

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 28 JUNE 2004**

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

Officers in attendance:- M Cox, G Lyons, J R Mitchell, C Oliva and  
M Ovenden.

DC19

**SITE VISITS**

Prior to the meeting, Members visited the sites of the following applications.

**1) 2240/03/FUL, 2) 2241/03/LB and 3) 2242/03/CA Elmdon** – 1) Conversion of farm buildings to residential units together with annexe, garaging, fencing and access. 2) Conversion of farm buildings to residential with annexe, demolition of cart shed and outbuilding. 3) Demolition of cart shed – Elmdon Bury Farm for Mr & Mrs N Pearson.

**0631/04/FUL Wendens Ambo** – Two storey front extension – Drayton Farm Cottage, Royston Road for J Costen.

**0614/04/FUL Wimbish** – Single storey dwelling – land adjacent to St Helens, Tye Green for Mr A Walker.

**1017/04/FUL and 1019/04/OP Saffron Walden** – Veermans site, Thaxted Road, Saffron Walden for Granite Properties.

**1) 0296/04/FUL and 2) 0297/04/CA Saffron Walden** – Erection of pair of semi-detached dwellings – 20 King Street for Coalhouse Properties Limited.

DC20

**APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

An apology for absence was received from Councillor C A Cant.

Councillors P Boland, J F Cheetham, W F Bowker, C M Dean, C D Down, E J Godwin, J E Menell and A R Thawley declared personal interests as members of SSE.

Councillor J F Cheetham declared a personal non-prejudicial interest in applications 0302/04/FUL and 0303/04/LB Stansted as she knew the owners.

Councillor C M Dean and Councillor J I Loughlin declared personal non-prejudicial interests in applications 0714/04/FUL Stansted as members of Stansted Parish Council that owned the land relating to the application.

DC21 **MINUTES**

The Minutes of the meeting held on 7 June 2004 were signed by the Chairman as a correct record subject to an amendment to minutes DC16 to refer to the appeal decisions in the plural.

DC22 **BUSINESS ARISING**

**(i) Minute DC17 Enforcement of Planning Control – Progress Report**

In relation to the unauthorised parking at Anvil Cross Little Hallingbury, it was reported that the occupier of the land had been taken to court on 11 June. He was fined £50,000 and ordered to pay part of the Council's costs. Councillor J F Cheetham congratulated officers on the speedy resolution of this situation. She referred to problems of unauthorised parking at Mole Hill Green, Takeley and asked that officers pursue this issue with similar vigour. She was advised that an enforcement notice had been issued and injunction proceedings were being pursued.

**(ii) Minute DC18 Capacity for Improvement in Development Services and the use of Planning Delivery Grant**

It was reported that the Environment and the Resources Committees had approved the creation of a Customer Care officer in the Development Control Section. The post would be advertised shortly.

DC23 **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) 0296/04/FUL and 2) 0297/04/CA Saffron Walden** – Pair of semi detached dwellings – 20 King Street for Coalhouse Properties Limited.

Subject to additional conditions relating to hours of construction and deliveries to the site, the requirement for a sprinkler system and the car parking being limited to residents parking only.

*Russell Long spoke in support of the application.*

**1) 2240/03/FUL 2) 2241/03/LB and 3) 2242/03/CA Elmdon** – 1) Conversion of farm buildings to residential with annex, garaging, post and rail fencing and access. 2) Conversion of farm buildings to residential with annex. Demolition of cart shed and outbuilding. 3) Demolition of outbuilding and cart shed – Elmdon Bury Farm for Mr & Mrs Pearson.

Subject to additional condition for the new access road to have parking bays on the right hand side, a bat and barn owl survey to be undertaken, the verge and hedge by the access road joining Fickleton Road be maintained in

perpetuity, a locked gate/fence to the north of Great Harvesters and works to ensure that surface water runs off into the ditch.

*Mr Grayson spoke against the application, Mr Stubbings spoke in support of the application.*

**0614/04/FUL Wimbish** – Single storey dwelling – land adjacent to St Helens, Tye Green for Mr A Walker.

Officers were asked to prepare detailed conditions for consideration at the next meeting of the Committee.

*Mr Walker spoke in support of the application.*

**0127/04/DFO Great Dunmow** – 33 flats and parking (outline application 1707/01/OP) – former Highway Depot, Haslers Lane for Bellway Homes Limited.

Subject to omission of reference to S106 agreement and some of the recommended conditions covering matters already covered at the outline stage and additional conditions relating to good environmental practice.

**0217/04/FUL Great Dunmow** – Three two bedroom dwellings and six two bedroom flats – Haolmans Yard, New Street for Messrs Broyd & Thompson.

Subject to an additional condition relating to waste and recycling facilities.

