

**DEVELOPMENT CONTROL AND LICENSING COMMITTEE held at  
COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 2.00 pm on  
26 AUGUST 2003**

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

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

**DCL46 SITE MEETINGS**

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

Attended by Councillors E C Abrahams, P Boland, W F Bowker, C A Cant,  
J F Cheetham, C D Down, J I Loughlin, J E Menell and A R Thawley.

**1718/02/OP Great Easton** – Convert/extend the Moat House to care flats  
with staff flats in roof space, care cottages with garages, nursery, café/shop,  
offices, store and new access road – The Moat House, Dunmow Road for  
Newton Chinneck Ltd.

Attended by: Councillors E C Abrahams, P Boland, W F Bowker, C A Cant,  
J F Cheetham, J I Loughlin, J E Menell and A R Thawley.

**0376/03/FUL Stansted** – Change of use from retail to restaurant – 40 Lower  
Street for A Fordham.

**DCL47 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors K J Clarke, C M Dean  
and E J Godwin.

Councillors W F Bowker, C A Cant, C D Down, J F Cheetham, J I Loughlin  
and A R Thawley declared their interests as members of SSE.

Councillor J E Menell declared a personal interest as a Member of the  
Uttlesford PCT. She also declared a personal non-prejudicial interest in  
applications 0670/03/FUL & 0671/03/LB Wendens Ambo as she was  
acquainted with the owner of the riding school.

Councillor Thawley declared a personal interest as a Member of CPRE. He  
also declared a personal interest as a member of Felsted Parish Council but  
advised that he was not a member of its planning committee and had not  
expressed a preference on the applications that were to be considered by this  
Committee.

Councillor C D Down declared a personal interest and said that she would not vote on applications 1718/02/OP & 1542/02/FUL Great Easton as she had had previous discussions with both parties.

Councillor J I Loughlin declared a personal interest in applications 0376/03/FUL, 0380/03/FUL & 0787/03/FUL Stansted, as she was a member of Stansted Parish Council.

**DCL48 MINUTES**

The Minutes of the meetings held on 10 July 2002, 12 March and 28 July 2003 and the Extraordinary meeting held on 31 July 2003 were received, confirmed and signed by the Chairman as a correct record.

**DCL49 BUSINESS ARISING**

**(i) 28 July 2003 – Minute DCL29 – Declarations of Interest**

Councillor Down asked that her interest as a Member of SSE be recorded.

**(ii) 28 July 2003 – Minute DCL32(c) – Planning Agreements**

In relation to application 0872/03/FUL Felsted, Essex County Council had advised that a Section 106 Agreement to provide a traffic calming pedestrian crossing in Stebbing Road would not be necessary. A rumble strips could be provided instead and this could be covered by condition.

RESOLVED that application 0872/03/FUL Felsted be approved, subject to the extra condition and without the need for the completion of a Section 106 Agreement.

**DCL50 APPLICATIONS WITHDRAWN**

It was noted that application 0787/03/FUL Stansted Mountfitchet had been withdrawn.

**DCL51 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.

**0376/03/FUL Stansted** – Change of use from Class A1 retail to A3 restaurant – 40 Lower Street for A Fordham.

**(1) 0497/03/FUL & (2) 0498/03/LB Debden** – (1) Change of use and conversion of barn to dwelling, alteration to access. (2) Conversion of barn to residential – Debden Hall Farm, Walden Road for Mrs N Fiske.

**0699/03/OP Takeley** – Four chalet bungalows and alteration to access – Land to rear of Brookside, The Street for Mr Jenkins.

**0705/03/FUL Takeley** – Stationing of an additional 17 mobile homes and removal of condition attached to UTT/541/81 (limiting number of mobile homes to 125) – Takeley Mobile Home Park, Hatfield Broad Oak Road for G Cory-Wright.

*Note: Subject to reference to GO-East as a departure from the ADP.*

**0838/03/FUL Newport** – Demolish garage and erect double garage and boundary wall - The Toll House, Belmont Hill for Mrs D Poole.

**1039/03/FUL Elsenham** – Removal of condition 2 of UTT/857/74 relating to agricultural occupancy – Guilders, Tye Green for John Stewart-Pimblett.

**(b) Refusals**

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

**0380/03/FUL Stansted** – Conversion of dwelling to flats and erection of block of flats to rear, vehicular access and parking area – The Limes Stables, Silver Street for Feeney Bros Ltd.

*Mr Ellis spoke in support of the application.*

**0636/03/FUL Stebbing** – One dwelling – Land to the rear of Police House - The Downs for Messrs Stile and Hammond.

*Reason: Over-development out of keeping with the street scene.*

*Mrs Bradley and Mr Chittenden (Stebbing Parish Council) spoke against the application.*

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

*Mr Ecclestone spoke in support of the application.*

**(c) Deferrals**

RESOLVED that the following applications be deferred.

