## DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at 2.00 pm at COUNCIL OFFICES GREAT DUNMOW on 26 NOVEMBER 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, Mrs C M Dean, 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 A Dean, R J Copping and Mrs C M Little.

Officers in attendance:- F Chandley, Mrs L J Crowe, J Grayson, R Harborough, J Mitchell, J G Pine and R Secker.

## DCL52 SITE MEETINGS

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

1168/01/OP Hatfield Broad Oak - One dwelling house and garage - Bury Orchard, High Street for Cynthia Cherry Burnyeat.

0822/01/FUL Great Dunmow - Four dwellings with associated garaging on land to the rear of 73-75 High Street for Mr D Lowe, Mrs McKinley and Mr C Blower

1654/00/FUL Great Dunmow - Residential development (58 units) new road access to public car park, extension to public car park, pedestrianisation of existing access from High Street and erection of new public library - Land at Eastern Sector to rear of 37-61 High Street for Wilcon Homes Anglia Ltd.

DCL53 APOLOGIES

An apology for absence was received from Councillor E C Abrahams.

DCL54 DECLARATIONS OF INTEREST
Councillor P G F Lewis declared a non-pecuniary interest in planning application 0912/01/FUL Hatfield Heath, as he knew the applicants. Councillor Mrs Cheetham declared a non-pecuniary interest in application 0894/01/FUL, Stansted, as a member of NWEEHPA. Councillor Mrs Godwin declared an interest in planning application 1114/01/FUL, Birchanger, as a member of the Birchanger Parish Council. Councillor Mrs Cant declared an interest in planning application 0963/01/FUL, Little Dunmow, and would speak but not vote on the application. Councillor Mrs Little declared an interest in
planning application 1654/00/FUL Great Dunmow as (1) her daughter is employed by Wilcon Homes Limited but is not directly involved in the application, (2) Mrs Little rents a room at the abattoir from David Lowe and his sister, (3) Mrs Little is a Dunmow Trader, (4) she is a member of the Dunmow Chamber of Trade. The Development Control Manager declared an interest in planning application 1336/01/FUL, Great Dunmow and left the room for the discussion and determination of this application.

## DCL55 MINUTES

The Minutes of the meeting held on 5 November 2001 were received, confirmed and signed by the Chairman as a correct record.

DCL56 MATTERS ARISING
(i) Minute DCL45(ii) - Land to the south of A120 and west of Hawthorn Close, Takeley (Barkers Tanks - 0592 and 0786/00/OP)

In reply to a question from Councillor Mrs Cheetham, the Senior Legal Officer said that Essex County Council Transportation and Operational Services had indicated that, following consultation, traffic lights would be the only safe option. The traffic lights would be phased with the existing lights at the Four Ashes junction.

## (ii) Minute DCL49 - Draft Budgets 2002/2003

In reply to a question from Councillor Clifford, the Head of Planning and Building Surveying said that Officers would endeavour to see that adequate reserves were available during 2002/03 to cover consultants' and advocates' costs for applications that might go to appeal.

DCL57 CREATION OF STANDBY RUNWAY, STANSTED AIRPORT LIMITED (0894/01/FUL)

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

Members received an updated report on this application following referral to the Environment and Transport Committee meeting held on 13 November 2001. At that meeting Members had resolved that the application be referred back to the Development Control and Licensing Committee on 26 November 2001 for determination with no recommendation from the Environment and Transport Committee.

On 23 November 2001 the Head of Planning and Building Surveying had received a letter from the Government Office for the East of England (GoEast) which directed the Council not to grant planning permission on this application, or grant or deem planning permission on any application for development on the site or any partaf the site to which the application related, without the Secretary of State's authorisation. This was to enable the

Secretary of State to give fuller consideration to representations asking him to intervene and call in this application for his own determination. The Secretary of State had pointed out that, although this direction prevented the Council from granting planning permission on application 0894/01/FUL, it did not preclude it from refusing consent or reaching a view as to whether or not such consent should be granted.