*Mr Grayson spoke in support of the application.*

**0699/04/FUL Hatfield Heath** – Two storey side extension and change of use of Great Heath Farm and outbuildings from domestic to hotel bedroom use and parking – Hunters Meet Restaurant and Hotel, Chelmsford Road for Mr B Carrig.

**0639/04/FUL Felsted** – Change of use in building to board small domestic animals, prefabricated cattery unit for boarding domestic cats/pets – Gifford House, Stebbing Road for Mr & Mrs S W Brown.

**1) 0691/04/FUL and 2) 0692/04/LB Stebbing** – 1) Conversion of barns to dwellings with garages and access, garaging for cars/store to serve house/cottage. 2) Conversion of barns to two dwellings with garaging – barns at Stebbing Park for Mr & Mrs J C Evans.

Subject to no objections from English Heritage.

**0622/04/FUL Newport** – Replacement dwelling with parking and landscaping – Cothelstone, Debden Road for I & S Vance.

*Mr Vance spoke in support of the application.*

**1) 0819/04/FUL and 2) 0820/04/LB Hatfield Broad Oak** – 1) and 2) Conversion of barn to dwelling including internal alterations – The Dairy, Woods Farm, Forest Road for Mr Robson.

Subject to an additional condition relating to an archaeological watching brief.

**1) 2172/03/FUL and 2) 2169/03/FUL Newport** – 1) Single dwelling and garage to replace existing house. 2) Detached bungalow – land rear of Cornflowers, London Road for J & M Butcher.

**0868/04/FUL Great Hallingbury** – Change of use of dwelling to class D1 schoolhouse – Howe Green Lodge, Howe Green for the Howe Green Educational Trust.

Subject to an additional condition to limit the number of pupils at the school.

**1) 0432/04/FUL and 2) 0433/04/LB Saffron Walden** – Demolish existing extension and erect new extensions to west and south of church hall with alterations – Salvation Army/United Reformed Church, Abbey Lane for the Salvation Army.

**1) 0641/04/FUL and 2) 0652/04/LB Thaxted** – Conversion of barn to dwelling to include extensions with additional to mid strey to southern elevation – Dove House Farm, Dunmow Road for Mr & Mrs Tonge.

Subject to an additional condition requiring an archaeological watching brief to be carried out.

**(b) Refusals**

RESOLVED that the following applications be not granted for the reasons stated in the officers report.

**0040/04/FUL Saffron Walden** – 97 B1 “live/work” units and new access – South Gate House, Kilncourt and Hillview, Thaxted Road for Kilncourt Developments.

Reason: Contrary to policy, over development, out of character with the town and impact on traffic in the town centre.

*Michael Swindlehurst and Councillor Jones spoke against the application.*

**0751/04/OP Great Chesterford** – Change of use from nursery to residential, dwellings and garaging – land at nursery London Road for Mr & Mrs Matalee.

*Mr Christian spoke in support of the application.*

**0767/04/OP Great Chesterford** – Change of use from nursery to residential, dwelling with garages – land at nursery London Road for Mr & Mrs J Morallee.

*Mr Christian spoke in support of the application.*

**(c) Deferments**

RESOLVED that the following applications be deferred.

**0631/04/FUL Wendens Ambo** – Two storey front extension – Drayton Farm Cottage, Royston Road for J Costen.

Reason: For further negotiation on design.

*Mr Costen spoke in support of the application.*

**0669/04/FUL Great Dunmow** – Construction of new Police Station – Smiths Farm (formerly) Plot 7, Chelmsford Road for Essex Police Authority.

Reason: For further negotiation on access arrangements and on the points raised by members at the meeting.

*Mr Sheppard spoke in support of the application.*

**0822/04/FUL Great Dunmow** – Excavation to form surface water balancing pond, regarding existing levels together with foul and surface water drainage and ancillary works – land adjacent sectors 1 and 3 Woodlands Park for Wickford Development Co. Ltd.

Reason: For further negotiation regarding possible alternative sites.

*Mr Taylor spoke against the application.*

**0038/04/DC Quendon and Rickling** – Detached house – site 2 Woodside Rickling Green for Uttlesford District Council.

Reason: For the preparation of revised plans

**(d) Planning Agreements**

**1)0302/04/FUL and 2) 0303/04/LB Stansted** – Part demolition, restoration/rebuilding/extension to Priory to form offices, separate office buildings, restoration of walled garden, garden house and grounds, vehicular access and car parking – Thremhall Priory, Dunmow Road and Bury Lodge Road for Mantle (Thremhall) limited.

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 additional condition to rebuild the gate house and the completion of an agreement under Section 106 of the Town and Country Planning Act regarding the restoration works and their phasing.

**(e) County Matters**

**0215/04/CC Great Dunmow** – Demolition of Leisure Centre, construction of new teaching block, playgrounds and repositioning of car park – Helena Romanes School, Parsonage Downs for Essex County Council.

