

**DEVELOPMENT CONTROL SUB-COMMITTEE held at 2.30 pm at COUNCIL OFFICES GREAT DUNMOW
on 28 FEBRUARY 2000**

Present:- Councillor Mrs D M Haggerwood - Chairman.
Councillors W F Bowker, Mrs C A Cant, Mrs M A Caton, Mrs J F Cheetham, R A E Clifford, R J Copping, R D Green, P G F Lewis, D M Miller, A R Thawley and R B Tyler.

Officers in attendance: Mrs L J Crowe, K R Davis, J Grayson,
R Harborough, J G Pine and Mrs J Postings.

I. SITE MEETING - MONDAY 28 FEBRUARY 2000

Councillors W F Bowker, Mrs C A Cant, Mrs M A Caton, Mrs J F Cheetham, R A E Clifford, R J Copping, R D Green, P G F Lewis, D M Miller, A R Thawley and R B Tyler had attended the site visit for the following application:-

UTT/1033/99/FUL Thaxted - Change of use from agricultural barn to light industrial and office accommodation - Hammer Hill Farm, Stanbrook for Interactive New Media Limited.

I. DECLARATION OF INTEREST

Councillor Mrs Cheetham declared a non-pecuniary interest in planning applications 1253/99/OP and 1254/99/FUL Great Hallingbury and Agenda Item 9, land off Tile Kiln Lane, Start Hill, Great Hallingbury as she knew the applicants.

I. MINUTES

The Minutes of the meeting held on 7 February 2000 were received, confirmed and signed by the Chairman as a correct record subject to the addition of "and to discuss with Tesco Stores Ltd the link with Shire Hill" to the reason for deferral of application 0120/98/FUL Saffron Walden.

I. MATTERS ARISING

(i) Minute P127 - Replacement Hawthorn Tree - High Street, Saffron Walden Subject to a Tree Preservation Order

Members were informed that the tree had now been planted. Councillor Green requested that provision be made for a grid to be put round the tree to protect it.

(ii) Minute P153(f) 0120/98/FUL Saffron Walden - Extension to Retail Building and Alterations to Parking/Landscaping Layout - Tesco Store, Radwinter Road for Tesco Stores Limited

The Chairman of the Sub-Committee reported that a petition had been received from the Saffron Walden Retail and Commercial Committee opposing the proposed non-food extension to the Saffron Walden Tesco Store.

I. APPLICATIONS WITHDRAWN

It was noted that the following applications had been withdrawn:-

- (i) 1253/99/OP - Great Hallingbury,
- (ii) 0103/00/FUL - Widdington, and
- (iii) 0694/99/CL - Barnston.

I. PLANNING APPLICATIONS

(a) Approvals

RESOLVED that planning permission and listed building consent, where applicable, be granted for the following developments subject to the conditions, if any, recorded in the Town Planning Register.

(1) 1569/99/FUL and (2) 1570/99/LB Great Dunmow

- (1) Subdivision and change of use of rear part of shop to ground floor flat and erection of fence to rear.
 (2) Subdivision and conversion of part of shop to ground floor flat and alteration to fenestration at rear - 4 Market Place (formerly Farmacado) for Dunmow Properties Limited.

0013/00/DFO Stansted - Car park (including admin and exit buildings, bus wash and security fencing) - Stansted Airport for Stansted Airport Limited.

(b) Refusals

RESOLVED that the following applications for planning permission be not granted for the reasons stated in the Town Planning Register.

0120/98/FUL Saffron Walden - Extension to retail building and alterations to parking/landscaping layout - Radwinter Road for Tesco Stores Ltd.

Reason: On economic impact and highway grounds (Policies R2, T1 and Planning Policy Guidance and Advice.)

0064/00/FUL Henham - Change of use from bare land to woodyard - Land adjacent to The Woodyard, Old Mead Road for Mr and Mrs G Cox.

0065/00/OP Henham - Bungalow and garage - The Woodyard, Old Mead Road for Mr and Mrs G Cox.

(c) Deferments

RESOLVED that the determination of the following applications be deferred:-

1033/99/FUL Thaxted - Change of use from agricultural barn to light industrial and office accommodation (B1) - Hammer Hill Farm, Stanbrook for Interactive New Media Limited.

Reason: To consider revised plans.

