

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 28 JUNE 2006**

Present:- Councillor C A Cant – Chairman.  
Councillors E C Abrahams, P Boland, 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:- M Cox, H Lock, J Mitchell, M Ovenden and C Oliva.

**DC37 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

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

Councillor J I Loughlin declared a personal interest in application 0788/06/FUL  
Stansted as a member of Stansted Parish Council.

Councillor Godwin declared a personal prejudicial interest in applications  
0444/06/FUL and 0446/06/OP Birchanger as she was known to the applicant  
and was a member of Birchanger Parish Council. She also declared a  
personal prejudicial interest in Agenda Item 7 – Provisional TPO at Manor  
Hotel, Birchanger as she lived near to the property and was a member of  
Birchanger Parish Council. She would leave the meeting for the consideration  
of these items.

**DC38 MINUTES**

The Minutes of the meeting held on 7 June 2006 were received, confirmed  
and signed by the Chairman as a correct record. It was further

RESOLVED that the Minutes of the Extraordinary Meetings held on 24  
May and 13, 14, 15 and 20 June be deferred until the next Ordinary  
Meeting of the Committee on 19 July 2006.

**DC39 BUSINESS ARISING**

- (i) **Minute DC18 – Provisional Tree Preservation Order 3/06 Merry  
Downs, Arkesden**

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

**DC40 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.

**0788/06/FUL Stansted** – One detached house and seven terraced houses – land west of 8 Water Lane for Newell Properties Development.

Subject to

1. amendment to the following conditions:

Condition 7 - details of metal gates to the carport and of security lighting that also enables low level street lighting to be submitted and approved.

Condition 12.1 – to require railings to front gardens.

Condition 12 - to require details of road and turning head to enable it to take the weight of refuse lorries and details of surfacing to delineate between surface of the road and parking spaces,

2. an additional condition for a 3<sup>rd</sup> parking space to the detached house and details to be submitted to ensure no adverse impact on tree roots.
3. an informative note requesting that the applicant speak to the private landowners of the road beyond the site to discuss resurfacing while they are doing works to the site.

*Russell Ford spoke in support of the application.*

**0555/06/DFO Little Canfield** – Details following outline (0818/00/0P) for infrastructure to include Spine Road, landscaping and drainage details – Priors Green (Phase 5) for Countryside Properties.

Subject to an additional conditions to include screening and landscaping along the boundary of the existing properties in the next planting season.

*Cliff Morell and Michael Mew (Little Canfield Parish Council) spoke against the application. Rosa Clark spoke in support of the application.*

**(1) 0664/06/DFO & (2) 0665/06/DFO Takeley** – (1) & (2) Details following approved outline 0816/00/OP for 25 affordable units plus associated infrastructure – (1) Priors Green (Phase 4a) and (2) Priors Green (Phase 4b) for Countryside Properties.

**0556/06/FUL Little Canfield** – Two balancing ponds and associated drainage – Priors Green, Dunmow road, Little Canfield for Countryside Properties. .

**0557/06/DFO Birchanger** – Details following outline application 1123/01/OP for 77 houses, associated works and landscaping – land at Rochford Nurseries, Forest Hall Road for Croudace Homes Ltd.

Subject to additional conditions

1. the submission of details of manoeuvring of cars into and out of the garages to plots 37 and 44

2. approval of estate road gradients,
3. superseding part of the landscaping and boundary materials details where these have been changed by the revised housing layout in the South East part of the site.

*Colin Viret spoke in support of the application.*

**0600/06/FUL Newport** – Construction of horse arena – Holmwood, Whiteditch Lane for Mr Peter Stringer.

**(1)0699/06/FUL and (2) 0700/06/OB Hatfield Heath** – (1) Demolition of leisure wing and external brick buildings, erection of spa building, conservatory, kitchen and staff room extension. (2) Demolition of leisure wing and external brick buildings, erection of spa building, conservatory, kitchen and staff room extension and 12 additional guest rooms – Down Hall Country House Hotel for Veladail Hotels Ltd.

Subject to amendments to condition 10 to include the words “unless approved in writing by the local planning authority” and an additional condition for details of environmentally friendly measures to be agreed with the local authority.

It was noted that the applications would be referred to GO-East.

*John Martin spoke in support of the application.*

**0761/06/REN Saffron Walden** – Triple garage – 27 Fulfen Way for Mr D Upton.

*Richard Green spoke against the application.*

**(1) 0444/06/FUL & (2) 0446/06/OP Birchanger** – (1) Demolition of existing building and new detached dwelling with alteration to access. (2) Outline application for six dwellings with all matters reserved except means of access – 300 Birchanger Lane for Mr J M Gibb.

