

FELSTED PARISH COUNCIL
Minutes of the Planning Committee Meeting held on 18 July 2017
at 7.30 pm in the URC Hall Committee Room.

Present: Councillors Chris Woodhouse (Chairman), Andy Bennett, Nicholas Hinde and Richard Freeman.

Apologies for absence were received from Councillor Graham Harvey.

1. Minutes of the 20 June 2017 Planning Committee meeting

The Minutes of the June meeting were agreed and signed by the Chairman.

2. Public Forum

No members of the public were present.

3. New applications considered

UTT/17/1787/FUL Elms Farm, Bartholomew Green

Conversion of existing outbuilding to form 2 no. self-contained dwellings, complete with alterations, amenity areas and parking.

Comment: The Council consider that this application should be determined by the Planning Committee, rather than as a delegated Officer Decision, because they believe that the comments made by the Temporary Planning Officer to the applicant, and his conclusion in relation to Policy S7 of the Uttlesford Local Plan, were ill-advised.

The site is outside the Village Development Limits, in open countryside and not for 'exception' housing and it is therefore contrary to Policy S7 of the Adopted Local Plan (preservation of the countryside). In this application, a position is taken where the 2005 Local Plan, and S7 in particular, are deemed to hold minimal weight in decision making. This is alongside the Temporary Planning Officer's statement that the proposal would, quote '...fail to comply with Local Plan Policy S7...' However, in the Planning Inspector's ruling of 11th July 2017, under Appeal Ref: APP/C1570/W/16/3156864, he repeatedly references the 2005 adopted Local Plan, and specifically policy S7, to cite reasons for refusal. S7 should not therefore be considered a 'throwback', as stated in the Planning Statement, but a relevant document, which, alongside the draft Local Plan, should be given due weight in determining this application.

The conversion of outbuildings in rural areas is covered by Policy H6 of the Adopted Local Plan and points a) and e) of that policy are relevant. The question should be asked whether there are other potential uses for the outbuilding and whether there is sufficient garden provision for residential use. We also question whether this building is a redundant structure.

Within the new draft Local Plan, section 4.14 'Residential Development in Settlements without Development Limits' reinforces the importance of safeguarding the interests of residents in surrounding houses. In addition, under draft Policy H5, it states criteria which must be met, including that the development must not cause disturbance to neighbouring properties. The proposed dwellings are out of keeping with the form and layout of surrounding properties. The close proximity to adjacent properties, being directly on one neighbour's boundary, and the small amenity garden space proposed, would result in noise and a lack of privacy for all concerned, contravening the emerging Local Plan.

The proposed dwellings have limited external space and would not therefore be suitable to be sold off as independent dwellings.

UTT/17/1824/FUL Greenfields, Bartholomew Green

Proposed demolition of existing dwelling and erection of new dwelling and a 3 bay garage. New vehicular access and associated onsite manoeuvring area.

Comment: The site is in open countryside, and the application is therefore contrary to Policy S7 of the Uttlesford Local Plan.

The Council would have no objection to a suitably sized 1 for 1 replacement dwelling but this should be located on the same footprint as the existing property rather than at the opposite end of the site.

The Council are concerned that the construction of a new access and of a 1.8m high fence and hedging across the centre of the site (shown on the plans submitted) may indicate a hidden agenda to apply for a second dwelling within the curtilage at a later date. The Council therefore object to the application in its present form.

UTT/17/0649/OP Land off Stevens Lane, Bannister Green
Outline application with all matters reserved for a proposed residential development of 8 dwellings (Revised layouts submitted).
Comment: *The options submitted for the layout of the proposed dwellings do not alter the Council's original objections.*

4. Planning appeal lodged

UTT/17/0034/FUL Gransmore Meadow, Chelmsford Road, Felsted
Proposed residential development and associated infrastructure to erect 9 dwellings.

5. Decisions received since last meeting

UTT/17/0457/LB Felsted Music School, Station Road, Felsted
Replace existing guttering with cast iron product and install a tile guard at eaves level.
Application Withdrawn 4 July 2017.

UTT/17/0673/LB Walnut Tree Cottage, Cobblers Green
Proposed replacement windows and internal alterations.
Listed Building Permission Granted 3 July 2017.