**1718/02/OP Great Easton** – Convert/extend the Moat House to care flats with staff flats in roof space, care cottages with garage, nursery, café, shop,

offices, store and new access road – The Moat House, Dunmow Road for Newton Chinneck Ltd.

Reason:- For further negotiations.

*Mr Sellwood spoke against the application. Mr Chinneck spoke in support of the application.*

**0683/03/FUL Clavering** – Change of use from dwelling to nursery school, garage for storage, high boundary fences and gates – The Small House, High Street for Miss H Moyer.

Reason: For further consultation.

**(1) 1005/03/DC & (2) 1012/03/DC Quendon and Rickling** – (1) Cottage and access (2) Two-storey dwelling – Land at Woodside, Rickling Green for Uttlesford District Council.

Reason: For further negotiations.

**1092/03/FUL Great Canfield** – Replacement dwelling – Darley Dale, Canfield Road for Mr and Mrs P R Kiddie.

Reason: For further consideration with Certificate of Lawful Use application.

#### **(d) Planning Agreements**

**0790/03/REN Saffron Walden** – Renewal of outline permission UTT/1414/98/OP for change of use of part of playing field to residential and public open space, two sports pitches and multi-games area, changing facilities, car park and new access and roundabout junction – Land to the east of Bell College, Peaslands Road for Countryside Properties.

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 requiring the provision of recreation facilities and educational infrastructure contribution for new school places.

**1002/03/OP Little Canfield** – Dwelling – the Homestead for Ms C Cox.

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 an agreement under Section 106 of the Town and Country Planning Act ensuring contributions to social, amenity and infrastructure requirements and to link the timing of construction of the site with the larger development, preventing its piecemeal implementation.

**1084/03/OP Little Canfield** – Two dwellings – Plot 1, Hamilton Road for Mr and Mrs T Boswell.

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 an agreement under Section 106 of the Town and Country Planning Act requiring contributions to social, amenity and infrastructure requirements and to link the site with the larger development, preventing its development in isolation.

**(1) 1020/03/FUL & (2) 1195/03/FUL Felsted** – (1) Floodlights for new astro-turf pitch (2) extended hours to existing pitch – Land at Stebbing Road, Felsted School for Paul Watkinson.

RESOLVED that the Head of Planning and Building Surveying, in consultation with the Chairman of the Committee be authorised to approve the above applications, subject to the conditions to be recorded in the Town Planning Register and the completion of an agreement under Section 106 of the Town and Country Planning Act to ensure that the lighting to the existing pitch shall be replaced with the same standard of facilities as hereby approved and the height of the existing poles be reduced to 13m.

*Mr Roberts spoke in support of the application.*

**(e) District Council Development**

RESOLVED that pursuant to the Town and Country Planning Regulations 1972 permission be granted for the development proposed.

**1217/03/DC High Roding** - Fence and gate – 1 New Cottage for Uttlesford District Council.

**(f) Site Visits**

The Committee agreed to visit the sites of the following applications on Monday 22 September 2003.

**0943/03/FUL Saffron Walden** – Demolition of garages and construction of detached chalet dwelling – Land off Victoria Gardens for Mr G Bower.

Reason: To assess the impact of the dwelling on existing trees on the site.

**1542/02/FUL Great Easton** – Demolition of piggery and erection of dwelling – Site off Andrews Farm Lane, Mill End Green for Priors Hall Ltd.

Reason: To assess the level of planning gain and whether the proposed improvements to the amenities of neighbours justifies the visual impact of the new dwelling in the countryside.

**0352/03/FUL High Easter** – three dwellings with garaging and access – Chapel Field House, High Street for Messrs W and R Brown.

Reason: To assess the impact of the development on the site and to consider additional information.

*Deborah Brice and Mr Taylor (High Easter Parish Council) spoke against the application. Andrew Martin Associates spoke in support of the application.*

**(1) 0963/03/FUL & (2) 0964/03/CA Great Dunmow** – (1) Dwelling and (2) Demolition of stables – 71 the Causeway for Mr A McBride.

Reason: To assess the effect of the proposal on the appearance of the Conservation Area and the setting of nearby Listed Buildings.

**(1) 1052/03/FUL (2) 1053/03/FUL & (3) 1055/03/LB Arkesden** – (1) Double garage (2) Conversion and alteration of barn to dwelling (alternative to previous permission) (3) Conversion and alteration of barn to dwelling (alternative to previous consent) – Barn and land adjacent to Byrnes Cottage, Wicken Road for M & L M Kinnard.

