

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at
COUNCIL OFFICES GREAT DUNMOW at 2.00 pm on 18 MARCH 2002**

Present:- Councillor R B Tyler – Chairman.
Councillors E C Abrahams, W F Bowker, Mrs C A Cant,
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 R J Copping and
Mrs S Flack.

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

Also in attendance:- Carole Craven, Julia Gregory and Paul Hardy from Essex
County Council.

DCL128 SITE MEETINGS

Councillors E C Abrahams, W F Bowker, Mrs C A Cant, 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, A R Thawley and R B Tyler had attended the site
visit for the following application:-

1463/01/FUL Quendon – Retention of rear first floor extension – Pantiles,
Green Road for T Proctor.

Councillors E C Abrahams, W F Bowker, Mrs C A Cant, Mrs J F Cheetham,
R A E Clifford, Mrs C M Dean, R D Green, 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:-

1412/01/FUL Stansted – Erection of detached house and double garage –
West Road for K Atchinson.

DCL129 APOLOGIES

An apology for absence was received from Councillor Mrs M A Caton.

DCL130 DECLARATIONS OF INTEREST

Councillor R B Tyler declared a pecuniary interest in planning applications
1522/01/FUL and 1523/01/LB Saffron Walden and took no part in the debate
on these applications.

Councillor Mrs J F Cheetham declared a non-pecuniary interest in planning
applications 1475/01/OP Little Canfield and 0507/01/CL Stansted and
Agenda Item 9, Enforcement of Planning Control – land at 10 Church End,
Great Dunmow.

Councillor Mrs Godwin declared a non-pecuniary interest in planning applications 0443/98/OP and 1123/00/OP Birchanger/Stansted as a member of Birchanger Parish Council.

Councillors Mrs J I Loughlin and Mrs C M Dean declared non-pecuniary interests in planning applications 0443/98/OP and 1123/00/OP Birchanger/Stansted as Members of Stansted Parish Council.

Councillor R J Copping declared a non-pecuniary interest in planning applications 1654/00/FUL and 0822/01/FUL Great Dunmow as a member of the Dunmow Town Council.

Councillor E C Abrahams declared a non-pecuniary interest in planning application 0076/02/FUL Clavering as he was a neighbour of the applicant.

DCL131 **MINUTES**

The Minutes of the meeting held on 25 February 2002 were received, confirmed and signed by the Chairman as a correct record, subject to the deletion of the words after "hedge had been taken out" from Minute DCL127(ii) - Woodcroft, Stortford Road, Little Canfield.

DCL132 **MATTERS ARISING**

(i) Minute DCL121 – Enforcement of planning control – Willows Farm, Braintree Road, Great Dunmow

Members were informed that a retrospective planning application had now been received, but nevertheless the resolution for enforcement action would still stand.

DCL133 **APPLICATIONS WITHDRAWN**

The Committee noted that the following applications had been withdrawn:-

UTT/0003/02/FUL Barnston
 UTT/0084/02/FUL Felsted
 UTT/0029/02/FUL Felsted
 UTT/0080/02/FUL Great Easton

DCL134 **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:-

1412/01/FUL Stansted – detached house and double garage – West Road for K Atchinson.

A recorded vote was taken on the above application as follows:-

For the proposal for approval

Against the proposal

Councillors E C Abrahams
Mrs C A Cant
Mrs J F Cheetham
R D Green
P G F Lewis
D M Miller
A R Thawley
R B Tyler

Councillors W F Bowker
R A E Clifford
Mrs C M Dean
Mrs E J Godwin
Mrs J I Loughlin

1578/01/OP Newport – Agriculturally tied dwelling – Whiteditch Farm for A A Hudson.

0203/02/FUL Little Hallingbury – Two-storey replacement dwelling - 'Parkside', Hatfield Heath Road for Mr and Mrs D Silvester.

0209/02/FUL Saffron Walden/Sewards End – Two-bedroom dwelling to replace existing chapel building. Change of use of land to garden. Formation of parking/turning area – Chapel Cottage, 46 Walden Road, Sewards End for Mr and Mrs Landridge.

