

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at
2.00 pm at COUNCIL OFFICES GREAT DUNMOW on
17 DECEMBER 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:- Councillor Mrs E Tealby-
Watson.

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

DCL69 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Michael Perry, the new Head of Legal Services, to the meeting.

Following the announcement of the sad death at the weekend of Clive Cooper, the Community Safety Officer, Members and officers stood in silence as a mark of respect for him.

DCL70 SITE MEETINGS

Councillors W F Bowker, Mrs M A Caton, 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 and R B Tyler had attended the site visit for the following application:-

(1) 1019/01/FUL & (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.

Councillors W F Bowker, Mrs C A Cant, Mrs J F Cheetham, 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 visit for the following application:-

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

DCL71 APOLOGIES

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

DCL72 **DECLARATIONS OF INTEREST**

Councillor Mrs Godwin declared a non-pecuniary interest in planning application 1114/01/FUL Birchanger as a member of Birchanger Parish Council. Councillor Tyler declared a non-pecuniary interest in planning application 1241/01/FUL Little Easton. Councillor Mrs Dean declared an interest in planning application 0924/01/FUL Stansted as she was Chairman of the Open Space Committee on the Stansted Parish Council and would not speak or vote on the application. Councillor A R Thawley declared an interest in planning application 1427/01/OP Little Dunmow as he knew the applicant and would not speak or vote on the application.

DCL73 **MINUTES**

The Minutes of the meeting held on 26 November 2001 were received, confirmed and signed by the Chairman as a correct record, subject to:

Minute DCL58 - Rochford Nurseries – Revised Master Plan

In the last paragraph, the second sentence should be changed to read “He was surprised that combined heat and power systems had not been mentioned and felt there was no lateral thinking in connection with the infrastructure”.

DCL74 **MATTERS ARISING**

(i) Minute DCL57 – Creation of standby runway – Stansted Airport Ltd (0894/01/FUL)

The Head of Planning and Building Surveying informed Members that the Secretary of State had decided not to call in this application and the relevant decision notice was being issued.

(ii) Minute DCL58 – Rochford Nurseries – Revised Masterplan

Councillor Mrs Godwin asked for an update on comments from Birchanger Parish Council and on the status of the traffic survey. The Principal Planning Officer (Local Plans) updated Members on the present situation with regard to this application.

Councillor Clifford said that the Council had a duty to see the site was developed adequately and properly. There was a danger of not co-ordinating the whole site as the two developers were in competition with one another. Councillor Tyler asked what safeguards could be built in to co-ordinate the developments. Councillor Mrs Godwin questioned the impact on the Section 106 Agreement when dealing with two developers. Officers confirmed that Pelham Homes had accepted responsibility for the required works for Pesterford Bridge. Following discussion, it was

RESOLVED that the Master Plan be approved subject to there being no reference to the number of dwellings.

(iii) Minute DCL59 – Proposed Developments at Oakwood Park, Little Dunmow/Felsted

Members were informed that Essex County Council Highways and Transportation had withdrawn its objections to the application for the additional 170 houses on this site, subject to conditions and a Section 106 Agreement.

After discussions during which Members expressed considerable concerns about highway issues, it was

RESOLVED that the Council does not pursue its highway objection to the proposed development at the forthcoming appeal but maintains its other grounds for refusal.

(iv) Minute DCL68(ii) – Reeves Restaurant, Braintree Road, Felsted

The Principal Development Control Officer confirmed that written confirmation had been received from the owner of the restaurant saying that it would be closed for two weeks after Christmas and the necessary work would be carried out during that period.

DCL75 APPLICATION WITHDRAWN

The Committee noted that application 1257/01/FUL Hatfield Heath had been withdrawn.

DCL76 PROGRESS REPORT ON THE OUTLINE APPLICATION FOR THE EXTENSION OF STANSTED AIRPORT FROM 15 TO 25 MPPA (UTT/1000/01/OP)

Members received for information a further report on the consultation process in connection with the above planning application. The Principal Planning Officer (Local Plans) informed Members that consultants were to be instructed with a view to reporting back to the Council during March. Councillor Clifford asked if the additional development would have an impact on flooding in Stansted. Officers replied that the Environment Agency had advised that any planning permission should be subject to conditions. The terms of any consent from the Agency under the Water Resources Act 1991 for the discharge of surface water would also have to be met. Councillor Mrs Cheetham reminded Officers that there should be a very thorough independent noise assessment on all types of noise at the airport including ground as well as air noise and Councillor Thawley asked that the impact of cargo flights should be included in the noise assessment.

