



Communication/Consultation	The Parish Council has been notified that the item is to be considered at the meeting
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Permits implementation of planning permission
Workforce/Workplace	None

## Situation

4. In 1939 the executors of the then recently deceased Frances Evelyn Countess of Warwick entered into an agreement with Dunmow Rural District Council, as planning authority, limiting the future development of the land at Easton Park. This agreement restricted the future development of the land – 325 hectares of parkland and woodland to the following:
  - the erection of not more than ten dwellings
  - control over the use of the mansion known as Easton Lodge
  - operation of a private aerodrome
  - use as sports or recreation ground open to the public on payment of a charge
  - agricultural use
  - for its existing use
  - the retention of the woodlands
  - felling of woodlands was to require replanting
  - transfer of the woodlands to the National Trust
5. Dunmow Rural District Council was replaced, along with Saffron Walden Rural and Borough Councils, by Uttlesford under the local government reorganisation of 1974. While Uttlesford is the local planning authority for most planning matters, the County Council has responsibility for determining applications relating to minerals and waste.

6. In March 2011 Planning permission was granted by the Minerals Planning Authority (Essex County Council) on 53.5 hectares of the site. This permits *"The winning and working of sand and gravel, erection of a concrete batching plant workshop and ancillary buildings and the importation and treatment of inert material to produce secondary aggregates and reclamation material for progressive restoration to landscaped farmland and the temporary use of the Lodge as offices associated with the development. Preferred Site K, Land off the A120, Little Easton, Great Dunmow"*. The permission relates to land (cross hatched on the attached plan) to the northwest of Highwood. It was the subject of a seventy nine page report, a site visit by the County Council's committee, a twenty four page, sixty seven condition decision notice and forty two page S106 agreement.
7. The planning application was approved after consideration of all planning issues but its implementation is prevented by the 1939 agreement. The landowner has asked for the agreement to be amended to permit the implementation of the permission. The permission relates to approximately 16% of the total area subject to the 1939 agreement.
8. The 1939 agreement was made with the planning authority and officers consider that the judgement about whether to amend it should be made on planning grounds. It is because the planning issues have already been considered in the planning application process carried out by the County Council that there are no grounds for this Council to refuse to vary the 1939 deed.
9. The attached plan shows the parkland outlined with 'T's identifying the edge of the land, the woodland identified with the thick line and the land subject to the recently permitted planning permission cross hatched.

Attachment: Location Plan