

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 18
SEPTEMBER 2024 at 10.00 am**

- Present: Councillor R Freeman (Chair)
Councillors G Bagnall, N Church, J Emanuel (Vice-Chair),
J Loughlin and R Pavitt
- Officers in attendance: N Brown (Head of Development Management and Enforcement), T Cakebread (Principal Planner), C Forster (Planning Lawyer), C Gibson (Democratic Services Officer), G Henry (Planning Officer), M Sawyers (Senior Planning Officer) and M Shoesmith (Strategic Applications Team Leader)
- Public Speakers: N Allen, R Baker, N Bennett, Councillor J Emanuel, J Evans, Councillor J Farr, Councillor M Foley, D Malins, L Page, E Parsley, V Holznagel, K Rixson and Councillor R Silcock.

PC65 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

The Chair opened the meeting by reminding Members that the Planning Committee was administrative, and the Committee must base their decisions upon the Local Plan 2005 and the National Planning Policy Framework (NPPF). He reminded the Committee that in accordance with the requirements to make fair, open, balanced and objective decisions for each application on its merits, free of politics and previous ideas, councillors were required to read the officer's report, any late sheet reference and consider the representations made by public speakers at the committee meeting before reaching its decision.

Apologies for absence were given by Councillors Haynes, Lemon and Sutton and for lateness by Councillor Bagnall.

The following declarations were made:

- The Chair said that:
 - in respect of agenda items 6 and 7, although a member of Saffron Walden Town Council, he had no tendency or inclination that could prevent impartial consideration of the application, meaning that he was able to listen to the views of all sides before deciding how to vote.
 - In respect of agenda item 9, although knowing some of the speakers, he was able to listen to the views of all sides before deciding how to vote.
 - In respect of agenda item 16, notwithstanding that two current serving councillors had an interest in the application, he had no tendency or inclination that could prevent impartial consideration of the application, meaning that he was able to listen to the views of all sides before deciding how to vote.

- Councillor Emanuel said that in respect of agenda item 13, she would be recusing herself as she had an on-going role as a parish councillor in the liaison with the developer. Non-pecuniary interest. She also re-iterated the declarations made by the Chair regarding agenda items 9 and 16.
- Councillor Church said that in respect of agenda item 16, he would be recusing himself as the landowner. Pecuniary interest.

PC66 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 21 August 2024 were approved as an accurate record.

PC67 **SPEED AND QUALITY REPORT**

The Head of Development Management and Enforcement presented the standing Speed and Quality Report. He highlighted the 4.23% quality of major development figure as being green but cautioned that other appeals were still outstanding.

The report was noted.

PC68 **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.

PC69 **S62A APPLICATIONS REPORT**

The Head of Development Management and Enforcement presented the S62A Applications report.

The report was noted.

PC70 **UTT/24/1898/PINS - FORMER PLAYING FIELDS, MOUNT PLEASANT ROAD, SAFFRON WALDEN**

The Principal Planner presented a S62A application for the erection of 91 dwellings with associated infrastructure and landscaping. Provision of playing field and associated clubhouse.

He said that as this was a PINS application, UDC were acting as a consultee and could submit observations to PINS. He summarised the proposed scheme as per paragraph 3.12 of his report.

In response to questions from Members, officers:

- Outlined relevant site history, particularly application UTT/19/1744/OP which had been unanimously refused as well as the other relevant PINS application.
- Summarised the Planning balance reasonings as shown in paragraph 13.13 of the report. He explained the comments made by UDC's Design Officer relating to the differences between "good" and "exemplary" in respect of protected open space within a Conservation area. The proposal fell short of the expectation of exemplary.
- Said that no space had been allocated for children's play facilities.

Members discussed:

- And generally supported the comments made by Saffron Walden Town Council in paragraph 8.1 of the report.
- That this was a Conservation area development with not an exceptional design proposed.
- Lack of play area space.
- The general mix of housing being unacceptable; particularly the affordable housing being clustered.
- Potential parking problems. Officers said that the 30 parking spaces proposed were sufficient and that the applicant had said that coaches could access the site.
- Protected Open space for sports facilities and the stripping out of much needed sports provision.
- That the proposal did not re-provide sufficient sports facilities, and it was disappointing that the applicant had not engaged with any local sports clubs.
- Lack of public consultation and engagement with the Town Council and Sport England.
- Concerns regarding the proposed gated community.

Members took a unanimous view that they did not object to the principle of the proposal but objected to the specific submitted application. Objections expressed above would be submitted to PINS; summarised as not considered to be "exceptional" design, lack of children play space, housing mix not in line with guidance, affordable housing clustered, lack of engagement re sports pitches, gated community concerns and proximity to neighbouring dwellings.

