

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at
COUNCIL OFFICES GREAT DUNMOW at 2.00 pm on 23 SEPTEMBER
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 and
D M Miller.

Officers in attendance:- F Chandley, Mrs M Cox, P Dickson, J Grayson,
N Harris and J Mitchell.

DCL60 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 and R B Tyler attended the site meetings for the
following applications:-

(1) 0654/02/FUL & (2) 0655/02/LB Ugley – (1) & (2) Renovation, demolition
and conversion of outbuildings/barns to residential units – North Hall Farm,
North Hall Road for Mr M Carney.

0603/02/FUL Barnston – Removal of condition C.90A attached to
UTT/0008/94/FUL (restricting occupancy of dwelling to Langley Lodge Riding
Stables), replacement chalet bungalow, change of use of storage building to
garage and domestic stabling – The Courtyard, Onslow Green for Mr and
Mrs P Hart.

DCL61 APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Mrs M A Caton and
A R Thawley.

Councillor E C Abrahams declared a personal and prejudicial interest in
application 0241/02 Clavering, as he was related to the applicant. He would
leave the meeting for the consideration of the application.

Councillor Mrs E J Godwin declared a non-prejudicial interest in application
0605/01/FUL Birchanger as a member of the Parish Council.

Councillor R D Green declared a non-prejudicial interest in application
0875/02/FUL as he was a member of Saffron Walden Town Council.

DCL62 MINUTES

The Minutes of the meeting held on 2 September 2002 were agreed,
confirmed and signed by the Chairman as a correct record.

DCL63

BUSINESS ARISING**(i) Minute DCL54(iii) – Enforcement of Planning Control – Progress Report**

It was reported that an appeal had been lodged against the enforcement action authorised at St Theresa's Church, Stansted. The hearing was likely to be held on 4 January 2003.

(ii) Minute DCL55(d) – Authority to the Head of Planning and Building Surveying – 0614/02/DFO Takeley

At the last meeting, the Head of Planning and Building Surveying, in consultation with the Chairman of the Committee, had been authorised to approve this application, subject to negotiations on the location of the play area, the design and size of the housing fronting the A120, and the location of affordable housing. The applicant had now confirmed that there would be a dry balancing pond and this did not conflict with the location of the play area. The heights of the housing fronting the A120 had been reduced and set back.

Trevor Dodkins of Countryside Residential Ltd then spoke to the Committee about the provision of the 20 affordable dwellings on the site. He said that, although his company recognised that Members would prefer to distribute the properties throughout the development, with regard to unit cost, there was a minimum number of dwellings needed to break even, usually about 30. Also, the RSL preferred a single location for reasons of efficient management. The houses would be well designed and use the same materials as others in the development. Also the six units of shared equity would help with the mix of properties. Three dwellings would be relocated to improve the link with the adjacent private housing. He confirmed that a greater mix of affordable housing would occur at Priors Green, Takeley. Members were satisfied with the negotiations that had taken place.

RESOLVED that application 0614/02/DFO Takeley be approved, subject to the agreed revisions and conditions to be recorded in the Town and Planning Register.

(iii) Minute DCL59 – Planning Agreements

The Committee was advised that the Agreement relating to the provision of open space and play areas for phase 2A and 2B at Oakwood Park had now been completed.

DCL66

SCHEDULE OF 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.

0603/02/FUL Barnston – Removal of condition C.90A attached to UTT/0008/94/FUL (restricting occupancy of dwelling to Langley Lodge Riding Stables) replacement chalet bungalow, change of use to garage and domestic stabling – The Courtyard, Onslow Green for Mr and Mrs P Hart.

0536/02/FUL Thaxted – Chalet bungalow with rear basement and garage – access and garage – Land at Harrow Croft, Watling Lane for Mr N Temple.

(1) 0836/02/FUL & (2) 0837/02/LB Little Dunmow – Conversion of barn and part adjoining building to dwelling – Rookwoods, Braintree Road for J S Dorrington.

Councillors Mrs Cheetham, Mrs Dean and Mrs Loughlin declared non-pecuniary interests in the following application as members of NWEHPA.

0788/02/DFO Takeley – Layered car parking to provide additional short term spaces – Stansted Airport for Stansted Airport Ltd.

(b) Refusals

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

Councillor E C Abrahams left the meeting for the consideration of the following item.

