

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 12 JANUARY 2011**

Present:- Councillor J F Cheetham – Chairman.
Councillors C A Cant, R Clover, C M Dean, C D Down, K L Eden, E
J Godwin, J E Menell, M Miller, D G Perry, J Salmon and L A Wells.

Officers in attendance:- M Cox (Democratic Services Officer), C Oliva (Solicitor
– Litigation and Planning) and M Ovenden (Head of Development
Control).

DC62 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors E C Abrahams,
J I Loughlin and C Smith.

Councillors C Dean and J E Menell declared a personal interest in
application 2067/10/FUL Felsted as members of English Heritage.

DC63 MINUTES

The Minutes of the meeting held on 15 December 2010 and of the extraordinary
meeting on 9 December 2010 were received, confirmed and signed by the
Chairman as a correct record.

DC64 BUSINESS ARISING

**i) Minute DC54 – Application 1323/09/FUL Tesco Stores Saffron
Walden.**

In answer to a question from Councillor C Dean it was reported that the
Government Office had confirmed that the Secretary of State did not intend to
call in this application. The decision notice would be issued once the S106
agreement had been completed.

DC65 2010/11 BUDGETARY CONTROL REPORT

The Committee received a report which set out the financial performance for
the period April to November 2010 and a forecast to the end of the financial
year. Members noted that since the report had been prepared there was an
increased projected underspend due to a better than expected level of planning
income. There were no other variances to report and the final position would be
reported to the Finance and Administration Committee in February.

Councillor Clover questioned the increased spending on supplies and services
in 2010/11 and was advised that this comprised the agreed use of the Planning
and Housing Delivery Grant for IT improvements in the planning area. In

answer to a question from Councillor Eden regarding the projected underspend, it was explained that the budget had been set in the light of the challenging economic climate and the expectation of fewer planning applications. However, during the year a greater than usual number of large planning applications had been received.

RESOLVED that the Committee note and approve the report.

DC66

2011/12 FEES AND CHARGES

The Committee received details of the proposed fees and charges for 2011/12. The amounts for the discretionary fees were based on the council's new policy which aimed, where possible, to be in pace with inflation, consistent in pricing and concessions, ensure a 25% discount for those in receipt of council benefits and for the cost of discretionary fees to be met by the user. For pre application advice, there was an exception to this policy and the charge didn't cover the full cost of the service. The difference would continue to be met from the General Fund as the council was trying to encourage the public to use this service in order to avoid abortive costs later in the process.

Members were informed that the Government was proposing to develop a new scheme of locally set application fees from 1 October 2011, but as the planning application fees would remain unchanged until then, they had been excluded from the report.

RESOLVED that the fees and charges set out in the Appendix to the report be approved.

DC67

2011/12 BUDGET

The Assistant Chief Executive – Finance presented the revenue budget for 2011/12 and explained the significant figures in the Development Control and Planning Management and Administration elements of the budget. The budget would be subject to final determination by the Council on 24 February.

The Chairman asked about the proposed Homes Bonus and where this would sit within the Council's budget. She was advised that no budget provision had yet been made as this was still a proposal and any likely amounts could not be predicted. If any funds were forthcoming from this scheme they would be earmarked as a special reserve and used for the good of the district.

RESOLVED that the 2011/12 revenue budget be approved and recommended to the Finance and Administration Committee on 8 February 2011.

DC68

SCHEDULE OF PLANNING APPLICATIONS

(a) Approvals

RESOLVED that planning permission and listed building consent be granted for the following developments, subject to the conditions, if any, recorded in the officer's report.

1709/10/FUL Thaxted – construction of a farm based digester with a capacity of 1.063kw using maize feedstock - GR/TL 604-300 for Mr James Fenwick, Hallwick Energy

It was also agreed that there should be an informative note requiring the landscaping scheme to include mature planting

(b) Refusals

RESOLVED that the following application be refused for the reasons set out in the officer's report.