Members were asked to contact the Principal Planning Officer before 7 January 2002 with any further comments on the consultants' commissions.

Officers also invited Members' preliminary comments on any conditions and planning obligations arising out of the report on consultation responses, but none were forthcoming at the meeting.

DCL77

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) 1019/01/FUL & (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.

1158/01/FUL Takeley/Hatfield Broad Oak – Submission of reserved matters to discharge condition C.1.1 of outline application UTT/1437/98/REN for hotel and golf course development – Hatfield Park Farm for Amsgal Properties Ltd.

1236/01/FUL Felsted – Demolition of two dwellings and erection of one dwelling, triple garage and store – Gate Cottages (formerly Pond Park Cottages), Cock Green for R Lee.

1385/01/FUL Wimbish – Replacement dwelling with garage – 2 Rayments Bungalows, Top Road, Wimbish Green for Loxfield Developments Ltd.

Councillor R D Green declared a non-pecuniary interest in the following application.

1425/01/FUL Great Dunmow - Conversion of farm buildings to extend existing bed and breakfast business (7 new units) Homelye Farm, Homelye Chase, Braintree Road for Mr N Pickford.

1417/01/FUL Widdington – Change of use of barn to minibus servicing workshop and administration centre – The Grain Store, Shiptons Farm for Paul Huckle.

1175/01/FUL Newport - Installation of radio telecommunication base station including 19m monopole, with 6 antenna and ancillary ground cabinets in compound – Land to south-east of public bridleway - End of Frambury Lane for Hutchinson 3G.

1418/01/FUL Great Chesterford – Replacement of 37.5m high mast with new 37.5m high lattice radio mast with three BT airwave omni directional antennas and ancillary base equipment – BT Cellnet Radio Site, Park Farm for B T Airwave.

1493/01/FUL Thaxted – Change of use of agricultural buildings to class B1 and/or B2 industrial uses and/or B8 storage uses – Part of the range of farm buildings and yard, Blunts Farm for Messrs N P and S J Heywod.

1187/01/FUL Little Hallingbury – Change of use of offices to 10 guest bedrooms for Mill House, Old Mill Lane, Gaston Green for Touchstone Management Ltd.

0910/01/FUL Great Dunmow – Temporary retention of caravan – The Ford, Braintree Road for Mr J Loveridge.

(b) Refusals

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

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

1737/00/FUL Littlebury – Extension to existing outbuilding to provide studio and store – Ringhill, Walden Road for Mr S Taylor.

1413/01/OP Newport – Detached house and garage and alterations to access – Bury Grove, Whiteditch Lane for Mr and Mrs A Tindall.

1241/01/FUL Little Easton – Change of use of agricultural buildings to B1 (Business) and B8 (Storage Distribution) – Nissen Huts, Easton Lodge for Miss S C Spurrier.

1427/01/OP Little Dunmow – Bungalow – rear of Little Blossom, Braintree Road, Stebbing Ford for Mr R J Head.

1457/01/FUL Wimbish – Change of use of land from horticultural to residential and construction of a two-bedroom bungalow – The Old Mushroom Farm, Radwinter End for Roy Canning.

(1) 1469/01/OP & (2) 1474/01/OP Wimbish – (1) One house and garage and creation of vehicular access. (2) Two houses with garages and creation of vehicular access – Site adjacent to No 41 Tye Green for F M Usher-Smith.

(c) Deferrals

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

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 Ltd.

Reason:- For traffic impact study on the whole 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 Easton Sector to rear of 37 – 61 High Street for Wilcon Homes Anglia Ltd.

Reason: For negotiations re car parking, access etc and to carry out consultations on revised plans.

0822/01/FUL Great Dunmow – Four dwellings and 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/FUL Great Dunmow.

0326/01/FUL Hatfield Broad Oak – Replacement dwelling involving extension to residential curtilage – Anthony's, Anthony's Lane for J Schonberg.

Reason:- Awaiting revised scheme.

0382/01/FUL Saffron Walden – 72 dwellings comprising 20 two 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 Ltd.

Officers informed Members that Go-East would not be calling in this application.

Reason:- Awaiting receipt of traffic impact study from consultant.

1244/01/FUL Hatfield Broad Oak – Lattice telecommunications tower with antennae attached. Installation of equipment cabinets and construction of internal access road – Takeley Sewage Treatment Works for Hutchinson 3G Ltd.