On 26 November 2001 the Director of Community Services received a further letter from Go-East stating that such a late and unexpected intervention by them should not have been necessary had they given this matter close attention during the weeks since September during which time they had been aware that the application had been under consideration by this Council. GoEast accepted blame for the situation. The letter emphasised that their letter of 23 November should not be taken as an indication that the Secretary of State proposed to call in the planning application. None of the evidence that they had seen so far suggested that call-in would be appropriate in this case.

Councillor Mrs Cheetham said that this application had been discussed for many hours and it was her impression that Go-East was saying that the Council must make a decision. She suggested that the word "standby" should be inserted in the conditions before "runway" so as to make clear the purpose of the proposed runway.

In reply to a question from Councillor Clifford, Officers confirmed that it was not appropriate to require a legal agreement as well as conditions. Councillor Clifford requested that a recorded vote be taken.

Councillor A Dean, speaking at the invitation of the Chairman said that BAA could enter into a legal agreement if it were so minded. He had written to the Chairman of BAA asking him to reconsider its decision and to enter into an agreement. He said it was not adequate to insert the word "standby" in front of "runway" as this would allow either runway to be used as the main runway. The Condition needed to be reworded to ensure that the new runway would be ancillary to the main runway.

Councillor Mrs Godwin said that no one disputed the need for an emergency runway and questioned the public safety zone (PSZ). She was also concerned to ensure that the provisions for drainage should be adequate. The Head of Planning and Building Surveying confirmed that there would not be a need for a PSZ on the standby runway on the basis of the likely level of use given by the applicant and that the Council, by condition, required that details of the proposed drainage should be submitted for approval. Councillor Mrs Caton said that the PSZ was totally inadequate and should be increased rather than decreased. The standby runway should always remain ancillary to the main runway.

Councillor Mrs Cant said that a legal agreement would answer a lot of fears expressed by members of the public. It would be binding for a longer time although she appreciated it would be very difficult to enforce.

Councillor Thawley said that the additional information provided by the technical experts and Counsel had aneswered his concerns and he now felt
able to support the application. However, there should be a condition allowing Officers access to records of landings and maintenance.

Following further discussion, it was proposed by Councillor Mrs Cheetham, and seconded by Councillor Miller, that the application be approved subject to amendments to the conditions recommended in the report to provide (a) that the proposed runway be described as a "standby runway" and for its use to be ancillary to the existing main runway, (b) that the Council should have access to records of usage of this runway and (c) requiring that details of the proposed drainage should be submitted to and approved by the Council. If the motion were carried, the Head of Planning and Building Surveying should be authorised to issue the permission (subject to conditions) in consultation with the Chairman of the Committee if the Secretary of State were to confirm that he did not intend to call in the application for his decision.

A recorded vote was taken as follows:

## For the proposal

Councillors Mrs M A Caton, Mrs J F Cheetham,
R D Green,
P G F Lewis,
D M Miller,
A R Thawley and
R B Tyler

Against the proposal
Councillors W F Bowker, R A E Clifford, Mrs E J Godwin, Mrs J I Loughlin

## Abstention

Councillors Mrs C A Cant and Mrs C M Dean

The proposal was declared carried.

## DCL58 ROCHFORD NURSERIES REVISED MASTER PLAN

Councillor Mrs Dean declared a non-pecuniary interest in this item as she had attended a presentation by Pelham Homes and by a consultant to Stansted Mountfitchet Parish Council of which she was a member. She was a member of the Stansted Methodist Church which had made representations.
Councillor Mrs J I Loughlin declared an interest as she had also attended the presentation by Pelham Homes and the consultant to Stansted Mountfitchet Parish Council of which she was a member. Councillor Mrs Godwin declared an interest as she was a member of Birchanger Parish Council and had previously represented the views of that Council to the Development Control Sub-Committee.

