

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 16
OCTOBER 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 and M Sutton

Officers in attendance: N Brown (Head of Development Management and
Enforcement), C Gibson (Democratic Services Officer), C
Herbert (Locum Planning Solicitor), G Henry (Planning Officer),
C Tyler (Principal Planning Officer) and A Vlachos (Senior
Planning Officer)

Public Speakers: P Beaufils, Councillor K Butterworth, Councillor N Gregory and S
Hasler.

PC81 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were given by Councillors Pavitt and Bagnall. Councillor Driscoll substituted for Councillor Bagnall. The new locum Planning Solicitor was welcomed to the meeting.

The following declarations were made:

The Chair said that he was a member of Saffron Walden Town Council (Agenda item 7).

Councillor Loughlin said that she was District Councillor for Ugley (Agenda Item 6).

PC82 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 18 September 2024 were approved as an accurate record.

PC83 SPEED AND QUALITY REPORT

The Head of Development Management and Enforcement presented the standing Speed and Quality Report. He highlighted the majority of the statistics as being green but cautioned that some appeals were still outstanding. He said that if the percentage figure remained below 10% at the end of the calendar year, then the Council would be applying to move out of special measures.

The report was noted.

PC84 QUALITY OF MAJOR APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the standing Quality of Major Applications report. He highlighted the five pending appeals as detailed in paragraph 8.1 of the report and said that the hearing for Baynard Avenue had been scheduled for 4 December 2024. In response to a question, he agreed to look at supplying all Members with appeals information rather than just the appropriate District Councillor(s).

The report was noted.

PC85 S62A APPLICATIONS REPORT

The Head of Development Management and Enforcement presented the S62A Applications report. He highlighted the one outstanding case where opinions had not been submitted as a consultee; this was the next item on the agenda.

The report was noted.

PC86 UTT/24/1958/PINS - LAND ADJACENT TO VILLAGE HALL, EAST OF CAMBRIDGE ROAD, UGLEY

The Principal Planning Officer presented a S62A major (full) application for the construction of 16 dwellings including 40% affordable housing and associated infrastructure.

He said that as this was a PINS application, UDC were acting as a consultee and could submit observations to PINS. He referred Members to the latest comments made by the Heritage Officer and the Highway Authority. He said that the proposal would introduce a sizeable residential development to an area of open countryside that was out of character and that it would have a harmful impact to the setting of the nearby Listed Buildings. He concluded that any benefits did not outweigh the harm caused to the setting of the designated heritage assets.

In response to questions from Members, officers:

- Said that Highways had assessed the entrance to the site, but comments could be made in respect of parking areas and footpaths.
- Said that, in response to the objections from the Woodland Trust that a detailed tree survey should be carried out prior to the commencement of any development, recognising that the trees were likely to be designated as veteran trees. He said that a S106 would look to retain the trees, which would be in garden areas.
- Said that there was evidence that the site had been used as a gravel pit in the 1960's but that the site had subsequently been re-levelled.

Members discussed:

- Concerns that Ugley was not a sustainable village. There were width restrictions at Pound Lane, no pavements, hazardous bends and no street

lighting and very little provision locally. This was notwithstanding an hourly bus service.

- The significant heritage harms to the setting of the Listed Buildings.
- And supported the conclusions expressed by the Principal Planning Officer in his presentation.

Members confirmed their agreement to the conclusions from the Principal Planning Officer being passed on to PINS. These being:

1. The proposal would introduce a sizeable residential development to an area of open countryside. This would appear out of character with the open rural site and pattern of development this would be therefore harmful to the rural character of the immediate and surrounding area. The proposal would not be appropriate for this rural location and would be contrary to Uttlesford Local Plan Policies (adopted 2005) S7, GEN2 and the NPPF.
2. The proposal would have a harmful impact to the setting of the nearby Listed Buildings due to the loss of the open and verdant nature of the site that contributes to the significance of the listed buildings and the wider rural character of Cambridge Road. This provides a separation between the cluster of dwellings of the Square and Orford House.

The Local Planning Authority has a duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policy ENV2 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 208 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.

In addition, Members agreed to adding an additional comment in respect of the lack of sustainability of Ugley in respect of Policy GEN1- Access. This is notwithstanding the hourly bus service.

Following this item, the Chair said that he knew many of those people involved in the next application socially, and through his role or as a member of the Town Council as per his declaration at the start of the meeting. He recused himself and left the meeting and took no part in order to avoid any suggestion of impropriety in the decision-making process. Councillor Emanuel took the Chair.

The Senior Planning Officer presented an application for the proposed demolition of the existing building containing 7 almhouse units and construction of new two storey building containing 16 almhouse units with associated bin store, car and cycle parking and landscaping. Replacement of part of River Slade culvert. He made a correction to Condition 19 and said that the word “cycle” should be removed.

