

**DEVELOPMENT CONTROL and LICENSING COMMITTEE held at
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 2.00 pm on
7 JULY 2003**

Present:- Councillor R J Copping – Chairman.
Councillors E C Abrahams, P Boland, W F Bowker, C A Cant,
J F Cheetham, K J Clarke, C M Dean, C D Down, R F Freeman,
E J Godwin, J I Loughlin and J E Menell.

Officers in attendance:- M Cox, J Grayson, H Lock, J R Mitchell,
M Ovenden and M J Perry.

DCL20 SITE MEETINGS

Prior to the meeting, Members visited the sites of the following applications:-

Attended by Councillors E C Abrahams, W F Bowker, C A Cant, K J Clarke,
R J Copping, C M Dean, C D Down, R F Freeman, E J Godwin, J I Loughlin
and J E Menell.

(1) 0290/03/FUL & (2) 0292/03/LB & (3) 0294/03/CA Newport – (1) Rear
extensions to dwelling, replace barn with two storey dwelling. (2) Rear
extensions, internal alterations, windows and demolition of outbuilding. (3)
Demolition of outbuilding – Belmont, Belmont Hill for Executors of the estate
of A K Skingley.

Attended by Councillors E C Abrahams, C A Cant, J F Cheetham, J K Clarke,
R J Copping, C M Dean, C D Down, R F Freeman, E J Godwin, J I Loughlin
and J E Menell.

0147/03/FUL Great Dunmow – 156 affordable dwellings, garages, parking
spaces and access roads – Sector 2 Housing Association Phase, Woodlands
Park for Estuary Housing Association Ltd.

(1) 0523/03/FUL & (2) 0525/03/FUL & (3) 0604/03/CA Felsted – (1) Four
blocks of flats. (2) Music block and (3) Demolition of music school and four
other structures – Land to the north of Ingrams and rear of main school for
Felsted School. Members also saw the sites of UTT/0872/03/FUL for a new
car park and UTT/1020 & 1021/03/FUL for a second artificial pitch with
floodlighting.

0404/03/FUL Wimbish – Change of use of barn from approved annexe to
full separate residential occupation) – Highams Farm, Thaxted Road for L
Moss.

DCL21 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

An apology for absence was received from Councillor A R Thawley.

Councillors W F Bowker, C A Cant, J F Cheetham, C M Dean, E J Godwin,
J I Loughlin and J E Menell declared their interests as members of SSE.

DCL22 MINUTES

The Minutes of the meeting held on 16 June 2003 were received, confirmed and signed by the Chairman as a correct record, subject to the following amendments:-

(i) Minute DCL14 (e) application 0604/03/CA Felsted

The detail of the application should read 'demolition of music school and four other structures'.

(ii) Minute DCL14 (e) application 0290/03/FUL, 0292/03/LB & 0294/03/CA Newport

Councillor Loughlin confirmed that her son was a current pupil at the Newport Grammar School.

DCL23 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.

(1) 0290/03/FUL (2) 0292/03/LB & (3) 0294/03/CA Newport – (1) Rear extensions to dwelling, replace barn with two-storey dwelling. (2) Rear extensions, internal alterations to partitions and openings, windows, demolition of outbuilding. (3) Demolition of outbuilding – Belmont, Belmont Hill for the Executors of the estate of A K Skingley.

Councillor Bowker declared a personal interest as a member of Newport Parish Council. Councillor Loughlin declared a personal interest as she had a son who is a sixth former at the school.

Mr Barnes spoke in support of the application.

0319/03/FUL Felsted – Change of use of poultry farm to boarding kennels – Gifford House, Stebbing Road for Mr & Mrs Brown.

Mr Bronze and Councillor Gregory spoke against the application. Mr Brown spoke in support of the application.

0404/03/FUL Wimbish – Change of use of barn from annexe to separate residential occupation – Highams Farm, Thaxted Road for L Moss.

1836/02/OP Quendon & Rickling – Minimum of nine dwellings – Red Star Garage site, London Road, Quendon for Clayden Contractors Ltd.

0525/03/FUL & 0604/03/CA Felsted– (1) Replacement music block. (2) Demolition of music school and four other structures – Land to the north of Ingrams and rear of main school for Felsted School.

Councillor Cheetham declared a personal interest, as she knew people who had made representations against the application.

Mr Lawrence and Councillor Gregory spoke against the application. Mr Griffith spoke in support of the application.

(1) 0515/03/FUL and (2) 0516/03/LB Broxton – (1) & (2) Conversion of barn to dwelling – Barn at Moor End Farm, Brick End for Messrs W & P Burton.

