

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 26 APRIL 2006**

Present:- Councillor C A Cant – Chairman.  
Councillors E C Abrahams, J F Cheetham, C M Dean,  
C D Down, R F Freeman, E J Godwin, R T Harris, S C Jones,  
J I Loughlin and M Miller.

Officers in attendance:- L Bunting, H Lock, J M Mitchell, J Pine, C Oliva  
and M Ovenden.

DC134

**APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors P Boland, J E Menell  
and A R Thawley.

At this point the Chairman expressed congratulations to Karen Hollitt,  
Planning Officer for the North Area, who had recently obtained a first class  
honours degree in Urban and Environmental Planning. The Executive  
Manager – Development Services reported that the Chief Executive had also  
congratulated Ms Hollitt personally.

The Chairman then reported that, at the Council meeting held the previous  
evening, Councillor S C Jones had been appointed to replace Councillor  
W F Bowker. Councillor Jones was then welcomed to the meeting.

Councillors C M Dean, E J Godwin and J I Loughlin declared their personal  
non-prejudicial interests in agenda item 6, Rochford Nurseries,  
Stansted/Birchanger as members of their respective parish councils.

Councillor Abrahams declared a prejudicial interest in application 0055/06  
Langley and would leave the meeting for the discussion of the item.

Councillor J I Loughlin declared a personal interest in application 0283/06  
Stansted as member of the Parish Council.

Councillor C A Cant declared a personal non-prejudicial interest in 0244/06  
Stebbing as member of the Parish Council.

Councillor J F Cheetham declared a personal non-prejudicial interest as a  
member of NWEHPA

DC135

**MINUTES**

The Minutes of the meeting held on 5 April 2006 were received, confirmed  
and signed by the Chairman as a correct record, subject to the following  
amendments:-

(i) **Minute DC125 – Apologies and Declarations of Interest**

Councillor Cheetham said that her interest in application 0018/06/FUL had been a prejudicial one as the proposed alternative route passed close to her garden, not prejudicial as a member of NWEHPA, as was stated in the Minute

(ii) **Minute DC127 – Schedule of Planning Applications –  
(a) Approvals - 0112/06/FUL Felsted**

The Chairman declared that the last paragraph of this application was incorrect. She had spoken to the Legal Officer and it had been agreed to change it to read as follows:

“The Chairman said that Councillor Gregory had handed a document concerning this application to a member on site. This amounted to a representation, but the document was already in the public domain.”

(iii) **Minute DC129 – Section 52 Agreement (Town and Country  
Planning Act 1971): Belmont, Hollow Road, Felsted**

The resolution on this item should be changed to read as follows:

RESOLVED that removal of the occupancy restriction be approved.

DC136

**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 officers' report.

**0244/06/FUL Stebbing** – Single storey detached timber framed building for pre-school – Stebbing Primary School for Ms M Wisbey.

*Ms Janet Matthews spoke in support of the above application.*

**0439/06/FUL Felsted** – (1) Change of use from poultry shed to boarding kennels. (2) Removal of condition C90B planning applications UTT/0639/04/FUL and UTT/0319/03/FUL to allow collection and deliver of domestic animals on Sundays and Bank Holidays. (3) Removal of condition C90A of UTT/0319/03/FUL restricting the number of dogs housed at any one time – Gifford House, Stebbing Road for Mr and Mrs S W Brown.

Subject to conditions 5 and 8 being reworded to prevent intensification and to protect residential amenity.

**0261/06/FUL Stansted** – Continuation of use in planning permission UTT/0459/05/OP without compliance with conditions – Land to the west of Alsa Lodge, Cambridge Road for The Partnership of G E Sworder.

Subject to alteration of the Section 106 Agreement and plan of bus stop locations being obtained by officers from Essex County Highways.

**0283/06/DFO Stansted** - Outline Planning Approval UTT/0459/05/OP for auction room, heating plant, access road, car parking facilities and landscaping - Land to the west of Alsa Lodge, Cambridge Road for The Partnership of G E Sworder.

Subject to the omission the words 'for the avoidance of doubt' from condition 2. It was further considered that the site of the two applications above should be included on the Members' tour of the District as it would be an innovative landmark when completed.

**0251/06/OP Takeley** – Outline application for erection of two dwellings – Land south of Willow Tree Cottage, Broadfield Road for Mr and Mrs R Goody.

Subject to the inclusion of details of construction traffic routing in the Section 106 Agreement.

**0402/06/FUL Little Dunmow** – Creation of play area – Former Bus Turning Circle, Oakwood Park for Enodis PLC and Enodis Property.

Subject to a Section 106 agreement for the transfer and maintenance of the play area.

At the approval of the above item, it was recommended that wrought iron railings be used rather than wooden fencing and that the location of the LEAP be amended.

(b) **Refusals**

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

**0055/06/FUL Langley** – Proposed single storey garage – Greenways for Pelham Structures Ltd.

Subject to the words 'and probable loss of the boundary hedge' to be deleted from refusal reasons paragraph 1.

*Councillor Abrahams left the meeting for the consideration of the above item and returned after the conclusion.*

*Mr S Vallance spoke in support of the above application.*

**0259/06/FUL Felsted** – Demolition of existing dwelling and erection of two, one bedroom dwellings and ten, two bedroom dwellings. Alteration of vehicular and pedestrian access – The Gables, Garnetts Lane for Merrybell Ltd.

*Mr D Nicolich spoke in support of the above item.*

**0201/06/OP Debden** – Demolition of dwelling and erection of four detached dwellings – Dene Syde, Thaxted Road for Mr G Willington.