0112/02/FUL Saffron Walden – Change of use from shop/offices to create two dwellings and the construction of a detached dwelling to the rear together with alterations to the boundary wall/vehicular access points – The Chapel, Castle Hill for Andrew Burton.

0076/02/FUL Clavering – Retrospective change of use of agricultural barn to showroom for sale of garden furniture – Curles Manor, Pelham Road for Mr and Mrs A Vrylandt.

0091/02/FUL Great Dunmow – Alteration and extension of Oakroyd House to provide 18 dwellings and construction of 8 new dwellings with 2 new accesses – Oakroyd House, Oakroyd Avenue for Swan Housing Group.

1661/01/FUL Little Hallingbury – 20m mast with 4 antennas, 4 transmission dishes, 10 equipment cabinets, fence compound and access road for Lock Farm, Dell Lane for Orange PCS Ltd.

P/H/5/3 Stansted – Express Hazardous Substances Consent for storage and distribution of aviation kerosene – Stansted Fuelling Company, Stansted Airport.

The above approval is subject to comments from the Health and Safety Executive.

(1) 1522/01/FUL & (2) 1523/01/LB Saffron Walden – (1) Retention of alterations to roof of existing single-storey rear extension and installation of

air-conditioning units to rear elevation. (2) Retention of new signage to front elevation including projecting sign, alterations to rear extension, changing roof and adding an external door and internal shopfitting works to ground-floor and basement – 15 King Street for Duffy Moons.

(b) Refusals

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

1463/01/FUL Quendon – Retention of rear first-floor extension – Pantiles Green Road for T Proctor.

1636/00/REN Saffron Walden – Renewal of planning permission UTT/0989/95/FUL for conversion or demolition and replacement of existing building to non-food retail use – Land at Radwinter Road for SIA Abrasives (GB) Ltd.

0049/02/OP Ugley – Detached dwelling and garage using existing access to highway – Land on the east side of Fieldgate Lane, Ugley Green for Mr E Henderson and Ms Henderson.

(c) Deferments

RESOLVED that the determination of the following applications be deferred.

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

Reason:- Pending further negotiations.

1475/01/OP Little Canfield – One agricultural dwelling – Langthorns Plantery, High Cross Lane for Mr E Cannon.

Reason:- To negotiate revised location of dwelling on the north-eastern boundary of the site.

1654/00/FUL Great Dunmow – Residential development (56 units), new road access to public car park, extension to public car park, pedestrianisation of existing access from High Street and new public library – Land at Eastern Sector to rear of 37 – 61 High Street for Wilcon Homes Anglia Limited.

Reason:- To reconsider highway matters.

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 Mckinlay and Mr C Blower.

Reason:- To reconsider highway matters.

0110/02/OP Wimbish – Four detached dwellings with associated parking – Taylor Brothers Site, Howlett End for Green Taylor Bros.

Reason:- To reconsider the layout for four houses.

0097/02/OP Felsted – One dwelling – Moana, Braintree Road for Mrs D Crow.

Reason:- To consider revised plans.

(d) Planning Agreements

RESOLVED that, subject to the completion of agreements, 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 applications, subject to the conditions to be recorded in the Town Planning Register.

(1) 0443/98/OP Birchanger and Stansted Mountfitchet & (2) 1123/00/OP Birchanger – (1) 315 dwellings, construction of an access to highway and provision of public open space, play area and site for school – health centre and shop on Rochford Nurseries, Forest Hall Road, Birchanger and Stansted for Pelham Homes Ltd. (2) Residential development (285 dwellings), public open space, associated access and infrastructure – Land at Rochford Nurseries, Forest Hall Road, Birchanger for Croudace Ltd.

1487/01/FUL Wicken Bonhunt – Change of use, alterations, extension and conversion of barns to non-residential meeting and seminar rooms. Creation of parking spaces – Adjacent to Wicken Bonhunt House for Mr A D W Broomhead.

(e) Certificate of lawfulness

0507/01/CL Stansted – Certificate of lawful use – B1 and B8 uses comprising processing and packing plant and associated outdoor storage and general storage and distribution – Walpole Farm for Mr P Braeckman.