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 angle of the solar panels would be 10 degrees and not 30.
- Said that there would be minimum visual impact from the solar panels in respect of the line of sight from Abbey Lane and Park Lane and that there were many solar panels already in place near the site.
- Said that the conditions relating to materials would ensure appropriate colouring of bricks, together with appropriate input from the Conservation Officer.
- Said that the Construction Management Plan (that has been conditioned) would ensure that appropriate arrangements were in place during building works on the site.
- Addressed surface water drainage issues, together with flat roof concerns, including the measures proposed within the updated Flood Risk Assessment.

Members discussed:

- Concerns that this was a heritage sensitive site in a conservation area and near many listed buildings and that there could be a significant public reaction to the disturbance and pedestrian flows. Possible heritage harm concerns, contrary to Historic England guidance.
- And many Members expressed their support for the application that had been well thought out.
- And suggested that boarding should be erected on Park Lane with an explanation of the on-going works being supplied to pedestrians to keep the public informed; this could perhaps be included as an advisory. The applicant indicated his agreement to this suggestion.

Councillor Loughlin 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.

S Hasler (Applicant) spoke in support of the application.

*The meeting adjourned for a comfort break between 11.15 am and 11.25 am.
Councillor Freeman returned to the Chair.*

PC88

UTT/24/0124/FUL - LAND TO REAR OF FIGHTING COCKS, MUTLOW HILL, WENDENS AMBO

The Planning Officer presented an application for 5 dwellings, including 1 family holiday let dwelling, access road, landscaping and other enabling works.

She recommended that the application be refused as per those items set out in section 17 of the report.

In response to questions from Members, officers:

- Said that the proposed holiday let contained 2 bedrooms.
- Said that the proposal was for Plot E to be gated but this had not been finalised.
- Said that the allocated garden spaces were below the Design Code requirements that required garden size to be equal to the footprint of dwellings.
- Said that insufficient information had been provided in respect of Enabling Development.
- Explained that the previous application for 10 holiday lets had lapsed but that a replica application had been submitted and that Building Control had confirmed that previous works had commenced.

Members discussed:

- The significant size of the dwellings against the smaller size of amenity space for each of those dwellings.
- Overdevelopment concerns; buildings not in keeping with the listed building.
- Concerns relating to a gated property.
- Their favourable support for bringing a pub back into use.
- Concerns about unrealistic car parking space.
- The need to present any enabling development submissions in accordance with Historic England guidance.
- Concerns expressed by Place Services in respect of conservation deficit.

Councillor Lemon expressed concerns that there was a lack of private amenity space, it was outside development limits and the houses were too large and cramped. He proposed refusal of the application. This was seconded by Councillor Church.

RESOLVED that the Strategic Director of Planning be authorised to refuse permission for the development subject to those items set out in section 17 of the report.

Councillor N Gregory, Councillor K Butterworth (Wendens Ambo PC) and P Beaufile (Applicant) spoke in support of the application.

PC89

UTT/23/3208/FUL - FORMERLY KNOWN AS CANADA SHED, PARSONAGE LANE, STANSTED

The Senior Planning Officer presented an application for the removal of lorry bodies and other paraphernalia, Replacement of existing building with 2 storage units (Class B8) with associated engineering operations to set new building onto the ground. He said that the benefits of the development would significantly and demonstrably outweigh the adverse effects.

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 heavy foliage on site was not a concern to Highways and any removal was not something that could be conditioned.
- Said that any concerns re bats had been addressed.
- Said that they had looked at the relevance of appeal decisions relating to green belt development.

Members discussed:

- The need to safeguard residential amenities, as referred to in Condition 8.
- The very favourable design.
- And complimented the Senior Planning Officer for his very clear report, particularly the information given in his analysis of appeal decisions and green belt considerations.

Councillor Church proposed approval of the application, and 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.

PC90 UTT/24/1855/FUL - LAND WEST OF BURY FARM, STATION ROAD, FELSTED

The Senior Planning Officer presented a S73 application to vary condition 1 of UTT/22/1078/DFO (Reserved matters application, following approval of UTT/22/1078/DFO, for appearance, landscaping layout and scale for the proposed development of a doctor's surgery and 38 dwellings. To be considered in conjunction with UTT/22/1080/FUL – amendments to originally submitted plans. He also recommended an additional condition in respect of the substation which would read as follows:

“The electricity substation to be installed within the site shall be specified and designed, enclosed or otherwise attenuated, to ensure that noise resulting from its operation shall not increase the background noise levels (LA90, 15 mins), nor increase the ambient noise level (LAeq, 5 mins) in any third octave band, at noise sensitive receptors at any time.

REASON: To safeguard residential amenities, in accordance with the adopted Uttlesford Local Plan Policies GEN2, ENV10, ENV11, and the National Planning Policy Framework (2023).”

He recommended that the Strategic Director of Planning be authorised to approve the variation of condition subject to the re-imposition of all other conditions as set out in section 17 of the report.

In response to questions from Members, officers:

- Said that there had been no reduction in car parking.
- Said that the external appearance was changing over time as it became “more real” to cover the pragmatic needs of the health centre.

Members discussed:

- The definite need for a doctors’ surgery.
- The limited impact of the amendments to the countryside and the neighbours.

Councillor Emanuel proposed approval of the application, together with the additional condition. 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 additional condition.

The meeting ended at 12.35 pm.