

**DEVELOPMENT CONTROL SUB-COMMITTEE held at 2.00 pm at
COUNCIL OFFICES GREAT DUNMOW on 2 JULY 2001**

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

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

P28 SITE MEETINGS

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

UTT/0382/01/FUL Saffron Walden – Residential development – Harris Yard,
Saffron Walden.

UTT/0326/01/FUL Hatfield Broad Oak – Replacement dwelling – Anthony’s
Lane for J Schonberg.

P29 APOLOGIES

Apologies for absence were received from Councillors R D Green and
A R Thawley.

P30 DECLARATIONS OF INTEREST

Councillor R J Copping declared a non-pecuniary interest in applications
0553/01/FUL and 0554/01/LB Great Dunmow and did not speak or vote on
the applications.

P31 MINUTES

The Minutes of the meeting held on 11 June 2001 were received, confirmed
and signed by the Chairman as a correct record subject to the following
amendments:-

**(i) Minute P19(d) - Referral to the Secretary of State for the
Environment**

The words “recommended to grant planning permission and
1)0062/01/FUL and 2)” to be deleted and the resolution to be worded
:“RESOLVED that the Secretary of State be notified that the Council is
minded to grant listed building consent for the following development:”

(ii) Minute P20 - Breach of Conditions at Elsenham Stud, Elsenham

RESOLUTION 1 : the words “no action be taken regarding condition C.90C of Planning Permission UTT/0933/00/FUL” to be amended to “no action be taken regarding Condition C.90A of planning permission UTT/0636/00/FUL.

RESOLUTION 3 : the words “the decision whether to serve a Breach of Condition Notice in respect of Condition C.90A of planning permission UTT/0636/00/FUL be deferred to seek further design guidance with regard to the roof light” to be amended to read “the decision whether to serve a Breach of Condition Notice in respect of Condition C.90C planning permission UTT/0933/00/FUL be deferred to seek further design guidance with regard to the roof light”.

(iii) Minute P26 - Application for Certificate of Lawful Use - UTT/0036/01/CL Felsted

The resolution to be amended to read “RESOLVED that the application be deferred to continue negotiations on restrictions of the normal working hours and further controls be sought on the occasional vehicle movements.”

(iv) Minute P27(xv) - Rodingsland Great Canfield

“Rodingsland” to be amended to read “Rodingland” and the words “of landscaping” to be inserted after the words “a scheme”.

P32

MATTERS ARISING**(i) Minute P18(i) - Land Adjacent to The Three Horseshoes Public House, Bannister Green, Felsted for Asprey Estates Limited**

The Principal Control Officer informed Members that a planning application had now been received with a statement confirming that the height of the rear wing would be lowered so that it is no higher than the front ridge of the dwelling. The Enforcement Notice would be held in abeyance until the District Council was satisfied that the work had been carried out in compliance with the planning permission.

(ii) Minute P18(iii) - County Matters - Takeley and 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)(0240/00/CC).

Members were informed that an appeal had been lodged against the Essex County Council’s refusal.

RESOLVED that the Director of Community Services in consultation with Councillor Mrs Cheetham be authorised to determine this Council's response to comments sought by Essex County Council.

- (iii) Minute P18(iv) - 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 were advised that Officers would submit a full report to the next meeting of this Sub-Committee.

Councillor Clifford reminded Members that this application had been approved at the Development Control Sub-Committee on 25 January 1999. He said that PPG3 was only guidance and not law. Councillor Mrs Godwin said that she was puzzled as to why this permission had not been issued. The infrastructure would not support the extra housing advised by the revised PPG3. The Head of Legal Services said that Counsel's advice had been sought and there were some technical issues. Councillor Clifford wished it to be recorded that he totally rejected Officers' comments.

- (iv) Minute P19(e) - Referral to Planning and Development Committee**

Members were informed that planning applications 1731/00/OP Manuden and 1727/00/OP Saffron Walden had been approved by the Planning and Development Committee on 14 June 2001.

