

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 24
JULY 2024 at 10.00 am**

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

Officers in attendance: M Bradley (Essex CC Highways), N Brown (Head of
Development Management and Enforcement), T Cakebread
(Principal Planner), C Gibson (Democratic Services Officer), I
Hunt (Planning Lawyer), M Sawyers (Planning Officer),
L Trevillian (District Wide Team Leader), C Tyler (Senior
Planning Officer) and A Vlachos (Senior Planning Officer)

Public Speakers: W Almond, S Bampton, A Gallagher, D Gidney, J Halstead, L
Howles, R Mayger, J Russell and H Young.

PC34 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were given by Councillors Bagnall; Councillor Driscoll substituted.

The following declarations were made:

- Councillor Emanuel; Ward Councillor for Newport. Item 14 in her Ward but she said that she had not been involved in the case and kept an open mind.
- Councillor Loughlin; Ward Councillor for Stort Valley. She said that she was the Ward Councillor for Items 7, 8 and 11 but had not been involved in the cases and that she kept an open mind.

PC35 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 26 June 2024 were approved as an accurate record.

PC36 SPEED AND QUALITY REPORT

The Head of Development Management and Enforcement presented the standing Speed and Quality Report. He highlighted the 5.88% quality of major development figure as being green but cautioned that other appeals were still outstanding.

The report was noted.

PC37 QUALITY OF MAJOR APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the standing Quality of Major Applications report.

He updated Members on the one pending appeal for Land North of Baynard Avenue for which there would be a hearing.

The report was noted.

PC38 S62A APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the S62A Applications report. The two outstanding cases were in front of this Committee today.

The report was noted.

PC39 DEVELOPMENT MANAGEMENT LOCAL VALIDATION CHECKLISTS

The Head of Development Management and Enforcement presented the report and explained the background that the checklists had to be reviewed every two years.

In response to a question, he said that it was not possible to request Ordnance Survey maps and photos for better quality but that he would take away expressed concerns.

Members agreed that the amended Development Management Local Validation Checklists and association document be adopted for Development Management validation purposes.

PC40 UTT/24/1417/PINS - LAND AT WICKHAM HALL ESTATE, FARNHAM ROAD, FARNHAM

The Principal Planner presented a S62A application for the erection of a Solar Photovoltaic Farm with supporting infrastructure and battery storage, inverters and transformers, fencing and landscape works and connecting cable. He said that the majority of the site was in East Herts District and construction access was from East Herts but it was within UDC Green Belt. He referred Members to recent comments from UDC Conservation and Heritage, UDC Design and Place Services Ecology as detailed in the Addendum List.

He said that as this was a PINS application, UDC were acting as a consultee and could submit observations to PINS.

In response to questions from Members, officers:

- Showed Members the location of the battery storage on the plans.

- Detailed the engagements with the Fire Service in respect of Fire Safety Plans and other requirements.
- Referred to the insufficient landscape visual assessments.

Members discussed:

- The fact that this proposal had not changed and that concerns remained about the Green Belt and landscape impacts; possible references to ENV15, ENV5, S7, ENV4 and GEN1.
- Reference to a recent significant decision made by the Secretary of State in similar circumstances and how this could be referenced in the UDC response.
- That the East Herts part of the site is not Green Belt whereas the UDC part is.
- Concerns about the hazardous nature of the storage of batteries.
- The lack of a S106 agreement in respect of decommissioning.

The Head of Development Management and Enforcement suggested that ENV15, ENV5 and S6 could certainly be put forward as reasons for objections; together with reference to the recent decision by the Secretary of State, fire hazard concerns and the lack of a S106 agreement covering de-commissioning.

Councillor Emanuel proposed that the objections above be picked up and forwarded to PINS. This was seconded by Councillor Pavitt.

RESOLVED that the Committee's objections be forwarded to PINS.

