

PLANNING COMMITTEE held at ZOOM on WEDNESDAY, 28 OCTOBER 2020 at 10.00 am

- Present: Councillor S Merifield (Chair)
Councillors G Bagnall, M Caton, R Freeman, G LeCount, M Lemon (Vice-Chair), B Light (Substitute for Councillor P Fairhurst), J Loughlin, R Pavitt, N Reeve and M Sutton
- Officers in attendance: N Brown (Development Manager), M Cranitch (Planning Officer), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), M Jones (Senior Planning Officer), N Makwana (Planning Officer), M Sawyers (Planning Officer), M Shoesmith (Development Management Team Leader), E Smith (Interim Legal Services Manager) and C Theobald (Senior Planning Officer)
- Public Speakers: R Beer, Councillor I Delvalle, G Fisher, Y Frayling, P Jarman (Farnham PC Clerk), C King, S King, C Lockie, V Lockie, R Lodge, M Rivers-Latham, C Smith, R Stretton, P Sutton and R Ward.

PC61 COUNCILLOR ALAN STORAH

The Chair paid tribute to the late Councillor Storah, who had sat on this Committee. A minute's silence was held as a mark of respect.

PC62 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Fairhurst.

Councillor Freeman declared a non-pecuniary interest as a member of Saffron Walden Town Council.

Councillor Reeve declared a non-pecuniary interest as a member of High Easter Parish Council.

Councillor Merifield declared a non-pecuniary interest as Ward Member for Felsted and Stebbing.

Councillor Sutton declared a non-pecuniary interest as Ward Member for Takeley.

Councillor Loughlin declared a non-pecuniary interest as Ward Member for Stort Valley.

Councillor Light declared a non-pecuniary interest as a member for Saffron Walden Town Council and as Ward Member for Saffron Walden Audley.

PC63 **MINUTES OF THE PREVIOUS MEETING**

The meeting was adjourned between 10.13 and 10.16 as Councillor Bagnall had a connectivity problem which was resolved.

Councillor Bagnall referred to resolution b) of PC54 in respect of the setting up of the footpath fund. He proposed additional wording which was agreed by the Committee. Resolution b) should read as “a footpath fund to be set up and a contribution thereto to be made by the applicant, the amount of the latter to be agreed with Uttlesford District Council and with Essex County Council as Highways Authority”.

The minutes of the previous meeting held on 30 September 2020 were agreed and would be signed by the Chair as an accurate record at the next opportunity.

PC64 **UTT/20/0561/FUL - POPLARS FARM, BROAD BRIDGE ROAD, AYTHORPE RODING**

The Senior Planning Officer stated that the proposal, which was partly retrospective in nature, related to the following development/works:

- demolition of existing dilapidated chicken shed building (sited at the northern end of the site);
- erection of a new storage barn building (to be erected on footprint of chicken shed to be demolished);
- retention of replacement cladding to an existing storage building (within the existing building range);
- retention of the construction of new access road (already partly carried out);
- formation of 3m high earth bunding (along the northern boundary of the site with outer return section)
- new native planting (to run parallel with the inside of the proposed access road);
- erection of 2m high timber screen fence (to run parallel with the outside of the proposed access road).

He said that since the submission of the application, discussions had taken place between Council Officers and the applicant’s agent regarding the relocation of the proposed storage barn from the northern end of the site as originally shown to the southern end of the site with new car park area and new planting strip.

The application was recommended for approval with conditions.

Members discussed the issues of:

- significant noise coming from the site,
- the previous removal of the earth bund that had acted as a visual screen and had protected residential properties to the north of the site from noise from the commercial operations,
- the poor state of the site and the need to clear up the rubble,

- the hours of commercial operation,
- bio-diversity issues,
- the removal of the newly laid unauthorised access roadway and
- the fact that the applicant was a well-established supplier of high quality water-based paint products that had provided long-term employment for local people.

The Senior Planning Officer said that discussions had taken place with Environmental Health and that no formal nuisance complaint had been established. He said the noise that affected neighbours would reduce with the relocation of the storage facility.

