

**DEVELOPMENT CONTROL COMMITTEE held at the COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 2 APRIL 2006**

Present:- Councillor C A Cant – Chairman.
Councillors P Boland, J F Cheetham, C M Dean, R F Freeman,
E J Godwin, R T Harris, J I Loughlin, J E Menell and A R Thawley.

Also present:- Councillor D W Gregory.

Officers in attendance:- H Lock, J Mitchell, C Oliva, M Ovenden, J Pine, M Ranner
and P Snow.

DC125

APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors E C Abrahams, C D Down and M Miller.

Councillor Freeman declared a personal non-prejudicial interest in application UTT/0215/06/FUL as a Saffron Walden Town Councillor, Mayor of Saffron Walden and Chairman of the IT Working Party.

Councillor Cheetham declared a prejudicial interest in application UTT/0018/06/FUL as a member of NWEHPA.

Councillor Harris declared a personal non-prejudicial interest in application UTT/0056/06/FUL and a prejudicial interest in application UTT/0112/06/FUL.

Councillor Thawley declared a prejudicial interest in application UTT/0112/06/FUL.

DC126

MINUTES

The Minutes of the meeting held on 15 March 2006 were received, confirmed and signed by the Chairman as a correct record, subject to the following:

In Minute DC120, the wording be corrected to read 'Councillor Cant declared a personal interest in application UTT/0178/06/FUL as her husband had taught with the applicant.'

In Minute DC122(a) the reference under application 0015/06/FUL be corrected to read 'Paul Ogbor spoke for the application.'

Under Minute DC122(b) the reference to the name of the applicant under application 0272/05/4 be corrected to read 'Mr Kiszka'.

On the same application the middle paragraph to be amended to read: 'To assess the effect of the proposed development on nearby properties and the character of the area. Revised plan to show repositioned access and visibility splays, and rectify position regarding window on elevation and floor plan for plot 3. Include extra conditions on supplementary representations, including modifying C.4.1 to ensure that it includes planting along the eastern boundary at a reduced height.'

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 Officer's report.

2075/05/FUL Swards End – demolition of detached house. Erection of 2 one-and-a-half storey dwellings and a pair of semi-detached dwellings with associated garaging. Construction of a new vehicular and pedestrian access for Mr R Kiszka.

Subject to additional conditions relating to slab levels, changing garages to carports, ensuring on-site parking of construction traffic, decent planting to front of site including replacement trees, and a designated refuse collection point.

It was also agreed that a letter would be sent to Essex County Council Highways and Transportation drawing attention to the Parish Council's concerns about traffic and visibility.

Mr P Stocking spoke on behalf of Swards End Parish Council. Mr Kiszka also spoke as the applicant.

2108/05/FUL High Easter – change of use of agricultural buildings to a livery enterprise to include indoor ménage, stabling and grazing for Strutt and Parker (Farms) Ltd.

Subject to additional conditions relating to the incorporation of passing places for horse boxes, the removal of permitted development rights and disposal of manure.

Mr J Chaplain spoke as the agent on behalf of the applicant.

0348/06/FUL Quendon and Rickling – demolition of two existing dwellings and erection of three five bedroom houses and one, three bedroom house for East Anglia Developments Ltd.

Subject to additional conditions relating to slab levels, energy and water conservation, protected species, on site recycling and storage of materials, refuse collection point, and the retention of a wall in relation to widening of the access.

Mr Stiles spoke against the application. Mr Bass spoke on behalf of the applicant.

0056/06/FUL Great Dunmow – erection of 10 dwellings (3 two bedrooms, 5 three bedrooms and 2 four bedrooms) on land off Counting House Lane for Messrs Broyd and Thompson.

Subject to additional conditions on a parking scheme for the four bedroom houses, archaeology, energy and water, conservation, location of wheeled bins, hours of construction, phasing of the scheme and consultation with nearby residents.

It was agreed that the Committee should explore the possibility of adopting a different policy in relation to the provision of carports as a longer term aim. It was also agreed that the applicant would be recommended to incorporate mature hardwood species as part of the required landscaping scheme.

Mr Pomery spoke for the applicant and Mrs Gould spoke as an objector.

0316/06/SA Takeley – variation of condition C.901 (provision of a system of wind breaks) attached to planning permission UTT/1871/04/SA for new extension and improvements to passenger transport interchange for Stansted Airport Ltd.

Members asked that a review of this matter be carried out after 12 months, following trials.

