

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 15 MARCH 2004**

Present:- Councillor R J Copping – Chairman.  
Councillors E C Abrahams, W F Bowker, C A Cant, 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:- B Bosworth, M Cox, J R Mitchell, C Oliva,  
M Ovenden and J G Pine.

DC80

**SITE VISITS**

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

**2065/03/FUL Littlebury** – House and Garages, Shed/Greenhouse – Land off  
Howe Lane for Mr & Mrs I Roberts.

**1) 1482/03/FUL and 2) 1670/03/LB Wicken Bonhunt** – 1) Alteration and  
conversion of barns into two dwellings, car parking and access. 2) Alterations  
and link extensions and replacement roof to convert barn into two dwellings –  
Barns 1 and 2, Wicken Hall for A J & S E Mullucks.

**Land opposite Fox and Hounds Public House, High Street Clavering** –  
Enforcement of planning control.

**1) 1934/03/FUL and 2) 1935/03/LB Debden** – 1) Refurbishment and  
extensions to windmill. 2) Refurbishment and extensions to windmill,  
including removal and insertion of partitions, staircase to create fourth and  
fifth floor accommodation – The Old Windmill, Mill Road for Mr & Mrs Alwood.

**2226/03/FUL Henham** – Five bedroom dwelling – Bell Meadow End for  
Mr & Mrs Leyshon.

**2119/03/FUL Hatfield Broad Oak** – Two dwellings (alterations to previous  
permission 0240/96/FUL) – Buryfields, Cage End for Broad Oak Properties.

**1814/03/FUL Great Dunmow** – 15 metre monopole, dishes and antenna,  
equipment cabin, meter cabinet, cabling and ancillary development within a  
fenced compound – NTL Transmitting Station, Eastern Electricity Sub-Station,  
Station Road for NTL Group Ltd.

**2190/03/FUL Great Dunmow** – 20 metre telecommunications mast, antenna,  
dishes, equipment cabin and ancillary development – Clapton Hall Farm,  
Clapton Hall Lane for Hutchinson 3G UK Ltd.

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**APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors P Boland,  
J F Cheetham and A R Thawley

Councillors W F Bowker, C A Cant, K J Clarke, C M Dean, C D Down, E J Godwin, J I Loughlin and J E Menell declared personal interests as members of SSE.

Councillor J E Menell declared a personal non prejudicial interest in application 2065/03/FUL Littlebury as a member of Littlebury Parish Council.

Councillor C A Cant declared a personal prejudicial interest in application 2073/03/OP Stebbing as her property was opposite the application site. She would leave the meeting for the consideration of this item.

Councillor E C Abrahams declared a personal prejudicial interest in agenda item no. 6 – land opposite Fox and Hounds Public House, Clavering, as he was friends with the owner of the land. He would leave the meeting for the consideration of this item.

## DC82 **MINUTES**

The Minutes of the meeting held on 23 February 2004 were received, confirmed and signed by the Chairman as a correct record.

## DC83 **BUSINESS ARISING**

### (i) **Minute DC79 – Unauthorised Airport Parking Anvil Cross Great Hallingbury**

It was reported that the activity had ceased at this site. A report for enforcement action would be submitted to a future meeting of the Committee.

## DC84 **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) 1579/03/FUL and 2) 1580/03/LB Manuden** – 1) Conversion of restaurant to bedrooms, extension to toilets, patio and decking area, entrance ramp, brick wall and posts. 2) Extension to toilets, entrance ramp, alterations including changes to internal partitions, doors and windows, external door lights – the Yew Tree Inn, 36 The Street for Green King Pub Partners Ltd.

**1962/03/FUL Great Canfield** – Change of use of shed 1 from light industrial to storage and of shed 2 from general B2 use to storage/workshop – The Apple Store, Bacon End for K R & J C Clarke,

subject to further conditions i) omitting activities in shed 2 and ii) hours of use – Monday to Friday 8 am to 5pm, Saturday 8 am to 1 pm, no use on Sunday.

*Mr Carrier spoke against the application*

**2190/03/FUL Great Dunmow** – 20m telecommunications mast, antennas, dishes, equipment cabin and ancillary development – Clapton Hall Farm, Clapton Hall for Hutchinson 3G UK Ltd.

Subject to negotiation on precise location of the mast to be reported to the next meeting of the Committee.

**0048/04/SA Stansted** – Noise pen for engine testing – land adjacent Diamond Hanger, Long Border Road, Stansted Airport for Stansted Airport Ltd.

**0089/04/FUL Saffron Walden** – Demolish existing garage, single storey side extension – 46 The Wayback for Mr J P Grimes.

**2110/03/FUL Little Hallingbury** – Conversion of outbuildings to bed and breakfast accommodation – Latchmead Port Lane for Mr & Mrs K Prosser.