PC71

UTT/24/1144/FUL - FORMER SWIMMING POOL BUILDING, MOUNT PLEASANT ROAD, SAFFRON WALDEN

The Principal Planner presented a Chief Officers Report relating to the conversion of a former swimming pool building to a community hall with community meeting room. This planning application is drafted for planning approval under delegated powers but requires the section 106 to be amended via a Deed of Variation. The Deed of Variation requires approval from members.

He recommended that the Deed of Variation and proposed amendments be approved. He said that the previous deadlock with Saffron Walden Town Council around the Community Hall and Community Meeting Room contribution had recently been resolved; the applicant had agreement to make payment of £21,400.

In response to questions from Members, officers:

- Said that there was written confirmation from Saffron Walden Town Council that the financial offer was acceptable.

Members discussed:

- The fact that the Town Council had found the proposed financial settlement acceptable.
- That the former swimming pool would be filled in as part of the conversion to a new community hall and meeting room.

Councillor Church proposed that the Deed of Variation and amendments be approved. This proposal was seconded by Councillor Pavitt.

RESOLVED that the Deed of Variation and amendments be approved.

PC72

UTT/24/0897/DFO, UTT/24/0902/DFO, UTT/24/0904/DFO, UTT/24/0906 - LAND NORTH OF STANSTED AIRPORT, THIRD AVENUE, STANSTED AIRPORT

The Strategic Applications Team Leader presented 4 applications relating to Option 4 of Phase 2, Option 3 of Phase 2, Option 1 of Phase 2 and Option 2 of Phase 2. She said that the four applications were essentially four different options for the detailed/ reserved matters pertaining to Northside. The reasoning behind this was to provide flexibility to the applicant to enable the market to dictate the way forward. She referred Members to the Addendum List in respect of the conditions and stated that Essex Police had indicated that they were satisfied that their concerns had been addressed.

She recommended that the Strategic Director of Planning be authorised to grant permission for the development(s) (x4) subject to those items set out in section 18 of the report.

In response to questions from Members, officers:

- Said that each application would be taken individually.
- Said that light pollution impacts had been addressed within the conditions.

Members discussed:

- Their appreciation to the Strategic Applications Team Leader for all applications being aggregated within one report.
- Their preferred options. Officers explained that there was no preferred scheme and that approval of all 4 applications would ensure appropriate flexibility. Officers said that all 4 schemes were acceptable and there were no reasons to refuse any of them.

Each application was taken individually to a vote:

Scheme 1 – UTT/24/0904/DFO – approval proposed by Councillor Emanuel, seconded by Councillor Pavitt.

Scheme 2 – UTT/24/0906/DFO – approval proposed by Councillor Emanuel, seconded by Councillor Church.

Scheme 3 – UTT/24/0902/DFO – approval proposed by Councillor Church, seconded by Councillor Emanuel.

Scheme 4 – UTT/24/0897/DFO – approval proposed by Councillor Emanuel, seconded by Councillor Pavitt.

RESOLVED that the Strategic Director of Planning be authorised to grant permission for the 4 developments subject to those items set out in section 18 of the report.

The meeting adjourned for a comfort break from 11.35 am to 11.45 am.

PC73 **UTT/23/2496/FUL - LAND WEST OF HIGH STREET, STEBBING**

The Principal Planner presented an application for a residential development of 28 dwellings and employment unit/flexible community space: provision of public open space and associated local amenity facilities; together with integrated landscaping and car parking. He summarised the potential public benefits as outlined in paragraph 14.4.20 of his report and weightings given and recognised the heritage concerns and the impact on local green space allocation.

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 Essex CC had indicated that there were sufficient places available at early years and primary school levels.
- Addressed Common Land and public rights of way concerns.
- Said that whether or not an ancient monument could actually be seen was not important.
- Said that because of the status of the Green Belt there was a need to demonstrate special circumstances. Reference was made to NPPF 11(d,i).
- Said that the Stebbing Neighbourhood Plan had full weight.
- Said that the tilted balance had been applied in these circumstances.

Members discussed:

- The benefits and adverse impacts as outlined in paragraphs 16.5 – 16.10 of the report.

- The significance of the Stebbing Neighbourhood Plan being less than 5 years old in that full weight was to be given to it. Reference again made to NPPF 11 (d,i).
- The many objections expressed by the public speakers.
- The tilted balance appearing to show there to be more harms outweighing benefits.
- Heritage impacts, particularly on the Ancient monument and the comments made by Historic England.
- The houses being of a nice design.
- The proposed Local Plan requirement for 109 new dwellings offset against the possible non-delivery of 28 new dwellings.

