

FELSTED PARISH COUNCIL

Minutes of the Planning Committee Meeting Tuesday 21st December on-line at 6 pm

Attending: Councillors Richard Freeman (Chairman), Andy Bennett, Alec Fox, Hywel Jones, Penny Learmonth, Roy Ramm and Andrew Parker. In attendance Clare Schorah - Assistant Clerk

1. Apologies for Absence

There were no apologies for absence. Cllr Hywel Jones arrived during item 4.

2. Declarations of Interest

Cllr Alec Fox declared a prejudicial interest in application UTT/21/3641/FUL The Oak House Bannister Green and stated that he would remove himself from the meeting when the matter was discussed.

3. Public Forum

There were no members of the public present

4. Approval of Minutes of Previous Meeting

The minutes of the November meeting were formally approved. They will be signed when the Planning Committee next physically meet. Cllr Hywel Jones joined the meeting at this point.

5. New Applications to be considered

[UTT/21/3441/HHF](#)

5 Bury Fields Felsted

Proposed erection of two storey side and rear extensions, demolition of existing garage, alterations to existing porch and associated operational development
Comment: Felsted Parish Council does not object to this proposal, but it recognises the viewpoint of the neighbour at number 4 Bury Fields and shares their reasonable concerns, especially in relation to suggesting a hipped roof design and moving the access door to the annexe.

[UTT/21/3507/HHF](#)

Ro Ellen Willows Green Main Road

Single storey side and rear extensions, re-positioning metal chimney to rear
No Comment

[UTT/21/3611/HHF](#)

Meadow House Cock Green

Proposed loft conversion incorporating raising of roof, creation of rear facing dormer, installation of two rooflights - amendments to previously approved and part implemented scheme under reference UTT/19/3022/HHF
No Comment

[UTT/21/3641/FUL](#)

The Oak House Bannister Green

Erection of 1no. detached dwelling, with associated curtilage, vehicular access from public highway, off-street car parking, and landscaping.

Comment: The applicant has not adequately addressed the Inspectors concerns and reasons for his dismissal for a dwelling on this site, under Appeal ref: APP/C1570/W/16/3146791 where he stated:

“The main issues in this case are:

- The effect of the development on the setting of the adjacent listed building;*
- The effect of the development on a protected tree within the appeal site; and*
- The effect of the development on the character and appearance of the surrounding countryside”.*

The previously dismissed application was for a modest two bedroom dwelling which was, in the Inspectors opinion, unacceptable and harmful to the setting of the adjacent Grade 11 listed building, The Three Horseshoes, yet this current proposal is for a significantly larger 4 bedroom dwelling. No substantive justification has been given to support the overturn of the opinion of the previous Appeal Inspector and his robust planning conclusions to refuse a much smaller dwelling.

It should also be noted that the pre-app advice suggests potential scope for a ‘modest sized property’ requiring ‘exceptional justification’. Felsted Parish Council believes that the proposed dwelling is far from modest in size and that no exceptional justification has been presented to justify the building of any dwelling on this very sensitive site.

In the new application, there are references to “personal reasons, which are set out within a confidential personal statement” but as these are neither provided nor under normal circumstances “planning considerations” we are unable to take account of these other than to comment that the proportions and design of the proposed property do not appear to be consistent with a “supplementary dwelling” which (might possibly) meet the criteria of the Felsted Neighbourhood Plan (FNP) – Policy FEL/HN6, for a building “essential to maintaining a familial or community link to an older person (or older people)”

The proposal cannot be considered as sustainable as it does not “protect and enhance our natural, built and historic environment” i.e. the setting of the adjacent Grade 11 listed (former public house), The Three Horseshoes, as required by paragraph 8 (c) of the NPPF.

The proposed dwelling would have a significant, overbearing and negative impact, competing visually with the heritage asset that is the Grade 11 building, The Three Horseshoes. The edge of village setting of this important and historic local landmark should be protected and for it to be merged or coalesce with the established and modern adjacent buildings would be irreversible and harmful to this important listed building.

Felsted Parish Council also continues to have concerns on the potential impact on the protected tree located on the site.

It is for the reasons given above that the FNP includes Policies which protect heritage assets within Felsted Parish.

It is also contrary to:

- *Policy S7 of the Local Plan (Building in the countryside – where permission will only be given for development that needs to take place there, or is appropriate to a rural area.*
- *Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.*
- *NPPF paragraph 197 (b) (the positive contribution that conservation of heritage assets can make to sustainable communities)*
- *Felsted Neighbourhood Plan Policies*
 - *FEL/ICH 1 – High Quality Design - “reinforcing or enhancing the positive aspects of Felsteds’ character” and for countryside locations “sensitive treatment of the rural edge particularly around Felsted village with regard to impact on heritage assets and their setting including the surrounding landscape” and “all new build proposals outside the development limits must not harm their landscape setting”.*
 - *FEL/HN5 - Residential Development outside Development Limits. This policy supports certain development outside the recognised Village Development Limits that meet certain criteria, but the application as proposed, does not meet those specific criteria.*

Felsted Parish Council is extremely concerned that pre-application application correspondence dated 4th May 2021 and provided to the applicant on behalf of UDC, fails to make any reference to the Felsted Neighbourhood Plan (FNP) which was fully “Made” by a unanimous vote of the full Council of UDC just a little over a year previously on 25th February 2020. This application is in conflict with Policies in the FNP which on being “Made”, became an important constituent of the Uttlesford Development Plan and the pre-application opinions should not have omitted reference to these current, relevant and important Policies.

It should also be noted that UDC confirmed in their Housing Trajectory and 5 Year Housing Land Supply (HLS) for the period 2019/20 to 2023/24 (January 2021) that they have in excess of a 3 year HLS.