UTT/17/1139/HHF 1 Chaffix, Felsted
First floor rear extension.
Permission Refused 26 June 2017: (*"The proposal by virtue of its scale and mass would create an overbearing and dominant impact from the adjoining occupier's first floor habitable room."*)

UTT/17/1196/HHF Courtlands House, Station Road, Felsted
Proposed erection of a detached indoor hydrotherapy pool and gym.
Permission Granted 4 July 2017.

UTT/17/1215/HHF Maple House, Chelmsford Road, Felsted
Rear two storey extension, demolition and replacement of detached garage.
Permission Granted 21 June 2017.

UTT/17/1241/OP Land between Wytewais & Hawthorns, Gransmore Green
Outline application, with all matters reserved except for access, for the erection of 1 no. dwelling with garage/outbuilding and related infrastructure. (Previous application UTT/16/2827/OP refused under LPA policy S7. Appeal lodged 27 February 2017 and allowed 17 May 2017.)
Permission Granted 7 June 2017.

UTT/17/1267/FUL Willows Barn, Main Road, Willows Green
Erection of stable block with associated implement storage, landscaping and change of use form part of domestic curtilage.
Permission Granted 19 June 2017.

UTT/17/1432/OP Edwards House, Braintree Road, Felsted
Outline application (with all matters reserved) for demolition of the former school buildings and erection of two dwellings (Class C3).
Permission Granted 10 July 2017.

6. Appeal Decisions received:

UTT/16/2827/OP Land between Wytewais & Hawthorns, Gransmore Green
Outline application with all matters reserved except access for the erection of 1 no. dwelling with garage/outbuilding and related infrastructure.

Permission Refused 7 December 2016 Appeal lodged 27 February 2017.
Appeal Allowed 17 May 2017: (“... The proposed development would provide a suitable location for housing having regard to the character and appearance of the area. Thus, it would accord with Policy S7 of the Local Plan which seeks to only permit development if it protects or enhances the particular character of the part of the countryside within which it is set. It would also accord with Policy GEN2 ... [and] ... would also meet the aims of the National Planning Policy Framework.”)

UTT/16/0287/OP Land south of Braintree Road, Felsted
Outline application for up to 55 dwellings, means of access and associated works, with all other matters (relating to appearance, landscaping, layout and scale) reserved.
Permission refused 28 July 2016. Appeal lodged 22 August 2016.

Appeal rejected 11 July 2017 (“...the proposed development would conflict with adopted development plan Policy S7 of the ULP” which is “broadly consistent with the Framework” and “should therefore be afforded the ‘greater weight’ envisaged under Paragraph 215 of the Framework”. It would “also conflict with adopted Policy ENV5 of the ULP... which does broadly comply with the policies within the Framework and should therefore be given greater weight in the overall planning balance”. “The Council is unable to demonstrate a 5 year supply of deliverable housing sites” and the site is in a “sustainable location” and would provide both “social and economic benefits” but “against these benefits are the adverse impacts in terms of harm on the openness and visual character of the countryside ...unjustified loss of BMVAL” and “an adverse impact on the character and appearance of the existing settlement of Felsted. In particular.... the unacceptable urban form of the development is diametrically opposed to the concept of good design and promoting or reinforcing local distinctiveness “. “The adverse impacts I have identified would significantly and demonstrably outweigh” the “benefits”.

7. Enforcement update

Land adjacent to Breadlands, Cock Green – UDC had investigated an alleged planning breach (alterations and extensions to derelict stable and use of land for storage of vehicles) but found no evidence of a breach.

8. Other urgent Planning business

- a) Meeting with UDC /BDC/ West of Braintree developers on 11 August – Up to 3 representatives were invited to attend this meeting at the UDC offices. Cllr Frances Marshall was available and Cllr Chris Woodhouse would confirm his availability to the Clerk. The availability of the Chairman would also be ascertained.
- b) BDC Local Plan Consultation – Members noted the 28 July deadline for responses and the Clerk agreed to liaise with Cllrs Andy Bennett and Malcolm Radley accordingly [CLERK’S NOTE: The Council’s comments were subsequently submitted to BDC]

9. Next Meeting

Next meeting: Tuesday 15 August at 7:30 pm, URC Committee Room.

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Committee Chairman
15 August 2017