0024/00/DC Great Dunmow - Replacement toilet block - Car Park, White Street for Mr D Demery (Uttlesford District Council).

Reason: To negotiate changes to the design of the building.

1254/99/FUL Great Hallingbury - Building and office for coach depot and associated car parking - Stansted Distribution Centre, Start Hill for Mantle Estates Ltd.

Reason: To consider revised plans.

(d) Planning Agreements

RESOLVED that, subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 or the imposition of conditions, if appropriate thereon, the Corporate Director - Development, in consultation with the Chairman of the Sub-Committee and ECC Transportation and Operational Services, be authorised to approve the following application subject to the conditions to be recorded in the Town Planning Register:

1382/99/OP Saffron Walden - Industrial buildings with associated infrastructure and extension of roadway - Veermans Site, Thaxted Road for Thaxted Road Property Limited.

(e) Site Visits

The Committee agreed to visit the sites of the following applications on Monday 20 March 2000;

1271/99/OP Wimbish - Replacement dwelling - Abbots Manor for Mr and Mrs R Stone.

Reason: To assess the existing structure.

1565/99/FUL Hatfield Heath - Conversion and extension of Gardener's Cottage to dwelling and erection of detached double garage - Former Gardener's Cottage, Down Hall House for T R and D R Sargeant.

Reason: To assess whether the building is of sufficient quality to justify conversion and consider the availability of the proposed passing places.

I. UTT/0447/99/FUL - CREATION OF 11 PARKING SPACES ON LAND TO REAR OF 3-21 THOMAS COTTAGES, THE STREET, MANUDEN

UTT/0937/99/FUL - CONVERSION OF DISUSED INDUSTRIAL BUILDING TO A ONE BEDROOM DWELLING AT THE FORGE, CHURCH END, GREAT DUNMOW

Members received a report regarding current appeals on the above sites where decisions had been taken without Officer support.

UTT/0447/99/FUL

RESOLVED that Councillor Clifford or Councillor Mrs Caton be appointed to represent the Council at the forthcoming appeal hearing on 18 April 2000.

UTT/0937/99/FUL

RESOLVED that Councillor Thawley or a consultant be appointed to represent the Council at the appeal hearing on 11 May 2000.

I. ENFORCEMENT OF PLANNING CONTROL - LAND OFF TILE KILN LANE START HILL, GREAT HALLINGBURY (FORMERLY ELLIOTTS YARD)

Members received a report concerning the unlawful use of land for the storage of motor vehicles, car repairs and valeting. Part of the site, including part of the area excluded by a Section 37 Agreement for any storage use, was being used to store accident damaged motor vehicles. Adjacent buildings were also used for the valeting and repair of motor vehicles. The storage of accident damaged vehicles was unacceptable and detrimental to the amenity of the area, contrary to the Policy S2.

RESOLVED that

- 1 enforcement and, if necessary, legal action be taken to cause the use of open storage of motor vehicles to cease within the area of land covered in the Section 37 Agreement executed in 1971, and
- 2 the owner be invited to submit applications for the retention of the use of existing land and buildings for car repairs, valeting and storage of motor vehicles by 31 March 2000.

I. UTTLESFORD DISTRICT COUNCIL TREE PRESERVATION ORDER NO 11/99, THAXTED

Members considered a report which sought the confirmation of Tree Preservation Order 11/99 Thaxted. The Order had been served following a notification of intent to fell a Sycamore tree in the rear garden of 11 Mill End, Thaxted. The tree is within a Conservation Area. Objections to the Order had been received from the owners of the property and Thaxted Parish Council.

The tree had been inspected by the Council's Landscape Officer and found to be a mature specimen of approximately 10 metres in height and in good general health. It was considered to be of a visual amenity value worthy of protection.

RESOLVED that the Tree Preservation Order be confirmed without amendment and consent be granted for an overall crown reduction and reshaping, the amount of crown reduction and reshaping to be agreed with the Landscape Officer.

