

**DEVELOPMENT CONTROL COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 2.00 pm on 22 JULY 2009**

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

Officers in attendance:- L Bunting (Democratic Services Officer), N Ford (Senior
Planning Officer), M Jones (Principal Planning Officer), C Oliva
(Solicitor – Litigation and Planning), M Ovenden (Head of
Development Control).

Also present: Councillor K Artus.

DC19 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors M Miller and C Smith.

Councillor Menell declared a personal interest in application 0464/LB Wendens
Ambo as a tenant of the owner.

Councillor Cheetham declared a personal interest in application 0535/09/FUL as
she knew the owner.

Councillor Clover declared a personal interest in applications 0625/09/CC and
0460/09/LB as a member of Great Dunmow Town Council.

DC20 MINUTES

The Minutes of the meeting held on 1 July 2009 and the Extraordinary meeting
held on 23 June 2009 were received, confirmed and signed by the Chairman as
a correct record.

DC21 GREAT DUNMOW TOWN DESIGN STATEMENT 2009

The Committee had received a copy of the Great Dunmow Town Design
Statement which had been adopted by the Town Council on 7 May 2009. The
Statement had been submitted to the District Council with a request that it
became supplementary planning guidance and used as a reference in the
consideration of all future development proposals affecting the town.

RESOLVED that the Council adopts the Great Dunmow Town Design
Statement as Council Approved Guidance in determining planning
applications in the town, subject to the omission of the two aspects not
supported by Development Plan Policy – requiring financial contributions -
and as background evidence in the preparation of the Local Development
Framework (LDF).

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.

0535/09/FUL Hatfield Broad Oak - Change of use of open pasture land to public amenity space – Land to North West of junction of High Street and Dunmow Road for Hatfield Broad Oak Parish Council.

Subject to the amendment of condition 16.2 to prevent any ground works.

David Smith spoke against the application. Councillor Artus declared a personal interest as a parish councillor and spoke for Hatfield Broad Oak Parish Council in support of the application.

0409/09/FUL and 0410/09/LB Radwinter - 1) Single storey rear extension.
2) Single storey rear extension. Replacement of window to rear elevation with doors and removal of door to side elevation to be infilled to match existing wall – 1 Church View Cottages for Mr T Chamberlain and Ms L Macfarlane.

0464/09/FUL and 0465/09/LB Wendens Ambo – Conversion of The Long Barn and the former Piggery unit to form two residential units with associated gardens and car parking – Wendens Hall Farm for Braybrooke Settled Estate.

Marion MacDonald for Wendens Ambo Parish Council spoke against the application. Andrew Hodgson spoke for the applicant.

0558/09/FUL Elsenham – Demolition of existing building. Erection of 2 no. semi detached dwellings and creation of 2 no. new accesses – 1 Robin Hood Road for N B Investments (UK) Ltd.

Mrs Platt for Elsenham Parish Council spoke opposing the application.

1912/08/FUL Swards End – Erection of boundary fence to additional land purchased - Land rear of 15-23 Radwinter Road for Mr F Moule.

Vicky Boyden spoke for the applicant in support of the application.

0557/09/OP Takeley – Erection of 300 bedroom 4 storey hotel with ancillary car parking and landscaping – South Gate Hotel Site, Thremhall Avenue, Stansted Airport for Mr Tim Jurdon.

Subject to the inclusion of a species survey and heavy planting to be included in the landscaping scheme

0460/09/LB Great Dunmow – Proposed boiler flue installation – Brick House, North Street for Mr C Smith.

0630/09/DFO Little Canfield – Erection of parade of shops comprising a convenience store (Class A1) together with 5 further units suitable for Use Class A1 (retail), Class A2 (financial and professional services), Class A3

(café/restaurant), Class A5 (takeaway) or Class D1 (health facilities). Associated hard and soft landscaping, car and cycle parking. Revised proposals from those previously approved – Community Site, Priors Green for Mr Phil Daniels. Subject to a varying condition regarding energy efficiency as on application 2207/07.

(b) Essex County Council

RESOLVED that a letter be sent to the County Council objecting to the application because of out of date information regarding development of nearby sites, the effects on neighbouring properties and unsatisfactory road proposals:

0625/09/CC Great Dunmow – Change of use of land to Resource Management Centre comprising a recycling centre for household waste, siting of storage containers and recycling facilities, a waste transfer/bulking station for mixed and source separated municipal and trade waste, including refuse collection vehicle parking provision and the formation of staff car park, landscaping and associated works – Land r/o Ambulance Station, Chelmsford Road for Essex County Council.