Members received a report recommending that a revised Master Plan for the Rochford Nurseries site be approved. A Master Plan for the site had been approved in September 1998 which related to the proposal in the adopted District Plan for a comprehensive residential development of 400 homes, a primary school site, community centre and sports pavilion and pitches. In March 2000 national planning policy guidance on housing had been issued necessitating a review of the proposals.

The site had been identified in the deposit draft local plan for a comprehensive residential develgpment of 600 homes. It was subject to two outline planning applications. Onequas for 400 homes and facilities, and was
being reported to this Committee Meeting for determination. The other was for 370 dwellings and facilities on the western part of the site. The site was split into two ownerships. Pelham Homes had an option on the eastern part and Croudace Limited owned the western part of the site. Officers had been negotiating a revised master plan and design brief so as to reserve comprehensive development of the whole site.

Councillor Mrs Godwin said that there had only been a Traffic Impact Study for the 400 houses and not for the total 770 houses. The site needed to be looked at as a whole. She also expressed concern at the drainage situation and the lack of infrastructure. Councillor Mrs Cheetham questioned whether there would be a mix of housing. Officers confirmed that there would be a mixture of housing across the whole site.

Councillor Clifford said that there should be one Master Plan and one Section 106 Agreement for the whole development. He felt that the $£ 400,000$ contribution to Essex County Council for highway improvements needed to be reviewed. He also expressed concern at the recent flooding problems and asked for assurance that the development would not exacerbate flooding in Stansted.

Councillor Thawley asked why the applications were for a total of 770 houses when the Deposit Plan allowed for only 600. He was surprised that heat and power had not been mentioned and felt there was no lateral thinking in connection with the infrastructure. Some Members expressed concern that there was no Traffic Impact Study yet available for the Croudace site. They felt that a comprehensive traffic assessment was needed for the whole site, not separate ones for two sites. Councillor Mrs Caton asked if Essex County Council Learning Services had identified the secondary schooling need for the development.

Following further discussion it was
RESOLVED that the revised Master Plan (rev. G) be approved subject to there being no reference to the number of dwellings and no adverse comments being received from consultees by the date of the next meeting.

## DCL59 PROPOSED DEVELOPMENTS AT OAKWOOD PARK, LITTLE DUNMOW/FELSTED

Members received reports which dealt with three outstanding proposals at Oakwood Park and recommended that Members decide a course of action on each one ahead of the joint Public Inquiry arranged for February 2002 into non-determination.

The three matters related to the additional 100 dwellings proposed to be occupied before the new A120 opened, the additional 170 proposed to be erected on the site and revisions to the Master Plan. It was necessary for Members to consider these matters before the Council's Statement of Case was finalised and sent to the Plapaing 5 nspectorate by 28 November 2001.

RESOLVED that the Planning Inspectorate be informed that, if appeals had not been lodged, planning permission would have been refused in respect of UTT/0767/01/OP and UTT/0995/01/FUL and the Master Plan would not have been approved as they are contrary to Government advice and Structure and District Plan Policies.

## DCL60 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:-

0912/01/FUL Hatfield Heath - replacement two-storey dwelling, attached single-storey leisure complex, screen fencing to tennis court and four-bay garaging St Clouds, Matching Road for Mr and Mrs D G Reeves
(Officers recommended approval to the revised plans subject to a legal agreement preventing construction of the approved pool enclosure).

1168/01/OP Hatfield Broad Oak - One dwelling house and garage - Bury Cottage, High Street for Cynthia Cherry Burnyeat.

1159/01/FUL Takeley/Hatfield Broad Oak - Deletion of reference to drawing number " $5400 / 20$ " in condition C.90E of planning permission UTT/1437/98/REN and insertion of "B602RevA" (this involves revisions to the approved landscaping and layout proposals) - Hatfield Park Farm for Amsgal Properties Ltd.

1228/01/FUL Clavering - Building containing six guest suites - 'The Cricketers' Public House, Hill Green for Mr T Oliver.

Councillor Green declared an interest in the following application as a member of Saffron Walden Town Council and would speak but not vote.

