

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at
COUNCIL OFFICES GREAT DUNMOW at 2.00 pm on 14 OCTOBER 2002**

Present:- Councillor R B Tyler – Chairman.
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, P G F Lewis, Mrs J I Loughlin, D M Miller, and A
R Thawley.

Officers in attendance:- Mrs M Cox, J Grayson, J Mitchell, M Perry and
J Pine.

DCL79 SITE MEETINGS

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

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

1022/02/FUL Lindsell – Retrospective application for change of use of part of
barn to residential – Templars, Lindsell for Mr D Stokes.

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, P G F Lewis, Mrs J I Loughlin, D
M Miller, A R Thawley and R B Tyler attended the site meeting for the
following application:

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

DCL80 APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Mrs E J Godwin and R
D Green.

Councillor Mrs Cheetham declared a personal, non-prejudicial interest in
applications 0930/02/FUL and 0931/02/LB Great Dunmow as the agent was
carrying out some work for her.

Councillor Mrs J I Loughlin declared a personal non-prejudicial interest in
agenda item 9 – Tree Preservation Order, Newport Free Grammar School as
her son attended the school.

DCL81 MINUTES

The Minutes of the meeting held on 23 September 2002 and of the Special
Meetings held on 31 July, 16 August and 12 September 2002 were received,

confirmed and signed by the Chairman as a correct record, subject to an amendment to Minute DCL70 of the meeting held on 23 September – In the 12th line replace £'0' with "£70".

DCL82 BUSINESS ARISING

(i) 23 September 2002 - Minute DCL78 Enforcement of Planning Control – Progress Report

Members were advised that the Enforcement Notice in respect of land at Brick End, Broxted had now been served.

(ii) 12 September 2002 - Minute DCL61 Application UTT/1000/01/OP – Outline Application for the Expansion of Stansted Airport from 15 to 25 Million Passengers Per Annum

The Head Of Planning and Building Surveying informed Members that he had not received any further information regarding the Article 14 Direction. Negotiations were continuing on the Planning Agreement.

It was confirmed there would be regular liaison between the Health Authority, BAA and the Council regarding a need for a base line general health study.

Councillor Clifford felt that the Minutes should have reflected the fact that all the local communities close to the airport had unanimously opposed its expansion. Only five Members of the Committee had actually voted in favour of the application. He also pointed out that it had been the persistent pressure from Members that had achieved the substantial mitigation package.

DCL83 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.

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

Mr Knight spoke in support of the application.

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

Mr Lomas spoke against the application.

Ms Wood spoke in support of the application.

1) 0930/02/FUL & 2) 0931/02/LB Great Dunmow – 1) and 2) Conversion to three dwellings. Garages and fencing – The Granary, Folly Farm, Stortford Road for M Tamlyn & Son.

1000/02/FUL Little Hallingbury – Change of use of farm barns to B8 and ancillary offices – Stone Hall Farm, Hall Green for D J L Robarts.

1) 1080/02/DFO & 2) 1084/02/DFO Thaxted – 1) Dwelling and garage. 2) Dwelling and garage - Levetts Farm, Bardfield Road for Prime Crest Limited.

(b) Refusals

RESOLVED that the following application be not granted for the reason stated in the Town Planning Register.

1022/02/FUL Lindsell – Change of use of part of barn to residential – Templars Farm for Mr D Stokes.

It was also

RESOLVED that enforcement and, if necessary, legal action be taken to cause a cessation of the residential occupation of this barn.

Ms Wood spoke in support of this application.

(c) Deferments

RESOLVED that the determination of the following application be deferred.

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

Reason:- Awaiting further revised plans.

(d) District Council Development

Members considered the following application:

1168/02/DC Stebbing – Extension to house for occupant with disabilities– 27 Bran End Fields for Uttlesford District Council.

RESOLVED that pursuant to the Town and Country Planning (General) Regulations 1992, permission be granted for the development proposed, subject to the conditions recorded in the Town Planning Register.

(e) Authority to 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 development.

1316/02/OP Great Dunmow – 8 Dwellings and revised means of access – 22-24 Ongar Road for Hutton Homes Ltd.

(f) Site Visits

Members agreed to visit the sites of the following applications on Monday, 4 November 2002.

0671/02/FUL Saffron Walden – 6 one-bedroom flats – Lockup garages off Carnation Drive for Hastoe Housing Association.

Reason: To assess the impact of the development on neighbouring properties and the need for off-street parking facilities.

Mr Evans spoke against this application.

0917/02/FUL Takeley – Redevelopment to provide seven units of B1 (Business) use, parking and turning facilities – Old House Farm, Parsonage Road for Rosper Estates Ltd.

Reason: To assess the impact on the countryside.

DCL84

CHESTERFORDS COMMUNITY CENTRE

Members were informed that following advice from the Environment Agency, the measures now fell within permitted development and no consent or amendment to the planning permission was required. It was therefore

RESOLVED that the report be withdrawn.

