

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at
2.00pm at COUNCIL OFFICES GREAT DUNMOW on 15 OCTOBER 2001**

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

Also present at the invitation of the Chairman:- Councillors R J Copping
A R Merrion and A R Row.

Officers in attendance:- F Chandley, Mrs L J Crowe, J Grayson, J Mitchell
and J Pine

DCL29 APOLOGIES

An apology for absence was received from Councillor Mrs C M Dean.

DCL30 DECLARATIONS OF INTEREST

Councillor Mrs J F Cheetham declared a non-pecuniary interest in planning
application 1008/01/FUL Hatfield Broad Oak as she knew the applicant.

Councillor A R Thawley declared a non-pecuniary interest in planning
application 0905/01/FUL/ Felsted as he lived near to the applicant and left the
room for the discussion on the matter.

Councillor P J F Lewis declared a non-pecuniary interest in planning
application 0912/01/FUL Hatfield Heath as he knew the applicants.

DCL31 MINUTES

The Minutes of the meeting held on 24 September 2001 were received,
confirmed and signed by the Chairman as a correct record, subject to the
following amendments:-

(i) Minute DCL14 - Site Meetings

Councillor R A E Clifford to be added to the list of attendees.

(ii) Minute DCL21 (a) Approvals - 0843/01/FUL Thaxted

The words "Officers changed their original recommendation to
approval of the revised plans" to be added after the application.

(iii) Minute DCL21 (d) Planning Agreement

The words "In respect of financial contribution towards traffic calming in
Roseacre/Longcroft" to be moved and inserted in the second line after
Town and Country Planning Act 1990.

DCL32 MATTERS ARISING

Minute DCL 28 - Composition of Licensing Panels

Members agreed that for transport reasons Councillors Miller and Bowker would attend the Licensing Panel for the same meetings and would exchange a place with Councillor Thawley.

DCL33 APPLICATION WITHDRAWN

The Committee noted that application 0719/01/FUL Thaxted had been withdrawn.

DCL34 CREATION OF STANDBY RUNWAY - STANSTED AIRPORT LTD (0894/01/FUL)

Members received an updated report on this application and accepted that the District Council was the correct body to determine the application. The report informed Members on the use of planning conditions and planning obligations both generally and with regard to this planning application. Officers confirmed their advice that a planning obligation was not necessary and would be contrary to Government advice and policy. Officers suggested the following wording for a proposed condition.

*“The runway hereby permitted shall not be used for the take-off or landing of aircraft except when the existing main runway is closed for such purposes”
Reason “To ensure the runway is restricted to the use as applied for so that it does not lead to an increase in air traffic to the detriment of the amenity of the area.”*

In answer to Members’ questions concerning monitoring of the condition, they were advised that there was a central database which recorded every aircraft movement and that the CAA had runway logs which could be made available if need be.

The applicant was not willing to enter into a planning obligation. Members were advised that if they were minded to refuse planning permission for this application they were required by the General Development Procedure Order 1995 to state clearly and precisely their full reasons for refusal, specifying all policies and proposals in the development plan that were relevant to the decision. Officers did not believe that there were any material considerations sufficient to justify refusal of this application.

Councillor Copping spoke to the meeting and a copy of his comments is attached to these minutes.

Councillor Mrs Godwin said that she was unhappy about the way this application had come about. She reminded Members that the South East and

East of England Regional Air Services Study (SERAS) report would be published in a matter of months and considered that this application was premature. She felt that it was unsuitable development for a rural area. Councillor Mrs Godwin, seconded by Councillor Clifford, proposed that a decision on this application be deferred until the SERAS Report had been published.

As this proposal had been made and voted on at the previous meeting it was

RESOLVED that the Council's Procedure Rule 12.2 be suspended for the discussion on this application.

Councillor Thawley said that independent technical advice should be sought concerning close parallel runways. He advised members that the USA allowed parallel runways to work at the same time and asked what would be the difference in the UK.

Councillor Mrs Cheetham reminded Members that they should be looking at the facts before them and should condition the approval in such a way that the standby runway could not be used as a second runway. Nobody knew for certain when the SERAS report would be published.