RESOLVED that a Certificate of Lawfulness be granted, subject to:

- 1 restriction on outdoor storage to the storage of pallets and equipment/goods ancillary to the main use of the buildings, and
- 2 B1(c) light industrial use only, not offices or research and development.

(f) Site Visits

The Committee agreed to visit the sites of the following applications on Monday 8 April 2002:-

0111/02/OP Newport – Detached dwelling and garage – rear of White Lodge, London Road for Mr and Mrs Carrington.

Reason:- To assess the affect of the driveway on the amenity of the neighbouring properties.

1671/01/FUL Great Dunmow – Extension to provide 21 new bedrooms, dining room and ancillary services – Redbond Lodge Elderly Persons Home, Chequers Lane for Runwood Homes plc.

Reason:- To assess the impact of the extension on neighbouring properties.

1244/01/FUL Hatfield Broad Oak/Takeley – 18m monopole telecommunications tower with 2m antennae attached. Installation of equipment cabinets and construction of internal access road – Takeley Sewage Treatment Works for Hutchinson 3G Ltd.

Reason:- To assess the impact of the mast on the view from Hatfield Forest.

DCL135

CONSULTATION PAPER: USE CLASSES ORDER – CONSULTATION ON POSSIBLE CHANGES TO THE USE CLASSES ORDER AND TEMPORARY USES PROVISIONS

Members received a report on the planning green paper which had set out proposals for reforming the planning system. The Government's intention had been to review the Town and Country Planning Use Classes Order 1987 (UCO) and the temporary use provisions of the Town and Country Planning General Permitted Development Order 1995 (GPDO) to ensure that they were constructed in a way that would allow the maximum possible deregulation consistent with delivering planning policy objectives. The consultation paper from the DTLR set out:

- The Government's objectives for the UCO and Part 4 Class B of the GPDO,
- The Government's policy objectives in general set out in PPGs relating to each of the Use Classes A, B, C and D and GPDO Temporary Uses,
- Concerns about the operation of the Use Classes and Temporary Uses provisions,
- The options for change.

RESOLVED that this report, as recommended, be forwarded to the DTLR as the comments of Uttlesford District Council.

**DCL136 UTT/0178/01/CL – UNIT 13 POND LANE, HEATH VIEW, HATFIELD HEATH
– CERTIFICATE OF LAWFULNESS FOR USE OF LAND AND BUILDING
FOR THE PURPOSE OF A SLAUGHTERHOUSE LICENCE NUMBER 5109
– SLAUGHTER OF ANIMALS OR THE HANDLING OR STORING OF
FRESH MEAT/FLESH**

Members received a report on an application for a Certificate of Lawfulness for B2 and B8 use (Slaughterhouse and Meat Storage) following the adjournment of the application at the request of the applicant. Officers remained of the opinion that the applicant had failed to establish that unit 13 had been used as a slaughterhouse in its own right prior to 1948 or that the premises were used as a slaughter house at the date of the application and for the 10 years immediately preceding the date of the application.

RESOLVED that a Certificate of Lawfulness be not granted as the evidence submitted was not sufficient to support the application.

**DCL137 ENFORCEMENT OF PLANNING CONTROL – LAND AT 10 CHURCH END
GREAT DUNMOW – INTEREST IN LAND MR M A STARMAR**

Members received a report concerning an outbuilding which had been erected within the curtilage of a Grade II Listed Building on land at 10 Church End, Great Dunmow, without planning permission.

RESOLVED that enforcement and, if necessary, legal action be taken to cause the removal of the outbuilding and for the restoration of the land to its former condition.

**DCL138 PUBLIC SPEAKING AT DEVELOPMENT CONTROL AND LICENSING
COMMITTEE**

Members received a report from the Head of Planning and Building Surveying setting out a proposed scheme for allowing applicants and objectors to address the Development Control and Licensing Committee. It was recommended that the scheme should be adopted for a trial period of six months after which it would be reviewed.