- (v) Minute P19(f) - County Matters 0650/01/CC Great Dunmow – Variation of Condition No 3 of CC/UTT/46/00 relating to traffic management measures by deletion of words “High Stile and” at Dunmow Junior School, High Stile for Director of Planning Services, Essex County Council.**

Councillor Copping informed the Sub-committee that the Essex County Council Development and Regulation Committee had granted the change of wording on this application. The decision was regretted by Members and

it was

RESOLVED that this matter be referred to the next meeting of the Highways Sub-Committee.

(vi) Minute P20 – Breach of Conditions at Elsenham Stud, Elsenham

RESOLVED that no enforcement action be taken in respect of the roof light.

(vii) Minute P27(viii) – Bridgefoot Cottage, Parsonage Road, Takeley

Members were advised that the appeal had been dismissed and costs had been awarded to the District Council.

P33 **APPLICATIONS WITHDRAWN**

It was noted that the following applications had been withdrawn:

- (i) 0363/01/FUL and 0364/01/LB Wendens Ambo
- (ii) 0259/01/FUL Little Dunmow

P34 **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.

1802/00/FUL Great Dunmow – two-storey extension and detached office accommodation - 42 High Street for Mr and Mrs Frecknall.

1) 0454/01/FUL and 0455/01/LB 2) 0567/01/FUL Great Dunmow

- 1) Change of use from A1 shop to A3 café bar and alterations to building.
 - 2) Change of use from class A1 shop to A2 office.
- Ground Floor, 39 and 41 High Street for IHCCG Properties Ltd.

0373/01/FUL Great Canfield – Change of use from storage to agricultural and vehicle maintenance/workshop area - Ashfield Polo and Equestrian Centre for Mr A Mathies.

0562/01/FUL Ashdon – Conversion of agricultural building to class B1 units (business). Associated alterations and car parking – Hill Farm, Radwinter Road for Mr P Bidwell.

0612/01/FUL High Easter – Conversion of part of building to form 2 units of B & B accommodation – Maidens Farm for M C Matthews.

0328/01/FUL Tilty - Change of redundant farm building to church organ workshop (B1 use) – Marsh's, Dutton Hill for Mr M R Young.

0563/01/FUL Newport – Change of use of land to lorry parking area Ringers Farm House, Debden Road for Eismann International Ltd.

1) 0631/01/FUL and 2) 0632/01/LB Great Sampford -

1) Conversion of barn to residential use with associated new access and parking.

2) Internal and external alterations as part of conversion of barn to residential use

The White House, Moor End for Mr and Mrs W Smith.

0493/01/FUL Elmdon - One dwelling and detached double garage – Meadows, Duddenhoe End for P J H Rowe.

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

1) 1709/00/FUL and 2) 1712/00/LB and 3) 0009/01/CA Saffron Walden

1) Dwelling and walls

2) Demolition of part of dwelling, walls and stable

3) Demolition of steel framed sheds -

54 Castle Street for Mr R G Jeffery.

1) 0203/01/FUL and 2) 0205/01/CA Felsted

1) Change of use from educational (D1) to sheltered housing (C3) conversion of listed building to six 2 bed apartments and warden's accommodation, 3-storey 18 apartment building, single storey rear extension, single storey glazed link, sun room and creation of car parking.

2) Demolition of single storey outbuildings and wall - Ingrams Close, Braintree Road for The Governors, Felsted School

0283/01/FUL Felsted – two-storey dwelling and single detached garage – Site fronting Chelmsford Road, Causeway End for Shire Hall Homes Ltd.

0260/01/FUL Great Dunmow - Two-storey rear extension to form two flats - 15 High Street for Mr R F Stiffell.

0495/01/FUL Thaxted – Demolition of existing bungalow and erection of two-storey detached dwelling – Plot 2 The Stores, Cutlers Green for Mrs M Mandler.

0644/01/OP Langley – One bungalow – 1 Highfields for Mrs J Sell

0375/01/DFO Little Hallingbury – Single dwelling with detached garage and alteration of existing access – 1-2 Park Cottages, Motts Green for Thorplan Homes Ltd.

