

**DEVELOPMENT CONTROL SUB-COMMITTEE held at 2pm at COUNCIL OFFICES GREAT DUNMOW on 21 MAY 2001**

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

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

P1 **SITE MEETINGS**

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

**UTT/0131/01/FUL Stebbing** – 19 Unit boarding cattery, car park and access  
– Thatch Cottage, Stebbing Green for Mrs S Cotter.

P2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R A E Clifford and  
R J Copping.

P3 **DECLARATIONS OF INTEREST**

Councillor P G F Lewis declared a non pecuniary interest in planning  
application 0413/01/FUL Hatfield Heath, 0053/01/CL Hatfield Heath and  
0427/01/CL Hatfield Heath as a member of Hatfield Heath Parish Council.  
Councillor Mrs Cant declared a non pecuniary interest in planning application  
0131/01/FUL Stebbing as a member of Stebbing Parish Council. Councillor  
A R Thawley declared an interest in Minute P182(ii) – Detached dwelling with  
integral garage – land adjacent to the Three Horseshoes Public House,  
Bannister Green, Felsted for Asprey Estates Limited as he lives near to the  
site. He did not speak or vote on the matter. Councillor Mrs J F Cheetham  
declared a non-pecuniary interest in applications 0141/01/FUL and  
0142/01/LB as the applicant had previously carried out work for her.  
Councillor R Green declared an interest in application 0191/01/FUL Saffron  
Walden and did not speak or vote on the application.

P4 **MINUTES**

The Minutes of the meeting held on 30 April 2001 were received, confirmed  
and signed by the Chairman as a correct record.

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**MATTERS ARISING**

- (i) **Minute P182(i) – Essex County Council Consultation re proposed parking restrictions in connection with the extension: new hall and reception and classrooms with WC and storage – Great Dunmow Junior School, High Stile (UTT/972/00/CC)**

The Senior Planning Officer reported that following consideration of a proposal to amend a condition of the permission at the last meeting of the County Council Development Control and Regulation Committee, the County Council had decided to hold over its decision to amend the condition. A revised planning application would be received by the Sub-Committee at the next meeting.

- (ii) **Minute P182(ii) – Detached dwelling with integral garage – land adjacent to the Three Horseshoes Public House, Bannister Green, Felsted for Asprey Estates Limited**

The Principal Control Officer confirmed that the deadline for receiving the planning application had expired on 10 May 2001. No planning application had been received. It was reported that a letter had been received from a neighbour claiming that the chimneys were higher than had been approved in the original planning permission. Councillors Mrs Cant and Mrs Cheetham expressed concern at the height of the rear wing of the dwelling.

RESOLVED to take enforcement and, if necessary, legal action to ensure that the height of the rear wing was no higher than the existing front ridge of the dwelling.

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**APPLICATIONS WITHDRAWN**

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

- (i) 0324/01/FUL Clavering  
(ii) 0409/01/FUL Leaden Roding

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**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:-

**0311/01/FUL Great Dunmow** – Change of use of retail and offices to 21 bedroom motel -The Old Mill, Haslers Yard for Airport Hotels Ltd.

**0297/01/OP Great Chesterford** – Replacement dwelling and garage - “Luckfield”, Newmarket Road for M Derham.

**1) 0245/01/FUL and 2) 0246/01/LB High Easter** – 1) single-storey rear extensions and 2) single-storey rear extensions and insertion of replacement windows - Little Garnetts, Bishops Green for Mr and Mrs J Flack.

**0486/01/FUL Little Hallingbury** – Change of use of barn to B1 office/domestic storage and associated car parking (amendments to previous approval UTT/1211/99/FUL) - Barn adjacent to The Thatched Cottage, Little Hallingbury Park for Mr Tekdag.

**1) 0141/01/FUL and 2) 0142/01/LB Great Easton** – 1) and 2) Two-storey and single-storey rear extensions - Easton Hall Cottage for Mr D McLagan.

**0333/01/FUL Great Canfield** – Two-storey replacement dwelling - ‘New House’, Hope End for De Vere Homes Ltd.

**0485/01/FUL Hatfield Broad Oak** – Replacement dwelling and alteration of existing access - The Bungalow, Pierce Williams for Foxley Builders Ltd.

**0402/01/FUL Lindsell** – Single-storey rear extension and detached double garage and garden store - 1 Slatted Cottages, Holders Green for Miss N Cox.

**(b) Refusals**

RESOLVED that the following applications be not granted for the reasons stated in the Town Planning Register:-

**0131/01/FUL Stebbing** – 19 unit boarding cattery, car park and access - Thatch Cottage, Stebbing Green for Mrs S Cotter.

**0365/01/OP Clavering** – Pair of two bedroom cottages - Land adjacent to “Sunnyside”, Hill Green for Mr S Edmans.

**0444/01/OP White Roding** – Single-storey dwelling - Site 1 Greylands for Aldis of Barking Ltd.

**0413/01/FUL Hatfield Heath** – Single-storey front and rear extensions (to facilitate creation of 40 seat restaurant) and first-floor rear extensions to existing living accommodation - Raj of India, Kenwood, Chelmsford Road for Mr Rahman.