RESOLVED that Essex County Council be informed that no objections are raised subject to appropriate conditions relating to:-

- (i) Landscape Screening
- (ii) Low level lighting for the car park
- (iii) Hours of use of the car park and suitable mitigation measures for the protection of great crested newts
- (iv) To investigate the possibility of a pitched roof to the teaching block
- (v) To address existing light pollution
- (vi) Noise elevation methods
- (vii) Adequate screening to the boundary

**(f) Site Visits**

The Committee agreed to visit the sites of the following applications on Monday 19 July 2004.

**0635/04/FUL Saffron Walden** – Dwelling with garage, alteration to access, fence to boundaries – land adjacent to 54 Summerhill Road for Mr & Mrs M Johnson.

Reason: To assess the impact on neighbouring properties.

**0714/04/FUL Stansted** – Nine flood lights around two tennis courts – Tennis Courts, Cambridge Road for Stansted Tennis Club.

Reason: To assess the impact on adjoining properties.

*Dr Griffiths spoke against the application, Miss Bitten spoke in support of the application.*

*Councillors J F Cheetham, J I Loughlin and C M Dean declared personal non-prejudicial interests in this application as they knew members of the tennis club.*

DC24

**ENFORCEMENT OF PLANNING CONTROL HEMPSTEAD HALL BARN, FINCHINGFIELD ROAD, HEMPSTEAD**

The Committee was advised that planning permission for change of use of barn to dwelling had been allowed on appeal in May 2003. In February 2004 permission had been granted for the conversion and alteration of the barn to a dwelling, garaging and store. On 21 March 2004, the Council was informed that the barn had collapsed during gales and that a new building was being reconstructed in its place. The Council advised the developer that the

condition on the planning permission related solely to the conversion being applied for and that any rebuilding or reconstruction would require a separate permission.

The developer had taken advice from senior Counsel which had stated that he was entitled to complete the works in accordance with the appeal permission. However, officers took the view that as the barn had collapsed, the work that was taking place was unlawful; the new structure amounted to a reconstruction and breached the restricted condition. Enforcement action had been agreed under the terms of delegation to Chief Officers in accordance with the Chairman of the Committee and an enforcement notice had been issued on 16 April 2004.

The Council had withdrawn the enforcement notice on 1 June 2004 as the building works on the buildings had ceased and the applicant was advised that the matter would be placed before Members at Development Control Committee on 28 June.

Jill McGiven attended the meeting and spoke in support of the applicant. She stated that personal issues, as well as planning issues, should be taken into account when deciding whether to confirm the enforcement notice. She explained that her client had received differing legal advice, which was why he had continued the reconstruction works. She argued that his case was similar to those in the 1980's storms when similar structures had blown down and had been allowed to be rebuilt. No dangerous precedent would be set in this case. Her client would rebuild an exact replica of the permitted barn. He was not a developer, this was to be his dream home, and if the enforcement notice was imposed he would lose everything.

In answer to questions, it was confirmed that the applicant had already commenced the restoration work as permitted by the planning permission before the building was blown down. The Committee felt that each case should be treated on its merits and as long as the building was sympathetic to the original barn, the applicant should be permitted to rebuild it.

RESOLVED that no enforcement action be taken.

DC25

**ADVANCED REPORT ON ISSUES RELATING TO MAJOR APPLICATIONS  
– 1017/04/OP AND 1019/04/FUL THAXTED ROAD SAFFRON WALDEN**

The Committee received an advanced report on issues relating to master plan 1017/04/OP – outline planning application for community services, employment and live/work units and 1019/04/FUL application for live/work flats at Thaxted Road, Saffron Walden. The Committee was asked if there were any additional matters that required consideration prior to drafting a conventional committee report containing a recommendation.

The Committee had considered a similar proposal earlier in the meeting, and asked that in order to avoid piecemeal development, officers should develop a master plan for the whole Thaxted Road area. Specifically, Members asked for a feasibility study for live/work units and the transport/traffic implications and a needs survey. Members also asked about the possibility of a workshop

with the proposed developers and also discussions with other authorities that had approved the development of these units.

The Executive Manager Development said that there were insufficient in house resources to carry out this study and an alternative approach might be necessary.

RESOLVED that officers prepare a draft terms of reference for the master plan for the next meeting.

DC26

**WORK TO TREES IN THE GROUNDS OF BRIDGE END GARDENS**

The Committee was asked to approve works to a London Plane tree at Bridge End Gardens Saffron Walden, which was in a conservation area.

RESOLVED that no objection be raised to a 25-30% overall crown reduction of the London Plane tree.

DC27

**PLANNING AGREEMENTS**

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

The meeting ended at 6.00p.m.