

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 11  
DECEMBER 2024 at 10.00 am**

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

Officers in attendance: N Brown (Head of Development Management and  
Enforcement), C Forster (Planning Lawyer), C Gibson  
(Democratic Services Officer), G Henry (Planning Officer),  
M Shoesmith (Strategic Applications Team Leader) and  
A Vlachos (Senior Planning Officer)

Public Speakers: C Allen-Jones, P Allen-Jones, Councillor N Baker, L Bowden, T  
Cannon, N Chrimes, Councillor I Donaldson, Councillor G  
Driscoll, T Ellis-Callow, Councillor N Gregory, S Heritage,  
Councillor P Lees, R Mason, Councillor A McLean, Councillor E  
Oliver, V Ranger, J Stenhouse and M Washbourne.

**PC99 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

There were no apologies for absence and no declarations of interest.

**PC100 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 13 November 2024 were approved as an accurate record.

**PC101 SPEED AND QUALITY REPORT**

The Head of Development Management and Enforcement presented the standing Speed and Quality Report. He highlighted key UDC data figure as being well below 10% and comfortably in green. This would enable the Council to challenge the special designation status in the new year.

The report was noted.

**PC102 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 pending appeals; UTT/22/3470/OP – Baynard Avenue had taken place last week and UTT/23/2962/DFO – West of Thaxted Road was scheduled for February 2025. The report was noted.

PC103 **S62A APPLICATIONS REPORT**

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

He reported that UTT/24/1618/PINS – Bedwell Road had been approved by PINS and that S62A/2023/0019 – Warish Hall Farm had been successfully challenged by the developer.

The report was noted.

PC104 **UTT/24/1333/FUL - LAND NORTH OF M11 BUSINESS LINK, PARSONAGE LANE, STANSTED**

The Strategic Applications Team Leader presented an application for a change of use from agricultural field to 3 football pitches, car parking, site access, a storage container, associated works and landscaping.

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 matter of toilet and changing facilities had not been discussed with Sport England.
- Said there would be no lighting in place.
- Said that mitigation measures were in place for skylarks within the ecology conditions.
- Explained that parking space sizes were small but complied with old restrictions; spaces would not be marked out.

Members discussed:

- The failure to put a 3G pitch down at Forest Hall School but that the new proposal was compliant with S106 requirements and replicated arrangements in place at Northside.
- Lack of toilet and changing facilities.
- The security of tenure for the football club.
- The height of surrounding fencing.
- Pitch maintenance would be undertaken by the football club.
- The possibility of screening arrangements being put in place.

Councillor Emanuel proposed approval of the application with two additional conditions for provision of toilet and changing facilities and a scheme for screening.

This was seconded by Councillor Church.

RESOLVED that 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 two additional conditions for provision of toilet and changing facilities and a scheme for screening.

**PC105 UTT/24/1198/OP - LAND TO THE SOUTH OF SMITHS GREEN, DUNMOW ROAD, TAKELEY**

This application had been withdrawn ahead of the meeting.

**PC106 UTT/24/1141/FUL - LAND ADJ. GRIND HALL, WOOD END GREEN, HENHAM**

The Planning Officer presented an application for the erection of 3 detached dwellings, with associated driveways and associated works. She referred Members to the further information given in the Addendum List.

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.

A verbal update was also given regarding Natural England's requirement for SAMMs mitigation and that the applicant had agreed to secure mitigation payments through a Unilateral Undertaking. The applicant had also agreed to a Unilateral Undertaking for the proposed wildlife garden and the use of local trades people.

The matter had been called in.

In response to questions from Members, officers:

- Explained that a Pedestrian Safety Zone was in effect a refuge point.
- Said that Place Services views had changed about biodiversity.
- Said that the 4-year land supply figures of 4.12 were being used, which meant that a 4-year land supply could not be adequately demonstrated and could therefore be challenged.
- Said that S7 could not be ignored.
- Said that public right of way proposals had been acceptable to the Highways Authority.
- Said that the Tilted balance methodology had been utilised.
- Said that little weight could be given to the new Local Plan for Henham.