**0496/01/FUL Thaxted** – Two storey dwelling - Plot 1 The Stores, Cutlers Green for Mrs M Mandler.

**(c) Deferrals**

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

**0954/00/FUL Stansted** – 21 dwellings and ancillary works – St Teresa’s Church, Silver Street for Fairclough Homes Limited.

Reason: Awaiting appeal decision on duplicate application.

**1284/00/DFO Takeley** – Two/three additional floor levels of car parking at existing short term car park – Stansted Airport for Stansted Airport Limited.

Reason: To obtain independent assessment as to whether underground car parking can be provided; and for perspectives of site from the SW and SE.

**0020/01/FUL Debden** – Conversion of barn to single dwelling. Construction of new vehicular access – Barn at Broctons Farm, Rookend Lane for W Bunting.

Reason: For further negotiations re scale and design

**0036/01/CL Felsted** – Land for vehicle parking together with associated activities and the use of buildings for storage or other purposes ancillary to the use of vehicle parking – Land abutting north of Trycot, Bartholomews Green for Mr L J Ely.

Reason: To negotiate the terms of an agreement under Section 106 of the Town and Country Planning Act 1990.

**(d) Referral to Planning and Development Committee**

**0156/01/DC Great Easton** – House and detached garage. Creation of new access - Land between 4 and 5 School Villas, Great Easton for Mr D Demery, Uttlesford District Council.

RESOLVED that the Planning and Development Committee be recommended to refuse planning permission for this application.

**(e) Authority to the Director of Community Services**

RESOLVED that the Director of Community Services in consultation with the Chairman of the Sub-Committee be authorised to refuse the following application following consultation with Essex County Council as to whether the matter is for determination by Essex County Council or Uttlesford District Council:-

**1824/00/FUL Little Dunmow** – Change of use of land from agricultural and construction of new lorry/car parking and turning area in connection with existing waste transfer station and skip hire premises – Land adjacent to the railway yard, Station Road for S Malins.

**(f) District Council Interest/Development**

Members considered the following applications:-

**0437/01/FUL Thaxted** – Construction of access ramp and rail - 7 Town Street for Ian Fynn (R F Knights).

**1407/00/DC Rickling** – Construction of two vehicular accesses and hardstanding area - 5 and 6 Woodside, Rickling Green for Mr D Demery, Uttlesford District Council.

RESOLVED that pursuant to the Town and Country Planning Regulations 1992 permission be granted for the developments proposed subject to the conditions recorded in the Town Planning Register.

**(g) County Matters**

*Mr P Gowan of Takeley Parish Council attended to speak on the following item. A summary of the points he raised is appended to these Minutes.*

**0240/01/CC Takeley/Little Canfield** – Extraction of sand and gravel, installation of plant for processing, disposal of surplus clay in connection with A120 construction and restoration – Land at Frogs Hall Farm for RMC Aggregates (Eastern) Limited.

RESOLVED that Essex County Council be advised that the District Council objects to the proposal as premature pending an investigation into an alternative location for the extraction of aggregate, because the site is not a “Preferred Site” in the Structure Plan and there is no need for extraction from the application site and because an Environmental Impact Study should have been submitted.

**(h) Certificates of Lawfulness**

**0218/01/CL Henham** – Certificate of lawful use for land and buildings for A1, B2, B8 and *sui generis* uses – The Woodyard, Old Mead Road for Mr and Mrs G Cox.

RESOLVED that a Certificate of Lawfulness be granted for the use of the land and buildings for A1, B2 and B8 and *sui generis* uses.

**0053/01/CL Hatfield Heath** – Certificate of Lawful Use for use as a class A1 shop – Unit 1, Heathview, Pond Lane for Reynolds (1994) Limited.

RESOLVED that a Certificate of Lawfulness be granted for the use of the building as a Class A1 shop.

**0427/01/CL Hatfield Heath** – Certificate of Lawfulness for use of land for the purpose of: 1) access and egress to Heath View, 2) a parking area for the residents of Heath View and 3) a parking area for the customers, proprietors and visiting suppliers and tradesmen of the business units at Heath View – Heath View, Pond Lane for Reynolds (1994) Limited.

RESOLVED that a Certificate of Lawfulness be granted for the land that does not form part of the village green, as shown on the aerial photograph taken in 1990.

**(i) Site Visits**

The Sub-Committee agreed to visit the sites of the following applications on Monday 11 June 2001:-

**1731/00/OP Manuden** – New community and sports centre, formation of associated parking area, new vehicular access, new footpath and multi-use games area – Playing Field, off The Street for Mrs G Ryan, Parish Clerk.

Reason:- To assess the impact of the building on the neighbours and the surrounding countryside.

