

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at
COUNCIL OFFICES GREAT DUNMOW at 2.00 pm on 22 JULY 2002**

Present:- Councillor P G F Lewis – Vice-Chairman in the Chair.
Councillors E C Abrahams, 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, Mrs J I Loughlin, D M Miller
and A R Thawley.

Officers in attendance:- F Chandley, Mrs M Cox, J Grayson,
R Harborough, J Mitchell and J Pine.

DCL31

SITE MEETINGS

Councillors E C Abrahams, 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
and A R Thawley attended the site meeting for the following application.

0241/02/FUL Clavering – Change of use of land and conversion of offices to
B1 use. Extension to building, class B1 units, parking and boundary
wall/gates and alteration to access – C E Funston Tractor Sales Ltd,
Arkesden Road for C E Funston Tractor Sales Ltd.

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 attended the site visits for the
following applications.

0180/02/FUL Henham – resiting of mobile homes, replacement building for
storage and repair of commercial vehicles and plant – Hilltop, Mill Road for
Mr W H Wood.

0370/01/FUL Hatfield Heath – Replacement dwelling – Stonebridge Farm,
Chelmsford Road for Mr and Mrs S King.

Councillors E C Abrahams, 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,
P G F Lewis, Mrs J I Loughlin, D M Miller and A R Thawley attended the site
visit for the following application.

0266/02/FUL Stebbing – Removal of barn/store and erection of dwelling –
land rear of Town Farm for J F Blackwell.

Councillors E C Abrahams, W F Bowker, Mrs C A Cant, Mrs M A Caton,
Mrs J F Cheetham, Mrs C M Dean, Mrs E J Godwin, P G F Lewis,
Mrs J I Loughlin, D M Miller and A R Thawley attended the site visit for the
following application.

0274/02/FUL Great Dunmow – Change of use to dwelling and extension –
71 The Causeway for Mr A McBride.

DCL32

APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors R D Green and R B Tyler.

Councillor W F Bowker declared a personal and prejudicial interest in application 0704/02/FUL Newport as he was the applicant. He would leave the meeting during consideration of this item.

Councillor E C Abrahams declared a personal and prejudicial interest in application 0421/02/FUL Clavering as he was related to the applicant. He would leave the meeting for the consideration of the item.

Councillor P G F Lewis declared a personal but non-prejudicial interest in application 0370/02/FUL Hatfield Heath as he was a member of the Parish Council and lived in the same road as the application site.

Councillor Mrs J F Cheetham declared a non-prejudicial interest in item 6 on the agenda - application 1000/01/OP Stansted Airport, as she was a member of NWEHP.

DCL33

MINUTES

The Minutes of the meeting held on 1 July 2002 were received, confirmed and signed by the Chairman as a correct record, subject to the removal of Councillor Mrs Loughlin from the list of Members that had attended the site meetings.

DCL34

BUSINESS ARISING

(i) Minute DCL30 – Enforcement of Planning Control – Progress Report

It was reported that a letter had been received from the Solicitors for the applicant with regard to the enforcement action being taken at Knowlebury, Little Cambridge, Great Easton, asking that the maximum number of vehicles to be parked on the site be increased from 10 to 13. This was not considered to be acceptable and it was

RESOLVED that the Enforcement Notice should not be amended.

DCL35

APPLICATION UTT/1000/01/OP STANSTED AIRPORT

The Committee received a report updating the position on this application following the Special Meeting held on 24 June 2002. At that meeting, Members had asked for a report on the feasibility of commissioning an independent Environmental Impact Assessment (EIA). Officers had also agreed to provide responses to a number of points raised by Members.

The Committee was advised that planning legislation identified the applicant as the party to prepare the EIA and the Planning Authority's role was to determine whether the statement was necessary and also its scope. The Statement had been the subject of extensive consultation and there had been independent advice from TRL and York Consulting.

The Council had itself commissioned specialist advice on critical aspects of the proposal and their effects. Members had been involved in deciding the issues to be investigated.

To commission a new assessment would result in unacceptable delays and the Council incurring expenditure in excess of £1 million. Officers concluded that there was no need for a fresh assessment and it would be unreasonable and costly to commission one.

Councillor Clifford considered that in the light of recent developments regarding the likely future expansion of the airport, there should be a further EIA. He felt that if these issues had not been taken into account in the original assessment then the Council was obliged to commission a new study even though it would be costly and time consuming. The Head of Planning and Building Surveying replied that an assessment could only be commissioned that was relevant to the current application and not for speculative proposals. He said the report was a significant and thorough document that had been checked by independent consultants, and had been publicly available since last August.