Mr Thomas of Clavering PC and Mr Gebbie, spoke against the application.

0241/02/FUL Clavering – Change of use and conversion of offices to Class B1 light industrial/office use. Extension to building. Class B1 units, parking spaces, boundary wall/gates and alterations to access – C E Funstons Tractor Sales Ltd, Arkesden Road for CE Funston Tractor Sales Ltd.

Reason:- Overdevelopment. Detrimental to amenity of neighbours. Highway dangers.

0654/02/FUL & 0655/02/LB Ugley – (1) and (2) Renovation, demolition and conversion of outbuildings/barns to residential units – North Hall Farm, North Hall Road for Mr M Carney.

Reason: Effect on amenity of residents from noise from M11. Loss of historic courtyard.

0605/02/FUL Birchanger – Dwelling with parking – Land r/o 17 Bradley Common, High View for Mr B Stone.

1056/02/FUL Thaxted – Staff accommodation block for owners of the Farmhouse Inn – The Farmhouse Inn and Restaurant, Monk Street for Mr and Mrs A Lloyd.

Councillor Mrs Dean declared a non-prejudicial interest in the following application.

Mr Ryan spoke against the following application.

1136/02/FUL Newport – Four dwellings – site adjacent to Granta Cottage, Station Road for T Knight.

(c) Deferments

RESOLVED that the determination of the following applications be deferred:

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

Reason:- For submission of revised plans.

(d) Authority to the Head of Planning and Building Surveying

RESOLVED that 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, following an agreement to facilitate financial contributions required by the County Council for highway works and education.

0647/02/FUL Great Dunmow – Redevelopment, change of use to residential flats and town houses (25 units), basement parking for 38 cars and spaces at ground level – Land at Haslers House, Haslers Lane and Chelmsford Road for Mill Projects Ltd.

RESOLVED that 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 and Planning Register, following an agreement to secure the required highway improvements.

0875/02/FUL Saffron Walden – Commercial buildings for B1, B2 and B8 use, car parking and change of use of bungalow to B1 or D1 use and new access – former Garden Centre, Thaxted Road for Granite Estates Ltd.

RESOLVED that 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, following an agreement regarding the permanent provision of affordable housing through a Registered Social Landlord and nomination rights by the Council.

1129/02/FUL High Easter – 12 affordable dwellings, access, estate road and parking facilities – The Street for Mr C Warder-Smith (Rural Housing Trust).

(e) County Matter

1624/01/CC Little Canfield – Match fishing facility and carp lake with associated removal of materials and variation of conditions 2 and 8 of ECC planning permission, ref ESS/33/95/UTT – Crumps Farm for D K Symes Associates.

RESOLVED that Essex County Council be advised that the District Council has no objection to the proposal, subject to:

- 1 The times of extraction/construction to be the same as the existing permitted hours of extraction.
- 2 Submission and implementation of landscaping scheme (round lakes, car parking and access tracks).
- 3 Condition prohibiting airport related car parking.
- 4 No opening before the new A120 available.
- 5 Clarification of the responsibility for the ongoing maintenance of the lakes.
- 6 This being the last extension to the life of the extraction activities at this site.

DCL67

SITE VISITS

Members agreed to visit the sites of the following applications on Monday 14 October 2002.

0744/02/FUL Clavering – 3 poultry houses, 1 goat house, 1 ancillary building and alteration of access for agricultural use – Owls Farm, Pelham Road for Mr D and Mrs C Stokes.

Reason:- To assess the impact of the development on the countryside and the amenity of adjoining residents.

Members also agreed to visit Templars Farm, Lindsell 1022/02/FUL in connection with the above application.

1028/02/DFO Thaxted – Dwelling with garage – The Old Waterworks, Bardfield Road for Mr B Holt.

Reason:- To consider the impact of the dwelling on the street scene and awaiting the submission of a revised plan.

DCL68

BUDGET UPDATE AND STRATEGY

The Committee received a report detailing the list of priorities presented to Council on 16 July and inviting Members to make adjustments in the light of the latest budget protection for 2003/04. An updated General Fund Budget projection now indicated that net savings needed to meet the Council's target had reduced from £305,000 to £127,000. A further letter had been received from the Leader of the Council, suggesting additional saving requirements and

£50,000 for this Committee. This was because there were several uncertain issues, which could have a significant impact on the Council's finances.