PC41 **UTT/24/1618/PINS - LAND SOUTH OF BEDWELL ROAD, UGLEY**

The Principal Planner presented a S62A application for approval of matters reserved pursuant to Appeal Decision ref APP/C1570/W/22/3311069 (up to 50 market and affordable dwellings, public open space and associated highways and drainage infrastructure – all matters reserved except for access). He summarised the previous history of the application and referred to the reserved matters proposal; he said there had been no changes to the plans from the plans considered as part of the Outline planning application. The Council had previously considered that the proposed layout of the affordable units was not acceptable and in particular the clustering of the affordable units and that the significant noise disturbance to the occupiers of the development was unacceptable. He also referred Members to the recently approved District Wide Design Code SPD and the lack of community engagement.

He said that as this was a PINS application, UDC were acting as a consultee and could submit observations to PINS.

In response to questions from Members, officers:

- Said the Design and Access statement was identical to the document submitted as part of the Outline planning consent;
- Said there had been no response to the email sent from UDC to the applicant on 11 March 2024 in respect of the location and clustering of the

affordable housing which was not taken into consideration as part of this application.

- Said that concerns expressed had mainly been about noise impact onto the apartment block which the Inspector noted that the layout and appearance was not fixed and could change within a Reserved Matters application
- Said that two layout plans had been approved but they were not fixed as they were only Outline.
- Said that the pocket courtyard proposed met the appropriate standards re the Essex Design Guide on open spaces.

Members discussed:

- The overall desire to put forward objections to what was considered to be a controversial scheme
- The need to highlight the various incompatibilities with the new District Wide Design Code SPD such as designs being landscape led and incorporating public engagement
- Layout concerns and lack of integration e.g. the affordable housing is all located in one block and is not integrated with the rest of the scheme
- Concerns about the clustering of the affordable housing and its apparent use as a sound proofer being totally unacceptable. Reference was made to the UDC Design Officer's comment that it created "incongruous massing in comparison with the existing neighbourhood development."

Councillor Church said that this was not a good application and proposed that the comments picked up during the debate be forwarded to PINS. This was seconded by Councillor Lemon.

RESOLVED that the objections detailed above be forwarded to PINS.

PC42 **UTT/24/0213/FUL - LAND EAST OF ST. EDMUNDS LANE/BRAINTREE ROAD, GREAT DUNMOW**

The Senior Planning Officer presented an application for 51 dwellings, new access from Braintree Road, landscaping and other associated works. He said that the proposal would include 20 affordable homes and that the Addendum List included an additional condition in respect of an arboriculture assessment of three of the trees. He said that he considered that benefits outweighed adverse impacts.

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.

In response to questions from Members, officers:

- Said that the proposal was in accordance with the recently approved Design Code and that the Design Officer's comments had all been taken into consideration.
- Said that no objections had been raised by the statutory consultees, particularly the water authorities.

- Said that the 2016 Neighbourhood Plan was still considered relevant but that the application was outside the Neighbourhood Plan area.
- Said that a Bat survey had been carried out and objections removed.
- Said in respect materials to be used, this was covered in the conditions.
- Explained the parking arrangements and addressed triple tandem parking concerns, contrary to the Design Code requirements. It was considered that there was an overprovision of parking.
- Identified the location of affordable housing.

The applicant said that in some cases there were 2 parking spaces in front of a garage; with the garage not being used for cars.

Members discussed:

- Possible access concerns.
- Clustered affordable housing.
- Pre-slab level concerns.
- The need for diversions to be put in place until completion.
- Comparisons with the previous application which would have provided 7 less affordable homes.
- The need for a Construction Management Plan, detailed within Condition 3.
- Design concerns. The Design Officer had raised no objections.
- The need to check out any possible triple tandem parking before issuing a notice. This could be through a parking plan.

Councillor Loughlin proposed approval of the application with additional conditions set out in section 17 and the Addendum List, together with a parking plan being agreed and submitted.

This proposal was seconded by Councillor Driscoll.

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, the Addendum List and agreement of a parking plan.

L Howles spoke against the application and a statement was read out from P Beaton opposing the application. W Almond (Applicant) and H Young (Agent) spoke in support of the application.

The meeting adjourned from 12.00 pm to 12.15 pm.

PC43 UTT/23/3034/FUL - LOVECOTES FARM, CHICKNEY ROAD, DEBDEN

The Vice-Chair took the Chair only for this item as she had been in the Chair when the application had been previously considered.