Members expressed strong support for a new bund to be put in place. It was stated that in the event of any accidents the bund could absorb spillages.

The Development Manager said that Condition 11 could be re-worded to protect the amenities of neighbouring residential occupiers and the hours of operation detailed in Condition 9 could be clarified to refer to the whole site rather than just the storage building.

Councillor Reeve proposed approval with revised Conditions 9 and 11 and Councillor Pavitt seconded the motion.

RESOLVED to approve the application with revised conditions.
Condition 9 to refer to the site.

Condition 11 to read "A scheme of site restoration works, to include the provision of a new landscaped earth bund, the precise positioning, height and planting specification to be agreed, and also the removal of the unauthorised access roadway laid down the eastern side of the site shall be submitted to the local planning authority for written approval within 3 months of the date of this decision notice. Subsequently, the site restoration scheme as approved shall be fully implemented within 6 months of the date of this decision notice".

Y Frayling and R Stretton spoke on the application.

The meeting was adjourned at 11.26 am and reconvened at 11.31.

PC65

UTT/20/1596/OP - LAND AT MARANELLO, WATCH HOUSE GREEN, FELSTED, DUNMOW

The Senior Planning Officer said that this proposal was for outline planning permission for the erection of seven dwellings with all matters reserved except for access. A new access road would be provided which would join onto the new access road already approved on appeal as part of planning application UTT/18/1011/OP for 28 dwellings to the adjacent site. An indicative plan had been submitted showing a mix of three and four bedroomed detached and link-detached dwellings. All dwellings had on plot parking and the indicative plans showed four additional visitor parking spaces. All dwellings had in excess of

100m2 private amenity space and the indicative plans showed the loss of 7 trees with 9 new trees to be planted.

The application was recommended for approval with conditions with unilateral undertaking- Special Protection Areas/RAMSAR.

Councillor Bagnall asked whether the applications for 28 and 7 dwellings could be considered together in respect of possible S106 conditions and affordable housing.

The Development Manager said the application had to be considered as only 7 dwellings as officers were satisfied that the two sites were in separate ownership.

The Chair, as the Ward Member for Felsted and Stebbing said that the application was outside development limits; she referred to the comments made by the Parish Council and urged Members not to support the application. She also said that she considered it to be a case of development creep.

Members discussed possible reasons for refusal of the application but recognised that the Council could not demonstrate a five year supply of deliverable housing sites; and because that figure was one of less than three years supply, the added protection of paragraph 14 of the NPPF pertaining to Neighbourhood Plans would not apply.

The Development Manager said that on a tilted balance consideration the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal outweighed the harm identified in relation to rural restraint set out in ULP Policy S7.

Councillor Loughlin commented that the democratic system in planning was being eroded and this view received support.

Councillor Lemon said that he regrettably proposed approval as recommended by officers and Councillor Caton seconded the motion.

RESOLVED to approve the application with conditions with unilateral undertaking – SPA/RAMSAR.

G Fisher spoke on the application.

PC66 **UTT/20/1208/PIP - LAND AT PARSONAGE MEADOW, THE STREET, HIGH EASTER**

The Senior Planning Officer said that the application was one for permission in principle for residential development comprising the erection of a maximum of five dwellings.

An indicative block plan had detailed how up to five dwellings with associated garaging and shared private access drive heading off the Street could be

accommodated. There had also been a suggested footpath link leading from the rear of the site that finished at the Lodge Coaches depot site (applicant) that fronted onto The Street. This footpath would cross land in the control of the applicant.

He said that the application was a call-in request from Councillor Barker and was recommended for refusal.

Six public speakers addressed the Committee.

Three residents argued that the report recommendation should be upheld for the reasons stated by officers. It was said that any consideration of the future business interests of the applicant should be kept separate from the application, that this was not a special case and that there were road safety, sustainable travel and accessibility concerns.