DCL85

THE STORES CUTLERS GREEN THAXTED

The Committee was asked to agree amendments to the planning permission for a replacement dwelling that had been approved in May this year. The amendments were to rotate the house clockwise by ten degrees and set it back a further five metres from the northern boundary; internal alterations to make a fourth bedroom and alterations to the form of two southerly facing dormer windows. The applicant had argued that these amendments would help to improve the privacy of the occupier of the adjoining property, enable denser landscaping to be introduced which might obviate the requirement for the first floor bedroom windows to be obscure glazed. Officers considered the amendments to be minor and would have no adverse effects on the amenity or the appearance of the surrounding area. However, Members felt that some form of obscure glazing should be retained to prevent overlooking of the neighbouring property.

RESOLVED that the revisions be agreed as amendments to the planning permission, but the requirements for some form of obscure glazing to the first floor windows be retained.

DCL86 ENFORCEMENT OF PLANNING CONTROL - LAND ADJACENT TO WINTERBECK NORTH HALL ROAD HENHAM

The Committee received a report regarding the unauthorised use of land for the storage of motor vehicles and motor vehicle parts at land adjacent to Winterbeck, North Hall Road, Henham. Inspections of the site had shown that the activity was not temporary, nor had it diminished in scale in terms of the number of vehicles being stored. The storage of motor vehicles and motor vehicle parts at this location constituted a material change of use of the land for which planning permission had been granted. As the Council had evidence that the activity had commenced less than ten years ago it had not acquired a lawful status and was not immune from enforcement action. It was unlikely that planning permission would be granted retrospectively for the retention of the use and it was unacceptable at this rural location.

RESOLVED that enforcement action and, if necessary, legal action be taken to require the cessation of the unauthorised use of the land for the storage of motor vehicles and motor vehicle parts.

DCL87 PROVISIONAL TREE PRESERVATION ORDER NO 3/02 – NEWPORT FREE GRAMMAR SCHOOL NEWPORT

The Committee was advised that the Trustees of Newport Free Grammar School had objected to the making of the Tree Preservation Order on the grounds that the tree would prevent improvements to an access to a proposed new car park. Officers considered the tree to be in good general health and well formed, prominent from the public highway and of high visual amenity value. It was also considered that the removal of the tree would not significantly improve sight lines for vehicles using the access onto Bury Water Lane.

RESOLVED that the Tree Preservation Order No 3/02 be confirmed without amendment.

DCL88 APPEAL DECISIONS

The Committee noted the following appeal decisions which had been received since the last meeting.

Stables incorporating feed and tack area – Land in the centre of Wimbish Green village (opposite Villa Clemilla) (UTT/1612/01/FUL) – Dismissed.

Change of Use from horticultural to residential and construction of two-bedroom bungalow – The Old Mushroom Farm, Radwinter End, Wimbish (UTT/1457/01/FUL) – Dismissed.

Conversion of barn to residential (UTT/0025/FUL) and the demolition of conservatories and conversion of outbuildings (UTT/0026/02/LB) – Coft Hall, Barn Cottage and The Barn, Oxen End, Little Bardfield – Allowed.

Detached House – Bury Grove, Whiteditch Lane, Newport (UTT/1413/01/OP) – Dismissed.

Extension to barn conversion (UTT/1570/01/FUL) and Two-storey extension (UTT/0626/02/LB) – Roseley Barn, High Street, Widdington – Dismissed.

Conservatory and works to listed building – Land at “Wedgwood Cottage”, Drury Lane, Aythorpe Roding (UTT/1670/01/LB) – Dismissed.

Alterations and conversion of redundant barns into dwellings – Barns at Free Roberts Farm, Howe Lane, Great Sampford (UTT/1461/01/FUL) – Dismissed.

DCL89 **PLANNING AGREEMENTS**

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

Councillor Thawley asked for confirmation that the proportion of affordable housing for the scheme at Pryors Green, Takeley/Little Canfield had been retained.

The meeting was adjourned at 4.20 pm and reconvened at 4.45 pm.

DCL90 **EXCLUSION OF THE PUBLIC**

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 4 and 7 of Part 1 of Schedule 12A of the Act.

The following Members attended the meeting for consideration of the next item.

Councillor R B Tyler – Chairman.

Councillors Mrs C A Cant, P G F Lewis, Mrs J I Loughlin and A R Thawley.

Officers in attendance:- Mrs M Cox, P Dickson, M Hardy, Ms A Turner and M Perry.

DCL91

DETERMINATION OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

The Committee considered an application for a private hire driver's licence where the applicant did not meet the standard licensing conditions. The Chairman explained to the applicant the procedure to be followed in considering the application.

The Council's Licensing Officer explained the reasons why the application had come before the Licensing Committee. The applicant was invited to question the Licensing Officer and to comment on the accuracy of the Licensing Officer's report. The applicant was then invited to answer the observations of the Council's Licensing representative and give reasons in support of his application. The Licensing Representative then asked questions of the applicant, as did Members at the invitation of the Chairman. The applicant made a final statement and then confirmed that he had said all he wished to say and had nothing further to add.

The applicant and the Licensing Officers then left the meeting and the Committee considered its decision. The applicant was later readmitted and informed of the decision. He was advised of his right to appeal to the Magistrates' Court within 21 days.

RESOLVED that

- 1 In view of the Members' concern about the past behaviour of the applicant, the licence be not granted in this case.
- 2 Councillor R B Tyler be nominated to give evidence in Court on behalf of the Committee in the event of the applicant appealing against the decision of the Committee to the Magistrates' Court.

The meeting ended at 5.25 pm.