In light of the many concerns being expressed by Members objecting to the application, the Head of Development Management and Enforcement summarised the possible reasons for refusing the application as follows:

1. The proposals would have a harmful impact on the setting of the scheduled motte castle by impacting on important views of the scheduled monument within the landscape and on its visual relationship with the historic settlement along High Street; they would also impact on the grade II* listed Stebbing Park and Conservation Area by encroaching on open fields that contribute to its prominence and openness.

The Local Planning Authority has a duty under Section 66(1) 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting and significance of any features of special architectural or historical interest.

Having regard to the guidance in Paragraph 207 of the National Planning Policy Framework, the Local Planning Authority has considered the public benefits associated with the development but concludes that these would not outweigh the harm caused to the setting of the designated heritage assets. The proposals are thereby contrary to paragraph 207 of the National Planning Policy Framework, Policies ENV1, ENV2 and ENV4 of the Uttlesford District Local Plan and Policy STEB1 of the Stebbing Neighbourhood Plan.

2. The application site lies outside the defined settlement development limits of any village or town as defined by the Uttlesford District Local Plan as Adopted (2005) and is thereby located within the countryside. The proposal would introduce a sizeable new development to an area of open countryside. The proposals by reason of its sitting, size and scale would have an unacceptable harmful impact upon the rural character and appearance of the area and loss of open green space. There is no substantive justification for the proposal specifically relating to the developments needs to take place there or being appropriate in the countryside.

The proposals would significantly harm the intrinsic character and beauty of the countryside resulting in landscape and visual effects from a number of publicly accessible viewpoints and failing to perform the environmental role of sustainability, contrary to the scheme would not comply with to the advice in paragraphs 180(b) and 135(c), Policy S7 of the Uttlesford District Local Plan (as

adopted) and policies STEB4, STEB6, STEB7 and STEB9 of the Stebbing Neighbourhood Plan.

3. The proposal would represent an unacceptable form of development resulting in a detrimental and harmful impact on the designated Local Green Space. Such inappropriate development would result in the loss of part of the Local Green Space, this harm would be contrary to Neighbourhood Plan Policy STEB4 and paragraphs 107, 152, 153 of the NPPF. The harm caused by the development is not clearly outweighed by the very special circumstances.

4. The application does not include a mechanism such as a S106 deed to secure the required planning obligations, this includes:

- I. Provision of 50% affordable housing and self-build units`
- II. 25% of Affordable housing being First Homes.
- III. Provision of 5% wheelchair accessible and adaptable dwellings (M4(3) – Building Regulations 2010,
- IV. Maintenance of SuDS including on-going maintenance of drainage systems where their outfall is beyond the site,
- V. Provision and long-term on-going maintenance of public open space,
- VI. Provision and management of community building,
- VII. Provision and management of parking area,
- VIII. Secondary Education: (Financial contribution of £117,555),
- IX. School Transport: (Financial contribution of £21,903.20),
- X. Libraries: (Financial contribution of £2,178.40),
- XI. NHS: (Financial contribution of £36,176.00),

As such the proposal is contrary to Policies H9 and GEN6 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Councillor Pavitt proposed that the application be refused on the four grounds detailed above. This was seconded by Councillor Church.

RESOLVED that the Strategic Director of Planning be authorised to refuse the application as per the above motion.

Councillor M Foley (Essex CC), Councillor R Silcock (UDC – withdrew from the meeting at 12.04 pm after speaking), J Evans (withdrew from the meeting at 12.07 pm after speaking), E Parsley, V Holznagel, N Allen, L Page and Councillor J Farr (Stebbing PC) all spoke against the application.

N Bennett (Agent) spoke in support.

The meeting broke for lunch from 1.25 pm and reconvened at 2.15 pm.

Councillor Bagnall joined the meeting for the remaining items.

The Principal Planner presented an application for the demolition of the existing building (Alexia House) and the erection of 24 affordable flats (for over 60-year-olds) including vehicular access off Knights Way and associated external works. He said that despite the number of car parking spaces reducing by 6, that Essex CC Highways were content with the arrangements.

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 shortfall in parking was mitigated by the location being stable and near to the town centre.

Members discussed:

- The positive collaborative approach that had moved this proposed good scheme forward.
- Parking considerations in light of the close proximity to town.
- Consideration of space for cycles and mobility scooters.

Councillor Emanuel said that she considered this a good scheme and proposed that the application be approved. 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.

D Malins (UDC Applicant) spoke in support of the application.