Councillor Reeve spoke on behalf of High Easter Parish Council. He said that the Chairman of the Parish Council was the applicant and the Vice-Chairman was the agent. He said that he had chaired an extraordinary remote meeting of the Parish Council at which only three of seven Councillors had no relevant interest. That meeting had been attended by 42 residents. Councillor Reeve said that the meeting had concluded that it could neither support nor object to the application and as a result had submitted a summary of those points raised by residents, and additional points noted by the Parish Council during the meeting.

The applicant summarised the history of his family's relationship with the village of High Easter and the problems incurred by the Lodge Coaches business during the pandemic.

The agent referred to the Council being unable to demonstrate a five year land supply and that therefore policies that were outdated had very little weight. He said that the application was for five dwellings, one of which could possibly be designated as affordable housing.

As previously agreed Councillor Reeve recused himself from the meeting at this point (12.44 pm) and took no part in the discussion.

Councillor LeCount raised a question as to who owned the land towards the main road and also whether the size of the site was 4.8 ha or 5.1 ha.

Councillor Light said that the land ownership issue was important but she saw no reason for the development and was sympathetic towards the views expressed by the residents. She proposed to uphold the officers' recommendation to refuse the application.

Councillor Pavitt seconded the motion.

RESOLVED to uphold the officers' recommendation to refuse the application.

R Beer, V Lockie, C Lockie, Councillor N Reeve, R Lodge and P Sutton spoke on the application.

Councillor Reeve re-joined the meeting at 12.52 pm.

The Committee adjourned at 12.52 pm for a lunch break and reconvened at 2.00 pm.

PC67 UTT/20/0083/FUL - ELMSWOOD, BRICK END, BROXTED, DUNMOW

The Planning Officer said that the proposal was for one dwelling with a car charging point provided under the car port. External materials would consist of brickwork to the walls, plain tiles to the roof, uPVC windows and doors.

The application was recommended for approval with conditions.

Members discussed the comments made by the Parish Council relating to there being a serious drainage problem at the edge of the site and said that this could be conditioned.

Councillor Sutton said that she was the Ward Member and was concerned about blocked drains and safety issues.

Councillor Pavitt proposed approval of the application with conditions and with an additional condition relating to surface drainage.

Councillor Sutton seconded the motion.

RESOLVED to approve the application with conditions and an additional condition (14) relating to surface drainage which states: Before development commences details of the surface water disposal arrangements shall be submitted to and approved in writing by the local planning authority. These should encompass sustainable principles in accordance with the recommendations of the NPPF and arrangements for their ongoing maintenance. The drainage shall be constructed as approved prior to the construction of any building on the site and maintained in the same condition thereafter.

REASON: To control the risk of flooding to the development and adjoining land in accordance with ULP Policies GEN2 and GEN3.

PC68 UTT/20/0084/FUL - ELMSWOOD, BRICK END, BROXTED, DUNMOW

The Planning Officer said that the proposal was for one dwelling with a car charging point provided under the car port. External materials would consist of brickwork to the walls, plain tiles to the roof, uPVC windows and doors.

The application was recommended for approval with conditions.

Councillor Reeve referred to the substantial gate as shown in one of the photographs and was informed that this would be removed as encroaching onto Highways land.

Members noted that this application related to an adjoining plot as discussed in the previous Agenda item and that this had raised similar concerns about drainage.

The Chair proposed approval of the application with conditions and with an additional condition relating to surface drainage.

Councillor Sutton seconded the motion.

RESOLVED to approve the application with conditions and an additional condition (14) relating to surface drainage which states:
Before development commences details of the surface water disposal arrangements shall be submitted to and approved in writing by the local planning authority. These should encompass sustainable principles in accordance with the recommendations of the NPPF and arrangements for their ongoing maintenance. The drainage shall be constructed as approved prior to the construction of any building on the site and maintained in the same condition thereafter.

REASON: To control the risk of flooding to the development and adjoining land in accordance with ULP Policies GEN2 and GEN3.

PC69 UTT/20/1753/FUL - FRIARTON, CHATTER END ROAD, FARNHAM

The Planning Officer stated that full planning permission was being sought for the erection of one detached dwelling, new access and erection of detached garage for the proposed and host dwelling. He referred to late representations submitted.