Members discussed:

- The development not being ideal, due to the lack of facilities in Henham.
- Concerns about the impact on the character of the public right of way.
- Harms to a heritage asset in a conservation area. Place Services had afforded the level of harm of the proposal a very low level of less than substantial harm to the significance of the Conservation Area.
- The possibility of conditioning improvements to the road.
- Concerns re S7 impact on the countryside.
- Lack of objections from statutory consultees.

- The 4-year land supply figures being used. Officers said that Footnote 8 of the NPPF requires the planning balance to be used when the housing delivery test showed a performance below 75%. The Council had a 4-year surplus, but the planning balance must be used.
- The planning balance between benefits and harms.
- That heritage issues had not been picked up in a previous application in 2013.

Councillor Emanuel proposed approval of the application with an additional condition in respect of ensuring improvements were made to the road.

This proposal 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 and an additional condition in respect of improving the condition of the road.

*Councillor P Lees, T Ellis-Callow and Councillor N Baker (Henham PC) spoke against the application. J Stenhouse, M Washbourne (Agent) and L Bowden (Applicant) spoke in support.*

*There was an adjournment between 11.55 am and 12.05 pm for a comfort break.*

PC107 **UTT/24/2673/FUL - BUILDINGS TO THE REAR OF MULBERRY HOUSE, WENDEN ROAD, ARKESDEN**

The Senior Planning Officer presented an application for the demolition of agricultural buildings and erection of 3 dwellings (Use Class C3) with associated access, garages, private gardens and ancillary garden rooms.

He recommended that the application be approved, subject to the conditions set out in section 17 of the report.

The matter had been called in by Councillor Oliver.

In response to questions from Members, officers:

- Referred to legislation around permitted development (Class Q) and the potential for a fallback position as being one of the considerations that should inform the assessment of the case.
- Addressed concerns as to whether any assessment had been carried out as to whether the barns could be saved.
- Stressed the need for Members to discuss the public benefits of the proposals along with the heritage balance in relation to the impact of the proposals on the significance of the listed building (Hobs Aerie), the 'balanced judgement' for the non-designated heritage asset and the overall planning balance of the scheme.

Members discussed:

- The possibilities of deferring the item.

- The limited services and facilities in Arkesden.
- The need-to-know further details particularly relating to the potential fallback position under Class Q legislation.
- Consideration of the possibility of bringing the barns back into use.
- More information being required to consider a fallback position.

Councillor Emanuel proposed deferral of the application for further authoritative details to be sought on Class Q Properties and the future possible use of the barns. This proposal was seconded by Councillor Church.

RESOLVED that the matter be deferred for further information to be obtained.

*Councillor E Oliver, C Allen-Jones, P Allen-Jones, N Chrimes and Councillor A McLean (Arkesden PC) spoke against the application. S Heritage and R Mason (Agents) spoke in support.*

*The meeting adjourned for lunch between 1.00 pm and 1.45 pm.*

**PC108 UTT/24/2509/FUL - NORTH OF LABURNHAM VIEW, HIGH STREET, ELMDON**

The Senior Planning Officer presented a planning application for the erection of 2 new semi-detached buildings.

He recommended that the Strategic Director of Planning be authorised to grant permission for the development subject to the conditions set out in section 17 of the report.

The matter had been called in by Councillor Gregory.

In response to questions from Members, officers:

- Said that weight could be attached to the Village Design Statement as guidance.
- Explained the changes made to the scheme in comparison to the approved scheme, the permission for which had lapsed.
- Said that case law required consistency in decision-making and that like decisions should be decided in a like manner unless there was a material change in circumstances indicating otherwise. Members should recognise the importance of consistency in decision-making and provide reasons if they wish to deviate from a recent previous decision.
- Said that the land was previously developed land in accordance with the NPPF definition.
- Said that semi-detached or terraced properties existed in the vicinity.

Members discussed:

- The potential importance of the lapsed planning permission as a material consideration.
- No significant changes having been made to the previous application, therefore making it very difficult to refuse the application.
- Limited facilities available in Elmdon.

- There being no objections from statutory consultees, particularly Place Services (Conservation).
- The development not being ideal.

Councillor Church said that this was not ideal, but he proposed approval of the application. Councillor Lemon said that he considered it to be a good use of previously developed land, and he seconded the proposal.

