

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 21
AUGUST 2024 at 10.00 am**

Present: Councillor R Freeman (Chair)
Councillors G Bagnall, N Church, G Driscoll, R Haynes,
M Lemon, R Pavitt, R Silcock and M Sutton

Officers in attendance: R Beale (Senior Planning Officer), N Brown (Head of
Development Management and Enforcement), T Cakebread
(Principle Planner), C Forster (Planning Lawyer), C Gibson
(Democratic Services Officer), G Henry (Planning Officer), J
Hoskins (Planning Officer), M Sawyers (Senior Planning Officer)
and C Tyler (Senior Planning Officer)

Public Speakers: Councillor J Cheetham, H Doble, A English, Councillor M Foley,
P Gilbey, R Huteson, A Moggridge, G Parris, S Parris, N
Weakley, I Westall and R Yeldham.

PC51 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were given by Councillors Emanuel and Loughlin.
Councillors Driscoll and Silcock substituted.

The following declarations were made:

- Councillor Lemon; held Tesco shares and, on the advice of the Planning Lawyer, would recuse from Item 7.
- Councillor Driscoll; family held Tesco shares and, on the advice of the Planning Lawyer, would recuse from Item 7.
- Councillor Silcock; held Tesco shares and, on the advice of the Planning Lawyer, would recuse from Item 7.
- Councillor Haynes; Ward Councillor for Item 10 application but had taken no previous interest in the item.
- Councillor Sutton; Ward Councillor for Item 8 application but said that she had not been involved in the case and kept an open mind.
- Councillor Pavitt ; Ward Councillor for Items 11 and 13 but had not been involved in the cases.
- Chair; had a Tesco Clubcard.

PC52 MINUTES OF THE PREVIOUS MEETING

A correction was made to item PC44 minutes UTT/22/1203/FUL to read "outweigh the harms" instead of "outweigh the benefits". The minutes of the meeting held on 24 July 2024 were then approved as an accurate record.

PC53 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 three other appeals were still outstanding.

The report was noted.

PC54 QUALITY OF MAJOR APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the standing Quality of Major Applications report. He highlighted the three pending appeals as detailed in paragraph 8.1 of the report.

The report was noted.

PC55 S62A APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the S62A Applications report. But that the decision on the application re Land known as Bull Field, Takeley (S62A/2023/0019) had been challenged and the case re-opened.

The report was noted.

PC56 UTT/24/1732/PINS - LAND TO THE WEST OF THAXTED ROAD, SAFFRON WALDEN

The Senior Planning Officer presented a S62A application for approval of reserved matters following outline approval for the erection of 168 dwellings with associated landscaping and parking pursuant to application S62A/2022/0014. The current reserved matters application sought approval for the detailed elements of the scheme comprising: Appearance, Layout, Scale and Landscaping. The proposal would include 60% private sale and 40% affordable units.

He said that as this was a PINS application, UDC were acting as a consultee and could submit observations to PINS. He outlined the reasons for previous refusal and expressed concerns about the layout of the affordable housing. He referred Members to the Addendum List.

In response to questions from Members, officers:

- Confirmed that the proposal accorded with Essex Parking Standards in terms of parking numbers but was not in accordance with Uttlesford Residential Parking Standards 2013.Paragraph 14.3.17 was corrected.
- Said that the minor amendment made to the application was that the cycle/pathway had been widened.
- Confirmed that under current circumstances the Emerging Local Plan would be given low weight.

Members discussed:

- What was considered to be insufficient cycle/pedestrian access conflicting with vehicular access.
- Urban design comments

Councillor Pavitt proposed that all of the objections detailed in the officer's report, together with the layout of the affordable housing, insufficient cycle/pedestrian access and the urban design comments be included and forwarded to PINS. This was seconded by Councillor Bagnall.

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

Councillors Driscoll, Lemon and Silcock all left the room prior to the next item.