The application was recommended for approval with conditions.

Six public speakers addressed the Committee, some supporting and some objecting to the application.

Although there had been a site visit last year, some Members considered that a further visit would be beneficial prior to a decision being made. Concerns were expressed that the application had changed significantly from what had previously been for a small eco-house and that the objections particularly made by the Parish Council merited consideration.

The meeting was adjourned at 2.58 pm to address audio transmission issues and the meeting re-commenced at 3.12 pm once the problem had been resolved.

Councillor Loughlin said that she was the Ward Member for the area. She gave a brief history of the relevant site history and referred to the permission previously

granted under delegated powers. She said that the proposed access arrangements were completely different and that the village itself was unsustainable.

Councillor Bagnall said that he remembered the previous visit and that there was a need to approve a shared access to the site.

The Chair said that she considered that it would be worth re-visiting the site and proposed that the item be deferred, pending a site visit.

Councillor LeCount seconded the motion.

RESOLVED to defer the application until the next Planning Committee meeting, pending a site visit.

C Smith, M Rivers-Latham, P Jarman (Farnham PC Clerk), Councillor I Devalle, C King and S King spoke on the application.

Councillors Bagnall and Caton both left the meeting, following this item, at 3.23 pm.

PC70 UTT/20/0835/FUL - MIDDEN, TOP ROAD, WIMBISH

The Planning Officer stated that the application was for a proposed new vehicular access and a change of use of a section of field to residential garden. It was proposed to close off the existing access road and return it to a natural state. He said that the applicant's immediate neighbour supported the application.

The application was recommended for approval subject to conditions.

Councillor Reeve proposed approval of the application and Councillor Pavitt seconded the motion.

RESOLVED to approve the application with conditions.

PC71 UTT/20/1711/HHF - ROWANS, ASHDON ROAD, SAFFRON WALDEN

The Development Management Team Leader stated that the application proposed a single storey front extension to a detached two-storey dwelling set back from the highway on Ashdon Road, opposite the Common.

The application was recommended for approval with conditions.

The Chair gave her permission for Councillor Freeman to speak on the matter, following his earlier declaration. He referred Members to some of the site photographs, the building lines and the comments made in respect of conservation issues by Place Services Conservation.

Councillor Freeman recused himself from the meeting at this point (3.39 pm) and took no part in the discussion.

Councillor Light said that she was a Saffron Walden Town Council Member for a different ward and did not sit on the Town Council Planning Committee. She said that the proposed extension would not intrude visually or physically onto the Common. She said it was a modest extension, behind a wall and greenery.

Councillor Lemon said that he agreed with Councillor Light and he asked for clarification surrounding the Council's arrangements for consultation on conservation matters with Place Services.

The Development Manager summarised the arrangements and said that he was very happy with the Place Services' team's input.

Councillor Light proposed approval of the application and Councillor Lemon seconded the motion.

RESOLVED to approve the application with conditions.

Councillor R Freeman and R Ward spoke on the application.

Councillor Freeman returned to the meeting at 3.50 pm.

PC72 UTT/20/2284/HHF - 17 SPRINGHILL ROAD, SAFFRON WALDEN

The Development Management Team Leader said that the application related to the addition of flat roofed dormer windows positioned either side of the existing central gable to utilise the space in the roof. A single storey rear extension was proposed attaching to the single storey lean to store and the roof of the existing garage/store would be replaced.

The application was recommended for approval with conditions.

Councillor LeCount asked how many dormers there were.

The Development Management Team Leader said that there would be one large dormer that utilised the roof space.

Councillor Light said that as the Ward Member she had received no objections to the application.

In response to a question from Councillor Reeve relating to the side of the property, the Development Management Team Leader confirmed that this area was unaffected.

Councillor Lemon proposed approval of the application and Councillor Light seconded the motion.

RESOLVED to approve the application with conditions.

Meeting Closed 4.00 pm.