(b) Refusals

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

1636/02/FUL Leaden Roding – Demolition of bungalow and erection of four detached dwellings and one bungalow with garaging and landscaping – Elms Acre, Chalks Green for Chase End Developments Ltd.

Reason: Overdevelopment resulting in a harmful effect on the pleasant rural character of this part of the village

0773/03/FUL Stansted – Five flats with parking area – Rear of 48 Silver Street for Mr D Mason.

0523/03/FUL Felsted – 3, three storey and 1, two storey residential blocks – Land north of Ingrams for Felsted School.

Reason: Detrimental effect on the character and appearance of the conservation area.

Councillor Cheetham declared a personal interest, as she knew people who had made representations against the application. Councillor Gregory declared a personal interest and left the meeting for the consideration of this item

Mr Lawrence spoke against the application. Mr Griffith spoke in support of the application.

(c) Deferments

RESOLVED that the following applications be deferred.

0455/03/DFO Takeley – Construction of hotel with parking, landscaping, servicing and ancillary works and operations – South Gate Site, Stansted Airport for BAA Lynton.

Reason: For a revised report following receipt of revised plans.

0872/03/FUL Felsted – Change of use of part of sports field to car park – Land to the north of Ingrams and rear of main school for Felsted School.

Reason: For further negotiations to increase the number of spaces.

Councillor Cheetham declared a personal interest in the application, as she knew people who made representations against the application.

Mr Lawrence and Councillor Gregory spoke against the application. Mr Griffith spoke in support of the application.

(1) 0670/03/FUL & (2) 0671/03/LB Wendens Ambo – (1) & (2) Change of use and conversion of barns to dwelling, alteration to access, construction of walls and fencing – Westbury Barn, Royston Road for Rt Hon Lord Braybrooke.

Reason: For a revised report.

(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 applications, subject to the conditions to be recorded in the Town Planning Register.

(1) 0715/03/DFO & (2) 0716/03/DFO Little Dunmow – 120 dwellings with garages and ground works – Phase 4 Oakwood Park, Little Dunmow for Enodis Property Developments.

(e) Planning Agreements

0147/03/FUL Great Dunmow – 156 affordable dwellings, garages, parking spaces and access roads – Sector 2, Housing Association Phase, Woodlands Park for Estuary Housing Association Ltd.

RESOLVED that the Head of Planning and Building Surveying, in consultation with the Chairman of the Committee be authorised to approve the above application, subject to the conditions to be recorded in the Town Planning Register and to the completion of an agreement under Section 106 of the Town and Country Planning Act, ensuring (i) permanent control of occupancy via an RSL and (ii) the provision of play equipment on the children's play areas; and the application being referred to Go-East.

The Chairman declared a personal interest in the above application as a Member of Great Dunmow Town Council and left the meeting when the vote was taken. The Vice-Chairman took the Chair for the remainder of this item.

Mr Cox and Councillor Murphy spoke against the application. Mr Bigby spoke in support of the application.

0775/03/OP Takeley – Dwelling and alteration of access – West View Cottage, Dunmow Road for Mr & Mrs G Pretious.

RESOLVED that the Head of Planning and Building Surveying, in consultation with the Chairman of the Committee be authorised to approve the above application, subject to the conditions to be recorded in the Town Planning Register and to the completion of an agreement

under Section 106 of the Town and Country Planning Act ensuring (i) contributions to social, amenity and infrastructure requirements, (ii) to link the site with the large development, preventing its development in isolation and (iii) contributions in accordance with the Takeley/Little Canfield SPG.

0630/03/DFO Takeley – 28 dwellings, garages and parking areas and access road (phase 1) – Land south of A120 and west of Hawthorn Close for David Wilson Homes.

RESOLVED that the Head of Planning and Building Surveying, in consultation with the Chairman of the Committee be authorised to approve the above application, subject to the conditions to be recorded in the Town Planning Register and the completion of a revised agreement under Section 106 of the Town and Country Planning Act ensuring (i) transfer of amenity open space land, (ii) layout and equip the local area for play, (iii) a contribution towards infrastructure provision and community facilities and (iv) other agreed community facilities.

The decision notice would not be issued until a number of detailed points raised at the meeting had been resolved and confirmed at the next meeting of the Committee.

(f) Site meetings

The Committee agreed to visit the sites of the following applications on Monday 28 July 2003.

1513/02/FUL Little Chesterford – Central facilities building, research building, research units, internal roads, balancing pond, water storage tank, landscape works – Chesterford Research Park for Norwich Union Life and Pensions.

Reason: To assess the visual impact of the proposal on the rural character of the area.

