

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 19
JANUARY 2022 at 10.00 am**

Present: Councillor S Merifield (Chair)
Councillors M Caton (substitute for Councillor Loughlin), A Coote
(substitute for Councillor Bagnall), J Emanuel, P Fairhurst,
R Freeman, G LeCount, M Lemon (Vice-Chair), R Pavitt,
N Reeve and M Sutton.

Officers in attendance: W Allwood (Principal Planning Officer), R Beale (Planning
Officer), N Brown (Development Manager), C Edwards
(Democratic Services Officer), C Gibson (Democratic Services
Officer), A Howells (Business and Performance Manager), A
Lindsell (Democratic Services Officer) and E Smith (Solicitor).

Public Speakers: M Alder, O Armes, N Bennett, Councillor M Foley, J Hartley-
Bond, R Haynes, Councillor L Pepper (as a resident), Councillor
V Knight, K Rodwell, R Siddle, Councillor S Sidgwick, J Sihota,
G Wassell, E Wells, J White and T Wilson.

PC90 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Bagnall: Councillor Coote substituted.

Apologies for absence were received from Councillor Loughlin: Councillor Caton substituted.

There were no declarations of interest.

PC91 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 15 December 2021 were approved.

PC92 SPEED AND QUALITY

The Development Manager outlined the report.

The report was noted.

PC93 VALIDATION CHECKLISTS

The Business and Performance Manager confirmed that the Local Validation Checklist needed to be reviewed every two years.

Consultations were undertaken in 2021 and the main proposed addition was relating to the Recreational Disturbance Avoidance Mitigation Strategy (RAMS) payments which covers part of Felsted. The RAMS is a payment due for all additional new houses of £127.30.

For developments of nine or less houses it was proposed that payment is submitted as part of the validation, to be fully refunded if permission is refused. Alternatively, a unilateral undertaking could be submitted to confirm agreement to pay the RAMS payment if planning permission is granted.

The Chair proposed the adoption of the amended Local Validation Checklist, and this was seconded by Councillor Fairhurst.

RESOLVED to adopt the amended Development Management Local Validation Checklists and associated document for Development Management validation purposes.

PC94 **UTT/21/1833/FUL - LAND WEST OF THAXTED, CUTLERS GREEN LANE, THAXTED**

The Principal Planning Officer presented an application seeking the construction and operation of a solar farm comprising ground mounted solar photovoltaic (PV) arrays and battery storage together with associated development, including inverter cabins, DNO substation, customer switchgear, access, fencing, CCTV cameras and landscaping.

The application was recommended for approval with conditions with Section 106.

Members discussed:

- What the public rights of way would look like post development.
- Whether there was a flood management plan in place.
- Whether there was a fire and catastrophe management plan in place.
- The relevance of the Thaxted Neighbourhood Plan that was over three years old.
- Inconsistencies in evidence both for and against the proposal.
- The absence of a full set of plans given that it was a full application. This could include artist's impressions and CGI's.
- Lack of national policy guidance.
- The grading of the land, historic and rural settlement.
- The temporary use of the land for 40 years.
- The need to act in response to the climate crisis.
- Promoting woodland and grassland areas.
- The need to strengthen Special verges preservation.
- Possible noise levels.
- The possibility of conditioning annual landscaping inspections.
- Enhanced community benefits for Cutlers Green being conditioned within the S106 and of generally strengthening conditions.
- Accumulative impact.
- The absence of objections from statutory consultees.

- The obligation to support renewable energy production.
- The obligation to achieve the best productive output value from the land, be that food, trees, housing or provision of renewable energy.
- Biodiversity and pesticide considerations.

Councillor Coote left the meeting at 11:43am.

Councillor Pavitt proposed that a decision be deferred until further clarity was provided within the conditioning and further details be provided relating to drainage, the robustness of the ongoing maintenance and landscaping, noise, fire safety and general safety, protected verge issues, biodiversity and nature corridors.