The Head of Planning and Building Surveying informed Members what SERAS report was intended to achieve. He said that SERAS would come up with a range of options but Stansted Airport Limited deserved to have a decision made on this application. Councillor Mrs Caton said that she accepted the CAA's advice and Members should be making a decision on the application before them. Councillor Mrs Cheetham said that the conditions would need to be watertight and there were already other restrictions on the Airport. Fears attached to this application should not cloud Members' decisions. Councillor Clifford said that he felt the application was premature until the SERAS report had been published. A recorded vote was then taken on the proposal to defer a decision on this application until the SERAS report is published as follows:

For the Proposal

Councillor E C Abrahams
W F Bowker
Mrs C A Cant
R A E Clifford
Mrs E J Godwin
Mrs J I Loughlin
A R Thawley

Against the Proposal

Councillor Mrs M A Caton
Mrs J F Cheetham
R D Green
P G F Lewis
D M Miller
R B Tyler

The proposal was declared carried and the Head of Planning and Building Surveying therefore exercised his right to request that the matter be

determined at the next highest level and the application was referred to the Environment and Transport Committee on 13 November 2001.

DCL35

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:-

1169/01/OP Ugley – Replacement dwelling – Sundown, Cambridge Road for Mrs A Reed.

0937/01/FUL Great Dunmow – Replacement dwelling – The Ark, The Broadway for the Estate of Miss D N Perreau.

1130/01/FUL High Roding - Replacement dwelling and garage – Walnut Bungalow, Dunmow Road for Mr and Mrs K T Pearce.

0866/01/FUL Elmdon – Replacement dwelling and detached double garage The Old Post Office, Duddenhoe End for Chase End Developments Ltd.

0901/01/FUL Great Chesterford - Replacement dwelling and garage - Park Road Farmhouse, Park Road for Mr and Mrs S Chalmers.

Councillor J F Cheetham declared a non-pecuniary interest in the following application.

Councillor A R Row attended to speak on the following item.

0772/01/FUL Little Hallingbury – revised plans for replacement detached two-storey house and garage, involving extension of garden into agricultural land – Oaks & Bushes Bungalow, Sawbridgeworth Road for J F Brothers Ltd.

1035/01/FUL Great Dunmow – Conversion of basement to wine bar – 7 High Street for Robert Wilson.

Mr John Moore of Felsted Parish Council attended to speak on the following item. A summary of the points raised is appended to these minutes.

0905/01/FUL Felsted - Variation of details approved under UTT/0594/97/FUL (Erection of one detached dwelling and integral garage) – land adjacent 'Three Horseshoes Public House' Bannister Green for Asprey Estates Ltd

1105/01/FUL Felsted – Rear Conservatory – 49 Station Road for Mr M Ribbans.

1094/01/OP Littlebury – Replacement dwelling and new house in lieu of builders' yard – New House, Wadhams Builders Yard, Catmere End for

Mrs P Whitmore & Mr C Churchman.

0826/01/FUL Great Easton – Change of use from agricultural barn to domestic dwelling – Hyde Farm Barn, Gallows Green for Mr R J and Mrs B A Pickford.

1) 0983/01/FUL and 2) 0984/01/LB Aythorpe Roding – 1) & 2) Conversion of Barn to residential use - Barn adjacent Poplars Farm for Mr C R Tivendale.

1008/01/FUL Hatfield Broad Oak – Change of use of existing barn from agricultural use to mixed use of agriculture, and storage associated with the adjoining sausage factory – Broad Oak Farm Sausage Company, Cage End for Roger Simons.

1021/01/DFO Little Chesterford - Approval of reserved matters in respect of UTT/1416/00/OP – Demolition of two cottages and erection of two houses with garages – 1 and 2 Sunnyside Cottages for Mr & Mrs Tillbrook & Mr & Mrs M Riccio.

(b) Refusals

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

Councillor E C Abrahams declared a non-pecuniary interest in the following application as he knew the applicant.

1) 0887/01/OP and 2) 0888/01/OP Felsted – 1) One bungalow and separate garage, involving demolition of existing agricultural building. Change of use of land from agricultural to residential. 2) Two bungalows and separate garages, involving demolition of existing agricultural buildings. Change of use of land from agricultural to residential – Newhouse Farm Causeway End for P Rowe.

