



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
4 FEBRUARY 2019**

PRESENT

Chairman	Councillor Mrs M E Thompson
Councillors	J P F Archer, H M Bass, M F L Durham, CC and J V Keyes
Ex-Officio Non-Voting Member	Councillor Mrs P A Channer, CC

803. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

804. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors E L Bamford, A K M St Joseph and Miss S White.

805. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 7 January 2019 be received.

Minute No. 715 - Disclosure of Interest

That an amendment to the declaration of interest made by Councillor J P F Archer be made and to read as follows:

*“Councillor J P F Archer declared a non-pecuniary interest in Agenda Item 6 – FUL/MAL/18/01201 The Barn, Fambridge Road, Mundon and Agenda Item 7 – FUL/MAL/18/01255 and LBC/MAL/18/01256 as **he** knew the applicant and objectors.”*

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 7 January 2019 be confirmed.

806. DISCLOSURE OF INTEREST

Councillor Mrs M E Thompson declared a non-pecuniary interest in Agenda Item 5, FUL/MAL/18/01425 - The Pavilion, Braxted Park, Braxted Park Road, Great Braxted, as she knew the owner and applicant.

Councillor J V Keyes declared a non-pecuniary interest as a Member of Great Totham Parish Council and a non-pecuniary interest Agenda Item 5, FUL/MAL/18/01425 - The Pavilion, Braxted Park, Braxted Park Road, Great Braxted, as he knew the owner and applicant.

Councillor Mrs P A Channer, CC, declared a non-pecuniary interest as a member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily. A further non-pecuniary interest was declared in Agenda Item 5, FUL/MAL/18/01425 - The Pavilion, Braxted Park, Braxted Park Road, Great Braxted, as she knew the owner and applicant, and is on the Sense of Place Board with the Applicant in her role as the Chairman of the Council's Planning and Licencing Committee.

Councillor M F L Durham, CC, declared a non-pecuniary interest as a Member of Essex County Council in relation to any items on the agenda pertaining to that organisation. A further non-pecuniary interest was declared in Agenda Item 5, FUL/MAL/18/01425 - The Pavilion, Braxted Park, Braxted Park Road, Great Braxted, as he knew the owner and applicant.

Councillor H M Bass declared a non-pecuniary interest Agenda Item 5, FUL/MAL/18/01425 - The Pavilion, Braxted Park, Braxted Park Road, Great Braxted, as he knew the owner and applicant, and had previously made Civic Visits to the site. It was noted that during Civic Visits planning matters were not discussed.

807. FUL/MAL/18/01425 - THE PAVILION, BRAXTED PARK, BRAXTED PARK ROAD, GREAT BRAXTED

Application Number	FUL/MAL/18/01425
Location	The Pavilion Braxted Park Braxted Park Road Great Braxted
Proposal	Retention of Pavilion at Braxted Park
Applicant	Braxted Capital Management Limited
Agent	Mrs Nicola Bickerstaff - Strutt And Parker
Target Decision Date	23.01.2019
Case Officer	Hannah Bowles
Parish	GREAT BRAXTED
Reason for Referral to the Committee / Council	Member call in from Councillor Keys due to public interest.

Following the Officer's presentation, Mr Duncan Clark, the Applicant, addressed the Committee.

Members spoke in favour of the application stating that as there are no neighbours within close proximity there should be no issue with regards to noise and that local

businesses should be supported.

Councillor J V Keyes then proposed that the application be approved, and this was duly seconded.

A discussion ensued where the Committee considered that the planning reasons for refusal were not relevant as the detrimental impact of the site did not outweigh the public benefit. It was acknowledged that the site was located within a walled garden, and provided economic and employment opportunities.

In response to Members comments regarding the NPPF criteria, the Development Management Team Leader, Planning, advised that Economic Development was yet to provide a response. It was recommended that conditions were placed on the use of the site, public address systems and the timings for use.

Councillor M F L Durham, CC, proposed that the conditions restricting the timings of use be amended, this was not seconded and therefore rejected. The Committee discussed how the timings for the use of the venue would be restricted by the licence and therefore there was no requirement to condition this.

The Chairman then put the Officer's recommendation to reject the application to the Committee, and upon a vote being taken the recommendation was rejected.

The Chairman then sought clarification on the proposal from Councillor J V Keyes who proposed that the application was approved without conditions.

Following clarification, the Chairman put forward Councillor J V Keyes recommendation to approve the application, contrary to the Officer's recommendation, as economic benefit and employment opportunities outweigh any impact on the setting of the listed building and that no other harm had been identified, and this was duly seconded.

Upon a vote being taken the application was approved contrary to the Officer's recommendation.

RESOLVED that the application be **APPROVED** without conditions.

808. HOUSE/MAL/18/01453 - 38 BLACKSMITHS LANE, WICKHAM BISHOPS

Application Number	HOUSE/MAL/18/01453
Location	38 Blacksmiths Lane, Wickham Bishops
Proposal	Single storey pitched roof outbuilding
Applicant	Mr Steve Challis
Agent	Mr Richard Bailey – RJB Architect
Target Decision Date	05.02.2019
Case Officer	Hayleigh Parker-Haines
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member Call In - Councillor H Bass – public interest

The Officer presented their report to the Committee, drawing attention to the Members' Update detailing a revision to paragraph 5.3.4 to the original report.

Following the presentation, Mrs Ruth Johnson, a Supporter, and Miss Felicity Shirley, the Applicant, addressed the Committee.

The Chairman asked clarity on the reason for the call-in. It was confirmed that this was due to the owner of Stratton, a neighbouring property, not being available at the time the initial application was made hence the call-in.

A short discussion ensued where the issue of overlooking and the impact of the building near the property boundary was considered. A more appropriate location for the outbuilding was suggested.

Councillor M F L Durham, CC, proposed that the Officer's recommendation of approval be agreed and this was seconded.

The Chairman put the Officer's recommendation of approval to the Committee, and upon a vote being taken this was duly carried.

RESOLVED that the application be **APPROVED** in accordance with the Officer's recommendation, and subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 01, 02, 03 and 04.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved.
- 4 The outbuilding shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 38 Blacksmiths Lane.

There being no further items of business the Chairman closed the meeting at 8.05 pm.

MRS M E THOMPSON
CHAIRMAN