*Mr S Luck spoke against the above application.*

*Mrs C Griffin, Debden Parish Council, also spoke against the application.*

*Mr B Christian, agent for the applicant, spoke in support of the application.*

DC137

**ROCHFORD NURSERIES STANSTED/BIRCHANGER – OUTLINE PLANNING PERMISSION FOR 315 DWELLINGS – REQUEST BY THE BARTON WILLMORE PLANNING PARTNERSHIP ON BEHALF OF TAYLOR WOODROW TO VARY A CLAUSE OF SECTION 106/278 AGREEMENT**

The Policy and Development Control Liaison Officer presented a report concerning a request from the Barton Willmore Planning Partnership on behalf of Taylor Woodrow to be allowed to commence foundation and initial construction work on the main site before full completion of the Pesterford Bridge works.

On 27 February 2004, outline planning permission had been granted to Taylor Woodrow for the erection of 315 dwellings on the eastern part of the Rochford Nurseries site. A clause (3.1.1.3) of the Section 106 / Section 278 Agreement between Taylor Woodrow and others, this Council and Essex County Council which was signed on 26 February 2004 which obliged Taylor Woodrow:

*“Not to commence any part of the Development until the Bridge Works have been properly completed in accordance with the Bridge Works Agreement to the satisfaction of the Engineer Provided Always that the construction of the Link Road may commence if construction of the Bridge Works has commenced ....”.*

It was reported that a letter had been received from the Barton Willmore Planning Partnership on behalf of Taylor Woodrow requesting that Clause 3.1.1.3 be varied so that they could commence foundation and initial construction work on the main site prior to the completion of the Bridge Works, to take further advantage of the existing closure of Forest Hall Road.

Councillor Godwin stated that since the closure of the road, Birchanger had been used as a through road by vehicles including HGVs. Four lampposts had been knocked down since work had commenced and the Parish Council considered that traffic through the village had increased by half. She considered that it was an intolerable situation.

Councillor Dean agreed with Councillor Godwin and had been surprised that the school had not raised any objections.

After further discussion it was proposed and seconded that the request be refused. On being put to the vote it was

RESOLVED that the request from the Barton Willmore Planning Partnership on behalf of Taylor Woodrow to be allowed to commence

foundation and initial construction work on the main site before full completion of the Pesterford Bridge works, be refused.

DC138

**APPEAL DECISIONS**

Members received the list of recent appeal decisions as follows:

LOCATION	DESCRIPTION	APPEAL DECISION AND DATE	SUMMARY OF DECISION
Keers Green Nursery Keers Green	Appeal against refusal to grant planning permission for the erection of three detached dwellings with basement parking	DISMISSED 29 March 2006	The Inspector concluded that despite changes to the scheme since the last dismissed appeal, there is still a fundamental policy objection and the proposal is an unsustainable development inevitably relying on the use of private transport for day to day living.
Cowels Farm Cowels Farm Lane Lindsell	Appeal against refusal to grant planning permission for redundant agricultural building for the renovation of vintage cars	ALLOWED 24 March 2006 Subject to conditions	The Inspector concluded that the activities were very low key, complied with policy on reuse or rural buildings and would be satisfactory so long as the named operator lived in the adjacent dwelling
Land to the rear of 'Barfield and Hillington' Chelmsford Road Barnston	Appeal against refusal to grant planning permission for erection of a bungalow	DISMISSED 24 March 2006	The Inspector concluded that the site is too small to accommodate even a one bed bungalow in a manner compatible with its surroundings; would provide inadequate amenity space; awkward design; site is significantly smaller than at Sakers; a development at Berners End was not comparable although that too appeared to be cramped.
20 Newton Green Great Dunmow	Appeal against refusal to grant planning permission for outline application for one detached dwelling	ALLOWED 24 March 2006 Subject to conditions	The Inspector concluded that both existing and proposed dwellings would have sufficient garden and parking and subject to control over location of windows a small house could be compatible with its surroundings.
Church Lane Elsenham	Appeal against refusal to grant planning permission for outline planning permission for an earth sheltered dwelling house	DISMISSED 3 March 2006	The Inspector concluded that even a largely subterranean dwelling in the countryside is against restraint policy; the location would inevitably require dependence on private transport and despite screening the dwelling and its access would change the character of the area.

Conifers Bush End Road Takeley	Appeal against refusal to grant planning permission for replacement of a bungalow with two chalet bungalows	ALLOWED 24 March 2006 Subject to conditions	The Inspector concluded that the proposal would be in keeping with existing development in the area and the retention of much of the front boundary hedge will be required to help achieve this aim.
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DC139

**ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT****(i) Members Holiday Dates**

The Executive Manager – Development Services reported that he would be emailing a ‘round robin’ pro-forma to the Committee to ascertain when Members would not be able to attend meetings because of holiday commitments. The Chairman urged all Members to complete the form and return it.

**(ii) Application from BAA Stansted**

Councillor Jones requested that guidance be provided for Members before consideration of the recently received BAA application as it was rather a lot to take in.

The Executive Manager – Development Services stated that it was intended to hold an initial information meeting to enable Members and officers to be fully briefed and talk through the application contents so that full understanding could be obtained before decisions were made.

Councillor Cheetham suggested that a site visit be made to refresh Members on what had been approved on the last application. This was considered to be a sensible approach and the Chairman said that it would be a good subject for a workshop.

Councillor Freeman asked that the list of meetings for this application be available on the website and it was agreed that this could be done when the timetable had been finalised. It was also agreed that Members who missed any particular meeting would be given ‘catch-up’ briefings.

**(iii) Enforcement and Stop Notice**

The Executive Manager – Development Services notified Members that Enforcement and Stop Notices had been served on Countryside Properties, who had started work without complying with conditions on the development in Peaslands Road, Saffron Walden. The work had now ceased.

The meeting ended at 4.30 pm.