PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 11 MAY 2022 at 10.00 am

Present:	Councillor S Merifield (Chair) Councillors A Coote (substitute for Councillor G Bagnall), J Emanuel, P Fairhurst, R Freeman, G LeCount, M Lemon (Vice-Chair), J Loughlin, N Reeve and M Sutton
Officers in attendance:	N Brown (Development Manager), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), M Shoesmith (Development Management Team Leader), E Smith (Solicitor) and L Trevillian (Principal Planning Officer)
Public Speakers:	Councillor G Bagnall, Councillor T Barber (Takeley PC), Councillor C Day, P Hewett, Councillor V Isham, D Jenkins and M Peachey.

PC137 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor G Bagnall. Councillor A Coote substituted.

Non-pecuniary declarations of interest were made by:

- Councillor Sutton as Ward Councillor for Takeley (Items 6 & 7).
- Councillors Fairhurst, Freeman and Coote as Ward Councillors for Saffron Walden and Members of Saffron Walden PC (Items 5 & 8).

PC138 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 27 April 2022 were approved.

PC139 SPEED AND QUALITY REPORT

The Development Manager presented the Speed and Quality report; he said that reports would be brought back to every other meeting and would cover matters such as appeals trends.

The report was noted.

PC140 S62A APPLICATIONS

The Development Manager presented the S62A Applications report that detailed two applications which had been submitted direct to the Planning Inspectorate.

The Chair indicated that procedural guidance for S62A applications for councils in special measures could be found on the Government website.

In response to questions the Development Manager confirmed that applicants could bring a pre-application to the Council and then move it to PINS and that if an applicant went direct to PINS then any appeal would be through a judicial review.

Councillor Fairhurst said that the public were entitled to know the procedures in place.

The report was noted.

PC141 **PINS S62A/22/0000002 & UDC UTT/22/1040/PINS - FORMER FRIENDS' SCHOOL, MOUNT PLEASANT ROAD, SAFFRON WALDEN**

The Development Manager outlined the process in place for PINS applications. He said that we would ensure that appropriate information was available on the website.

In response to a question, the Council's Solicitor said that under S62A the Local Planning Authority was a statutory consultee and that its views had the same weight as those of the Highways Authority and Environmental Health and thus was greater than that of a private individual.

The Principal Planning Officer presented an application for the conversion of building and demolition of buildings to allow redevelopment to provide 96 dwellings, swimming pool and changing facilities, associated recreation facilities, access and landscaping. He said that the report had been submitted to the Planning Inspectorate (PINS) for determination. He updated members in respect of the Saffron Walden Neighbourhood Plan (SWNP). He said that the Friends School Open space would be deleted from the SWNP and that it was officers' view that limited to moderate weight could be provided to the Plan due to its advancement in its preparation. He said that it was noted that at the time of assessment no weight had been given to the Plan.

The recommendation made was to request that PINS approve the application, subject to completion of a S106 and conditions as set out in Section 16 of the report.

Planning officers responded to questions from members:

- It was stated that the application was the equivalent of a full application.
- Vacant building credit applied to the scheme.
- There was no affordable housing in the scheme.
- The weight to be given to the SWNP was further clarified.
- Some clarification was given in respect of available communal space.
- Information was sought in respect of protected open spaces, alongside limited car parking spaces.
- There was a lack of clarity in respect of car parking spaces against the number of dwellings.

- Viability assessments were likely to be carried out through PINS.
- Concerns were expressed about the five entrances and exits to the development and that Highways had yet to comment on the proposal. It was suggested that the Town Council should contact Highways on this matter.