1) $1133 / 01 /$ FUL and 2) $1134 / 01 /$ LB Saffron Walden - 1)

Redevelopment/refurbishment to create 5 no. dwellings with car parking. 2) Conversion of premises into three dwellings and demolition of buildings to rear to allow 2 new build units - 62 Gold Street for C Hobbs.

1315/01/OP Thaxted - One dwelling and garage - Levetts Farm, Bardfield Road for Ms C Kiddle.

1171/01/DFO Felsted - Detached house and garage - land adjacent 'Oaktrees', Jollyboys Lane North for Debenham Homes Ltd.

1224/01/DFO Saffron Walden - Three bedroom bungalow - Land in Shepherds Way to rear of No. 99 and 101 Ashdon Road for Mr and Mrs M Butcher.

1336/01/FUL Great Dunmow - Conservatory at rear - 11 Riverside for Mr and Mrs J Grayson.

1335/01/FUL Felsted - Sports Hall - Land adjacent The Cricket Pavillion and Swimming Pool, Braintree Road, Felsted for Preparatory School.

1183/01/FUL Great Hallingbury - Two replacement dwellings and change of use of land to residential - Grange Cottages, Church Road for De Vere Homes Limited.

## (b) Refusals

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

1166/01/OP Henham - Barn to provide covered parking - Land south-west of Pledgdon Hall, Mill Road for R W Smith.

1263/01/FUL Felsted - One dwelling house - Land adjoining 'Gransmore House', Gransmore Green for Mr and Mrs N Alexander.

1273/01/OP Felsted - New single-storey dwelling house - 'Fairland’, Cock Green for Mr and Mrs D M McNicoll.

0582/01/OP Little Hallingbury - One dwelling - land near entrance to The Sheilings, Dell Lane for Mr B G Punter.

1) $0767 / 01 / \mathrm{OP}$ and 2) $0995 / 01 /$ FUL Little Dunmow/Felsted - The reclamation of despoiled land and redevelopment for up to 655 dwellings (total on site 820, being a net addition of 170 dwellings to those approved under reference APP/C/1570/A/96/273656 as amended by application reference UTT/0942/99/FUL) with associated local shopping; public house; doctors surgery; community hall; employment use; school and recreational facilities; open space, highway; engineering works and landscaping work together with the demolition and reclamation of the existing sewage treatment works and change of use to open space and recreational use with associated landscaping. Former Sugar Beet Works - for Enodis Property Developments Ltd.
(1) Planning Inspectorate to be informed that the Council would have refused planning permission had no appeal been lodged.

0963/01/FUL Little Dunmow - Conversion of redundant farm buildings to form four units of bed and breakfast accommodation - Blatches Farm, Bramble Lane for Mr and Mrs D Walsh.

1142/01/OP Stansted - Two-storey dwelling - Land adjacent to 12 Mount Drive for Mr Jonathan Smith.

1324/01/FUL Berden - Rescind agricultural occupancy - Southfields, Brick End for Mrs Joan Watson.
(c) Deferments

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

0382/01/FUL Saffron Walden - 72 dwellings comprising 22 bed flats, 16 one bed flats, 28 two bed houses and 8 three bed houses - Land off Thaxted Road, Harris Yard and allotments off Radwinter Road for Monkbury Limited.

Reason: In compliance with direction from Secretary of State and to await receipt of traffic impact assessment from consultant.

0400/01/FUL Little Dunmow/Felsted - Variation of Condition 12 of planning permission UTT/0302/96/OP (APP/C1570/A96/273656) to allow occupation of not more than 350 houses before construction of the A120 - Former Felsted Sugar Beet Works, Station Road for Enodis Property Developments.

Reason: Pending result of negotiations between applicant and Essex County Council Transportation regarding highway safety and congestion at junction of Station Road and A120.

0822/01/FUL Great Dunmow - Four dwellings with associated garaging Land to the rear of 73-75 High Street for Mr D Lowe, Mrs McKinley and Mr C Blower.

Reason: For consideration jointly with planning application 1654/00 Great Dunmow to see if there was scope for a comprehensive approach.