Reason:- At applicant's request pending submission of revised plans.

(d) Planning Agreements

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 and following consultation with Parish Councils and obtaining advice from the Council's Traffic Consultant, be authorised to approve the following application, subject to the conditions to be recorded in the Town Planning Register.

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 305 houses (ie extra 55) before construction of the A120 -

Former Felsted Sugar Beet Works, Station Road for Enodis Property Developments

(e) Certificate of Lawfulness

1098/01/CL Great Sampford – Certificate of Lawful 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.

RESOLVED that a Certificate of Lawfulness be not granted.

(f) Site Visits

The Committee agreed to visit the sites of the following applications on Monday 14 January 2002.

0091/01/FUL Little Chesterford – Realignment of B184, provision of roundabout and widening of access road – Access to Chesterford Park, including junction with B1484 and adjacent land for Norwich Union Life and Pensions Ltd.

Reason:- To assess the visual and aural impact of the roundabout and traffic on the surrounding area and the amenity of local residents.

1379/01/FUL Littlebury – Redevelopment of site with three detached houses with associated parking and garages – The Ranch House, Peggy’s Walk for Dornbridge Ltd.

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

0924/01/FUL Stansted – Change of use of land to skateboard facility and erection of associated equipment – Former Railway Sidings, Lower Street for Stansted Parish Council.

Reason:- To assess the impact on local traffic and public safety.

DCL78

UTT/0178/01/CL HATFIELD HEATH – CERTIFICATE OF LAWFUL USE FOR LAND AND BUILDING FOR THE PURPOSE OF A SLAUGHTERHOUSE LICENCE NO: 5109 – SLAUGHTER OF ANIMALS OR THE HANDLING OR STORING OF FRESH MEAT/FLESH. UNIT 13 HEATHVIEW POND LANE HATFIELD HEATH

RESOLVED that the determination of this application be deferred at the applicant’s request for further evidence to be submitted.

DCL79

ENFORCEMENT OF PLANNING CONTROL – TENANTS OCCUPYING PROPERTY IN BREACH OF AGRICULTURAL OCCUPANCY CONDITION ENF/123/01/D WENDENS GRANGE WENDENS AMBO

Having considered the applicant's case, and the evidence to support the contention that there was no demand for such a form of accommodation in the locality, it was

RESOLVED that the Section 106 Agreement relating to this property be discharged so as to remove the agricultural worker's occupancy requirement and allow general unrestricted residential use of the property.

DCL80 **APPEAL DECISIONS**

The Committed noted the following appeal decisions:-

(a) Dismissed

- (i) Alternative proposals for one new house in the garden of the 'Distaff' – New house, Bridge End, Newport (UTT/1560/00/FUL Scheme 2) (1588/00/FUL Scheme 3)
- (ii) 300 dwellings and associated roads and landscaping and open spaces and northwest relief road – land at Sector 2 Woodlands Park, Great Dunmow (UTT/0711/00/OP).
- (iii) Erection of one dwelling – Fairfield House, Bakers Lane, Felsted (UTT/0681/01/OP)

(b) Allowed

- (i) Certificate of Lawfulness for the use of chalet bungalow as a dwelling house – The Brambles, Wimbish Green, Wimbish (UTT/1372/00/CL).
- (ii) Separation of an existing annexe to form an independent dwelling and the repositioning of the access – Cherry Trees, Parsonage Downs, Great Dunmow (UTT/1603/00/FUL).
- (iii) One cattery building to the rear of the property – Oakview, Howlett End, Wimbish (UTT/0254/01/FUL)
- (iv) Certificate of Lawfulness for use of stable block as a single dwelling-house – Little Warren, Ashdon Road, Radwinter (UTT/1656/00/CL).

(c) Secretary of State Minded to Allow

Construction of approximately 1400 metres of proposed north-west relief road and roundabout onto the B184, provision of new accesses to Sector 3 and Brookfield Farm, together with associated earthworks, regrading and drainage, including new balancing pond and surface water outfall to the River Chelmer and Hoglands Brook – Land at Sector 3, Woodlands Park, Great Dunmow (UTT/0710/00/FUL).

DCL81 PLANNING AGREEMENTS

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

DCL82 SEASONS GREETINGS

The Chairman thanked officers and members, especially the vice-chairman of the Committee, for their support during the year and wished them a Happy Christmas and Prosperous New Year.

The meeting ended at 5.30 pm.