**0112/04/FUL Radwinter** – Rooms in roof including raising of roof and pitch height over existing ground floor accommodation – Sefton, Hempstead Road for D Burrige.

**(b) Refusals**

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

**2226/03/FUL Henham** – Five bedroom dwelling and garaging – Bell Meadow End for Mr & Mrs Leyshon.

Reason: Outside village development limits. Out of keeping with the character of the countryside and neighbouring properties.

*Councillor Morson and Mr Bull spoke against the application.*

**2065/03/FUL Littlebury** – Detached house and garage, shed/greenhouse – Land off Howe Lane for Mr & Mrs I Roberts.

Reason: Unsuitable site, overbearing nature of development in relation to houses in Peggy's Walk.

*Mrs Williamson and Mr Farnworth (Littlebury Parish Council) spoke against the application. Mr Roberts spoke in support of the application.*

**1814/03/FUL Great Dunmow** – 15 metre monopole, dishes, antenna, equipment cabin meter, cabling and ancillary development within a fenced compound – NTL Transmitting Station, Eastern Electricity Sub-Station, Station Road for NTL Group Ltd.

Reason: Proximity to dwellings and the effect on visual amenity.

*Mr Hewitt spoke in support of the application.*

**1) 1934/03/FUL and 2) 1935/03/LB Debden** – 1) Refurbishment, two and single storey extensions to windmill. 2) Refurbishment, two and single storey extensions to windmill, removal and insertion of partitions, staircase to create fourth and fifth floor accommodation – The Old Windmill, Mill Road for Mr & Mrs Alwood.

**2119/03/FUL Hatfield Broad Oak** – Two dwellings (alteration to previous permission 0240/96/FUL) – Buryfields, Cage End for Broad Oak Properties.

Reason: Affect on amenity of neighbours and effect on the street scene.

**(c) Deferments**

RESOLVED that the following applications be deferred:-

**1) 1482/03/FUL and 2) 1670/03/LB Wicken Bonhunt** – 1) Alteration and conversion of barns into two dwellings, including extensions, roofs, car parking and access. 2) Alteration, link extension and replacement roof to convert barn into two dwellings – Barns 1 and 2, Wicken Hall for A J & S E Mullucks.

Reason: For further negotiation on design of dwellings.

*Mr Christian spoke in support of the application.*

**1) 1887/03/FUL and 2) 1982/03/LB Elsenham** – 1) Change of use of barn to short term let/holiday accommodation. 2) Internal alterations – Tye Green Farm for J F Pimblett.

Reason: For further negotiations and revised report concerning means of access.

**(d) Planning Agreements**

**1945/03/FUL Stebbing** – Dwelling with garaging – Brookside Garden Centre for East Anglian and London Property 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 the completion of an agreement under Section 106 of the Town and Country Planning Act to ensure the removal of all buildings and extinguishing of all commercial/previous uses of the former nursery/garden centre (including those outside the application site) and no further erection of dwellings.

Subject to further negotiation regarding moving the dwelling further away from the eastern boundary of the plan and the outcome reported to the next meeting of the Committee.

**1) 2227/03/FUL and 2) 2228/03/LB Takeley** – 1) Conversion of public house into dwelling, three dwellings and garaging and alterations to access. 2) Conversion of public house into private dwelling – The Old Mill Public House, Takeley Street for Messrs Hammond & Stile.

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, with an additional condition relating to archeological watching brief, and the completion of an agreement under Section 106 of the Town and Country Planning Act to achieve the restoration of the former public house prior to the occupation of any of the new dwellings.

**(e) District Council Development**

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

**0081/04/DC Great Eastern** – Double hardstanding and vehicular crossover – for Abby View, Duton Hill for Uttlesford District Council.

**0133/04/DC Elmdon** – Extension to layby and pavement – Bury Gardens, Ickleton Road for Uttlesford District Council.

**(f) County Matters**

1) 0175/04/CC and 2) 0199/04/CC Great Dunmow – 1) Toilet block within the Ash Grove Rest Area forming part of the A120 Stansted to Braintree scheme. 2) Toilet block within the Buttleys Lane Rest Area forming part of the A120 Stansted to Braintree Scheme – part of A120 road improvements between Stansted Airport and Braintree Bypass Great Dunmow for Essex County Council.

RESOLVED that Essex County Council be informed that no objections be raised to these applications subject to adequate surface and foul drainage to be provided to accommodate the two toilet blocks and stressing the importance of regular maintenance.

**(g) Site Meetings**

The Committee agreed to visit the sites of the following applications on Monday 5 April 2004.

**2179/03/FUL Newport** – Demolition of bungalow and construction of dwelling – Pineacre Cambridge Road for Mr P Hawkins.

Reason: To assess the effect of the development on the street scene and the neighbouring properties.

