

### Late List –Planning Committee 26/10/2022

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated and placed on the website by 5.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

Item Number	Application reference number	Comment
6	UTT/21/3665/FUL – Land North of Shire Hill Farm	<p>Saffron Walden Town Council have confirmed in an email sent to officers on 18th October 2022 that they do not object to the proposals as per below:</p> <p>Hi Lindsay</p> <p>SWTC formally considered the above application at the Planning Committee meeting on 13<sup>th</sup> October.</p> <p>No further comments were made to those raised at the September meeting when Redrow presented the revised plans (detailed in my below email, highlighted for reference). Committee noted again they were pleased to see the revised location of the play area, being further away from the spine road.</p> <p>Please include this information on the late list for next week's meeting, thank you.</p> <p>Kind Regards</p> <p><b>Georgia Arnold</b> <b>Committee Clerk &amp; Office Administrator</b></p> <p>Saffron Walden Town Council The Town Hall Market Street Saffron Walden CB10 1HR Tel: 01799-516501 <a href="http://www.saffronwalden.gov.uk">www.saffronwalden.gov.uk</a></p>

7	UTT/22/1939/DFO – Land North of Ashdon road	None
8	UTT/21/1838/OP – Land to the East of Wedow Road	<p>Amendment to Condition 18 to include the word ‘above’, as follows:</p> <p>Prior to the first construction of the development, above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.</p> <p>REASON: To prevent environmental and amenity problems arising from flooding, in accordance with policy GEN3 of the Adopted Local Plan and the NPPF.</p>
9	UTT/22/2278/FUL – Land to the North of Cornells Lane	<p><u>Supplementary comments from Planning Agent (Chris Loon)</u></p> <ul style="list-style-type: none"> <li>• The head of the report lists the applicant as ‘Mr and Mrs M. Tee’- it should be ‘Dr and Mrs M. Tee’</li> <li>• 3.1 – The public footpath does not lie within the application site. There is a small gap between the site boundary and the public footpath which is divorced from the site by an existing 1.8m high fence.</li> <li>• 4.3 – Plot 1 is 3 beds and Plot 4 is 2 beds (as opposed to vice versa as stated)</li> <li>• 8.1.1 – ECC Highways do not require the ‘approval of’ visibility splays, but merely ‘compliance with’ them</li> <li>• 12.3 – The end of the paragraph includes a drafting note which can/should be ignored</li> <li>• 14.4.1 – The public footpath does not run along within/along the site’s eastern boundary. See comments above for 3.1.</li> <li>• 14.4.9 – The end of the second sentence should add, “except for a small part of the existing paddock track at the south-western end”</li> <li>• 14.4.24 – “Plots 13 to 12” should read “13 to 20”</li> <li>• 14.4.31 – at second sentence “include some existing access to the Site..” should read “include closure of the existing vehicular access to the Site..”</li> <li>• 14.3.35 – at second sentence, “high level..” should read “low level..”</li> </ul>

		<ul style="list-style-type: none"> <li>• 14.4.39 – at first sentence, “it is noted objections..” should read “ it is noted that no objections..”</li> <li>• 14.10.3 – ‘5’ should read ‘4’ (tonnes)</li> <li>• 14.10.7 – “60.95%” should read “63.69% (in the case of plots 2,3 &amp; 4)”; and “5.11 tonnes” should read “4 tonnes”</li> <li>• 14.11.6 – ‘5’ should read ‘4’ (tonnes)</li> <li>• 16.8 – at end of sentence “taken as a whole NPPF Paragraph 11 (d) (i)” should read, “taken as a whole pursuant to NPPF Paragraph 11 (d) (ii)”</li> <li>• Condition 4 – after ‘secured’ insert “(and thereafter completed)” (This is to address ECC Archaeology)</li> </ul> <p><u>NPPF Paragraphs 202 &amp; 203</u>  In respect of 14.4.26 the report correctly cites the balancing exercise that NPPF Para 202 requires. The report concludes positively concerning the lack of impacts upon Designated Heritage Assets at 14.4.41 &amp; 14.4.42 but should it should specifically evidence that such impacts have been balanced against the public benefits under para 202. Benefits (including ‘public’ benefits) are summarised at para 14.11.5 – 14.11.6. Paragraph 14.11.7 set out the ‘tilted’ balance test under NPPF Para 11 but the report (before getting to this stage) should specifically undertake the Para 202 test in advance. An addendum to para 14.4.26 could do the same.</p> <p>For clarity, it may also be appropriate to cite that the para 203 balanced consideration (non designated heritage asset) has been included in reaching a conclusion on the tilted balance assessment under NPPF Para 11 (d) (ii) as set out in the Report at Para 14.11.7.</p> <p>Please can you consider this and act as appropriate.</p> <p><u>Weight of Access Fallback</u>  The report at Para 14.4.18 notes the CLP approval as a fallback and a material consideration. However, it does not then clarify:</p> <ol style="list-style-type: none"> <li>1. What ‘weight’ should be ascribed to the Fallback (applicants say ‘significant’ weight);</li> <li>2. How that weight is derived/evidenced (eg see Appeal evidence - applicant’s stated intentions to construct a permitted development access, their engagement with charity to hold charity market/events, the charity’s contact SWTC re market licence, applicant’s sourcing of contractor</li> </ol>
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		<p>estimate to build access, applicant's highway engineer progressing highway works agreement with ECC Highways, etc) or;</p> <p>3. How it should be applied as a consideration against any alleged/perceived impacts upon the Protected Lane (under Policy ENV9 and NPPF Para 203) arising from the proposed means of access. This is a fairly critical matter, because this directly addresses a key reason for refusal (RfR1) on the previous decision by the committee (which the applicants say is effectively overcome). This, along with the lack of heritage harm (as now clarified by Place Services, also including a U turn by the heritage officer on NPPF Para 206) which formed the basis of RfR2, means that the tilted balance scales are significantly tipped in favour of approval, compared to the previous committee decision, especially as planning inspectors are now giving just one dwelling 'significant weight' in their decisions (see para 36 of attached appeal decision in Ashdon -received last week).</p> <p>The LPA is referred to correspondence on this matter, especially the Holmes and Hills letter dated 6 September 2022 which is not cited in the Report, this being part of the applicant's case.</p> <p>Also included with the late comments is the allowed appeal decision notice: APP/C1570/W/21/3287385 (UTT/21/2047/FUL) Plot A, Land to the West of The Vales, Radwinter Road, Ashdon.</p>
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Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarized

Late items from **STATUTORY CONSULTEES** are reproduced in full.