0215/06/FUL Saffron Walden – proposed single storey/rear extension. Alterations to front dormer window at 14 Longhedges for Mr and Mrs S Lett.

Mr K Bowers spoke against the application.

0112/06/FUL Felsted – erection of ground floor rear extension and second storey roof extension incorporating dormers and velux roof lights with new front porch and a replacement garage at Rooksdown, Chelmsford Road for Mrs J L Hadfield. Subject to the omission of any reference to approval for a replacement garage. Mrs Hadfield spoke as the applicant on behalf of the application.

Councillors Harris and Thawley left the room for the discussion and voting on this item and returned after it was concluded. A letter from Councillor Thawley was read to the meeting.

The Chairman said that Councillor Gregory had handed copies of a sheet concerning this application to those Members who said they had not received it. This action was in breach of the agreed Procedure for Members' Site Visits. She also said that Councillor Gregory had an interest in this matter, but had been advised he could remain in the meeting as he was a non-voting Member.

(b) Referral of application to GoEast

RESOLVED that the following application be referred to GoEast for determination with an indication that the Council was minded to approve it.

0273/06/LB Saffron Walden – removal of stud partitions, making new openings and providing new partitions to create a new reception area.

(c) Refusals

RESOLVED that the following applications be not granted for the reasons stated in the Officer's report.

0018/06/FUL Little Canfield – Temporary construction of Haul Road during construction of initial phases of Priors Green and site compound (temporary) on land North of Dunmow Road, Priors Green for Countryside Properties.

Mr P Byford spoke against the application. Mr J Panzetta spoke on behalf of Little Canfield Parish Council. Rosa Clark spoke on behalf of the applicant.

Councillor Cheetham left the meeting for the duration of the discussion and voting on this item and returned after it was concluded.

(d) Deferrals

RESOLVED that the following application be deferred.

0055/06/FUL Langley – proposed single storey garage to side at Greenways for Pelham Structures Ltd.

DC128

OUTLINE PLANNING PERMISSION FOR 285 DWELLINGS AT ROCHFORD NURSERIES, STANSTED MOUNTFITCHET/BIRCHANGER – REQUEST BY CROUDACE LTD TO VARY A CLAUSE OF THE SECTION 106/278 AGREEMENT

The Policy and Development Control Liaison Officer reported on the details and circumstances of a request from Croudace Ltd to be allowed to construct the site access road earlier than was allowed in the existing section 106/278 agreement.

A similar agreement relating to the construction of the eastern part of the site by Taylor Woodrow had allowed that company to commence construction of the new main link road within their part of the site from Forest Hall Road to Church Road once the bridge works at Pesterford Bridge on the B1383 had commenced. Croudace Ltd had now requested that clause 3.1.1.2 be varied so that they too may construct their site access road from Forest Hall Road prior to completion of the bridge works, taking advantage of the existing closure of Forest Hall Road.

Councillor C Dean referred to a request from the Parish Council for the provision of a pedestrian crossing at the school and said this was now more essential than before. Councillor Godwin referred to damage caused to lampposts by construction lorries and said that this was causing insurance problems. She said that the signage provided to indicate the road closures and road works underway were inadequate and that permanent signs should be provided. The Policy Liaison Officer said that he had noted all concerns raised by Members and would take appropriate action.

RESOLVED that the request from Croudace Ltd to vary the relevant clause be granted and that Officers be authorised to prepare a draft Deed of Variation for circulation to signatories.

DC129

SECTION 52 AGREEMENT (TOWN AND COUNTRY PLANNING ACT 1971): BELMONT, HOLLOW ROAD, FELSTED

The Committee received a report concerning the proposed removal of the legal agreement restricting the occupancy of a dwelling at Hollow Road, Felsted to persons employed in agriculture or forestry. It was noted that the current owner had recently provided an affidavit stating that the dwelling had remained vacant since July 2002 with the exception of a few days. Information now available appeared to confirm that the dwelling was occupied in accordance with the tie between 1982 and 1986 but in breach of it thereafter until July 2002 when its full time occupation ceased. Under these circumstances, the Agreement was considered to be redundant and able to be removed.

RESOLVED that, subject to receipt of the final copies of the relevant affidavits, removal of the occupancy restriction be approved.

DC130

WOODLANDS PARK MASTERPLAN

A report was submitted from the Landscape Officer seeking the Committee's consideration of revised proposals for replacement and planting of compartments 3 and 4 as set out in the Woodlands Master plan for the Woodlands Park development at Great Dunmow.