1199/01/FUL Saffron Walden – Conversion of farm buildings to form 1 No. residential unit – Stonebridge Farm for Mr and Mrs E Baker.

1) 0941/01/FUL & 2) 0942 /01/FUL Takeley - Change of use to long-stay car park for users of Stansted Airport - Land east of Sycamore Close and South of Takeley Business Centre, Dunmow Road for Harvest Mouse Limited.

(The decision on application 0942/01/FUL had already been appealed against on the grounds of non-determination and the Council's deemed decision would be forwarded to the Planning Inspectorate.)

(c) Deferments

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

0400/01/FUL Little Dunmow/Felsted – Variation of Condition 12 of planning permission UTT/0302/96/OP (APP/C15701/A96/273656) to allow occupation

of not more than 350 houses for construction of the A120 on the former Felsted Sugar Beet Works – former Felsted Sugar Beet Works, Station Road for Ennodis Property Developments.

Reason: Pending negotiations between applicant and Essex County Council Transportation regarding Highway Safety at junction with Station Road.

1065/01/OP Chrishall – Replacement dwelling and garage – Longview, Mill Causeway for G Hansell.

Reason:- Awaiting assessment of detailed plans.

1) 0744/01/FUL 2) 0842/01/CA – Stansted – 1) two houses, six garages and 2m high front boundary wall. Alterations to vehicular access. 2) demolition of wall and garages – 15 The Rise, Silver Street for R Stubbings.

Reason:- For further negotiations to reduce visual impact.

(d) Government Department Consultation

1155/01/GD Wimbish – Five replacement buildings to provide 306 bedrooms with ancillary accommodation for junior ranks single living personnel – Carver Barracks, Elder Street for Ministry of Defence.

RESOLVED that the Ministry of Defence be notified that the District Council's view is that the proposal would be acceptable subject to conditions.

(e) Planning Agreement (District Council Interest)

RESOLVED that subject to the completion of an agreement under Section 106 of the Town and Country Planning Act or complying with the proposed terms thereof, the Head of Planning and Building Surveying, in consultation with the Chairman of the Committee, be authorised to approve the following application subject to the conditions to be recorded in the Town Planning Register.

UTT/1179/01/FUL Ashdon - Three dwellings for local needs housing, Guildhall Way, Church End for Ashdon Parish Council and English Villages Housing Association.

(f) Application to be referred to Secretary of State for the Environment and Transport

The Committee considered the following application.

Mr White from Saffron Walden Town Council attended to speak on the following application. A summary of the points he raised is appended to these minutes.

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

RESOLVED that the application be deferred in compliance with Direction from the Secretary of State and all relevant information be sent to Go-East, and to instruct independent highway consultants to advise on the likelihood of refusal on grounds of highway dangers being successfully defended at appeal.

(g) County Matters

1226/01/CC Ugley – Variation of three conditions to allow receipt and deposit of waste on 30 Sunday mornings in one year (0900-1300) and increasing weekday lorry movements from 64-84 and Saturday movements from 32-42 – Ugley Landfill site, Cambridge Road for RMC Environmental Services Ltd

RESOLVED that Essex County Council be informed that the District Council objects to all parts of the application on grounds of increased Highway dangers and loss of residential amenity. A note would be added expressing Members' concerns at the importation of waste from other Counties.

(h) Certificates of Lawfulness

1) 1124/01/CL, 2) 1125/01/CL and 3) 1127/01/CL Takeley/Broxted -

1-3) Certificate of proposed Lawful use of dwelling as Children's Home, accommodating a maximum of 2 young people aged 11-17 years with 24 hour care provided by a maximum of 3 staff who do not reside on the premises.

1) Whitewebbs, Molehill Green Takeley, 2) Fairacre, Chapel End, Broxted and 3) The Conifers, Molehill Green Takeley for Herts Care Ltd.

RESOLVED that Certificates of Lawfulness be granted for the use of these dwellings as children's homes accommodating a maximum of 2 young people aged 11-17 with 24 hour care provided by a maximum 3 staff who would not reside on the premises.

(i) Site Visits

The Committee agreed to visit the sites of the following applications on Monday 5 November 2001.