Subject to additional conditions

- 1 no foundations within 2m of the centre line of the hedge,
- 2 the beech hedge should be retained and
- 3 the dwelling on plot 6 should be no more than 1.5 storeys high.

It was also agreed that an informative note be added to suggest that the applicant investigates a superior access point.

*Councillor Ketteridge, Peter Emery and Pam Lee (Birchanger Parish Council) spoke against the application. John Gibb spoke in support of the application.*

**(b) Refusals**

RESOLVED that the following application be not granted for the reasons stated in the officer's report.

**0767/06/FUL Newport** – Change of use from residential to B1 (business) – Pond Cross House, High Street for Mr B Jones.

Reason: Inadequate provision for parking and lack of information about the use of the buildings and occupancy rates to enable a judgement to be made about the adequacy of parking and travel to work arrangements.

*Frank Harris spoke against the application.*

(c) **Planning Agreements**

**0586/06/FUL Wenden Lofts** – Single storey rear extension – Essex Hill House for Mrs Philipson.

RESOLVED that the Executive Manager Development Services 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 enable the implementation of planning permission UTT/0078/06/FUL by way of the construction of the cart lodge and vehicular access, but prevent the construction of the single storey side extension also included in that planning permission; if that extension is constructed, the extension under UTT/0586/06/FUL would not be built.

(d) **Authority to Executive Manager Development Services**

**0304/06/FUL Stansted** – Demolition of property and erection of two houses with parking – 42 Lower Street for St James Leisure.

RESOLVED that the Executive Manager Development Services in consultation with the Chairman of the Committee be authorised to approve the following application for the reason stated in the officer's report subject to an amendment to condition C.5.5 to refer to handmade bricks to be handmade soft clay in Flemish Bond, an additional condition that there should be no fencing, gates or other means of enclosure above 600mm in height to the front of dwellings, and ensure that condition C.6.2 includes taking away PD rights for fencing.

e) **Site Visit**

**0769/06/OP Debden** – Demolition of dwelling and erection of three detached dwellings with all matters reserved – Dene Syde, Thaxted Road for Mr G Willington.

Reason: To assess the suitability of the development in the relation to the surrounding properties and the street scene.

*David Matthew (Debden Parish Council) spoke against the application.*

DC41

**REQUESTS FOR AMENDMENTS TO THE APPROVED MASTER PLAN  
ROCHFORD NURSERIES STANSTED MOUNTFITCHET/BIRCHANGER**

The Committee considered a request from Croudace Ltd for amendments to the approved Master Plan to accommodate changes to the road layout following the approval of a T junction onto Forest Hall Road, and also to relocate part of the area of open space and the locally equipped area for play. The report followed the meeting of the Committee on 17 May 2006 when Members had deferred making a decision as there were a number of issues concerning them. These had subsequently been discussed with Croudace and the report had taken into account those initial discussions.

Colin Viret attended the meeting and explained to the Committee the changes that had been made to the Master Plan.

RESOLVED that the Committee agree the revisions to the approved Master Plan.

DC42

**PROVISIONAL TREE PRESERVATION ORDER 11/05 MANOR HOTEL  
BIRCHANGER**

Members were informed that the owners of Manor Hotel, Birchanger had asked for the trees adjacent to the hotel to be considered for protection. They felt that the trees provided an attractive back drop for the hotel. An assessment had been carried out by the Essex County Council, Agricultural Service on behalf of the District Council and a provisional area tree preservation order had been served. At the meeting on 12 October 2005, Members had considered objections to the serving of the order and had resolved not to confirm the order and instructed officers to seek to discuss the retention and management of the trees with the landowner. A new provisional order with a "woodland" classification had been served to provide continued protection.

Discussions had taken place between the landowner, the Council's Landscape Officer and the Forestry Commission. The landowner had sought assistance from the Commission, but had been advised that they were unable to offer a management grant in this case. Officers did not consider that the Birch trees were at the present time of sufficient amenity value to warrant them being made subject to a tree preservation order. However, they were relatively young trees and would ultimately lead to mature woodland.

Mr Hoy from Birchanger Parish Council considered the Birch trees to be an important part of the landscape of Birchanger. These particular trees enhanced the hotel, screened the population from light pollution and noise and sustained animal and plant life.

Councillor Dean said that the wood was visible from Birchanger Lane and therefore of amenity value to the general public. It also provided a screen for the hotel. The Committee considered that these young trees should be protected and allowed to become an established woodland.

RESOLVED that Tree Preservation Order No 11/05 Manor Hotel, Birchanger be confirmed.