Members asked for an accurate estimate of the likely cost of a further independent study. Councillor Mrs Cheetham raised further points on the matters that had arisen from the special meeting on 24 June 2002. Members felt that they still had detailed points to raise on the EIA and other aspects of the planning application. A further meeting was requested to enable Members to give more detailed consideration to the various reports.

RESOLVED that meeting(s) of the Committee be arranged to look in-depth at the implications of not commissioning a further EIA and to give further detailed consideration to application 1000/01/OP Stansted Airport.

DCL36

SCHEDULE OF PLANNING APPLICATIONS

(a) Approvals

RESOLVED that planning permission and listed building consent, where applicable, be granted for the following developments, subject to conditions, if any, recorded in the Town Planning Register.

0285/02/FUL Hatfield Broad Oak – Equestrian barn – Broomshawbury for Mr P Rust.

Mrs Osborn spoke in support of the application, Mrs Andrew spoke against the application and Councillor Mitchell spoke against the application on behalf of Hatfield Broad Oak Parish Council.

0180/02/FUL Henham – Mobile homes and replacement building for storage and repair of commercial vehicles and plant – Hill Top, Mill Road for Mr W H Wood.

(1) 0228/02/FUL and (2) 0229/02/CA Stebbing – (1) Replacement dwelling. (2) Demolition of dwelling – Dorval, High Street for Mr E R Butler.

0421/02/FUL Stebbing – Replacement dwelling and garage – Longcroft, Whitehouse Road for Shire Hall Homes Ltd.

0555/02/FUL Elmdon – Replacement dwelling and garage – White Friars Cottage, Duddenhoe End for Pelham Structures Limited.

0778/02/FUL Great Sampford – Demolition of cottages. Replacement dwelling and garage – Land at Moor End Cottages for Mr J Curtis.

0722/02/FUL Saffron Walden – Change of use to residential with part office use – The Old Control Tower, Little Walden Airfield for Catherine Markey.

0750/02/DFO Stebbing – Dwelling and garage – Land adjacent Elmcroft, Bran End for Messrs Stile and Hammond.

(1) 0698/02/FUL (2) 0699/02/LB Little Sampford – (1) Conversion to dwelling and garage. Link addition and wall. (2) Demolition of buildings. Conversion of barns to dwelling, small link and walling. New roof and conversion to garaging - Spriggs Farm, Thaxted Road for A J and P A and M D Wisbey.

0606/02/FUL Berden – Removal of condition relating to Agricultural Occupancy – Southfields, Brick End for M Watson.

0618/02/FUL Great Canfield – Use of agricultural building as dwelling for two years and conversion of part of building to dwelling – Ashfields Polo Centre for Mr and Mrs Mathies.

0265/02/FUL Great Easton – Garage and premises with workshop, showroom, offices and basement car parking – G S Brown's Garage for P and A Wood.

0885/02/FUL Felsted – Extension, relocation of parking and drop-off point – Felsted Preparatory School for Felsted School Trustees Ltd.

0408/02/OP Great Hallingbury – Buildings for Nursery – Land at Howe Green House School for The Howe Green Educational.

0704/02/FUL Newport – Extension – 45 Cherry Garden Lane for Mr and Mrs W Bowker.

Councillor W F Bowker left the meeting during consideration of this item.

Councillor A R Thawley declared a personal interest as he was a friend of the applicant.

(b) Refusals

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

0266/02/FUL Stebbing – Removal of barn/store and erection of single storey dwelling – Land rear of Town Farm for J F Blackwell.

Reason: Over-development, inadequate parking.

0274/02/FUL Great Dunmow – Change of use to dwelling and extension – 71 The Causeway for Mr A McBride.

Reason: Loss of amenity, impact on listed buildings and existing building, effect on street scheme.

(c) Deferments

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

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

Reason:- Waiting revised comprehensive scheme.

0822/02/FUL Great Dunmow – Four dwellings with garaging – Land to the rear of 73-75 High Street for Mr D Lowe, Mrs McKinley and Mr C Blower.

Reason:- Waiting revised comprehensive scheme.

1614/01/FUL Thaxted – 25m telecommunications tree mast, with antennae, dishes and equipment cabins within a fenced compound – Park Farm, Park Street for Orange Personal Communications.