It was noted that the previously proposed replacement of existing poplar trees with birch in compartment 3 had been substituted by a scheme of mixed native tree planting and revised proposals had been prepared for compartment 4 relating to the planting of a native woodland mixture.

Councillor Godwin welcomed the proposed planting in compartment 3 but felt that more substantial planting specimens should be provided in compartment 4. The Planning Control Manager (South Area) confirmed that the Landscape Officer had worked in close conjunction with the developers in finalising the proposed scheme.

Members agreed that they would prefer there to be more provision for hardwood species, and more water saving species, and Officers agreed to refer these comments back for consideration.

RESOLVED that the revised planting proposals for compartments 3 and 4 of the Woodlands Management Plan be approved and the woodland and individual tree planting be made the subject of the Tree Preservation Order, subject to minor adjustments to compartment 4 as indicated at the meeting.

DC131

CLARIFICATION OF SCHEMES OF DELEGATION – RECREATIONAL USES

The Planning Control Manager (North Area) presented a report asking the Committee to agree to clarify the written terms of the Delegation Agreement to include all changes of use of agricultural or other land to recreational/garden uses, regardless of the size of the application site.

She also invited the Committee to modify the scheme to incorporate changes of use of agricultural and other land for recreational purposes in relation to village halls, play areas and extensions to schools. It was noted that the Executive Manager would retain the discretion to refer applications to the Committee in appropriate cases and that Members would retain their power to call in applications.

RESOLVED that

- 1 The written terms of the delegation agreement be amended to include all changes of use of agricultural or other land to recreational/garden uses, regardless of the size of the application site;
- 2 Paragraph 3.5.21 of the Scheme of Delegation to Officers (Development Services) be modified to include the emboldened text: 'new community and recreation facilities e.g. village halls, play areas, extension to schools, **and changes of use of agricultural and other land for recreational purposes, regardless of the site area**'.

DC132

APPEAL DECISIONS

Members noted the following appeal decisions that had been received since the last meeting of the Committee.

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DECISION & DATE	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Mr & Mrs J R Richens	Orchard House Patmore End Ugley	UTT/1413/05/FUL	Appeal against refusal to grant planning permission for the erection of a two storey side extension; first floor rear extension and	ALLOWED 10-MAR-06	10-OCT-2005	The Inspector concluded that the condition was not needed in its entirety and that partial

			detached garage without complying with a condition attached to planning permission Ref: UTT/1913/04/FUL. The condition required the demolition of an outbuilding.			demolition of the outbuilding would be acceptable.
J P de Bloq van Kuffeler	Park House Church Road Chrishall	UTT/0681/05/FUL	Appeal against refusal to grant planning permission for the reconstruction of former granary to create single-storey annexe accommodation	DISMISSED 17-MAR-2006	20-JUN-05	The Inspector concluded that as there was barely any trace of the building this would be an unjustifiable new house in the countryside.
L Sams	Eastview Bush end Road Takeley	UTT/1106/05/FUL	Appeal against refusal to grant planning permission for the erection of a dwelling with vehicular access and garage	ALLOWED 16-MAR-2006 And planning permission granted subject to conditions	18-OCT-2006	The Inspector concluded that this dwelling in a garden would be acceptable.
Mrs J Jaffray	53 Newport Road Saffron Walden	UTT/0851/06/FUL	Appeal against refusal to grant planning permission for front, side and rear extensions	DISMISSED 16-MAR-2006	26-JUL-2005	The Inspector concluded that the extensions would be overbearing in relation to the neighbouring property.

In response to a question, the Executive Manager (Development Services) said that he considered a number of inexplicable decisions had been made in terms of recent appeal decisions and it was a matter he was intending to take up with the Planning Inspectorate.

DC133

ENFORCEMENT OF PLANNING CONTROL PROGRESS REPORT

The Committee received a schedule setting out details of outstanding enforcement cases.

The Executive Manager (Development Services) referred to the intention to take impending enforcement action in relation to the Bell College development site in Saffron Walden. He confirmed that early action would be taken in respect of the proposed Haul Road at Priors Green, Takeley considered earlier in the meeting.

Councillor Loughlin asked about the position relating to the unauthorised felling of a tree at Manuden and the Council's Solicitor confirmed that, as far as she was aware, the appeal had been withdrawn.

The meeting ended at 6.05pm.