Members discussed:

- Concerns raised by more than 100 Saffron Walden residents, who generally supported the scheme; factual corrections had been identified, the possible addition of conditions had been raised, the lack of affordable housing had been accepted and the possibility of an independent viability test being undertaken had been raised. The Council's Solicitor re-iterated that the local planning authority was only a statutory consultee in this instance and that individual concerns should be taken up with PINS, while members could retain their community advocates' role if they so wished..
- Possible inadequate parking facilities.
- The need to request PINS to check floor space measurements.
- The very tight timeframes available to comment.
- The fact that if PINS approved the scheme then management of the S106 Agreement fell to the local planning authority; this could include the Town Council taking on responsibilities.
- When the sports provision should be available and the quality of provision.
- The need to request a phasing condition with conversion works high up the agenda and the old building to be fixed first.
- The need for a Construction Management Plan (CMP) that covered delivery times to site, work possibly commencing after school morning sessions start (say from 8.45 on), no off-site parking and names of contact persons. Traffic in Peaslands Road is regulated.
- Cycle parking arrangements.
- Bins stores and collection.
- Management of the public amenity; the Town Council would be interested.
- The rights of all individuals to advocate to PINS was highlighted again.
- The possibility of removing Permitted Development rights from houses on the basis of being too enclosed and unattractive and because of small gardens.

The Development Manager summarised the way forward in respect of PINS. He said that the revised officer's report, with errors corrected and the minutes would be forwarded to PINS. He summarised the headline issues to take forward to PINS as follows:

- The Neighbourhood Plan had moved on. This would be reviewed by the Policy Team.
- Public Open Spaces, community facilities and the on-going S106 Agreement.
- Urban design comments.
- Landscape.
- Parking, including parking.
- Size of gardens.
- Refuse strategy.
- The request to check the vacant building credit calculations.

- A request to have a phasing condition, to include conversion works taking priority.
- A CMP to cover pre- development engagement with the community, delivery times, no off-site parking and details of contact persons.
- Permitted Development Rights to be removed if amenity spaces and gardens not of sufficient size.
- If any pre-development conditions required to be formally discharged application would be made to UDC and the Council would receive the income.
- Timing of the delivery of sports facilities.
- Management and maintenance of community facilities; the Town Council are interested.
- Trees and hedges provision under the S106 Agreement.
- The need for renewable energy solutions, including solar panels and water harvesting.

Councillor Emanuel proposed that the Council requests that PINS approve the applications subject to completion of a S106 and conditions as set out in section 16 of the report, together with the headline issues highlighted above.

Councillor Reeve seconded the proposal.

RESOLVED that the Council requests that PINS approve the applications subject to completion of a S106 and conditions as set out in section 16 of the report, together with the headline issues highlighted above.

The meeting was adjourned between 12.00 pm and 12.15 pm.

PC142 UTT/21/3311/OP - LAND WEST OF GARNETTS, DUNMOW ROAD, TAKELEY

The Principal Planning Officer presented an outline application with all matters reserved, for up to 155 dwellings (including affordable housing and self/custom build plots), as well as public open space, children's play area, land retained in agricultural use, landscaping and all other associated infrastructure.

The application was recommended for approval subject to conditions.

Following statements made by the public speakers, the meeting adjourned at 1.05 pm and Councillor Fairhurst left the meeting. He would not be returning after the lunchtime adjournment The meeting reconvened at 2.00 pm.

The Principal Planning Officer responded to questions from members in respect of:

- The possibility of strengthening the condition to provide solar panels/ low-cost heating.
- The access to the site being reserved.
- The distance of the proposed development from the Grade 1 listed church being between 200 and 300 yards.
- The arrangements in place for the sale of discounted houses.

- The weight that could be given to Policy S7, Policy S8, the NPPF and the CPZ.
- The key heritage harm impact on the church and how this could affect the tilted balance debate.
- Sewage systems and the role of Thames Water in the process.

Members discussed:

- Policy S8 in respect of the erosion of the CPZ and the green countryside around the airport and how much weight could be given to this policy.
- Policy S7 in respect of the loss of agricultural fields and how much weight could be given to this policy.
- The NPPF implications.
- The absence of a 5 year land supply and Local Plan in respect of the tilted balance debate .
- The heritage of the Grade 1 listed Holy Trinity church and the sight lines.
- The limited infrastructure in Takeley.
- The impact on local health facilities, particularly in respect of parking difficulties at the two affected surgeries.
- The possible significant benefits provided by up to an additional 155 dwellings.
- Community facilities and education provision.