I. BERISFORD PROPERTY DEVELOPMENTS PLC'S APPLICATIONS TO AMEND THE CONDITION ON THE OUTLINE PLANNING PERMISSION FOR REDEVELOPMENT OF THE FELSTED SUGAR BEET FACTORY SITE, LITTLE DUNMOW TO ALLOW 250 DWELLINGS TO BE CONSTRUCTED PRIOR TO COMPLETION OF THE NEW A120 - 0873/99/FUL AND 0942/99/FUL

Members received a report updating them on discussions with the applicant in relation to a planning obligation to improve the junction of Little Dunmow Road with the existing A120 and the imminence of the Public Inquiry relating to the appeal on one of the duplicate applications. The applicant had paid £50,000 to Essex County Council towards the cost of implementing unspecified A120 junction improvements. The County Council had not progressed any scheme. A traffic signal control junction had now been designed which complied with the County Council safety audit requirements. The cost of the road construction and lights was now estimated at £243,000 and the cost of diverting services at £396,000, of which the largest element would be BT's costs at £340,000. The preliminary estimate had been £150,000, but because of the increase in costs to a total of around £640,000 and the consensus of all technical advice that the junction would work effectively without signal control, the applicant had now withdrawn its offer to provide traffic control systems.

Localised widening of the junction throat to provide separate lanes for traffic turning left and right onto the A120 would still be implemented and would cost about £100,000. The developer had agreed to carry out the works and the County Council would refund the junction contribution.

The Head of Transportation and Operational Services at Essex County Council had revised the authority's recommendation. This would allow the application to vary the condition to be permitted subject to a condition that no more than 165 dwellings be occupied before the highway works shown in principle on drawing UTT/70/99/SKO1 was completed. The drawing would need to be modified to show the provision of signs, lines, lighting, refuges, bollards, curbs and the relocation of the weather station as appropriate. Before any works could be carried out on the highway the developer would need to enter into a highway works agreement.

The report of the independent Highway Consultant and the recommendation of Essex County Council had been discussed with local Members and the Chairman and Vice-Chairman of the Sub-Committee. The Members were satisfied with the consultant's report and Essex County Council's recommendation. Members specifically required the provision of islands on the A120 to prevent vehicles overtaking. Thus the Section 106 Agreement would not be required.

If planning permission were granted, the appeal would be withdrawn and the Inquiry commencing 7 March cancelled.

RESOLVED that planning permission be granted subject to revised conditions relating to phasing of the development, and the junction improvements proposed.

I. APPEAL DECISIONS

The Committee noted the following appeal decisions:-

Allowed

- (i) Timbers, Hallingbury Place, Great Hallingbury, (ENF/173/97/D) - Cessation of use of garage/store as part use as an office and operating centre using connection with a plant hire and contracting business.

There would be no further action on the refusal of planning permission for the change of use of a mezzanine floor to office use in view of the decision to allow the first appeal (UTT/0630/98/FUL).

- (ii) Construction of extension - The Mission Hall, Thaxted Road, Wimbish (UTT/0984/99/FUL)
- (iii) Non-determination within 8 weeks of an application for the change of use of land and erection of 14 dwellings with associated site works, roads etc - Harris Yard, Thaxted Road, Saffron Walden (UTT/0524/99/FUL)

Dismissed

- (i) Agricultural worker's dwelling - Claypitts Farm, Off Dunmow Road, Thaxted (UTT/0092/99/OP).

I. PLANNING AGREEMENTS

The Sub-Committee received a schedule setting out the current position regarding the outstanding Section 106 Agreements.

In answer to Members' questions they were informed that the planning agreements for the Rochford Nurseries Development had not yet been signed. An update had been received from Essex County Council and the feasibility study of strengthening works to Pesterford Bridge was expected to last six months. There were ongoing discussions with the developers to bring the bridge improvements forward. The Highway Authority would keep the District Council informed of progress in this matter.

I. PLANNING APPLICATIONS DUE TO BE CONSIDERED

Members received a report listing planning applications due to be considered by the Sub-Committee.

I. EXCLUSION OF THE PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of Exempt Information as defined in paragraphs 12 and 15 of Part I of Schedule 12(A) of the Act.

I. UTT/1592/98/FUL - APPEAL RE OLD BARN HOUSE, GREAT CANFIELD

Members received a report which drew to their attention the views of the Council's advocate David Whipps regarding who should act as the Council's witness. Members were advised that it might be difficult to find an architect who would be prepared to professionally criticise the work of another and that the fee was likely to be high. It was

RESOLVED that an architect be appointed to give evidence on behalf of the Council in relation to paragraph 3.21 of PPG7.

Councillor Copping wished it to be recorded that he had voted against the above resolution.

The meeting ended at 5.15 pm.