Mr T J Hockley spoke objecting to the application. Councillor E Godwin read out a statement prepared by County Councillor S Barker objecting to the application.

DC23

AFFORDABLE HOUSING LANGLEY UPPER GREEN – 1380/08/FUL

A report had been received of a request received from the applicant of this application to reduce the site area of the development and to vary other aspects of the proposal. The report sought the Committee's acceptance of the revised site area and to some variations to the approved scheme.

At the Development Control meeting on 25 February 2009 the Committee resolved to grant planning permission, subject to conditions and a S106 agreement, to secure the occupation of the dwellings as affordable units.

During the subsequent negotiation of the S106 agreement the landowner stated that he was not willing to sign the S106 agreement as drafted and wanted to retain an area of land measuring approximately 600 sqm. As owner of the site, the landowner must be a signatory to the S106 agreement or the agreement cannot be completed. If the S106 cannot be completed, the permission cannot be issued and the development cannot go ahead. This had led the applicant to request the reduction in the size of the site, removing the 600 sqm of land that the landowner wishes to retain from the application site. This issue had been brought to Committee because it was a significant change to the proposal that the Committee resolved to approve in February.

It was not clear what the landowner intended to do with the piece of land or why he wished to retain it. However its lawful use was as agricultural land and therefore its use for another purpose would require planning permission. If a planning application was made it would be judged on its merits starting with the Development Plan policies that existed at that time. Currently in accordance with existing policies there appeared to be no development potential on this site.

In the circumstances outlined above there appeared on balance to be no reason to reject the reduced site area as the resultant development would be satisfactory. Conversely the rejection of the reduced site area would risk the loss of the affordable housing development.

After discussion it was

RESOLVED that the revised drawing, reducing the application site area to allow the S106 agreement to be signed and permission issued, and the minor alterations referred to in the report, be agreed.

John Lefever of RHT Developments spoke in favour of the amendments.

DC24

PROPOSED WORKS TO TREES AT CHANTRY HALL CROW STREET HENHAM – TREE PRESERVATION ORDER 1/84

Members' consideration was requested to reduce the height by a proposed 40% of two protected Lime trees in the grounds of Chantry Hall, Henham.

The two Limes were mature specimens of approximately 20m [60'] in height. The trees had been pollarded many years ago to a height of some 3.5-4m and, although the original pollard points were found to be sound, they now bear considerable weight. It was therefore considered prudent to reduce the height of the trees by up to 40%. The proposed reduction would maintain the trees without significantly reducing their visual amenity.

RESOLVED that consent be granted for the reduction by 40% in height of the two Lime trees, the subject of Tree Preservation Order 1/84.

DC25

APPEAL DECISIONS

The Committee considered the appeal decisions that had been received since the last meeting.

LOCATION	DESCRIPTION	APPEAL DECISION & DATE	SUMMARY OF DECISION
Willow Tree Cottage Broadfield Road Takeley	Appeal against refusal to grant planning permission for the demolition of existing buildings and erection of 10 x 3 bedroom houses and 4 x 2 bedroom apartments with ancillary garage/ parking and new access road	24 Jun 2009 DISMISSED	The Inspector concluded that the proposal may have a damaging effect on the survival of the TPO trees. She believed that subject to improvements to the point of access that there were no highway objections to the proposal. The submitted S106 Obligation was flawed and would not deliver the required 'Islands Sites' payments to infrastructure etc. (HH)
Bonningtons Farm Station Road Takeley	Appeal against refusal to grant planning permission for the demolition of existing buildings and the	2 July 2009 DISMISSED	The Inspector concluded that the development was inappropriate; the open part of the site makes an important contribution to the transition from

	erection of 3 cottages and 6 additional dwellings together with structures of garaging in the form of a traditional farmyard		Takeley to the open countryside which would be lost by the proposal. She was not persuaded that the 'barn like' dwellings would recreate a lost farmstead. As secondary issues she was not concerned about the effect on the listed building and was content about the inclusion of some affordable housing in the scheme. (CT)
Hobbs Farm Bacon End Great Dunmow	Appeal against refusal to grant planning permission for vehicular access and change of use of agricultural land to residential land	4 Jun 2009 DISMISSED	The Inspector concluded that the unlawful change of use of field to residential land and rerouting of the driveway detracted from the rural character of the area. He was not persuaded that the claimed benefits to highway safety or drainage were real. As satisfactory arrangements were previously in place the development was unnecessary and would not justify the loss of Grade 2 agricultural land. (JD)

DC26

PLANNING AGREEMENTS

The Committee received a list of outstanding Section 106 Agreements.

The meeting ended at 4.53 pm.