DC43

**APPEAL DECISIONS**

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

LOCATION	DESCRIPTION	APPEAL DECISION & DATE	SUMMARY OF DECISION
Manwood House Manwood Green Sparrows Lane Matching Harlow UTT/1110/05/FUL	Appeal against refusal to grant planning permission for erection of a detached double garage	ALLOWED 4 May 2006	The Inspector concluded that this development in the Green Belt would be acceptable and not prominent
Land adj to Smith Cottage Cambridge Road Ugley UTT/1014/05/OP	Appeal against refusal to grant planning permission for erection of 2 semi-detached cottages and garages	DISMISSED 18 May 2006	The Inspector concluded that the development was outside development limits and would be detrimental to road safety
Newhouse Farm Cottage Walden Road Purton End Debden UTT/1440/05/FUL	Appeal against refusal to grant planning permission for a first-floor rear extension	ALLOWED 18 May 2006	The Inspector concluded that further extension of this much-extended property was acceptable
Bentfield Garden House Barn Pond Lane Bentfield End Stansted UTT/1561/05/FUL	Appeal against refusal to grant planning permission for the conversion of outbuildings for residential use	DISMISSED 17 May 2006	The Inspector concluded that the building was of insufficient quality or interest to warrant conversion
Bentfield Garden House Barn Pond Lane Bentfield End Stansted UTT/1562/05/LB	Appeal against refusal to grant planning consent for the conversion of outbuildings within the curtilage of a listed building for residential use	DISMISSED 17 May 2006	See above
Carnation Nursery Cambridge Road Newport UTT/1255/05/FUL	Appeal against refusal to grant planning permission for change of use from nursery storage	ALLOWED 8-JUNE- 2006	The Inspector concluded that the use is appropriate in this location

	buildings to motor repairs within the cartilage of the nursery site		
3 Butchers Pasture Little Easton UTT/0996/05/FUL	Appeal against refusal to grant planning permission for erection of a new dwelling (bungalow)	ALLOWED 8-JUNE-2006	The Inspector concluded that a dwelling would be appropriate in this location and would not harm amenity or other considerations
1-3 Market Hill Saffron Walden UTT/1522/05/FUL	Appeal against refusal to grant planning permission for alterations and extension to existing retail units including new first floor storage area	DISMISSED 6-JUNE-2006	The Inspector concluded that this would harm the listed building and its conservation area
1-3 Market Hill Saffron Walden UTT/1523/05/LB	Appeal against refusal to grant planning permission for alterations and extension to existing retail units, including new first floor storage areas; brickwork – red stock bricks (to be approved); roof – slate (to be approved)	DISMISSED 6-JUNE-2006	See above
11-13 Cambridge Road Stansted UTT/0925/05/REN	Appeal against refusal to grant planning permission for the renewal of proposed offices (renewed approval UTT/0473/00/REN)	ALLOWED 30-MAY-2006	The Inspector concluded that although the policy context had changed since permission for this building was first approved in 1990, the design remains appropriate
Lime Tree House Limetree Court Saffron Walden UTT/1598/05/FUL	Appeal against refusal to grant planning permission for change of use of the existing commercial retail premises to residential use, including internal	DISMISSED 25-MAY-2006	The Inspector concluded that while the proposed alterations were satisfactory the property had not been marketed for at least 6 months to determine the extent to which a demand for retail use existed

	and external alterations		
Lime Tree House Limetree Court Saffron Walden UTT/1599/05/LB	Appeal against refusal to grant planning permission for change of use of the existing commercial retail premises to residential use, including internal and external alterations	DISMISSED 25-MAY-2006	See above
Tarbert Hatch Pledgdon Green Hertfordshire UTT/1519/05/FUL	Appeal against refusal of planning permission for retrospective application to regularize change of use from residential outbuilding to B1 Offices	ALLOWED 30-MAY-2006	The Council granted planning permission for a temporary 2 year period and this was the subject of the appeal. In allowing the appeal the Inspector removed this condition but substituted another limiting the number of employees to three

#### DC44 **ENFORCEMENT OF PLANNING CONTROL – PROGRESS REPORT**

The Committee received a schedule setting out the outstanding enforcement cases.

In relation to the Broom and Burney Woods, Ugley, it was reported that the Article 4 Direction had been confirmed and the use had ceased.

#### DC45 **PROTOCOL FOR MEMBERS OF THE PUBLIC TO PASS NOTES AT EXTRAORDINARY MEETINGS OF THE COMMITTEE.**

At the recent extraordinary meetings of the Committee, Members of the public had passed notes to Councillors in order to clarify points or to ask for issues to be raised. There was no existing protocol for this practice and it was suggested that if Members of the public wished to raise an issue, they should pass any notes to the clerk who could then feed them to the Vice-Chairman and Chairman.

RESOLVED that the above Protocol be introduced for extraordinary meetings of the Development Control Committee.

The meeting ended at 7.15 pm.