Consequently, paragraph 14 of the NPPF applies and the FNP (fully “Made” on 25 February 2020), less than 2 years old, must be recognised as a fundamental component of the ULP and an important component of the statutory local development plan, carrying substantial weight.

Felsted Parish Council is unable to support this application and therefore objects for the reasons stated.

[UTT/21/3637/HHF](#)

Watch House Cottage Bannister Green

Section 73A Retrospective application for swimming/lap pool in garden.

Comment: Felsted Parish Council would not have supported the installation of a swimming pool in the location identified had an application been submitted prior to

its construction and therefore cannot condone its retention due to the unacceptable impact on the host listed building.

Felsted Parish Council notes and agrees with the comments given by the UDC Planning Officer in her letter dated 16 February 2021, where she states: “the installation of outdoor swimming pool which closely relates to the Grade II listed dwelling and dominates the immediate setting of the heritage asset, detracting from the historic character and is at odds with the traditional context of the original dwelling. The development is considered inappropriate due to the detrimental impact to the special character and historical significance of the Grade II listed building and the surrounding settlement”.

[UTT/21/3679/HHF](#)

Mount Cottage Cock Green

Removal of existing Orangery and replace with new Orangery

Comment: Felsted Parish Council supports this proposal and believes that it is an improvement on what is currently in place.

6. Decisions received since 16th November

[UTT/20/2909/FUL](#)

Land At 39 Evelyn Road Willows Green

Demolition of outbuildings and erection of 4 no. dwellings with associated access

Application Withdrawn – 18th November 2021

[UTT/21/3032/HHF](#)

Beretun Barn Cobblers Green Causeway End

Proposed detached garage/store with home office and storage area over

Application Withdrawn – 29th November 2021

[UTT/21/2980/FUL](#)

Sparlings Farm Braintree Road

Section 73A Retrospective application for the change of use of former agricultural buildings and land for dog training. Proposed dog daycare with enclosed secure outdoor area.

Permission Granted – 2nd December 2021

[UTT/21/0606/FUL](#)

Seabrooks Farmhouse Braintree Road

Proposed detached garage to be used in conjunction with dwelling approved under planning permission UTT/20/0436/FUL which is currently under construction

Permission Granted – 2nd December 2021

[UTT/21/3176/HHF](#)

Cavendish Causeway End Road

Proposed demolition of existing rear conservatory and erection of replacement single storey rear and side extension.

Permission Granted – 6th December 2021

[UTT/21/3088/OP](#)

Land Between Hop House And Hillside Hartford End

Outline application with all matters reserved except access for the erection of 4 no. dwellings.

Permission Refused - 7th December 2021 *‘The level of rural amenity harm which would be caused through the coalescence of built form arising from the development would be both significant and demonstrable whereby the proposal would be contrary to Policy S7 of the Uttlesford Local Plan (adopted 2005) and Policies FEL/CW1, FEL/HN5 and FEL/ICH4 of the Made Felsted Neighbourhood Plan - February 2020, whereby the development would fail to protect the particular character of the part of the countryside within which it is set and is a form of development which does not need to take place within the countryside’*

[UTT/21/3209/HHF](#) / [UTT/21/3210/LB](#)

Mill House Cock Green Cock Green Road

Proposed revised scheme to that approved under UTT/21/1041/HHF - addition of roof lights to swimming pool roof.

Permission Refused – 13th December 2021 *‘it would, by virtue of its design, form and fenestration arrangements, cause significant harm to the character and appearance of the host listed building at Mill House’*

7. New Appeals to consider

[UTT/21/1891/FUL](#)

Appeal Ref: APP/C1570/W/21/3284780

Glan Howy Bannister Green Felsted - Erection of 1 no. detached dwelling

It was noted that the Appeal had not started and Felsted Parish Council will respond in full once it does start.

8. Appeal Decisions received since 16th November

[UTT/21/0079/OP](#)

Appeal Ref: APP/C1570/W/21/3272768

Land East Of Bannister Green Rayne Road

Outline application with all matters reserved except access and landscaping for the erection of 9 no. detached dwellings

Appeal Dismissed – 2nd December 2021 *‘the proposal for nine market dwellings would conflict with Policy HN5 of the Felsted Neighbourhood Plan 2018-2033 (NP) which restricts development outside of Village Development Limits other than for a number of exceptions, none of which apply in this case.... the proposed development would not provide a suitable location for housing, with regard to character and appearance. Therefore, it would conflict with LP Policy S7 and NP Policy HN5 which directs developments to within settlement boundaries. In addition, the scheme would conflict with NP Policy CW1 which resists development which results in the interruption or severance of the landscape character of the countryside among other things.’*

9. Enforcement update

The Assistant Clerk provided an Enforcement update to the committee.

10. Draft Local Plans - [Uttlesford DC](#), [Braintree DC](#)

No Comment

11. Other Urgent Planning Business and Future Dates

It was noted that the Assistant Clerk made a representation to the Uttlesford District Council (UDC) Planning Committee meeting to oppose the application UTT/21/1853/OP - Outline application with all matters reserved for the erection of 1 no. bungalow together with new access including replacement vehicular parking for no. 22 and associated external works - 22 Ravens Crescent Felsted.

The UDC Planning Committee decided to defer making a decision until a site visit was undertaken.

A letter of appreciation was received from a resident of Ravens Crescent thanking the Parish Council for their presentation to the UDC Planning Committee objecting to the proposal.

Next Meeting 18th January 2022

..... Chairman

18th January 2022

Residents wishing to make comments on Planning Applications or view other comments submitted can go to the Uttlesford District Council Website:
<https://publicaccess.uttlesford.gov.uk/online-applications>

To find out more about Appeals please go to the Planning Inspectorate Website:
<https://acp.planninginspectorate.gov.uk>