Reason:- To consider consultant's report.

0213/02/FUL Great Chesterford – Church Hall – All Saints Churchyard for PCC of All Saints Church.

Reason:- Awaiting revised plans.

0536/02/FUL Thaxted – Chalet bungalow and garage – Land adjacent to Harrow Croft, Watling Lane for Mr N Temple.

Reason:- Awaiting revised plans

0241/02/FUL Clavering – Change of use of land and conversion of offices to B1 use. Extension B1 units, parking and boundary wall/gates. Alterations to access – C E Funston Tractor Sales Ltd, Arkesden Road for C E Funston Tractor Sales Ltd.

Reason:- For further negotiations.

Mr Gebbie spoke against the application.

0370/02/FUL Hatfield Heath – Replacement dwelling – Stonebridge Farm, Chelmsford Road for Mr and Mrs S King.

Reason: Members were minded to approve this application, but wished to see revised plans and conditions at the next meeting.

0397/02/FUL Felsted – Change of use to B1/B2/B8 – Chaffix Farm, Braintree Road for Messrs R A and N Smith.

Reason: To negotiate amendments with applicant.

0500/02/FUL Great Dunmow – Demolition of filling station, apartments, cycle store, car parking and alterations of access – 77-79 High Street for Higgins Homes Ltd.

Reason:- To publicise revised plans.

(d) Planning Agreements

RESOLVED that subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 regarding a contribution towards traffic management, 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 recorded in the Town Planning Register.

0884/02/OP Great Dunmow – 14 flats – 83 High Street for Executors of Late Mrs D M Harris.

(e) Site Meeting

The Committee agreed to visit the site of the following application on Monday 12 August 2002.

0360/02/OP Great Dunmow – 6 dwellings and access and retention of existing bungalows – 22 – 24 Ongar Road for Hutton Homes Ltd.

DCL37

ENFORCEMENT OF PLANNING CONTROL – TEMPLERS FARM LINDSELL

The Committee received a report regarding the use of an agricultural barn for residential purposes at Templers Farm, Lindsell. Officers had carried out

investigation and had concluded that the residential occupation of the barn was an unlawful activity which was not immune from enforcement action, having commenced within the last four years. In the absence of clear evidence of established residential occupation, the report then dealt with the two main issues which were (a) whether the building was appropriate for residential conversion, and (b) whether a proved agricultural need had been demonstrated. Since preparing this report there had been further information from the Lindsell Parish meeting regarding the residential occupancy of the barn. The owner had not yet had the opportunity to review this information and it was therefore

RESOLVED that the matter be deferred and a full report be submitted to a future meeting of the Committee.

DCL38 MEMBERS' TRAINING IN PLANNING MATTERS

Members were advised of the training workshops that had been held over the last three years. These had usually been held at Great Dunmow over a buffet lunch between site visits and the Committee meeting. Members were asked for their views on the future format of these workshops and any topics that they would like covered. Members were keen for the workshops to continue and felt that the lunchtime venue was the most convenient time. A list of possible future topics included Human Rights and the European Legislation, non-listed barns, nature and conservation and the Disability Act 2004.

RESOLVED that the Members training workshops continue as at present, between the Members site visits and the Committee meeting.

DCL39 APPEAL DECISIONS

Members noted the following appeal decisions which had been dismissed.

Use of three bedrooms for bed and breakfast purposes at Rivendell, Start Hill, Great Hallingbury (UTT/1148/01/FUL).

Retention of single storey office extension, rear of Town Farm, Stebbing (UTT/0904/01/FUL)

Conversion of workshop and office to dwelling redevelopment of workshop for flats and dwellings at no. 3 workshop industrial unit and office, Woodfield Terrace, Stansted (UTT/0791/01/FUL and UTT/0514/01/FUL).

DCL40 PLANNING AGREEMENTS

The Committed noted the current position regarding outstanding Section 106 Agreements.

That the following agreements had been completed: Brooke Road, Stansted, Parsonage Road, Takeley and land at Millfields, Stansted.

In answer to a question from Councillor Mrs Godwin, it was reported that negotiations on the agreement were continuing, mostly in connection with the PCT requirement for a health centre at the site.

It was noted that the Priors Green, Takeley application for 650 houses had not been called in by the Secretary of State and would therefore be subject to a 106 Agreement.

The meeting ended at 5.20 pm.