

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 29 JUNE 2011**

Present:- Councillor J F Cheetham – Chairman.
Councillors C Cant, J Davey, R Eastham, K Eden, E Godwin, K Mackman, J Menell, D Perry, V Ranger, J Salmon and L Wells.

Officers in attendance:- M Cox (Democratic Services Officer), C Oliva (Solicitor – Litigation and Planning), M Ovenden (Head of Development Control) A Taylor (Divisional Head of Planning and Building Control) C Theobald (Planning Officer) and M Tourvas (Principal Planning Officer).

DC7 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors E Hicks and J Loughlin.

Councillor Cheetham declared a personal interest in application 0659/11/FUL Great Canfield as she knew the agent.

Councillor Salmon declared a prejudicial interest in application 0587/11 Ashdon as the applicant was known to him. He would leave the meeting for the consideration of this item.

DC8 MINUTES

The Minutes of the meeting held on 1 June 2011 were received, confirmed and signed by the Chairman as a correct record.

DC9 PLANNING APPLICATIONS

(a) Approvals

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

0844/11/FUL Manuden –construction of tennis court and enclosure – Cleeve Hall, 57 The Street for Mr and Mrs N Squib.

Subject to

- i) the rewording of condition 5 to read 'the use of the hereby permitted tennis court shall remain ancillary to the primary use i.e. single residential dwelling of the site [premises] known as Cleeve Hall, 57 The Street Manuden and shall only be used as part of the enjoyment of the main house.'

REASON: In order to protect the residential amenity of the neighbouring occupiers.

- ii) An additional condition requiring agreement of height of fencing;

Valerie Bartram spoke against the application. Peter Purkiss spoke in support of the application.

0452/11/LB Thaxted – listed building application for the renovation of heraldic carvings under 1st floor bay windows – the Recorders House, 17 Town Street for Mrs K Starr.

0587/11/FUL Ashdon – retrospective partial demolition of existing cottages including rear wall, chimney, roof and upper courses of defective brick work, reinstatement with new chimney, roof and replacement brick courses, alterations to side elevations and erection of two storey and single storey rear extensions and formation and laying out of a new vehicular access, driveway and parking – 1 & 2 Hall Cottages, Church End, Ashdon for J & K Property Consultants Ltd.

Mr Langham spoke in support of the application.

Councillor Salmon left the meeting for the consideration of this item.

0389/11/FUL Leaden Roding – retrospective application for erection of wooden shed – 40 Holloway Crescent, Leaden Roding for Mr R White.

0859/11/FUL Rickling Green – alteration to approved window and doors in ground floor rear elevation. Retrospective application for the erection of a double garage – Woodview House Woodview Drive Rickling Green for Mr P Scales.

(b) Refusal

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

0659/11/FUL Great Canfield – retention of former agricultural building and continuation of its use for joinery business – Griffin Farm, Great Canfield for Mr C Easter.

(C) Planning Agreement

1) 0710/11/REN & 2)0711/11/LB Hempstead – 1) renewal of approved application UTT/0818/08/FUL for conversion of barns to a dwelling, office/workshop and annexe – Lakehouse Farm, Finchingfield Road for Mrs M Lubbock.

RESOLVED that the Divisional Head of Planning and Building Control, in consultation with the Chairman of the Committee, be authorised to approve the above application, subject to the deletion of condition 16 and the completion of an amended agreement under Section 106 of the Town and Country Planning Act to secure the following

- i) Barns 1, 2 and the annexe to Barn 3 shall be tied together.
- ii) Barn 3 shall be tied to Lakehouse Farm.
- iii) Pay council's reasonable costs.

DC10

PLANNING AGREEMENTS

The Committee received the schedule of the outstanding section 106 Agreements.

At item 8 - UTT/1323/09/FUL Tesco stores, Radwinter Road, Saffron Walden, the Divisional Head of Planning and Building Control read the following statement

'The Council received a letter from Sainsbury's solicitors on 15 June notifying that Sainsbury's urges the council to review its position before issuing the planning permission for the Tesco extension in the light of new evidence that the council will have from the district retail study, citing case law that it is the duty of a local planning authority to have regard to all material considerations arising after the passing of a resolution to grant planning permission but before the issuing of a decision notice. Sainsbury's position is that if the Council is going to rely on evidence collected as part of the district retail study in determining Sainsbury's fresh current application for its revised proposals, then it ought also to reconsider its decision on Tesco's proposals against that new evidence. The planning permission for the Tesco extension has not been issued because of ongoing negotiations between the applicant and Essex County Council, and consequently no agreement has been signed.

The Council confirmed to Sainsbury's solicitors on 24 June that it would review its resolution to grant planning permission for the Tesco extension before any decision notice was issued. At the same time, the Council did of course notify Tesco of the intention to refer the application back for further consideration. This will require a report to the Development Control Committee. Savills, the Council's retail consultant, has been asked to provide a further report 1) on the solus basis whether there is any change to Savills previous advice on the PPS4 impacts of Tesco's extension; 2) on a cumulative basis with Sainsbury's current application, there would be PPS4 impacts; and 3) on a solus basis, there would be PPS4 impacts from Sainsbury's current proposals.'

DC11

APPEAL DECISIONS

The Committee noted details of the appeal decisions that had been received since the last meeting.

The meeting ended at 4.00 pm