PC57 **UTT/23/2006/FUL - FOXTONS YARD, STORTFORD ROAD, GREAT DUNMOW**

The Principal Planner presented an application for the erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping and for the demolition of the existing buildings on site. He said that Tesco had objected during the consultation and that he had addressed their concerns within his report and that the benefits outweighed the negatives. Tesco had since issued a last-minute objection following the officers report being published and he said that he considered that his report addressed their concerns, and that Lidl were willing to have a condition limiting the amount of floorspace as per the proposed submission. Members were also referred to the Addendum List.

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:

- Showed the roof plan demonstrating where the proposed solar panels would be located but did not know what their output would be.
- Said that all traffic, queuing and highways concerns had been addressed through extensive consultation with both ECC Highways and National Highways who considered the proposal to be acceptable.
- Said that buses could enter the site, but this was down to the local bus operator to consider and that in conjunction with the adjacent outline planning application for 60 units there would be enhanced bus stops on both sides of the Stortford Road.
- Said that the Emerging Local Plan would be given low weight, but that evidence gathered during the process would be considered, such as the Retail Capacity Study which considered there was a need for an additional food store in Great Dunmow
- Addressed some of the concerns raised by Tescos, particularly relating to floorspace.

- Said that Natural England and ECC Ecology had no objections to the proposal in respect of the SSSI at High Wood (to the north of the site) and the Local Natural Reserve to the south of the site.

Members discussed:

- The possible loss of opportunity to enhance bus stop provision on both sides of the road (e.g. bus stops closer to the entrance to the store). R Huteson (Agent) said that the level of sustainable transport was considered sufficient, and that the intention was that buses would not go on site.
- Traffic levels/car parking concerns, particularly at the roundabout, a slip lane and access concerns. Officers stated that these were matters for Highways, who had expressed no objections.
- The need to ensure that any contaminated land was monitored.
- The need to maximise use of solar panels.
- The need to mitigate ecological concerns in respect of the ancient woodland.
- Lighting levels.

Councillor Church said that he found the access arrangements, layout and parking provision acceptable and proposed approval of the application.

This proposal 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.

R Huteson (Agent) spoke in support of the application.

The meeting adjourned from 11.20 am to 11.30 am.

Councillors Driscoll, Lemon and Silcock all returned to the room prior to the following item.

PC58

UTT/24/0741/FUL - LAND KNOWN AS 7 ACRES WARISH HALL FARM, PARSONAGE ROAD, TAKELEY

The Senior Planning Officer presented a S73 application to vary condition 28 (use class restriction) of UTT/22/2744/FUL {erection of 4 industrial/flexible employment (use Class E) buildings with associated landscaping and parking} – vary permitted uses of approved commercial units to cover use class B8 (storage and distribution) for units 11 and 12.

She 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. She further referred Members to the Addendum List.

In response to questions from Members, officers:

- Said that the two buildings at access point were the Weston Homes offices.
- Said that the previous class E restriction had been what had been applied for because it was a use appropriate in a residential area.
- Said that to put a condition to limit the size of lorries would be an unenforceable condition.

Members discussed:

- The Swept path analysis that had been carried out by Highways of the whole site and not just Units 11 and 12. Highways had not objected to the application.
- The concerns expressed by Takeley Parish Council whereby small business units were being turned into distribution units. Officers said that this was not for large distribution units but was small warehousing for two units.
- Concerns about increased traffic levels, together with noise and emissions particularly relating to HGV movements. It was re-iterated that both National Highways and the Highway Authority, and Environmental Health had no objections to the proposal, and they were the experts on these matters. Any reasons to disagree with Highways would require evidence.
- Possible reduction in local employment opportunities and the negative impact on the community. Officers stated that this would mean a change to employment products, not a loss, and was not a solid reason to refuse the application.

Councillor Church said that he was in support of the variation and that it would be beneficial. He proposed approval and this was seconded by the Chair. The motion was lost.

Councillor Bagnall proposed that the application be refused on the grounds of: the harmful impact on residential amenity- GEN4, inappropriate development in the location- GEN2 and cumulative impact on highways network- GEN1. This was seconded by Councillor Driscoll.