Mr E Howard from Stebbing Parish Council attended to speak on the following application. A summary of the points he raised is appended to these minutes.

0771/01/FUL Stebbing – Two detached two storey houses and 2 garages to replace existing dwelling – Dorval High Street for E R Butler.

Reason:- to assess the impact on the street scenes and highway danger.

0912/01/FUL Hatfield Heath – Replacement two-storey dwelling, attached single-storey leisure complex, screen fencing to tennis court and 4 bay garaging – St Clouds, Matching Road for Mr and Mrs D G Reeves.

Reason:- to assess the impact on the green belt and for further negotiations regarding a smaller dwelling

1087/01/FUL – Debden – house and garage – site adjacent to 4 The Maltings for Mr J Watson , Mr P Woolner and Mr A Howard.

Reason:- to assess the impact on the amenity of neighbours and access dangers.

DCL36

LAND TO THE SOUTH OF A120 AND WEST OF HAWTHORN CLOSE (BARKERS TANKS)- 0592 and 0786/00/OP

Members received a report advising them of negotiations concerning the access to this site. A report to a previous meeting had indicated that all access to this site would be by way of a traffic light controlled priority junction, but Members had deleted this from their decision to grant permission.

Councillor Mrs Cheetham advised Members that Takeley Parish Council did not want two sets of traffic lights on the A120 in close proximity. Following discussion it was

RESOLVED that planning permission be granted subject to a condition to the effect that no development should be carried out until a scheme for the provision of the relevant junction had been submitted to and approved by the Council and the Highway Authority. The scheme would provide for a priority junction without traffic lights unless:-

- a) the highway authority determine that a junction controlled by traffic lights is required for safety reasons or
- b) the applicant and/or the Highway Authority do not control all of the land required to provide visibility splays appropriate to a junction without traffic lights.

DCL37

LAND ADJACENT TO LITTLE PADDOCKS CUTLERS GREEN THAXTED

The Committee received a report concerning the unauthorised siting on land of a site contractor's office and the unauthorised installation of a biodisc treatment plant. The report recommended that enforcement action and if necessary legal action be taken to require the removal of the site contractor's office and that an application be invited to regularise the treatment plant. It was

RESOLVED that enforcement and if necessary legal action be taken to require the removal of the site contractor's office from the land and that an application be invited to regularise the position concerning the biodisc treatment plant.

APPEAL DECISIONS

The Sub-Committee noted the following appeal decisions:-

(a) Dismissed

- (i) Conversion of vacant barns and erection of a hotel – Luckfield, Newmarket Road, Great Chesterford (UTT1389/00/OP)
- (ii) Change of use from storage to glass recycling centre for temporary three year period – Windmill Aggregates Ltd, Windmill Works, Aythorpe Roding, Great Dunmow (UTT/1586/00/FUL)
- (iii) One detached bungalow on land adjacent to Hilenor, Chelmsford Road, Margaret Roding (UTT/1458/00/OP)
- (iv) Replacement garage and annexe – “Countryside”, Bambers Green, Takeley (UTT /1312/00/FUL)
- (v) Condition preventing the installation of floodlighting or other external lighting without the prior written consent of the local planning authority-land at rear of 238 Birchanger Lane, Birchanger (UTT1364/00/FUL)
- (vi) Enforcement notice requiring the cessation of use of a building and a stronghold refrigerator unit on the land for the preparation and cooking of hot food and/or the operation of a delivery service for such food – Heathview, Pond Lane, Hatfield Heath (ENF/95/97/DI/JRG)
- (vii) Change of use from haulage/plant hire yard to residential and the erection of 2 or 3 detached dwellings with associated garaging – Land at Hilltop, Mill Road, Henham (UTT/0082/01/FUL & (UTT/0083/01/FUL)

(b) Allowed

- (i) Conversion of vacant barns and agricultural outbuildings to a single dwelling house – Barn at Bouchiers, Bramble Lane, Little Dunmow (UTT/1750/00/FUL)
- (ii) Change of use of a building from light industrial to an extension of an existing fitness centre - Grange Farm Fitness Centre, Grange Lane, Little Dunmow (UTT/0997/00/FUL)

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 follow 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.