*Mr Hawkins spoke in support of the application.*

**1805/03/FUL Hatfield Broad Oak** – Change of use of agricultural building to joinery workshop (B1/B2) and storage of plant and materials – The Farmyard, Sparrows Lane for Foxley Builders Ltd.

Reason: To assess whether the development is appropriate and its effect on residential amenity and the character of the countryside.

*Mr Parr, Hatfield Broad Oak Parish Council spoke against the application.*

**2073/03/OP Stebbing** – One bungalow – Virom Island, The Downs for Mr Khurana.

Reason: To assess the impact of the development on visual and local amenity and the character of the open countryside.

*Councillor Cant left the meeting for the consideration of this item.  
Mr Chittenden spoke against the application.*

DC85

## **FOX AND HOUNDS PUBLIC HOUSE HIGH STREET CLAVERING ENFORCEMENT OF PLANNING CONTROL**

*Councillor Abrahams left the meeting for the consideration of this item.*

Further to visiting the site earlier in the day, the Committee received a report concerning the unlawful extension of an existing residential curtilage to incorporate garden land and the siting of a large shed and children's play equipment, widening of an existing access bridge and creation of a vehicular hardstanding. The report concluded that the loss of vegetation and the works carried out by the owner were detrimental to the character and appearance of the area and contrary to policy. The change of use in this location was unacceptable and officers considered that this should be resisted to avoid further exploitation of the site.

Mr Barrow from Clavering Parish Council addressed the meeting. The Parish Council supported the comments of the enforcement officer, that the site was outside development limits and within a conservation area. They asked that the bridge be taken back to its original width, roadside planting be undertaken and the new fence removed.

Mr Whipps then spoke on behalf of the owner of the site. He first questioned whether there had been a breach of planning control. He said it was accepted by all parties that the site had at one time been the garden to the Fox and Hounds Public House. The question was whether the use of garden land had been abandoned. Even if the land had not been used, he contended that it had always been the intention of the owner to reserve land for use as a garden. Second, he questioned the actual harm of the development. The erection of the fence and the clearing of the land was not a breach of planning

control. The play equipment and the garden shed did not inhibit the views of the area. Improvements could be made by negotiation, particularly with regard to additional landscaping. He did not consider enforcement action to be expedient in this case.

Councillor Loughlin commented that this was a pleasant garden, not unsightly and the climbing frame and shed were wooden and not out of keeping with the location. Other members commented that although they could see no problem with the garden, the fence was unsightly and additional landscaping with more appropriate trees would enhance the area. Councillor Freeman said that measures should be taken to ensure that the bridge was restricted to pedestrian access to ensure that no vehicles were parked on the site.

RESOLVED that the matter be deferred to enable all parties to negotiate a satisfactory solution, taking into account the points made above, and to report back to the Committee no later than six weeks time.

#### **DC86 TREE PRESERVATION ORDER WEST ROAD SAFFRON WALDEN**

Following requests from local residents, a Tree Preservation Order has been served on a group of nine sycamore trees at West Road Saffron Walden. There had been an objection by the agents for the site on the grounds that the trees were poor specimens of limited amenity value. The Council's Landscape Officer considered them to be worthy of protection under a group Tree Preservation Order. Members commented that the existing ivy should be removed from the trees.

RESOLVED that the Tree Preservation Order no. 9/03 be confirmed without amendment.

#### **DC87 LAND AT DUKES MEADOW OLD MEAD ROAD HENHAM – ENFORCEMENT OF PLANNING CONTROL**

The Committee received a report concerning the change of use of land for the siting of a residential mobile home. The site was within open countryside, outside any development limit, in an area where development unrelated to agriculture, forestry or appropriate outdoor recreation was not normally permitted. The provision and occupation of a mobile home was contrary to development plan policies and there was no reasonable prospect of the development receiving planning permission.

RESOLVED that enforcement action, and if necessary legal proceedings, be taken to secure the cessation of the use and the removal of the mobile home from the land.

#### **DC88 APPEAL DECISIONS**

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

<b>APPEAL BY</b>	<b>APPLICATION</b>	<b>DESCRIPTION</b>	<b>DECISION</b>	<b>INSPECTOR'S CONCLUSIONS</b>
L Sansom	UTT/1502/03/FUL Cambridge Road Services Station Brewers End Takeley	Appeal against refusal to grant planning permission for the demolition of existing works, garage and sales forecourt and the erection of 3 detached chalet dwellings	6 Feb 2004 DISMISSED	The Inspector concluded that while the development was satisfactory in appearance and effect on amenity it was at too low a density to meet the requirements of PPG3

DC89

#### **ENFORCEMENT OF PLANNING CONTROL PROGRESS REPORT**

The Committee received the schedule of outstanding enforcement cases.

The meeting ended at 5.15 p.m.