RESOLVED that the Strategic Director of Planning be authorised to refuse permission for the development on the grounds of the reasons stated as supported by policies GEN4, GEN2 and GEN1.

Councillor J Cheetham (Takeley PC) spoke against the application.

PC59 **UTT/24/0814/FUL - BRICK KILN FARM, ST EDMUNDS LANE, GREAT DUNMOW**

The Senior Planning Officer presented a S73 application to vary condition (approved plans) of UTT/13/0847/OP (Demolition of 3 dwellings, outbuildings and derelict farm buildings, and outline application for the erection of up to 68 dwellings with associated infrastructure and public open space with all matters reserved except access) and UTT/14/0265/DFO (Details following outline approval UTT/13/0847/OP – Details of layout, scale, appearance and

landscaping including an amendment to the visibility splays of the approved access to the proposed junction to St Edmunds Lane) – original plans needed to be amended due to installation of turning head requested by Essex Highways.

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 and further referred Members to the Addendum List.

The Head of Development Management and Enforcement then outlined on-going issues in respect of land ownership issues relating to Abbey Developments and recommended that Members defer this item in order that further information be sought.

Members requested that further information be sought in respect of land ownership, the road being not to an adoptable standard, the bonded maintenance scheme and the need to consult Chelmer. The Head of Development Management and Enforcement said that he was prepared to take matters forward with Abbey Development.

The Chair proposed deferral of the application to seek further information. This was seconded by Councillor Pavitt.

RESOLVED that the matter be deferred in order to seek further information.

G Parris, S Parris and A English spoke against the application.

The meeting broke for lunch from 12.45 pm and reconvened at 1.45 pm.

PC60

UTT/24/0898/OP - LAND TO THE NORTH OF MAYES PLACE, MONK STREET, THAXTED

The Principal Planner presented an outline application for the erection of 6 dwellings with all matters reserved.

He said that this proposal was different to the previously refused applications and provided significant space to help mitigate the impact of the proposal onto the heritage assets and impact onto the countryside from this infill development.

The Council could demonstrate a 4-year housing land supply but expect this to revert to being unable to demonstrate a five-year housing supply at the end of this year once the revised NPPF was published. On balance the proposal would provide sustainable development, which would also include the benefit of a 10% biodiversity net gain on site. The benefits of the proposal would outweigh the harm caused to the countryside and the less than significant harm to the settings of the heritage assets. The application had been called in by Councillor Foley. The Principal Planner 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 and further referred Members to the Addendum List.

In response to questions from Members, officers:

- Said that it could be conditioned that the scheme be linear to reflect the character of the area.
- That it would be possible to ensure the landscaping scheme dropped in height to make it less obtrusive.
- Said that the major change to previous had been that the site was now much larger (0.9ha over 0.3ha)
- Said that consideration of many matters such as parking would be picked up at the reserved matters stage of the application.
- Said that bus stopping arrangements were acceptable for this rural location in conjunction with guidance within the NPPF.

Members discussed:

- Concerns about the location more than the size of the site. It was recognised that the Thaxted Plan had lost weight as it was now more than 5 years old.
- The fact that Thaxted Parish Council had initially supported the principle.
- The lack of footpaths along Monk Street and to the bus stopping area along the B184
- The size of the properties and the number of bedrooms. Officers said that this would be picked up under reserved matters.
- Potential harms to heritage and landscape. The landscape levels on one side would be higher.
- Concerns re access arrangements.
- The possibility of conditioning one and a half storey buildings with slab levels.

Officers said that the main consideration in this instance was the principle of 6 buildings. Everything else would be picked up under reserved matters.

Councillor Silcott proposed that the application be approved. 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.

Councillor M Foley, N Weakley and I Westall spoke against the application. H Noble (Agent) and R Yeldham (Applicant) spoke in support.

The meeting adjourned from 2.50 pm to 2.55 pm.