Councillor Reeve proposed that the application be approved in accordance with the recommendation.

Councillor Freeman seconded the proposal.

RESOLVED to approve the application, in accordance with the recommendation.

Councillor C Day (speaking as a former Cabinet member for Communities), Councillor G Bagnall (speaking as a non-Committee member), Councillor V Isham (speaking as a resident), P Hewett (Chair of the Takeley Neighbourhood Plan Steering Group), M Peachey (resident) and Councillor T Barber (Takeley Parish Council) all spoke against the application.

D Jenkins (applicant) spoke in support of the application.

Councillor Coote left the meeting at 2.50 pm.

PC143 UTT/21/2488/OP - LAND EAST OF PARSONAGE ROAD, TAKELEY

The Principal Planning Officer presented an outline application with all matters reserved except access for up to 88 dwellings (including affordable housing and self/custom-build plots), as well as public open space, children's play area, landscape infrastructure including a buffer to Priors Wood Ancient Woodland and all other associated infrastructure. He highlighted the additional and amended wording that had been made to the existing conditions as outlined on the Late List.

The application was recommended for approval subject to conditions.

The Principal Planning Officer responded to questions from members in respect of:

- The buffer zone siting and size.
- The need for a policy on buffer zones to be included in the Local Plan.
- The siting of the children's playground.
- The possibility of a multi-use SUDs area.
- Paragraph 180 of the NPPF relating to significant impact on ancient woodland and consideration of the mitigating factors, including the buffer zone and the housing need.
- Confirmation that Priors Wood was an "open" wood, i.e. easily accessible to members of the public..
- Essex CC education requirements. The Development Manager said that he would take up primary education issues directly with County.

Members discussed:

- Paragraph 180 of the NPPF; harm to woodland that could be resolved by mitigation. The Development Manager said that this could not be used as a possible reason for refusal.
- The siting of dwellings and gardens in relation to the buffer zone and unadopted road. This could all be assessed under Reserved Matters.
- Two and a half storey buildings on the edge of the settlement.
- The same concerns in respect of health facilities as outlined in the previous application.
- The concerns about possible overdevelopment taking place in Takeley, which had very limited facilities.
- The possibility of a 30 metre buffer zone.

The meeting was briefly adjourned at 3.55 pm and reconvened at 4.05 pm in order for discussions to take place with the applicant.

The Development Manager reported that during discussions the applicant had suggested that a condition be attached to the outline parallel to the Reserved Matters, whereby they supply a brief dealing with the management of the ancient woodland, the location of the play area, the height of the dwellings and the adopted road.

The Chair added that she would like to see the Parish Council included in discussions.

Councillor Freeman proposed that the application be approved in line with the recommendation, together with the suggestions made by the applicant and the inclusion of the Parish Council in discussions.

Councillor LeCount seconded the proposal.

RESOLVED to approve the application in line with the proposed motion.

Councillor G Bagnall (speaking as a non- Committee member), Councillor V Isham (speaking as a resident), P Hewett (Chair of the Takeley Neighbourhood Plan Steering Group), M Peachey (resident) and Councillor T Barber (Takeley Parish Council) all spoke against the application. M Marriage (resident) was unable to attend the meeting and his statement against the application was read out.

D Jenkins (applicant) spoke in support of the application.

PC144 **UTT/22/0798/HHF - 54 ROSS CLOSE, SAFFRON WALDEN**

The Development Management Team Leader presented an application for a single storey rear extension. The application had been submitted by a member of staff.

The application was recommended for approval subject to conditions.

The Chair proposed that the application be approved subject to conditions.

Councillor Emanuel seconded the proposal.

RESOLVED to approve the application subject to conditions

The meeting ended at 4.10 pm.