The Committee received the list of Council policy priorities presented by the Administration and the Liberal Democrat Group together with that agreed by Scrutiny 2 Committee. This had since been prioritised at the meeting of the Resources Committee on 19 September 2002. The Committee was also asked to confirm the updated budget projection for this Committee as a basis for preparing estimates for the November/December cycle of meetings.

RESOLVED that, to progress the 2003/04 budget making process, this Committee:-

- 1 agrees the list of priorities presented to Council on 16 July and prioritised by the Resources Committee on 19 September 2002 and shown in Appendix BS08,
- 2 notes the additional savings target of £50,000 put forward by the Leader of the Council, and
- 3 agrees the budget projections at Appendix BS06 and BS07 as the basis for developing draft budgets for the next cycle of meetings.

DCL69

HATFIELD PARK FARM GOLF COURSE – TAKELEY/HATFIELD BROAD OAK

Councillor Parr of Hatfield Broad Oak Parish Council spoke against this proposal.

The Committee received a report concerning a request by the applicant to delete Clause 3.6.3. of the Section 106 Agreement dated 30 June 1999, that was executed when outline planning permission for the golf course and hotel was renewed on 30 June 1999. This permission had provided two new points of access, from the old A120 and secondly from the B183. In relation to the second access, the agreement provided for the discontinuance of its use (except by service and/or emergency vehicles) once the A120 access had been completed. This was due to be not later than either five years after the new A120 had been opened or the opening of the hotel to the public (whichever was the earlier). A copy of a letter from the applicant was circulated which asked that the use of the access should not be eventually restricted to service and/or emergency vehicles.

Officers considered it unlikely that visitors to the golf course/hotel arriving by car from either east or west along the old A120, would choose to turn onto the B183 and use that access in preference to the one on the existing A120; especially if the access were to be directionally signed as recommended by ECC and departing vehicles leaving via the B183 access were directed north. Hatfield Broad Oak Parish Council had expressed concern about increasing traffic through the village and on the country lanes around Bush End. They had asked that the Agreement should remain and the B183 access be discontinued, except for service and emergency vehicles as agreed.

Councillor Mrs Cheetham commented that as long as the Coopers End access to the Airport remained opened, the B183 would increase in traffic as a short cut. Other Members considered it to be premature to remove this clause until the hotel and golf course was up and running and the patterns of use could be monitored. It would be possible to reconsider this request once the hotel and golf course and the new A120 had been opened.

RESOLVED that the request to delete clause 3.6.3 from the Section 106 Agreement be refused.

DCL70

REGISTRATION OF MOTOR SALVAGE OPERATORS

The Committee was advised of a new requirement for local authorities to register motor salvage operators. Each local authority would maintain a public register of those companies registered under the Act. The Act would make it an offence to fail to register and the police would have sole responsibility for enforcement. To qualify for registration, the applicant would have to be a fit and proper person, and to assist local authorities; Essex Police would carry out criminal record checks and supply any other relevant information. In line with other licensing and registration procedures, it was suggested that the Head of Environmental Services should be authorised to grant registration, where the criteria were met, or issue the notices of refusal in other cases. The Act allowed local authorities to charge a reasonable fee between £40 and £0. The recent meeting of the Essex Licensing Officers had considered that £70 was an appropriate fee for the process and administrative costs involved.

RESOLVED that

- 1 the Head of Environmental Services be delegated powers to register all fit and proper applicants and to issue notices of refusal in other cases.
- 2 The registration fee of £70 be approved.

DCL71

TREE PRESERVATION ORDER 5/02 – BRADLEY COMMON BIRCHANGER

The Committee considered an objection that had been made to the serving of Tree Preservation Order number 5/02 in respect of a group of trees within the grounds of 17 Bradley Common, Birchanger. The owner had objected on the grounds that the tree had outgrown its location and was dangerous. Officers had carried out investigations and had found the willow tree to be in good general health, and there was no evidence to suggest that the tree was likely to suffer any major failure at this time. The willow, together with the other trees in the group, contributed to the visual amenity of the surrounding area.

RESOLVED that Tree Preservation Order 5/02 be confirmed without amendment.