**0191/01/FUL Saffron Walden** – Conversion of agricultural buildings to one residential unit – Agricultural buildings at Stonebridge Farm, Little Walden for Mr and Mrs E Baker.

Reason:- To assess the condition of the buildings and whether they are worthy of retention.

**1) 0062/01/FUL and 2) 0064/01/LB Stebbing** – 1) and 2) change of use from watermill to residential with alterations and associated works – Town Mill, Mill Lane for Goodfellows Estates Limited.

Reason:- To assess the condition of the building.

**0298/01/FUL Great Chesterford** – Change of use from bare land to residential garden use in conjunction with “Luckfield” – Land adjacent to Luckfield, Newmarket Road for M Derham.

Reason:- To assess the impact on the surrounding countryside.

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**OUTLINE APPLICATION FOR THE ERECTION OF ABOUT 400 DWELLINGS, CONSTRUCTION OF AN ACCESS TO HIGHWAY AND PROVISION OF PUBLIC OPEN SPACE, PLAY AREA AND SITE FOR SCHOOL, ROCHFORD NURSERIES, BIRCHANGER AND STANSTED MOUNTFITCHET : UTT/0443/98/OP**

Members received a report for information updating them on the latest position with this application.

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**APPEAL DECISIONS**

The Sub-Committee noted the following appeal decisions:-

**(a) Dismissed**

Change of use from builders merchants, skip and plant hire and general contractors yard to residential use and four dwellings with garages at Howlett End, Wimbish (UTT/0219/00/OP).

**(b) Allowed**

(i) Menage lighting at Oddyns Farm, Little Canfield (UTT/1377/00/FUL).

(ii) Three dwellings with garages - site at Howlett End, Wimbish for Taylor Bros Limited (UTT/1125/00/OP).

**P10 PLANNING AGREEMENTS**

The Sub-Committee received a schedule setting out the current position regarding the outstanding Section 106 agreements. Members noted that the current position on planning reference UTT/0084/01/FUL should have read 'agreement being negotiated'.

**P11 URGENT ITEM – CONSTRUCTION OF BORROW PIT TO SUPPLY 510,000 TONNES OF AS DUG SAND AND GRAVEL FOR A120 STANSTED/BRAINTREE ROAD IMPROVEMENT SCHEME AT BROADFIELDS FARM, FELSTED (REVISED PLANS) : UTT/0380/01/CC**

RESOLVED that Essex County Council be advised that the District Council raises no objections to this application, subject to conditions.

Reason for urgency: Because Essex County Council would be determining the application on 25 May 2001.

**P12 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.

**P13 APPEAL DECISIONS**

**Change of Use from Builders Merchants, Skip and Plant Hire and General Contractors Yard to residential use and erection of three dwellings with garages (UTT/1125/00/OP)**

Following discussion it was

RESOLVED that Counsel's advice be sought and if it is that the Council has a robust case the Director of Community Services, in consultation with the Chairman of the Sub-Committee, be authorised to appeal against the Inspector's decision.

The meeting ended at 4.55pm



**DEVELOPMENT CONTROL SUB-COMMITTEE – 21 MAY 2001****COMMENTS MADE BY REPRESENTATIVES OF TOWN AND PARISH COUNCILS****UTT/0240/01/CC – TAKELEY/LITTLE CANFIELD**

- 1 While the Parish Council accept that the revised application is an improvement over the previous one, it still questions the necessity.
- 2 The proposed Frogs Hall site is not a preferred site and is within an area of special landscape value.
- 3 The site is very close to an active badger sett.
- 4 An Environmental Impact Assessment should be carried out. The proposed mineral extraction rate is within the threshold of where an EIA study would be expected under the 1999 regulations. This criterion is that an EIA is required where the extraction exceeds 30,000 tonnes per year. Frogs Hall site is given as 615,000 tonnes over two years – well in excess of the criterion.
- 5 The bridleway is a very important feature between Bambers Green and the Eastons. It is used regularly by both horse riders and walkers. It is essential that if permission is given to this application, the temporary bridleway diversion is in place prior to any development. This is not guaranteed by the wording of the planning conditions suggested by the County Council. However, if the diversion order were objected to then it would have to go to appeal whereby the timescale would be greatly increased.
- 6 The Parish Council is very concerned regarding the availability of material for the backfill. Any shortage would have disastrous effects on flooding – you only have to see what has happened during the past winter to appreciate the situation if the final level is lower than at present. The Parish Council questions the ability to supply sufficient backfill from the A120.
- 7 The Parish Council is concerned that the site is to have a processing plant for the production of concrete. This would be far better positioned on the Little Easton site being further away from the habitation and cause less noise, air pollution and visual impact.
- 8 Condition 5 requires clarification:-
  - (i) what is meant by commencement, ie of what?
  - (ii) roadworks should be specified as being the western sector and not the full A120
  - (iii) the earliest should be stipulated – either the two year permission (plus one for restoration) or when roadworks complete as per Essex County Council condition.