The Senior Planning Officer presented a planning application for the demolition of an industrial unit and the proposed erection of 6 industrial units under class use E(g)(iii). This application had been deferred from the 26 June 2024 Planning Committee to request further clarifications from the Highway Authority.

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.

M Bradley (Essex CC Highways) provided Members with an overview from a Highways perspective. He said that Highways were happy from a road capacity viewpoint. He said the likelihood was that the proposed smaller business units would attract smaller vehicles and the application had to be considered based on the proposal brought forward.

In response to questions from Members, officers:

- Said that policing of large vehicles would not be possible but the proposed use would not be intense and would not require such large vehicles. Potential complaints being made by neighbours could potentially show a more intense use that could require separate planning permission.
- Discussed the potential size of the turning circle and said that the intention was that the largest vehicles accessing would be 7.5 tonnes. The possibility of using a banksman to reverse onto the highway was considered.
- Said that some of the issues raised by Mr Gidney were civil, not planning matters.
- Said that Condition 6 covered parking requirements; maximum 12 spaces for 6 units, including visitors and workers met the Essex Parking Standards.

Members discussed:

- The possible turning circle, given that large vehicles could be 12.4m/12.5m in a space of 17m x 14m.
- Certain matters were civil rather than planning matters.
- Parking requirements complying with standards.
- Responsibility for visibility splays; Highways had responsibility for maintenance of verges on highway land and the landowner behind this.

Councillor Emanuel proposed that in light of further information submitted the application be approved. This was seconded by Councillor Loughlin.

RESOLVED that in the light of further information, 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.

D Gidney spoke against the application and a statement was read out from Councillor S Luck opposing the application. A Gallagher (Applicant) and R Mayger (Agent) spoke in support of the application.

The meeting adjourned for lunch between 1.20 pm and 2.00 pm.

The District Wide Team Leader presented a planning application for the construction and operation of a Battery Energy Storage System and associated infrastructure. This matter had previously been deferred by the 30 August 2023 and 10 January 2024 Planning Committees as further clarification and information had been requested, including information to be obtained regarding the impact of both construction routes to neighbouring amenities and heritage and that confirmation was required from Essex Fire and Rescue of them being satisfied that the access suited their needs. He said that the only difference to previous proposals was that the applicant had provided a revised route for construction vehicles to move to and from the site.

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.

M Bradley (Essex CC Highways) provided Members with an overview from a Highways perspective. He said that they were bound by NPPF. He recognised that the network of roads around Manuden were often used by agricultural vehicles. The idea was put forward of a loop system. He recognised the need to condition a Construction Traffic Management Plan.

In response to questions from Members, officers:

- Said that the possible issues with 2 HGVs facing opposite directions on narrow roads required developers to consult each other.
- Referred Members to the table after para 3.26 that showed the likely weight and size of vehicles.
- Showed on the screen where the emergency access off Crabbs Lane was.

Members discussed:

- Whether provision of battery storage units outweighed the benefits.
- That 9 Parish Councils had joined together to oppose the proposed route through Manuden as being unsuitable.
- The many concerns about the route through Manuden not being suitable and the competing traffic flows.

Officers confirmed that Members were to consider access arrangements and that any route would be covered in the conditions. A suggestion was put forward that a condition be added whereby any damages to highways could be paid for by the developer.

Councillor Church proposed approval of the application, together with an additional condition in respect of paying for any damage to the highway. This was seconded by Councillor Lemon.

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 together with the additional condition above.

J Russell spoke against the application. J Halstead (Applicant) spoke in support of the application.

The meeting adjourned from 3.10 pm to 3.15 pm.

PC45 UTT/24/0431/FUL - FRIENDS SCHOOL, MOUNT PLEASANT ROAD, SAFFRON WALDEN

The Principal Planner presented a s73 application to vary condition 2 of UTT/23/1853/FUL in order to allow for internal and external alterations to the main school building conversion including a small element of demolition, and site plan changes including parking, trees and change of the tennis courts to hard standing from grass. He said there had been no objections from consultees.

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.

In response to questions from Members, officers:

- Confirmed that this included changes to some windows.
- Confirmed that proposed car parking arrangements were in order.