1) 0354/01/FUL and 2) 0355/01/LB Hatfield Heath

1) Retrospective change of use of redundant farm building to newspaper distribution depot (B8) and associated office accommodation - B1 use in 2 barns.

2) Retrospective works in connection with use of redundant farm building as newspaper distribution depot (B8), with associated office accommodation and works - B1 use in 2 barns - Shrubbs Farm, Sheering for M Liddell.

0549/01/FUL Hatfield Heath - Conversion and extension of gardener's building to form dwelling – Down House Gardener's Cottage, Down House, Matching Green for T R and D R Sargeant.

(b) Refusal

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

0954/00/FUL Stansted - 21 dwellings and ancillary works – St Teresa's Church, Silver Street for Fairclough Homes Ltd.

(c) Deferments

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

0036/01/CL Felsted – Use of 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 – Trycot, Bartholomews Green for Mr L J Ely.

Reason: To consider the terms of a proffered Section 106 Agreement controlling hours of use.

0326/01/FUL Hatfield Broad Oak – Replacement dwelling and change of use of land to residential – Anthonys, Anthonys Lane for J Schonberg.

Reason: For applicants to obtain an independent report on the flooding issues and to consider a smaller dwelling and its relocation to east.

0382/01/FUL Saffron Walden – 72 dwellings comprising 20 two bed flats, 16 one bed flats, 28 two bed houses, 8 three bed houses – Land off Thaxted Road, Harris Yard and allotments off Radwinter Road for Monkbury Limited.

Reason: To await receipt of comments from Essex County Council Transportation and Operational Services.

1) 1743/00/FUL and 2) 1745/00/LB Ashdon

1) Use of disused mill as tourist facility and formation of parking area with two passing places

2) Restoration involving repair/replacement of timber frame, brickwork and roof etc -

Piece of land directly across Mill Lane from Ashdon Windmill, Steventon End for Ashdon Windmill Trust Limited.

Reason: For negotiations to increase the number of car parking spaces.

(d) Referral to The Secretary of State for the Environment

RESOLVED that the Secretary of State for the Environment be notified that the Council is minded to grant listed building consent for the following developments:-

0204/01/LB Felsted - Conversion of listed building to six 2 bedroom apartments and wardens accommodation, single storey rear extension, single storey glazed link and sun room and associated internal and external alterations - Ingrams Close, Braintree Road for The Governors, Felsted School.

0261/01/LB Great Dunmow - Partial demolition, internal and external works to form two shop units, two-storey rear extension to form two flats and associated works - 15 High Street for Mr R F Stiffell

(e) Certificate of Lawfulness

0621/01/CL Great Easton – Certificate of Lawfulness for non-compliance with condition attached to permission granted under ref DUN/4/51 (Agricultural Occupancy Condition) – 2 Maysland Cottage, Dunmow Road for Mr P Stephens.

RESOLVED that a Certificate of Lawfulness be granted for the continued occupancy of the dwelling without complying with the agricultural occupancy condition.

(f) County Matters

0666/01/CC Rickling – New school hall, teaching accommodation, kitchen, lavatories and links to existing building. Lean-to, outbuildings, oil tank and first floor bathroom extension demolished – Rickling C of E Controlled Primary School for Essex County Council.

RESOLVED that Essex County Council be advised that the District Council

- (i) objects to the form, siting and location of proposal which would adversely affect the Conservation Area, the setting of the listed building to the north and the trees, and
- (ii) requests negotiations with the applicant and wishes the comments of Sport England to be taken into consideration before the granting of any permission involving the loss of the playing field.

0721/01/CC Newport – Review of mineral planning permissions – application for determination of conditions and extension to extraction to east – Chalk Farm Quarry for Essex County Council Environmental Services.

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

(g) Site Visits

The Sub-Committee agreed to visit the site of the following applications on Monday 23 July 2001:-

0696/01/FUL Saffron Walden – Change of use and conversion from shop and offices to create three dwellings. Detached house. Alterations to existing and construction of 2.15m high boundary wall. Alterations to vehicular accesses – The Chapel, Castle Hill for Andrew Burton.

Reason: To assess whether there would be over-development, parking problems and lack of amenity space.