PC61

UTT/24/0834/FUL - LAND AT THE STACKYARD, HIGH STREET, LITTLE CHESTERFORD

The Planning Officer presented an application for the construction of 5 dwellings, cartlodges/garages and outbuildings, open green space, access works, associated works and infrastructure. The application had been called in by a councillor. She referred to additional conditions and amendments made to the

conditions as detailed in the Addendum List, particularly those relating to ecology/biodiversity and Landscaping.

She also mentioned that additional conditions were to be added, in the event the application is approved, to the final decision. In relation to potential nesting Little Owls on site, it was clarified that ECC Ecology / Place Services would accept modified wording of the 'Biodiversity Enhancement Layout' to include Owl boxes. She also said that Highways conditions would be added, as per the approved outline application.

She 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 Essex Highways had not commented on the application and no objections had been raised regarding the proposed access arrangements.
- Said that the access road would become a private road to be maintained by a management company.
- Identified the Neighbourhood Plan's designated views from her presentation.

Members discussed:

- Future provision for little owls, bats and lizards. There was subsequent discussion regarding Place Services (Ecology) visiting the site, however, Officers mentioned that the applicant was required to employ a qualified Ecologist to survey the site and submit relevant reports for Place Services to assess. While the Little Owls were not picked up within the survey, local sightings/references meant Officers could subsequently address matters. Bats and Owls would be included within the biodiversity condition, as per the verbal update.
- Proposals for biodiversity enhancement to be submitted.
- The very narrow pedestrian access and lack of mitigation.
- Increased traffic levels with 5 new houses. Officers responded by stating the access was already used for such purposes by the existing dwellings within the vicinity and the current proposal sought to add two additional units over and beyond what had already been approved within the approved Outline application.

Councillor Lemon proposed that the application be approved in line with the officer's amended conditions as detailed in the Addendum List. 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 and the amendments to the conditions as detailed in the Addendum List.

P Gilbey (Applicant) spoke in support.

PC62 **UTT/24/1188/HHF - THE FUCHSIAS, OLD MEAD LANE, HENHAM**

The Senior Planning Officer presented a planning application for the retrospective levelling of the rear part of the garden and for the erection of outbuilding to the rear of the dwelling. The site was located outside the Development Limits of Henham and had been called in by a councillor.

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, further referring Members to the Addendum List.

In response to questions from Members, officers:

- Explained that the Planning Inspector had raised no objections to the lowering of the ground levels on the previous application.
- Said that if the item had not been called in by a councillor that it would have been approved by officers due to the reduction since the previously appealed application.

Members discussed:

- Whether the conditions were sufficient to ensure that the annexe could not be utilised for any other purposes than residential; officers confirmed that Condition 5 was sufficient to provide that control.

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.

A Moggridge (Applicant) spoke in support of the application.

PC63 **UTT/24/1516/FUL - CHESTERFORD RESEARCH PARK, LITTLE CHESTERFORD**

The Senior Planning Officer presented a planning application for a proposed new rising main including installation of new below ground pump station, and new underground pipe with inspection covers at ground level to connect to existing water infrastructure system. The reason for this application being on the agenda was that UDC are part-owner of the application site. He confirmed that the Parish Council were in support of the application.

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:

- Sewage management was the responsibility of Affinity Water.

Concerns were expressed about the on-going relationship between the Parish Council and the applicant; the Head of Development Management and Enforcement suggested that this was a matter for future discussion.

Councillor Church proposed approval of the application. 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.

PC64 **UTT/24/1194/LB - WALDEN PLACE, FRESHWELL STREET, SAFFRON WALDEN**

The Planning Officer presented a planning application for remediation works to Walden House, following demolition of link between the 80's extension to remove the link to sheltered housing scheme. The site concerns a Grade II listed property within the Conservation Area within the Development Limits of Saffron Walden and the application had been made by UDC.

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:

- This matter had not been addressed in the original application as the scale of works were far greater than originally envisaged.

Councillor Pavitt proposed approval of the application, and 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.

The meeting ended at 4.00 pm.