Reason: To assess the impact on the mature trees and the appearance of the Conservation Area.

*Mr Robinson and Mr Kinnard spoke in support of the application. Mr Newton, (Arkesden Parish Council), spoke against the application.*

It was also agreed to see the sites of nearby applications nos: 1290/03/FUL & 1257/03/FUL.

## DCL52 **GUIDANCE ON PROBITY IN PLANNING**

The Committee had received a report proposing amendments to the Code of Practice - Probity in Planning, which took into account the revised Committee Structure of the Council, the effect of the Councillors' Code of Conduct and new Local Government Association guidance. It was agreed that this item be deferred to the next meeting to allow Members more time to consider the details of the report and for a workshop to be held on this matter.

RESOLVED that this item be deferred to the next meeting of the Committee.

## DCL53 **CHANGE OF USE OF AGRICULTURAL LAND TO CAR AND LORRY PARK LAND ADJACENT TO THE RAILWAY YARD, STATION ROAD, LITTLE DUNMOW – UTT/1760/02/FUL**

This application had been approved by the Committee on 22 May 2003 subject to conditions and a Section 106 Agreement covering improvements to the path running past the site. Following discussions with Essex County

Council, it was found that the path had been improved a couple of years ago and no further improvements were needed; only that the path outside the site should be periodically swept. The Section 106 Agreement would not therefore be required.

RESOLVED that

- 1 Council Procedure Rule No 13 be suspended
- 2 the requirement for the applicant to enter into a Section 106 Agreement to contribute to improvement works to the path running past the application site be removed.

Councillor Thawley referred to the poor state of the footpath leading to the site and officers agreed to investigate this.

**DCL54 WORKS TO TREES, BRIDGE END GARDENS, SAFFRON WALDEN**

The Committee received a report advising of further works to be carried out to a small number of trees at Bridge End Gardens that have been identified in association with the restoration of the wilderness area.

RESOLVED that no objection be raised to the proposed works to trees on the boundary of the wilderness and the Slade Brook, Borough Meadow, Saffron Walden.

**DCL55 WOODLANDS PARK, GREAT DUNMOW – SECTION 106 AGREEMENT**

On 7 July 2003, the Committee had approved the detailed application for 156 affordable dwellings on Sector 2 at Woodlands Park, Great Dunmow. Of this, there were 111 properties for rent and 45 for shared ownership. During negotiations regarding the Section 106 Agreement, one important issue had come to light. Although the Housing Association would remain the permanent landlord whilst the properties were let, this would not override tenant's statutory rights to purchase outright either form of tenure. Members were informed that the Section 106 Agreement would need to be amended to reflect the legal rights of the tenants.

Members were concerned that it appeared that social housing would be subject to right to buy legislation and asked officers to obtain further information and prepare a full report before a decision was taken regarding amending the agreement.

RESOLVED that this item be deferred for a full report and an extraordinary meeting be called, if necessary.

**DCL56 TREE PRESERVATION ORDER – 8/03 AT HANCHETTS, WEAVERHEAD LANE, THAXTED**

At the meeting of the Committee on 28 April 2003, Members had approved an application for a development at Hanchetts, Thaxted. The meeting had further resolved that two hornbeam trees on the site should be retained and made subject to a preservation order. The order had been made and an objection to the inclusion of one of the trees had been received from the agents acting on behalf of the owner. On further inspection, it had been concluded that as the two trees were only 5m apart, this might impair the full potential of both the trees.

RESOLVED that Tree Preservation Order 8/03 be confirmed with the amendment that the smaller hornbeam T1 be deleted.

## DCL57 **APPEAL DECISIONS**

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

1. Detached house and garage – land to the south of ‘the Norden’, Cambridge Road, Quendon – Dismissed.
2. Change of use of part of Barn to residential for agricultural worker – Templars Barn, Lindsell – Allowed.
3. Basement swimming pool with glazed roof – Down House Gardener’s Cottage, Down House, Hatfield Heath – Dismissed.
4. Erection of stables incorporating feed and tack area – land opposite Villa Clemilla, Wimbish Green, Wimbish – Dismissed.
5. Residential development – North Hall Farm, North Hall Road, Quendon – Dismissed.

## DCL58 **PLANNING AGREEMENTS**

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

## DCL59 **TOUR OF THE DISTRICT**

*The Chairman agreed to the consideration of this item on the grounds of urgency as arrangements needed to be made before the next meeting of the Committee.*

It was agreed that the Members’ Annual Tour of the district would be held on Monday 20 October 2003.

The meeting ended at 6.20 pm.