0548/01/OP Great Dunmow – Three dwellings (all matters reserved) – Land south of Nos 60 and 67 Springfields for Executors of Mrs D Harris.

Reason: To assess the impact upon the infrastructure of the area, traffic and future access to adjoining land.

1) 0553/01/FUL and 2) 0554/01/LB Great Dunmow – 1 and 2) Retention of single storey extension – Barn 2, Dunmow Park, Braintree Road for Mr D Wolfe.

Reason: To assess the effect on the setting of the listed building.

0591/01/FUL Great Hallingbury – Detached two-storey dwelling and integral double garage. Change of use from public house car park to residential and creation of new vehicular access – Land adjacent to the Hop Poles, Bedlars Green for Mr P Cullen.

Reason: To assess the location and orientation of the building, car parking issues and the visual effect on the village street scene.

0315/01/FUL Manuden – Detached double garage – 8 The Street for Mr R Burnard.

Reason: To assess the impact of the building on the setting of the neighbouring listed building and the character of the Conservation Area.

P35 **EASTON PARK, LITTLE EASTON – MODIFICATION OF AGREEMENT UNDER SECTION 34 OF THE TOWN AND COUNTRY PLANNING ACT 1932**

Members received a report recommending the release of land at Easton Park, Little Easton from the provisions of an agreement dated 28 April 1939 in order to allow the land to be used as a borrow pit in accordance with a planning permission granted by Essex County Council.

RESOLVED that the Agreement of 28 April 1939 be modified so far as is necessary to allow the carrying out of the works approved under Essex County Council planning permission reference ESS/52/00/UTT provided that upon completion of the works the relevant land is restored in accordance with the conditions of that planning permission.

P36 **ENFORCEMENT OF PLANNING CONTROL: LAND ADJACENT HUNTINGFIELDS HOUSE, STORTFORD ROAD, LITTLE CANFIELD**

Members received a report concerning the unauthorised erection of an open fronted storage building on land not presently being used for agricultural purposes. It was

RESOLVED that enforcement and, if necessary, legal action be taken to secure the demolition and removal of the structure from the land.

P37 **APPEAL DECISIONS**

The Sub-Committee noted the following appeal decisions:-

(a) Allowed

- (i) Failure to determine within eight weeks an application for planning permission for residential development comprising 3 one bed flats, 60 two bed flats, 5 two bed houses and 12 three bed houses. A signal controlled junction up to Radwinter Road, garages, parking and turning areas and landscaping – land adjacent to Printpak Europe Limited, Radwinter Road, Saffron Walden (UTT/1117/00/FUL).
- (ii) Demolition of two garages and two Nissen huts and erection of one bungalow and garage – site at rear of The Paragon, High Street, Newport (UTT/1036/00/FUL).
- (iii) Swimming pool enclosure – Short Cottage, Crow Street, Henham (UTT/0828/00/FUL).

(b) Dismissed

- (i) Three bedroom bungalow – land adjoining Asmara, Henham Road, Debden Green, Debden (UTT/0753/00/OP).

- (ii) Bungalow – 75 Jacksons Lane, Great Chesterford (UTT/1632/00/OP).

P38 **PLANNING AGREEMENTS**

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

In connection with planning application UTT/0443/98/OP re land at Rochford Nurseries, Councillor Clifford informed the Sub-Committee that he would be taking legal advice concerning the District Council's handling of this application. Councillor Mrs Godwin endorsed Councillor Clifford's comments.

P39 **SITE VISITS**

As there would be six site visits on the morning of the next Development Control Sub-Committee on 23 July 2001, it was agreed that the workshop on Conservation Areas and Listed Buildings would now be held in the autumn.

P40 **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 1 of Schedule 12A of the Act.

P41 **RETENTION OF A SINGLE STOREY EXTENSION AT BARN 2 DUNMOW PARK, BRAINTREE ROAD, GREAT DUNMOW – 0553/01/FUL AND 0554/01/LB**

The Head of Legal Services informed Members that because of the wording of conditions in the 1989 permission, it would not be expedient to take enforcement action.

The meeting ended at 5.25pm.