PC75

UTT/24/1809/FUL - LAND SOUTH OF RADWINTER ROAD (FORMER PRINTPACK SITE), SAFFRON WALDEN

The Strategic Applications Team Leader presented a S73 application to vary condition 2 of UTT/20/2007/FUL – amended plans to include additional balconies on some of the retirement living apartments to create more private amenity space, to include solar panels on the valley of the roof to meet the new building regulations, and relocate the mobility scooter store to the parking area.

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:

- Explained the logic behind the re-siting of the mobility scooter store.

Members discussed:

- Whether cover could be provided for the mobility scooter store. The Strategic Applications Team Leader said that a condition could be added in respect of details of storage.

Councillor Pavitt 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.

PC76 UTT/24/1486/FUL - LAND SOUTH EAST OF GREAT HALLINGBURY MANOR, GREAT HALLINGBURY

The Senior Planning Officer presented a S73 application to vary condition 2 attached to UTT/22/1528/FUL of planning application UTT/20/0336/DFO – details following outline application for 35 dwellings. The application sought permission to amend the house type for plot 12.

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 proposed dwelling was changing from 2 to 4 bedrooms.
- Said that parking standards had been met.
- Said that the reason for change was for market conditions.

Members discussed:

- The need to be cautious in future in respect of losing bungalow space.

Councillor Emanuel proposed approval of the application, and this was seconded by Councillor Bagnall.

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.

PC77 UTT/24/1363/FUL - LAND WEST OF LONDON ROAD, NEWPORT

The Planning Officer presented a S73 application to vary condition 12 of UTT/20/2632/FUL. The intention of this variation is to amend the installation trigger for the provision of Real Time bus service displays, from prior to the occupation to prior to 60% occupation of the development.

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.

There were no questions or debate.

Councillor Pavitt proposed approval of the application. This was seconded by Councillor Bagnall.

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 J Emanuel left the table prior to the start of the item; she then spoke in support of the application in her role as a parish councillor and recused herself from the meeting at 2.55 pm.

She returned to the meeting ahead of the next item at 2.58 pm.

PC78 UTT/24/1093/FUL - CLAYPITS FARM, BARDFIELD ROAD, THAXTED

The Head of Development Management and Enforcement presented a S73 application to vary condition 6 in respect of the delivery of the footway to the south side of Bardfield Road to increase the accessibility for pedestrians. This addressed concerns previously raised by the Highways 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.

Councillor Emanuel proposed approval of the application. Councillor Church complimented all parties on engaging in this process and seconded the motion.

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.

PC79 UTT/24/1783/FUL - LAND TO THE WEST OF STORTFORD ROAD, CLAVERING

The Senior Planning Officer presented a S73 application to vary condition 1 attached to UTT/22/1103/DFO to allow for the revision to the approved plans to the cart lodge of plot 1.

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 concerns expressed by the Parish Council had been addressed as the garage could not be used as a dwelling and would require planning approval for any such change of use.
- Explained why this had not been in the original application.

Members discussed:

- This being a material change.
- There being no necessity to condition future use of the garage.

Councillor Emanuel 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.

Councillor N Church recused himself from the meeting ahead of the next item at 3.06 pm.

PC80 **UTT/24/0323/FUL - LAND ADJACENT GOODACRES, CHURCH END, BROXTED**

The Chair confirmed that Councillor Church had been insulated during the site visit earlier in the week.

The Planning Officer presented an application for the erection of one dwellinghouse and associated cartlodge, access provisions and parking, along with landscaping. She highlighted information included in the Addendum List and added that Condition 4 would include permeable/ non permeable ground surfacing. She also said that following the site visit, additional plans had been submitted.

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.

In response to questions from Members, officers said that:

- The planning balance weight given to the heritage issues had been moderate but was later clarified as full weight was attributed to the harm of the heritage asset. References were made to the Place Services response on the level of less than substantial harm.
- The proposal was sustainable; it was not an isolated dwelling and there was access to other villages by bus. A residential development had also recently been approved nearby.

Members discussed:

- How tightly the site would be packed by a large house.
- Whether there would be a satisfactory turning area on site.
- The weighting attached to the heritage issues, particularly given the impact on the adjacent listed building.
- Whether there were any benefits in the application.
- Harms outweighing any benefits.

Councillor Bagnall proposed refusal of the application on the grounds of harm to a heritage asset (ENV 2) and overfilling a site/ general impact on streetscene (GEN 2).

This was seconded by Councillor Emanuel.

RESOLVED that the Strategic Director of Planning be authorised to refuse permission for the development as the above motion.

K Rixson (Broxted PC Clerk) spoke against the application and R Baker (Agent) spoke in support.

The meeting ended at 3.40 pm.