

The Senior Planning Officer presented an outline planning application with all matters reserved except for access for a residential development comprising 14 self-build dwellings together with access and road improvements to Buttleys Lane.

She recommended that the application be refused for the reasons set out in section 17 of the report.

In response to questions from Members, officers:

- Said that there was potential for 14 different self-build properties but that any design guide would be picked up at Reserved Matters stage.

Members discussed:

- Concerns re the roadway and traffic flow.
- The proposed development enclosing Highwood Farmhouse.
- The significance of “negligible effects”.
- The agrarian setting and significance of heritage impact.
- Concerns expressed by the Town Council.

Councillor Emanuel proposed refusal of the application on heritage grounds re the significance of Highwood Farmhouse.

This proposal was seconded by Councillor Church.

RESOLVED that the Strategic Director of Planning be authorised to refuse permission for the development due to the significance of Highwood Farmhouse.

Councillor P Lavelle (Great Dunmow TC) spoke against the application.

Councillor Haynes recused himself from the next item at 11.50 am.

PC151 **UTT/23/1718/FUL - OLD HOUSE BARN, PARSONAGE ROAD, TAKELEY**

The Senior Planning Officer presented a planning application for the erection of two new agricultural buildings and a lean-to extension to an existing agricultural building.

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

There were no questions from Members.

Councillor Emanuel proposed approval of the application. This was seconded by Councillor Sutton.

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

Councillor Haynes returned to the meeting at 11.55 am.

PC152 UTT/23/0654/FUL - GOLF WORLD STANSTED LTD, HALL ROAD, ELSENHAM

This item had been withdrawn from the Agenda.

PC153 UTT/23/3147/FUL - LAND BEHIND THE OLD CEMENT WORKS, THAXTED ROAD, SAFFRON WALDEN

The Senior Planning Officer presented a s73 application to vary condition 2 (approved plans) of UTT/20/0864/FUL (Erection of 35 Dwellinghouses (Revised scheme to that approved under UTT/16/1444/OP and UTT/17/3038/DFO) in order for revised plans to be considered and removal of condition 8 (roof details). He said that the variation of these conditions enabled the change in ground levels to Plot 19 in order to construct the dwelling at a level that was consistent with the rest of the site.

He recommended that the application be approved subject to those items set out in section 17 of the report.

In response to questions from Members, officers:

- Explained the position in respect of the part glazed and side windows.
- Said that it could be conditioned that the proposed window retains the obscure glazing to protect the amenity of 10 Tiptofts Lane.

Members discussed:

- The improved design.
- The need to condition glazing requirements to protect the amenity of 10 Tiptofts Lane.

Councillor Emanuel proposed that the application be approved together with the condition re 10 Tiptofts Lane. This was seconded by Councillor Pavitt.

The proposed additional condition to be included:

Excluding the fanlight section, the first floor/ rear elevation window serving bedroom 3 and as demonstrated on approved drawing BRD/22/029/101-D shall be fixed shut and fitted with obscure glazing with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard.

The development will be implemented in accordance with these details and shall not be changed without prior written approval from the Local Planning Authority.

REASON: To avoid overlooking of the adjacent property (10 Tiptofts Lane) in the interests of residential amenity in accordance with Policies GEN2 and the NPPF.

RESOLVED that the Strategic Director be authorised to grant permission for the development subject to those items set out in section 17 of the report and the additional condition re 10 Tiptofts Lane.

PC154 UTT/23/3189/HHF - TOWER HOUSE, ST EDMUNDS LANE, GREAT DUNMOW

The Senior Planning Officer presented a planning application seeking a three-bay cart lodge to be positioned towards the rear of the existing site.

He recommended that the Strategic Director of Planning be authorised to refuse permission for the development as detailed in section 17 of the report.

In response to questions from Members, officers:

- Confirmed that the application was in effect for a garage.

Members discussed:

- Height and location concerns.
- That the height of the garage next door was much higher than that proposed and that this was considered acceptable.

Councillor Pavitt proposed approval of the application, on the basis that the proposed height was acceptable, together with conditions for a time limit and for materials being put in place.

This was seconded by Councillor Church.

RESOLVED that the Strategic Director of Planning be authorised to grant permission as outlined in the motion above.

There was an adjournment from 12.20 pm to 12.30 pm because of an IT issue that was satisfactorily resolved.

PC155 UTT/23/2867/HHF - ALDBORO HOUSE, PARK STREET, THAXTED

The Senior Planning Officer presented an application for alterations to existing side extension to form an open plan kitchen/breakfast room with two rooflights, a vaulted ceiling and replacement windows. To extend existing garage by one bay, convert two bays to an Annexe and add a pair of gates on the site boundary.

He recommended that the application be approved subject to conditions set out in section 16 of the report.

In response to questions from Members, officers:

- Said that questions re sewage were private matters.
- Said that the Folly was listed.
- Were unable to clarify whether the response from the Conservation Officer referred to matters within Agenda Item 13 as well as Item 14.

Members discussed:

- Concerns about the gates and sewage arrangements.
- The general lack of clarity.

The Chair proposed that the item be deferred in order to provide greater clarity for the application. This was seconded by Councillor Emanuel.

RESOLVED that the item be deferred in order to provide greater clarity.

A statement was read out from M Tayler objecting to the application. The meeting had adjourned from 12.38 pm – 12.45 pm whilst the statement was emailed through, as the speaker had been unable to attend the meeting in person.

PC156 UTT/23/2868/LB - ALDBORO HOUSE, PARK STREET, THAXTED

The Head of Development Management and Enforcement made an opening statement that this application which had been called in by Councillor Foley should not have been accepted onto the agenda but clearly had to be debated.

The Senior Planning Officer presented an application for alterations to existing side extension to form an open plan kitchen/breakfast room with two rooflights, a vaulted ceiling and replacement windows.

He recommended that the application be approved subject to conditions set out in section 16 of the report.

In response to questions from Members, officers:

- Said that Place Services had supported the application but required two conditions to be put in place.
- Explained the positioning of the two proposed rooflights.

Members discussed:

- Concerns about having two rooflights rather than one.
- That having two rooflights was aesthetically balanced.
- The proposed new sash window being a benefit.
- That heritage concerns had been satisfied.

Councillor Church proposed that the Strategic Director of Planning be authorised to grant permission for the development subject to those items set out in section 16 of the report.

This was seconded by Councillor Sutton.

RESOLVED that the Strategic Director of Planning be authorised to grant permission for the development subject to those items set out in section 16 of the report.

The meeting ended at 1.05 pm.