Councillor Mrs Cheetham expressed concern at the length of Development Control and Licensing meetings and suggested that they should be held every two weeks instead of three weeks. It was agreed that this matter could be reviewed at the end of the six month trial period for public speaking, when the issue of increased delegation to officers would also be reconsidered.

RESOLVED that public speaking at Development Control and Licensing Committee meetings be introduced from the meeting on 1 July 2002 for a trial period of six months as follows:-

- The applicant/agent and all those making representations will be notified by letter of the opportunity to speak as soon as the Agenda and Schedule of Applications are finalised. The aim should be to enable at least 3 days' notice before the meeting.

The letter will be sent from the Head of Planning and Building Surveying.

- Those wishing to speak should let Committee Services have at least one day's advance notice ie by 2.00 pm on Friday before the Development Control and Licensing Committee meeting.
- Committee Services will ensure that the list of items, with the names of speakers and whether they wish to speak for or against the application, is available prior to the Committee meeting.
- Speaking will be limited to 2 minutes by the Applicant and two minutes for views for and against, but may on occasion be extended equitably subject to the discretion of the Chairman.
- Where there is more than one person wishing to speak they should agree a representative amongst themselves
- Parties for or against (including the Applicant) may, if they wish, appoint professional representatives to speak on their behalf
- While the Committee should not enter into a debate with speakers they may, at the Chairman's discretion, clarify matters of fact.
- Officers should be permitted to respond to the points made by speakers prior to the commencement of debate.
- The opportunity for town and parish council representatives to speak is not affected by this procedure.

DCL139 APPEAL DECISIONS

The Committee noted the following appeal decisions:

(a) Dismissed

- (i) Three dwelling-houses with covered parking; new access drive and alterations to an existing drive on land at rear of Wood End Cottages, Henham (UTT/1638/00/FUL).
- (ii) Two-storey side extension and failure to give notice within the prescribed period of a decision on an application for planning permission for the erection of a two-storey side extension at Pharisee House, Pharisee Green, Great Dunmow (UTT/0657/01/FUL) and (UTT/1353/01/FUL).
- (iii) Appeal against the failure to give notice within the prescribed period of a decision on an application for planning permission for change of use to ~~Loggia~~ airport car park on land east of

Sycamore Close and south of Takeley Business Centre, Takeley (UTT/0942/01/FUL).

- (iv) Change of use of land to a new lorry/car parking and turning area, adjacent to existing transfer yard on land adjacent to the Railway Yard, Station Road, Little Dunmow (UTT/1824/00/FUL).
- (v) (1) Enforcement Notice requiring cessation of use of land for commercial storage distribution and retail purposes,
(2) Demolition/dismantling of three buildings, associated removal of materials and restoration of the land, and (3) Retention of the use of a barn for the packaging and distribution of luxury food stuffs at Severals Farm, Arkesden (ENF/22/00/D/IP and UTT/1436/00/FUL).

(b) Allowed

- (i) Rear and side extension and garage at 22 West Road, Saffron Walden (UTT/0674/01/FUL).
- (ii) Single dwelling on land adjacent to 25 Station Road, Felsted (UTT/1507/01/OP).

DCL140 PLANNING AGREEMENTS

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

The Senior Legal Officer informed Members that the agreement had now been completed in connection with UTT/1179/01/FUL Ashdon. He also informed Members that a meeting had been arranged in connection with planning applications UTT/0374/00/FUL and UTT/1418/00/FUL Stansted.

DCL141 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.

DCL142 APPLICATION FOR A CERTIFICATE OF LAWFUL 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 – LAND ABUTTING NORTH OF TRYCOT, BARTHOLOMEWS GREEN, FELSTED (UTT/0036/01/CL)

Members received a report which set out the terms of the proposed Section 106 Agreement. Members expressed concern at the difficulty of enforcing the

obligations. Officers explained that the Council had power to take proceedings for an injunction if the applicants breached the Section 106 Agreement.

RESOLVED that the terms of the proposed Section 106 Agreement, as set out in the appendix to the report be accepted.

The meeting ended at 6.45 pm.