1158/01/DFO Takeley/Hatfield Broad Oak - submission of reserved matters pursuant to Condition C.1.1. of outline application UTT/1437/98/REN for a hotel and golf course development.

Reason: At request of Essex County Council Transportation for detailing of access crossing of Flitch Way and for lighting details to be confirmed.

0326/01/FUL Hatfield Broad Oak - Replacement dwelling involving extension to residential curtilage - Anthonys, Anthonys Lane for J Schonberg.

Reason: For negotiations re size and design of new dwelling.
1098/01/CL Great Sampford - Certificate of Lawful Use for use of property without agricultural tie (non-compliance with agricultural occupancy condition of planning consent ENW/SWR/106/61) - Free Roberts, Howe Lane for Mrs M Squire.

Reason: to consider late letter and statutory declaration received from agent.
0443/98/OP Birchanger and Stansted Mountfitchet - 400 dwellings, construction of an access to highway and provision of public open space, play area and site for school, health centre and shop - Rochford Nurseries, Forest Hall Road for Pelham Homes Limited.

Reason: for Traffic Impact Studypaking into account the development of both parts of the Rochford Nurseries site.

1654/00/FUL Great Dunmow - Residential development (58 units) new road access to public car park extension to public car park, pedestrianisation of existing access from High Street and erection of new public library - Land at Eastern Sector to rear of 37-61 High Street for Wilcon Homes Anglian Limited.

Reason: for negotiations regarding:-
(i) extra car parking
(ii) provision of two tier deck for parking and
(iii) deletion of White Street exit
(iv) two-way road adjacent to Dunmow Inn
(v) omission of three storey elements
(vi) fewer residential units with some retail

The Head of Planning and Building Surveying advised that not all of these matters might be achievable.

## (d) Planning Agreement

RESOLVED that, subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990, or complying with the proposed items thereof, regarding the provision of money to fund tree maintenance within highway land, the Head of Planning and Building Surveying in consultation with the Chairman of the Committee be authorised to approve the following applications subject to the conditions in the Town Planning Register

1) 1072/01/DFO and 2) 1073/01/DFO Little Dunmow/Felsted - 1\&2

Reserved matters applications for erection of 130 dwellings, with garaging and associated ground works (outline permission UTT/0302/96) - Phases 2a and 2b, Oakwood Park for Alfred McAlpine Homes Ltd.

## (e) Certificate of Lawfulness

1384/01/CL Stansted - Certificate of Lawfulness of existing use as a separate dwelling - The Cottage rear of Northfields, Cambridge Road for Mr W H and Mrs E A Alcorn.

RESOLVED that a Certificate of Lawfulness be granted for the existing building to continue to be occupied as a separate independent dwelling.

The Committee agreed to visit the sites of the following applications on Monday 17 December 2001:-

1114/01/FUL Birchanger - Change of use of two utilitarian buildings to Class B1 (light industrial) - Birchanger Hall Farm, Duck End for Birchanger Hall Farms Limited.

Reason: to assess the impact on the amenity of neighbouring residents

1) $1019 / 01 / F U L$ and 2$) 1219 / 01 /$ LB Wimbish - 1) Conversion of agricultural building to form a dwelling. 2) Conversion of agricultural building to form a dwelling and associated alterations - Highams Farm, Thaxted Road for Mr and Mrs J Crathorne.

Reason: to assess the merits of the building in an Area of Special Landscape Value.

LEISURE CENTRES AT HELENA ROMANES SCHOOL, GREAT DUNMOW (UTT/1607/00/FUL) AND MOUNTFITCHET HIGH SCHOOL, STANSTED (UTT/1585/00/FUL) FOR LINTEUM LEISURE

Members were informed that drawings showing amendments to the shape, design and appearance of these two buildings had been received from Linteum Leisure. The amendments were minor and could be considered without the need for fresh planning applications. The Council had an interest in both planning permissions. The amendments would result in an improvement to the appearance of these buildings and Members

RESOLVED that the proposal for minor amendments to the shape, design and appearance of the proposed leisure centres be approved.

