

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 2.00 PM on 1 NOVEMBER 2006**

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

Officers in attendance:- M Cox, H Lock, T Morton, C Oliva and M Ovenden

DC102

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

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

In relation to Stansted Airport, Members declared the following personal
interests:-

Councillor Godwin, a member of Birchanger Parish Council.
Councillor Down, a member of CPRE.
Councillor Loughlin, a member of Stansted Parish Council.
Councillor Jones, a member of the National Trust.

Councillor Godwin declared a personal interest in agenda item 7 as a member
of Birchanger Parish Council
Councillor Loughlin declared a personal interest in application 1571/06/FUL
Stansted as a member of Stansted Parish Council.
Councillor Jones declared a personal interest in agenda item 6 as a member
of Saffron Walden Town Council.
Councillor Abrahams declared a personal prejudicial interest in application
1481/06/FUL Clavering. He would leave the meeting for the consideration of
this item.

DC103

MINUTES

The Minutes of the meeting held on 11 October 2006 were received,
confirmed and signed by the Chairman as a correct record.

DC104

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.

1225/06/DFO Little Dunmow – Details following outline (0023/03/OP) for 68
dwellings with adoptable roads, footpaths, drives, parking courts, garages and
access paths – The former Sugar Beet factory (area 5B) (Oakwood Park) for
JCN Associates Limited. .

Subject to an additional condition to require lighting to all garage courts and required archaeological watching brief.

1571/06/FUL Stansted – modification of access approved under 0149/06/DFO – Mont House, Brewery Lane/High Lane for Prime Crest Ltd.

Subject to additional conditions

C.3.2 – the development should be in accordance with the revised plans.

C.15.1 this would supersede previous permissions.

A programme of mature landscaping to the roadside boundary to be agreed with the landscape officer.

Acoustic fencing to be provided along the boundary with 27 Brewery Lane.

The new access and retaining walls to be provided prior to the construction of the dwellings.

Also an informative note suggesting landscaping scheme and fencing to be developed in consultation with neighbour.

Jonathon Rich spoke against the application.

1441/06/LB Saffron Walden – replacement front doors to east and west wings – The King Edward V1 & Rev. J. Prime Almhouses, Abbey Lane for The Trustees.

(b) **Refusals**

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

1161/06/OP Little Canfield – residential development including vehicular/pedestrian new access and alteration to existing vehicular/pedestrian access – land adj the Rest, Dunmow Road for Goldsand Estates Ltd.

Subject to extra reason for refusal relating to overdevelopment, out of keeping with adjacent phases of Priors Green development.

Frederic Chadburn spoke in support of the application.

1481/06/FUL Clavering – 8 dwellings, pedestrian and vehicular access, alteration to dwelling including garage and carport – Land at Barlee Close for B F Contracts Limited.

Councillor Abrahams left the meeting for the consideration of this application.

1529/06/FUL White Roding – single storey rear extension and replacement garage and new access – Chimneys, Church Lane for Mr and Mrs Trendall.

Peter Trendall and Sue Hawkins (White Roding Parish Council) spoke in support of the application.

1217/06/OP Little Canfield – outline application for erection of dwellings with all matters reserved, demolition of existing dwelling – 5 Hamilton Road for Mr D Campbell

RESOLVED that the Executive Manager Development Services in consultation with the Chairman of the Committee be authorised to approve the above application subject to an additional condition limiting the development to 2 dwellings and the completion of an agreement under Section 106 of the Town and Planning Act regarding contributions in accordance with the Takeley/Little Canfield SPG and contributions to social amenity and infrastructure requirements and to link the site with the larger development, preventing its development in isolation.

DC105 **APPLICATION 0284/05/OP –GODDARDS YARD, THAXTED ROAD SAFFRON WALDEN.**

The Committee had received a report asking for authorisation to refuse the application because the applicant had failed to enter into the required Section 106 agreement. Some information had now been received and officers requested that this item be deferred.

RESOLVED that the item be deferred.

DC106 **OUTLINE APPLICATION FOR 315 DWELLINGS AT ROCHFORD NURSERIES – REQUEST TO VARY SECTION 106/278 AGREEMENT**

The Committee had received a request from the Barton Willmore Partnership on behalf of Taylor Woodrow and Persimmon to commence foundation and initial construction work on 20 dwellings on the eastern part of the Rochford Nurseries site before the completion of the Pesterford Bridge works.

A clause in the associated Section 106/278 agreement stated that the developer should “not commence any part of the Development until the bridge works have been properly completed” Development, referred to the residential development of the site, public open space and the school. The clause had since been varied to allow the main section of the access road to be built before the bridge completion works, but a previous request to bring forward residential development had been refused.