ENFORCEMENT OF PLANNING CONTROL – PROGRESS REPORT

The Sub-Committee received a progress report on outstanding enforcement cases. The following reports were updated:-

(i) 2a Pleasant Valley Saffron Walden

Compliance achieved.

(ii) Woodcroft, Stortford Road, Little Canfield

Enforcement Notices had been served.

(iii) Severals Farm, Arkesden

An appeal had been lodged.

(iv) Seamans Farm, Littlebury Green

An Enforcement Notice had been served

(v) John Tasker House Surgery, New Street, Great Dunmow

A retrospective planning application had been requested but not yet received.

The meeting ended at 6.05pm.

DEVELOPMENT CONTROL AND LICENSING COMMITTEE – 15 October 2001
Comments made by representatives of Town and Parish Councils

UTT/0382/01/FUL – Saffron Walden

- 1 Town Council is unanimous in being strongly opposed to this application. Members were aware that this site has been zoned for housing under policy SW9 and originally supported this as, if implemented in full, would have taken two non-conforming uses out of the town. This application fails to do this and, in addition, since the policy was formulated in 1991 this area has seen major development at the old hospital site, Tescos and Printpack all of which were unpredicted and have caused considerable traffic difficulties in this area. Because of this and other opportunity sites Saffron Walden has seen an additional 600 houses in the Town against a defined commitment in the plan of 280 houses. If this site is developed in full, the Town would have had about 3 times the amount of housing originally envisaged in the District Plan.
- 2 Concerns re access to the site. Only one access is proposed to the site which is onto the B184 Thaxted Road, probably the busiest road in Town. This is the only access, not just to the application site, but also to two other large sites currently occupied by Jossaumes to the North and Goddards to the South. Both sites would be brownfield sites with considerable development potential. They would both use this proposed new access onto Thaxted Road. The reality of granting permission for this application is the potential for this single access to be servicing possibly in excess of 150 units directly onto a road and traffic light control junction already recognised as being over capacity even before the Inspectorate recently approved an additional 70 houses at the Printpack site in Radwinter Road.
- 3 Town Council Members are very concerned at the way in which this application has been handled by the County Council Transportation Department. On the original application, the County Council objected because of the increase in traffic movements to and from a site with inadequate access to the B184 and a conflict with through traffic. Although the Town Council accept that the sight splays can now be met, nothing other than the reduction by just 5 units has been done to address the increase in traffic movements and the conflict with through traffic. Yet the County Council has now withdrawn its objections. The Town Council is concerned with the policy question. This application clearly breaches County Structure Plan Policy BE5 and Uttlesford Policy T1.
- 4 County Policy BE5 states development will not be permitted unless it makes provision for community facilities, public services, infrastructure and environmental works which are made necessary by and directly related to the proposed development. The development actually removes community facility in the form of the allotments, makes no provision for public open space and makes no provision for additional schooling when both the catchment primary and secondary schools are considerably over subscribed.

- 5 Policy T1 recommends refusal if the nature and volume of traffic likely to be generated creates traffic hazards or causes unreasonable delay and inconvenience to other road users. Whilst the developer had agreed to make a pro-rata contribution of some £31,000 to the cost of road improvement, there is no indication where the balance of the money is to come from or the nature of the improvement works. If the balance is not available the contribution is meaningless, since the improvement works would not be carried out until well into the future.
- 6 The Town Council believes this application should be refused as being contrary those policies listed in its objection letters.

UTT/0771/01/FUL – Stebbing

- 1 The Parish Council does not feel that this is good redevelopment.
- 2 It would give a harsh appearance to the approach to the village.
- 3 The building to the north would obstruct views going down the hill.
- 4 The access is dangerous.
- 5 Over development of the site.
- 6 There have been 9 objections plus the Stebbing Society and CPRE object to this application.

UTT/0905/01/FUL- Felsted

- 1 The residents in Bannister Green and the Parish Council are very unhappy with the situation.
- 2 The original street plan showed the height of the building to be the same as the public house and the building on the other side.
- 3 This building does not fit in with street scene.
- 4 The building is overbearing on the surrounding properties.
- 5 The Parish Council urges the District Council to pursue the situation and insist that the height of the roof come down.
- 6 The building is taller than approved and is, therefore, unauthorised development.