0129/03/FUL High Easter – First floor and ground floor extensions – 2 Parsonage Cottages, Pleshey Road for Mr P Oates.

Reason: To assess the impact of the extension on the neighbouring property.

Mr Philpott spoke against the application. Mr Oates spoke in support of the application.

DCL24 PLANNING ENFORCEMENT: PROPOSED CHANGE TO DELEGATION ARRANGEMENTS

The Committee was advised that enforcement action was normally taken with the approval of the Committee. The Scheme of Delegation allowed for the service of enforcement and stop notices in consultation with the Chairman or Vice-Chairman of the Committee in cases of urgency where there was

insufficient time for reliance on the committee cycle. The scheme did not permit the issue of these notices without such consultation, nor did it include the issue and service of Article 4 directions. Recent events had required the urgent issue of an Article 4 direction and it had been necessary to hold an extraordinary meeting of the Committee, which had slowed the process considerably

It was suggested that the scheme be amended to enable Article 4 directions to be served without the authority of the Committee. Also, it should be extended to enable enforcement action to be taken by officers when urgent action was required without consultation with the Chairman or Vice-Chairman. These changes were only to meet exceptional circumstances and current procedures would continue to be followed. The scheme should also be extended to allow for the commencement of injunctive procedures and objections to the Licensing Authority for Goods Vehicle Operator Licences.

RESOLVED that the Scheme of Delegation to officers be amended to include authority for the Head of Planning and Building Surveying for

- 1 the issue and service of Article 4 directions in conjunction with the Head of Legal Services and, if available, the Chairman or Vice-Chairman of the Development Control Committee,
- 2 the issue and service of enforcement and stop notices in conjunction with the Head of Legal Services and, if available, the Chairman or Vice-Chairman of the Development Control Committee,
- 3 the necessary procedure for the service of an injunction in conjunction with the Head of Legal Services and, if available, the Chairman or Vice-Chairman of the Development Control Committee, and
- 4 the submission of objections to the Traffic Commissioners or relevant licensing authority for applications for goods vehicle operators licences in conjunction with the Head of Legal Services and, if available, the Chairman or Vice-Chairman of the Development Control Committee.

DCL25 WORKS TO TREES ON UTTLESFORD DISTRICT COUNCIL LAND – NEWPORT AND SAFFRON WALDEN

The Council's Environmental Services had identified required tree works on three sites on District Council land - at 20 Gaces Acre, Newport, Walden Place, Saffron Walden and Fairycroft Road Sheltered Housing, Saffron Walden. The trees had been inspected by the Council's Landscape Officer and the details of the works were included in the report.

RESOLVED that the proposed tree works be approved and replacement trees be provided at Walden Place, Saffron Walden.

**DCL26 PROPOSED FISHING LAKE ON LAND WEST OF PORT LANE
LATCHMORE BANK LITTLE HALLINGBURY (1573/02/FUL)**

At the meeting on 17 March 2003, Members had resolved to grant conditional consent for the proposed fishing lake at this site. However, before the decision notice had been issued, the Safety Regulation Group of the Civil Aviation Authority had stated that both that body and BAA strongly advised against permission being granted for the reason that bird strike would create a hazard to aircraft using Stansted Airport. This advice now fundamentally altered the material planning considerations relevant to this case. If this information had been available prior to the committee meeting, officers would have recommended refusal. In order to reverse this decision Members were advise of the need to suspend Council Procedure Rules.

Members expressed concern at the prescriptive nature of this advice and drew attention to the large number of lakes and forests that already existed under flight paths. However, this particular site was directly under the flight path and in the circumstances, Members considered they should refuse the application.

RESOLVED that

- 1 Council Procedure Rule 12.1 be suspended,
- 2 Application 1573/02/FUL Little Hallingbury be refused for the following reason.

The application is located within a 30 km radius of Stansted Airport, within which, in accordance with the Town and Country Planning (Safe Guarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002, applications for planning permission that are likely to attract birds shall be deferred to the appropriate safeguarding consultee.

By virtue of the nature of the proposed development and its location both in relation to the airport and aircraft departure and arrival routes, it is considered that the construction of a fishing lake on this site would be likely to attract birds in sufficient numbers to create hazards to aircraft using Stansted Airport, thereby endangering human life.

DCL27 PLANNING AGREEMENTS

The Committee received the table setting out the current position regarding Section 106 agreements and were updated on the following cases:-

Merton Place, Littlebury – the agreement had been completed.
Rochford Nurseries – the agreement was close to being engrossed.

The meeting ended at 5.45 pm. Page 7