Councillor Lemon seconded the motion and Councillors voted unanimously in favour of the deferral.

RESOLVED to defer a decision until further clarity is provided within the conditioning and further details are provided relating to drainage, the robustness of the ongoing maintenance and landscaping, noise, fire safety and general safety, protected verge issues, biodiversity and nature corridors.

M Alder, Councillor M Foley, R Haynes, Councillor V Knight (Chair of Thaxted PC), R Siddle, T Wilson and J White spoke against the application.

J Hartley-Bond (Applicant) spoke in support of the application.

The meeting adjourned at 12:01pm and reconvened at 1:01pm.

PC95 **UTT/21/1495/FUL - LAND EAST OF THE STAG INN, DUCK STREET, LITTLE EASTON**

The Planning Officer presented an application seeking the erection of 44 residential units and 3 commercial units (flexible space); inclusion of 3 additional plots for self-build homes; together with associated access, car parking and landscaping.

The application was recommended for approval with conditions with S106.

The meeting adjourned at 1:48pm for a comfort break and reconvened at 1:55pm.

The Council's Solicitor stated that any previous decisions made by the Planning Committee were of no relevance to the decision to be made in this instance. She said that the matter had previously been deferred and she asked that Members should confirm their open-mindedness in the decision-making process.

Members discussed:

- The fact that only the Environment Agency can take the adequacy of the sewerage system into consideration with regard to planning matters.
- Serious health concerns needed to be considered in regard to the sewerage system.
- The clustering of the affordable housing in one area of the proposed development. This cluster had been deemed acceptable by the Housing Team.
- Commercial units offering local employment opportunities, which could reduce travel to work.
- Disproportionate size of development and overdevelopment in comparison to the size of the village.
- The need for developments to match the area they are adjoining to prevent loss of character in the area.
- The potential loss of the river valley view.
- The current lack of amenities in the village.
- The urban form of design, particularly the contemporary brick work that failed to echo the surrounding area.
- The proposal for 40% affordable housing was favourably received.
- Whether the harm outweighs the benefit of the proposed development in respect of the tilted balance arguments.
- The actual viability of the commercial units.
- Traffic and access issues.

The Council's Solicitor reminded members that in the light of the fact the application had been deferred to obtain further information, that they should be mindful of the appearance of pre-determination and that they should consider the application upon the basis of the materials put forward at this meeting.

The Development Manager reminded members of the lack of five year land supply.

The Chair reminded members that statutory consultees had not objected to this application.

The Development Manager confirmed that he would endeavour to work with the developer to put pressure on Anglian Water to resolve the sewerage issues at this site.

Councillor Fairhurst proposed that the application be refused on the grounds of S7 and this was seconded by Councillor Sutton.

The motion was lost.

Councillor Lemon proposed that the application be approved subject to the conditions with S106, to also include an informative highlighting the sewerage concerns and to include the hours of operation and parking on site within condition 13. Councillor LeCount seconded the proposal.

RESOLVED to approve the application, subject to the conditions with S106 and an informative as detailed above.

O Armes, Councillor M Foley, Councillor L Pepper (as a resident), K Rodwell, Councillor S Sidgwick, J Sihota, G Wassell and E Wells spoke against the application.

N Bennett (Agent) spoke in support of the application.

Councillor Pavitt left the meeting at 2.45pm.

PC96 **UTT/21/3719/TCA - THE BLUEBELL INN, HIGH STREET, HEMPSTEAD**

The Development Manager presented a notification of intent to fell a walnut tree within a conservation area at The Bluebell Inn, High Street, Hempstead.

It was recommended that there be no objection to the proposed tree works.

Councillor Fairhurst sought clarification as to what was wrong with the walnut tree.

Councillor Coote proposed that there was no objection to the proposed tree works and this was seconded by Councillor Fairhurst.

RESOLVED that there was no objection to the proposed tree works.

The meeting ended at 2:50pm.