There was no further discussion.

Councillor Pavitt proposed that the application be approved. This was seconded by Councillor Emanuel.

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.

PC46 UTT/22/3019/FUL - PLEXTEK, LONDON ROAD, GREAT CHESTERFORD

The Senior Planning Officer presented an application for the proposed extensions and alterations to previously approved applications UTT/19/0804/FUL and UTT/16/0206/FUL. He provided a brief history of previous applications, the last of which had expired in 2022.

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:

- Confirmed that the Local Plan had yet to reach Regulation 19 stage and would currently attract very limited weight.
- Confirmed that there was sufficient parking on the site and that the proposal and submitted drawings were the same as 4 previous planning permission granted.

There was no further discussion.

Councillor Emanuel proposed that the application be approved. This was seconded by Councillor Church.

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.

PC47 UTT/24/1132/FUL - LAND R/O MALT PLACE, CORNELLS LANE, WIDDINGTON

The Planning Officer presented a planning application for the variation of condition 2 of UTT/21/2649/FUL for the demolition of 5 existing buildings and the erection of 3 new buildings forming 10 residential dwellings alongside ancillary works.

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.

In response to questions from Members, officers:

- Explained how the application had changed over time from 2 x one-bed, 7 x two-bed and 1 x three-bed properties to properties with more bedrooms. They explained how internal changes would allow further bedroom space.
- Said that if the application was approved then a financial viability assessment would be undertaken reviewing the current affordable contribution calculated at £25k.
- Said that it would be for the Housing Enabling Officer to be satisfied that an affordable contribution was adequate.
- Said that the proposals met National Space Standards and that the only proposed increase in height was 20cms to the eaves over that previously granted.

Members discussed:

- The favourable design that respected past history.
- That, despite no dimensions being shown for scale, mass and height, the drawings were to scale.
- The proposed 20cms increase in height.
- The increased number of bedrooms on site.
- The possibility of applying current building standards to the application; this was not possible.
- That Highways had considered a previous application and had made no objections when the dwellings were one/two bedrooms.

Councillor Sutton proposed approval of the application and this was seconded by Councillor Church.

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.

A statement was read out from Widdington Parish Council opposing the application. S Bampton (Agent) spoke in support of the application.

PC48 UTT/23/3157/FUL - LAND ADJACENT MERKS HALL AND ORCHARD HOUSE, MERKS HALL, GREAT DUNMOW

The Planning Officer presented a planning application for the erection of 1 infill dwelling with associated landscaping and operational development (revised scheme following UTT/22/3478/FUL).

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.

In response to questions from Members, officers said that:

- Landscaping conditions could be added to ensure that adequate screening was in place.

Members discussed:

- The possibility of landscaping conditions, together with ensuring preservation of the nearby hazel tree.

Councillor Church proposed approval of the application, with an added condition relating to ensuring hard and soft landscaping arrangements, including reference to the hazel tree, was in place. This was seconded by Councillor Driscoll.

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 and the additional condition above.

PC49 UTT/24/0147/LB - THE BLUEBELL INN, HIGH STREET, HEMPSTEAD

The District Wide Team Leader presented a planning application for like for like renovation and repair works to all vertical sliding sash windows, replacement if required. Repairs, if possible, to rear kitchen window or replacement if necessary. Repairs to flat roof, part lead part felt, part synthetic membrane, to prevent water ingress. Repairs to damaged sections of external lime render and repair to timber frame if required. External repainting of rendered walls and windows. Replacement rainwater goods, replacement of cracked chimney pots and repointing of stacks. Internal redecoration and rewiring. The application related to a member of staff.

Councillor Lemon proposed approval of the application and this was seconded by Councillor Haynes.

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.

PC50

UTT/24/1308/HHF - 4 WOODEND COTTAGES, CHICKNEY ROAD, HENHAM

The Planning Officer presented a planning application for the demolition of an existing single-storey rear extension and the creation of a new single-storey rear extension. The application related to a member of staff.

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.

Councillor Sutton proposed approval of the application and this was seconded by Councillor Pavitt.

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.

The meeting ended at 4.24 pm.