

**PLANNING COMMITTEE held at ZOOM - [HTTPS://ZOOM.US/](https://zoom.us/), on
WEDNESDAY, 17 MARCH 2021 at 10.00 am**

- Present: Councillor S Merifield (Chair)
Councillors G Bagnall, M Caton, A Coote, P Fairhurst,
R Freeman, G LeCount, M Lemon (Vice-Chair), J Loughlin,
R Pavitt, N Reeve and M Sutton
- Officers in attendance: W Allwood (Principal Planning Officer), N Brown (Development Manager), C Edwards (Democratic Services Officer), T Garner (Principal Planning Officer), N Makwana (Planning Officer), M Sawyers (Planning Officer), J Reynolds (Lawyer), C Shanley-Grozavu (Democratic Services Officer), M Shoemith (Development Management Team Leader) and C Theobald (Senior Planning Officer).
- Public Speakers: J Bean, Councillor M Coleman (Gt Dunmow Town Council), J Dwyer, C Ewing, D Hyde, Councillor Robert Lodge (High Easter Parish Council), A Ward, K Wheeler

PC108 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillor Fairhurst declared a non-pecuniary interest as a member of Saffron Walden Town Council/ Ward Councillor for Saffron Walden (Agenda Item 4).

Councillor Freeman declared a non-pecuniary interest as a member of Saffron Walden Town Council/ Ward Councillor for Saffron Walden (Agenda Item 4).

Councillor Coote declared a non-pecuniary interest as a member of Saffron Walden Town Council/ Ward Councillor for Saffron Walden (Agenda Item 4).

Councillor Reeve declared a non-pecuniary interest as a member of High Easter Parish Council (Agenda Item 6).

PC109 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 17 February 2021 were agreed and would be signed by the Chair as an accurate record at the next opportunity.

Councillor Caton said that minute PC97 and the Chair's statement in the final paragraph were not clear. It was agreed that the final sentence would be removed after the clarification that the Council's policy was 40%.

PC110 UTT/20/3419/DFO - LAND WEST OF WOODSIDE WAY, GREAT DUNMOW

The Principal Planning Officer presented an application for the Approval of Reserved Matters for the details of layout, scale, landscaping and appearance to provide 464 residential dwellings and associated infrastructure works.

He said that the site comprised the southern parcel of the site at Woodside Way, and was currently formed of 3 agricultural fields, measuring 26.1ha or 64.5 acres. An oil pipeline crossed through the site and the responsibility for maintenance would be with the management company.

The amount of high density development (30 to 40 dwellings per hectare) had been reduced from what was consented at the outline stage and that which remained had shifted away from the Stortford Road frontage, whilst a much larger area covered by the lowest density development (15 to 25 dwellings per hectare), had been located along the western edge, adjacent High Wood, and along the Stortford Road frontage so as to reduce the apparent density of the development.

The proposed dwellings would be a mix of 1-4-bedroom units, with affordable housing provision, indicating a mix of shared ownership and affordable rents as approved as part of the s106 Agreement. 36 units (8%) would be provided as homes suitable for the elderly, comprising 16 bungalows and 20 ground floor maisonettes.

The development would provide public open space within the heart of the development, together with tree and hedgerow planting, habitat creation, including natural and semi-natural green space, children's and youth play areas, allotments, pitch quality ground, including sports pavilions, and an area set aside for a Primary School.

The application was recommended for approval with conditions.

In response to Members questions, Officers clarified the following:-

- The overall site had initial planning for 790 dwellings in the 2005 Local Plan which was subsequently divided into north and south parcels. This application was for 464 dwellings on the southern parcel owned by Bellway.
- The owners of the oil pipeline were satisfied with the layout and were ultimately responsible for the pipeline, not the local authority.
- A note would be added to the conditions to ensure that similar sized replacement trees would be provided.
- The Council's Tree Officer had been involved and sanctioned the removal of some trees on the site. Members requested that the applicant try to increase the number of trees from the 400 suggested to at least one tree per dwelling.
- Highways were on board with the scheme subject to conditions as set out in the report. The scheme was policy compliant, providing 1100 car parking spaces which included visitors parking.
- All utilities had been checked for sufficient provision.