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

*Councillor N Gregory and Councillor I Donaldson (Elmdon PC) spoke against the application.*

PC109 **UTT/24/1370/FUL - THE HOP POLES, BEDLARS GREEN, GREAT HALLINGBURY**

The Senior Planning Officer presented an application for the conversion and change of use from a public house to a residential dwelling and proposed erection of cartlodge and the proposed construction of one self-build dwelling in the existing car park.

He recommended that the application be approved, subject to the conditions set out in section 17 of the report.

The matter had been called in by Councillor Driscoll.

In response to questions from Members, officers

- Said that a landscaping condition would be assessed through Place Services Conservation and would pick up issues such as boundary treatments (brickwork, fencing and hedging).
- Said that the public house was not an Asset of Community Value (ACV) as the relevant application had been refused and it had been empty for many years.
- Said that a condition for materials would be necessary to ensure appropriate materials for the conversion works and a condition for additional drawings to secure further details for the new doors, windows, sills on the listed building (this condition would be used in the listed building consent).
- Said that appropriate car access arrangements were proposed.
- Said that it would be possible to condition a phased plan for the development.

Members discussed:

- The generally poor state of the facility.
- Support for restoration but not necessarily an additional house.
- The possible benefits to the community.
- The possibility of deferment to look for a suitable solution.

- Concerns on whether the new dwelling at the car park could be implemented without the applicant being obliged to implement the conversion works to secure the optimum viable use of the heritage asset.

Councillor Emanuel proposed approval of the application, together with a condition for the phasing of the development and rewording of the landscaping condition to ensure that any landscaping details shown on the approved drawings would not be implemented unless agreed in writing as part of the detailed landscaping scheme.

This proposal was seconded by Councillor Sutton.

RESOLVED that the Strategic Director of Planning be authorised to grant permission for the development subject to the conditions set out in section 17 of the report, together with a condition for the phasing of the development and rewording of the landscaping condition to ensure that any landscaping details shown on the approved drawings would not be implemented unless agreed in writing as part of the detailed landscaping scheme.

*Councillor G Driscoll spoke against the application. T Cannon (Agent) spoke in support.*

PC110 **UTT/24/1371/LB - THE HOP POLES, BEDLARS GREEN, GREAT HALLINGBURY**

The Head of Development Management and Enforcement outlined the application for the conversion of a public house to residential, including alterations to listed building. These matters had been fully discussed in the previous application.

Officers recommended approval subject to conditions.

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

RESOLVED that the Strategic Director of Planning be authorised to grant listed building consent for the proposed works subject to the conditions set out in section 17 of the report.

PC111 **UTT/24/2359/FUL - LAND TO THE EAST OF MAY WALK, ELSENHAM ROAD, STANSTED**

The Senior Planning Officer presented an application for the reshaping and reduction of existing earth bunds, erection of boundary fencing with gates, planting boundary hedging, completion of bunding work previously halted, landscaping of bunds, erection of a stable block, preparation of grazing paddock.

He recommended that the application be refused for the reasons set out in section 17 of the report.

In response to questions from Members, officers:

- Explained that an appeal scheme for the retrospective earth bunds and gates had recently been dismissed and the Inspector was clear on their impact on the open countryside character and appearance of the area.
- Stated that enforcement investigations should not be part of the debate, and the application should be decided on its merits.
- Explained what the proposed changes to the earth bunds entailed, including the reduction of height of the existing earth bunds.
- Explained the rationale for having bunding in place.

Members discussed:

- The harm to the open countryside that had previously been confirmed by the Inspector.
- The need to secure the land that would be satisfied by the proposed post and rail fencing and hedging.
- The fact that there was already an enforcement notice in place.

Councillor Church proposed that the application be refused. This was seconded by Councillor Sutton.

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

*V Ranger (Agent) spoke in support of the application.*

#### PC112 **EXCLUSION OF PUBLIC AND PRESS**

The Chair proposed the exclusion of public and press and to move into Part II. This was seconded by Councillor Emanuel.

AGREED that under section 1001 of the Local Government Act 1972 the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 part 1 Schedule 12A of the Act.

#### PC113 **UTT/24/0741/FUL - LAND KNOWN AS 7 ACRES WARISH HALL FARM, PARSONAGE ROAD, TAKELEY**

This item was discussed in private session and Members agreed the officer's recommendation.

*The meeting ended at 3:25 pm.*