DCL72 APPEAL DECISIONS

- (i) Conversion of part redundant piggery to offices – Marks Hall Farm, Margaret Roding (UTT/0760/01/FUL) – Allowed.
- (ii) Two dwellings – Ivy House, Gaston Green, Little Hallingbury (UTT/1752/01/OP) – Dismissed.
- (iii) Consent to fell one lime tree – 1 Bartletts, Abbey Lane, Saffron Walden (TPO1/92) – Allowed.
- (iv) New dwelling and garage – Parsonage Brook Farm, High Easter (UTT/1719/01/FUL) – Dismissed.
- (v) Storage barn to replace existing sheds to provide covered car parking as extension to existing business in adjacent barn – Land to the south west of Pledgdon Hall, Henham (UTT/1166/01/OP) – Dismissed.

The Chairman agreed to the consideration of the following 4 items on the grounds of urgency as the information was required before the next meeting of the Committee.

DCL73 LICENSING COMMITTEE

The Chairman informed Members that the Notice of the Licensing Committee meeting to be held on 25 September had not been sent out with five clear days notice as required by the Council's Procedure Rules. It would be necessary for seven members to attend the meeting in order to suspend the procedure rules and enable the meeting to go ahead. Unfortunately, only six members of the Committee were able to attend the meeting and it was therefore

RESOLVED that the meeting of the Licensing Committee to be held on 25 September 2002 be postponed.

DCL74 SPECIAL ENVIRONMENT AND TRANSPORT COMMITTEE

The Special meeting of the Environment and Transport Committee to be held at 7.30 pm on 4 November 2002, to consider this Council's response to the SERAS report, was due to be held on the same day as a scheduled meeting of this Committee. It was suggested that, due to the number of Members and public that were likely to attend the meeting, it would be sensible for both meetings to be held at the Council Offices in Saffron Walden. This was agreed and refreshments would be provided for Members between the two meetings.

DCL75 BEST VALUE REVIEW – QUESTIONNAIRE

The Head of Planning and Building Surveying had prepared a questionnaire to obtain feedback from members of the public who attended meetings of this Committee. He asked Members to forward him any comments before the next meeting.

DCL76 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 items of business on the grounds that they involved the likely disclosure of Exempt Information as defined in paragraphs 12 and 15 of Part 1 of Schedule 12A to the Act.

DCL77 FAIRVIEW DEVELOPMENT – RADWINTER ROAD SAFFRON WALDEN

Members were reminded that on granting consent for this development, the Inspector had imposed three conditions which precluded occupation of any dwellings until (1) traffic lights had been installed and brought into operation at the site entrance, (2) on-street parking areas had been provided on the northern side of Radwinter Road, and (3) the traffic signals at the Thaxted Road/Radwinter Road junction had been improved. Members were advised that these works had not been carried out, but that 11 dwellings had been occupied up to 20 September 2002. The developer had entered into binding contracts for the sale of a further 6 dwellings which provided for occupation before the end of September.

Members expressed their gravest concerns, but agreed that it would not be expedient to take action in respect of the occupations, which had already taken place, nor to prevent occupation by persons who had already entered into binding contracts, which provided for occupation before the end of September.

However, it was

RESOLVED that no further occupations should be permitted prior to full compliance with Conditions 11, 12 and 13 of the Decision Letter which gave permission for this development and that the Head of Legal Services be authorised to take such legal action (including for an injunction) as he might deem appropriate to compel compliance with these conditions in the future.

DCL78 ENFORCEMENT OF PLANNING CONTROL – PROGRESS REPORT

Members received a report concerning current enforcement matters. Their particular attention was drawn to:-

(i) 10 Church End, Great Dunmow

Compliance had been achieved.

(ii) Meadlowlands, High Roding

A planning application had been received with a view to regularising the uses of this property.

RESOLVED that the Enforcement Notice be withdrawn.

(iii) Knowlebury, Little Cambridge, Great Easton

Compliance had been achieved.

(iv) The Oak Barn, Elsenham

Partial compliance had been achieved in respect of the submission of details of the highway crossover.

(v) St Theresa's Church, Stansted

Partial compliance had been achieved in respect of the submission of details of the external lighting.

(vi) Land at Brick End, Broxton

A Requisition for Information had been sent out and it was anticipated that notices would be served in the near future.

The meeting ended at 6.00 pm.