2067/10/FUL Felsted – Extension to church – Church of Holy Cross, Station Road for Mr S Card Felsted PCC.

Councillor Bellingham-Smith, Reverend Colin Taylor, Harry Freeman and Graham Harvey (parish council) spoke in support of the application.

DC69

PLANNING AGREEMENTS

The Committee noted the current position regarding outstanding section 106 agreements.

DC70

APPEAL DECISIONS

The following appeal decisions had been received since the last meeting.

LOCATION	DESCRIPTION	DATE & DECISION	SUMMARY OF DECISION
Land at (B1038) Wicken Road Wicken Bonhunt	Appeal against refusal to grant planning permission for proposed is described in the application as construction of a new agricultural access at Maces Farm	23 Dec 2010 DISMISSED	The Inspector noted the requirement under Policy S7 for development to be both appropriate to a rural area and protect the character of the area. He considered that it would not protect the character of the area. He assessed various claims by the appellant in justification of the proposal and commented about the lack of evidence to support its claims. (FB)
The former	Appeal against	10 Dec 2010	The Inspector acknowledged

Canfield Service Station Dunmow Road Little Canfield	refusal to grant planning permission for erection of 4 single-storey dwellings and garages	ALLOWED	that the site was outside the development limit but found no discernable difference in character with the parcel at the front with outline permission for residential development. The area's character is mixed and the proposal would have little effect on it. He had some concern that commercial uses could re-commence on the land at rear and so permitting this scheme to replace it would be a benefit and that as brownfield land PPS3 encourages its redevelopment. He commented about conditions - drainage is dealt with under other approvals; circumstances not exceptional to justify removal of pd rights; considered water efficiency measures included in condition to be too vague and deleted them. (SB)
The Three Horseshoes Inn Hazel End Farnham	Appeal against refusal to grant planning permission, listed building consent for, and enforcement notice against, retention of installations comprising timber handrail and 'marquee/awning' to the front elevation of the building	9 Dec 2010 DISMISSED	The Inspector quickly dealt with the suggestion that the decking did not require permission. He concluded that the attractive front of the building would be hidden by this incongruous makeshift structure. It was unsympathetic in the Conservation Area; the development is contrary to greenbelt policy. The pub is very well supported and he was not persuaded that the removal of the structure would erode that support such that the pub would become unviable. The benefit of improved disabled access could be achieved in a better way. He was not persuaded that noise from live bands was related to the shelter as they tended to play in tents. Appeals dismissed and EN upheld. (SB)
Lees Farm Salt's Green Good Easter	Appeal against Enforcement Notice against	8 Dec 2010 DISMISSED	The fee for a deemed application was not paid and therefore the appeal was

	erection of 1.8m high fence		considered on ground (c) only - that permission is not required. The fence is adjacent to the highway and exceeded one metre in height and therefore does require permission. Reference was made to a previous Inspector's comments about the unacceptable nature of the development and that decision was supported. (SB)
Land at Little Hallingbury in the District of Uttlesford shown edged red on the plan attached to the enforcement notice	Appeal against Enforcement Notice for unlawful gypsy site	9 December 2010 ALLOWED	This appeal recovered by the Secretary of State. No weight was given to Core Strategy as it hasn't advanced far enough through the process towards adoption. Insufficient evidence to justify dismissal on grounds of air pollution. There is an inadequate number of pitches and additional ones will probably be in the countryside. Dismissal would be likely to make the families homeless and this together with current possibilities for a more settled existence weigh in favour of permitting the development. Very special circumstances to permit inappropriate development in the greenbelt for permanent permission, had not been shown, but had been shown for a temporary one. Temporary permission recommended by Inspector for four years but granted by SoS for only three years by which time the allocation of suitable sites is likely to have been achieved through the LDF. Decision on ground (c) – compliance period - not necessary.(SoS)

The meeting ended at 3.15pm