- Confirmation was given that the buffer was 23 metres from the physical houses to the edge of Highwood all the way round the site.
- It was important to remember that the quality of the scheme was good and had the involvement and co-operation of the Community.

Members expressed disappointment that only 32% of affordable housing had previously been agreed. Councillor Freeman suggested that it was unrealistic to ask for 50% affordable homes on the northern parcel of land to make up for the shortfall, however it could be requested that more of the houses were built as 1 or 2 bedroom units to try to remedy the situation.

The Development Manager said it was unfortunate that Members had not been on the Committee in 2015 when the outline permission was granted at 32% for affordable housing.

The Chair agreed and said all the Committee could do was ensure that all applications going forward would only be approved at 40% affordable housing..

Councillor Reeve asked for it to be noted that this was unsatisfactory.

There were concerns raised by several Members about the traffic conditions and the cumulative effect of this and other developments. Officers agreed and said that Great Dunmow Town Council had employed their own traffic engineers to look into this matter further.

Councillor LeCount proposed that the application be approved with the following additional conditions added:-

- An informative note added to Essex County Council (ECC) Highways regarding the concerns of the cumulative effect of developments on the spine road.
- Any trees that were replaced to be of a similar size as those removed and that the replacement of trees was on going after the 10 years stipulated.
- To remove the permitted development rights of the bungalows.
- A plea to the developer to increase the number of trees to at least one per house built, therefore 464 minimum.

Councillor Fairhurst seconded the motion.

RESOLVED to approve the application with conditions.

Councillor M Coleman (Great Dunmow Town Council) and K Wheeler (agent) spoke in support of the application.

The meeting adjourned at 11:31am and reconvened at 11:36 am

The Principal Planning Officer said that the application was a hybrid application consisting of full details for the development of 30 dwellings utilising existing access, re-provision of swimming pool with new changing rooms, artificial grass pitches, sports pavilion, multi-use games area (MUGA), local equipped area for play (LEAP), local area for play (LAP), associated parking and demolition of gym building. The remainder was in outline for up to 70 dwellings with associated infrastructure, public open space, forest school and perimeter path.

He said there were a number of amendments to the report:-

- The scheme would provide 40% affordable housing across the whole scheme.
- Essex County Council Highways no longer objected to the application subject to mitigation outlined in the addendum.
- DS1 and GA3 within the planning policy did not apply to this application.

These amendments did not change the recommendation of the report to refuse the application.

The 30 dwellings proposed include for 12 x 2 bedroom apartments in one block at the entrance to the site and 18 x 3 bedroom houses in the remaining 4 blocks.

The application does not include the former school buildings although they are owned by the applicant.

The scheme was recommended for refusal.

In response to a Member's question, the Development Manager clarified that approval could not only be given to one part of the application but that it had to be for the whole scheme.

Although Members agreed there were some good points to the application they expressed the following concerns:-

- It was a highly controversial site that needed careful consideration.
- Questions were raised about the sustainability and whether it was in keeping with the local area.
- There had been insufficient consultation with the Town Council and the local community.
- Inefficient use of land.
- Air quality issues.
- Significant burden on the NHS and schools.
- The utilitarian nature of the buildings and the flat roof of black felt were raised as issues. Councillor Freeman said the roofs should either be green or reflective to enable better energy performance.
- The increase in traffic out of a small turning.
- There had been insufficient attention and sympathy to the historic background of the school.
- The fact that the school buildings had not been included in the application. Members agreed there should be a masterplan for the whole site.

Members asked that in future Officers always looked for an education provision and it was suggested that a hybrid scheme would always throw up too many issues and should not be put forward.

Councillor Sutton proposed that the application be refused on the basis of the 8 recommendations in the report and a note made that there should be consultation and engagement with the Town Council and Local Community.

Councillor Fairhurst seconded the motion.

RESOLVED to refuse the application.

*A Ward (applicant) spoke in support of the application
C Ewing and J Dwyer spoke against the application*

PC112 **UTT/19/1789/FUL - LAND AT POUND HILL, LITTLE DUNMOW**

The Senior Planning Officer said that the application was for residential development comprising 14 dwellings (use class C3), vehicular access, public open space, sustainable drainage systems and all other associated hard/soft landscaping and infrastructure.