DCL62 BEST VALUE PERFORMANCE INDICATORS FOR PLANNING GOVERNMENT CONSULTATION

The Government had recently issued a Consultation Document entitled "Best Value Performance Indicators 2002/2003". The closing date for responses was 7 December 2001. It was proposed to introduce a statutory target for delegation of handling planning applications to Officers of $90 \%$. There were further proposals to introduce new targets and indicators for speed of decision, which involved a small degree of breakdown by category, and to delete some performance indicators.

Councillor Mrs Cheetham said that the new performance indicators would take away the local voice. Councillor Thawley reminded the Committee that Uttlesford had a high level of listed buildings and was an attractive rural area close to London. Staff levels would need to be increased and the DTLR should charge more for large appligatipns.

The Committee was particularly concerned over the proposal to increase delegation to Officers to $90 \%$. Members felt that this was unreasonable and did not take account of local circumstances, nor would it be an appropriate way of accommodating the increasing local interest in planning matters. It was considered that this could lead to a loss of the local voice in decision making.

Members appreciated the need for speed of decision making but this was only part of the overall quality of decision. Much more emphasis needed to be placed on the outcome of planning decisions and their effect over time, rather than concentrating on the process by which the decision was reached. This was particularly important in this District, which had 35 Conservation Areas and over 3,500 Listed Buildings, where poor decisions were unacceptable. Planning applications in these areas often required considerable negotiation which could extend the 8 week period considerably.

No objection was raised to the deletion of two of the three indicators proposed for deletion, but it was considered that the planning checklist contained the only measurements of outcome and should be retained in some form.

Members were also concerned that the Best Value regime distracted officers' and Members' attention from the running and improvement of locally-focused services and concern was also expressed at the cost of running Best Value reviews in relation to their benefit to the public.

Concern was also expressed that the indicators retained the measurement of cost of planning applications assessed against heads of population. This reflected unfairly on Uttlesford, which had a low population of only 69,000 , but a relatively high number of planning applications at over 1,800 . This was more than many metropolitan authorities which had far higher populations, yet the administrative costs would be comparable. It was considered that this indicator should be amended to measure the cost per planning application.

RESOLVED that Members' views on the proposed changes to the planning Best Value Performance Indicators as set out above be conveyed to the DTLR by the Head of Planning and Building Surveying in consultation with the Chairman of the Committee.

DCL63 HACKNEY CARRIAGE VEHICLES - SOILING CHARGES
Members received a report which recommended that a $£ 50$ charge for soiling the interior of Hackney Carriage vehicles be introduced from April 2002.

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## APPEAL DECISIONS

The Sub-Committee noted the following appeal decisions which were all dismissals.
(i) Equestrian barn for private use - Barnfield House, Hatfield Broad Oak (UTT/1620/00/FUL).
(ii) Change of use of barn from storage to residential including alterations - Wicken Hall Barn, Wicken Bonhunt (UTT/1285/00/FUL).
(iii) Change of use from B1 light industrial to mixed user B1/residential Hardings Barn, Bardfield End Green, Thaxted (UTT/1044/00/FUL).

DCL67 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 items of business on the grounds that they involved the likely disclosure of Exempt Information as defined inparagrąph 12(A) of the Act.

The Sub-Committee received a progress report on outstanding enforcement cases. Particular reference was made to:-

## (i) Woodcroft, Stortford Road, Little Canfield

Appeals had been lodged in connection with the storage building and the blocking in of the pole barn.
(ii) Reeves Restaurant, Braintree Road, Felsted

Further discussions would take place on this matter.
(iii) Town Farm, Stebbing

The Enforcement Notice had been served.

The meeting ended at 7.15 pm .


[^0]:    RESOLVED that a $£ 50$ charge for internal soiling of licensed Hackney Carriage Vehicles be included in the approved scale of fees and charges from April 2002.