The current request was to allow work to start on 10 dwellings, but not to be occupied, prior to the completion of the Bridge Works. Lee Newlan from Taylor Woodrow attended the meeting and outlined the reason for the request. He said that the bridge works had been delayed due to issues beyond his control and it was likely that it would be delayed until April and possibly as late as June or July. The company was keen to advance housing completions, and if this was approved, would be able to offer some benefits including earlier delivery of affordable housing, pedestrian safety measures and the rerouting of the bus service. The company had commissioned a traffic

survey which indicated that there should not be any worsening of traffic conditions on local roads as a result of earlier construction works.

Councillor Godwin said that Birchanger Parish Council was totally opposed to the relaxation of the clause, as since the works had begun on the bridge last year that there had been cases of damage to lamp posts, gardens and property due to increased through traffic. An increase in construction traffic would make the situation worse. She said the proposed benefits were not necessary at the moment and the committee should not be swayed on financial arguments.

Councillor C M Dean read a letter from Councillor A Dean which supported the request on the grounds that it would benefit completion rates and speed up the provision of housing in the area.

Councillor Loughlin commented on the alternative route for vehicles, which was not ideal as it went past the Mountfitchet School. She said the roads in Stansted were already struggling to cope with additional traffic and there should be no extra disruption for the people of Stansted. She commented that the agreement had been signed by all parties and there had always been the possibility that there might be a delay.

Mr Newlan confirmed that the internal roads had been completed, so for the last few months some vehicles had already been accessing the site. However the committee felt that there would be significantly more disruption involved in the construction of houses.

Members were aware that if this request was granted a similar request could be expected from Croudace, who owned the other part of the site. Councillor Godwin said that it had taken many meetings of all parties to sign up to the agreement and the clauses had been included for good reason. It was also understood that Essex County Council might not be willing to sign up to any amendments to the agreement.

RESOLVED the Committee does not agree to vary the clause of the Section 106/278 Agreement.

DC107

APPEAL DECISIONS

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

LOCATION	DESCRIPTION	APPEAL DECISION & DATE	SUMMARY OF DECISION
Plot 2 and 3 Merrydowns Arkesden	Appeal against refusal to grant planning permission for erection of a garage	ALLOWED & planning permission granted subject to conditions 26-SEPT-2006 Page 4	The Inspector concluded that the proposed garages would not be unduly conspicuous or harmful in the conservation area, and existing and supplementary planting

			would help mitigate their impact. The Inspector made no reference to a recently served TPO on the site.
The Barn Mill House Lower Green Wimbish	Appeal against refusal to grant planning permission for first floor extension	ALLOWED & planning permission granted 25-SEPT-2006	The Inspector concluded that the extension would relate reasonably well to the existing dwelling.
The Old Chapel Mill Lane Stebbing	Appeal against non- determinatio n of planning application for the conversion of a vacant chapel building into 6 residential units together with erection of 3 cottages	ALLOWED 09-OCT-2006	The Inspector concluded that the site was not one which justified protection from all development and that the scheme itself would be appropriate for its context. She also pointed out that the Development Plan did not preclude the development of graveyards and that other legislation exists to regulate the treatment of remains.

Councillor Menell reported the grave concern of Arkesden Parish Council on the outcome of the recent appeal at Merrydowns Arkesden. It felt that the Council should have done more to advise the Inspector of the existence of the tree preservation order. The Development Control Manager – North said that all the information about the tree had been sent to the Inspector. Also, as the tree was in a conservation area, the Inspector would have been obliged to take it into account.

The Inspector, in his report, had said that there was no constructional reason why the tree should be harmed during the development. On this basis the Council had concluded that the Inspector had taken the tree into account and therefore decided not to challenge the Inspectors decision. Councillor Menell asked for all this information to be conveyed to the parish council. It was understood that the agent and the landscape officer would meet on site to determine the precise location of the building. If the tree did have to be felled, an appropriate mature replacement would be provided.

In relation to the case at Funston Tractors it was reported that the Health and Safety Executive had been advised of the situation at the site and a response was awaited

DC109

MINUTES OF EXTRAORDINARY MEETING

The Minutes of the extraordinary meeting of the Committee held on 27 September 2006 were received, confirmed and signed by the Chairman as a correct record.

Members stressed the importance of a decision on the application being made at the meeting on 29 November and thought that an additional meeting to discuss any outstanding issues might be useful. It was suggested that the Committee could meet prior to the next scheduled meeting on 22 November and it might be appropriate to carry out the site visit in the vicinity of the airport on that evening.

The meeting ended at 5.40 pm.