The development would include 4 detached dwellings (one of which would be affordable), 8 semi-detached dwellings and 2 horizontally divided flats in a detached dwelling (both of which would be affordable).

A landscaped area would be laid out around the proposed attenuation basin at the western end of the development which would also serve as a public open space feature whereby the provision of open space and its management would form part of any S106 agreement.

There would be residential parking for each dwelling except for the ground floor flat for Plot 13 which had been amended to be a 2 bedroomed accessible flat rather than the 1 bedroomed flat that was originally proposed. There would be 9 visitor parking spaces.

The application was recommended for approval with conditions with S106 Agreement.

In response to Members' questions, Officers clarified the following:-

- There was a condition within the application in relation to electrical charging points.
- Trees had been added to soften the site frontage and a structured tree belt onto the southern boundary.
- It was confirmed that the outline planning application had not lapsed and a developer could not revert to the 18 houses in the outline planning application without coming back to the Committee.
- The Parish Council's five concerns had all been addressed and they had withdrawn their objections. This had been confirmed by Councillor

Criscione but Members would have preferred something in writing from the Parish Council.

- The open space was around the attenuation basin and related to the visual impact rather than providing extra public space.

Councillor Coote said that more open space should be looked at with future developments as the residents were likely to be families with children.

Councillor Lemon proposed that the application be approved with conditions with S106 Agreement.

The Chair seconded the motion.

RESOLVED to approve the application with conditions with S106 Agreement.

J Bean (agent) spoke in favour of the application.

The meeting adjourned at 1:18pm and reconvened at 1:25pm

PC113 UTT/20/3016/FUL - LAND R/O MALT PLACE, CORNELLS LANE, WIDDINGTON - WITHDRAWN

This item was withdrawn from the agenda due to a legal issue that needed to be resolved.

PC114 UTT/21/0158/FUL - HOMELY, THE STREET, HIGH EASTER

The Planning Officer said that the proposal was seeking Section 73A Retrospective application for the demolition of the existing property and planning permission for proposed erection of a new 3-bedroom, 1.5 storey dwelling with associated off street parking.

The site was located at the edge of the village and was within the High Easter Conservation Area.

The application was recommended for approval with conditions.

The Development Manager said that the demolition of the original building in a conservation area could constitute a criminal offence but the application should be considered separately. The Committee would not be sanctioning that action if they approved the application.

Members expressed the following concerns:-

- There was dissatisfaction that the agent had implied that if the application was approved the appeal would be withdrawn.
- There had been no communication with the Parish Council.
- The application had not changed from the previous application that had been refused in December 2020.

- The proposed dwelling was overbearing and not in keeping with the conservation area.
- The need for vehicles to reverse either in or out of the drive to gain access to the property.

In response to Councillor Fairhurst requesting advice on the legality of making this decision on the basis of retrospective approval for demolition of the property, the Committee adjourned at 1:59pm to review the legal position.

The meeting resumed at 2:05pm.

The Chair proposed to defer the application for further legal opinion.

Councillor Bagnall seconded the motion.

RESOLVED to defer the application.

Reason: To seek further legal advice on the application.

*Councillor R Lodge (High Easter Parish Council) spoke against the application.
D Hyde (agent) spoke in favour of the application.*

PC115 UTT/20/3473/FUL - EAST COTTAGE, THAXTED ROAD, WIMBISH

The Planning Officer said that the application was for a proposed change of use from garden to paddock, fencing and erection of stable block. He said it was proposed to use land outside the curtilage of the house to build a small wooden, permanent stable block on hardstanding, comprising of two proprietary type looseboxes. This would be located in the space between the car port and dilapidated piggery.

The application also asked for consent for the change of use from garden to paddock grazing land across an area of approximately 6600 square metres, which left the moat areas and garden directly adjacent to the house untouched.

The matter had been referred to the Committee as the applicant worked for the Council.

The application was recommended for approval with conditions.

In response to Members' questions, Officers clarified the following:-

- Each application would be assessed separately; there was no reason why this application for an equestrian dwelling would then make it easier to apply in future to turn the stables into housing.
- The application for equine use was appropriate and horses were part of the countryside and village life.

Councillor Loughlin proposed that the application be approved with conditions.

Councillor Pavitt seconded the motion.

RESOLVED to approve the application with conditions.

Meeting Closed at 2:30pm