



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
7 SEPTEMBER 2022**

PRESENT

Chairman Councillor Mrs M E Thompson

Vice-Chairman Councillor J V Keyes

Councillors M F L Durham, CC, S J N Morgan, C P Morley, E L Stephens
and S White

226. CHAIRMAN'S NOTICES

The Chairman welcomed everyone present and went through some general housekeeping arrangements for the meeting.

227. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs J L Fleming, CC and R H Siddall.

228. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 10 August 2022 be approved and confirmed.

229. DISCLOSURE OF INTEREST

Councillor M F L Durham, CC declared an other registrable interest as a member of Essex County Council on Agenda Item 5 given he knew the applicant as a member of Woodham Mortimer Parish Council.

Councillor S J N Morgan declared an other registrable interest on Agenda Item 5 given he knew the applicant as a member of Woodham Mortimer Parish Council.

Councillor J V Keyes declared a non-pecuniary interest on Agenda Item 5 as he knew the applicant.

230. **22/00686/FUL - HALL FARM, MALDON ROAD, WOODHAM MORTIMER, CM9 6SN**

Application Number	22/00686/FUL
Location	Hall Farm, Maldon Road, Woodham Mortimer, CM9 6SN
Proposal	Detached oak framed ancillary residential annexe.
Applicant	Mr & Mrs Pemberton
Agent	Miss Kate Jennings – Whirledge & Nott
Target Decision Date	25.07.2022
Case Officer	Hannah Dungate
Parish	WOODHAM MORTIMER
Reason for Referral to the Committee / Council	Member Call-in by Councillor M F L Durham citing Policies H4, S1 and S8

Following the Officer's presentation the Agent, Miss Jennings, addressed the Committee. The Chairman then opened the discussion.

Councillor Durham, having called in the application, commented that both this and the previous application was supported by the parish council. He said the application was within the curtilage, ancillary to the dwelling house with no visual impact due to its location behind office buildings. Furthermore he felt that it complied with section 5.1.1 in the officer's report being small, unobtrusive with suitable landscaping and boundaries. Other Members supported this view.

The Lead Specialist Development Management advised that it was fundamental the application met the criteria in the Supplementary Planning Document (SPD) and in this instance the functional need had not been demonstrated. This was the second application with no substantive evidence and if supported could create a dangerous precedent. Councillor Durham, addressing the issue of functional need said the use was for a gym and office which linked the use to the main house and would potentially be occupied by family members in the future. The Lead Specialist further clarified that the functional link related to an identified relative with particular needs and support at the time of the application, not an unidentified person at some point in the future.

Further discussion ensued on what constituted curtilage, garden land and its historical and contemporary lawful use as evidenced by arial photographs, the visibility of the building, its proximity to the main house, and the potential or not for it to be accessed independently. Based on a thorough discussion of the issues, Councillor Durham proposed that the application be approved, contrary to the Officer's recommendation, for the reason that the majority of the criteria in the SPD, as set out at section 5.1.7 of the report, could be justified in order to support the application and this was seconded by Councillor Keyes.

The Chairman put the proposal to the Committee to approve the application contrary to the officer recommendation with standard conditions delegated to Officers in consultation with the Chairman and it was carried.

RESOLVED that the application be **APPROVED** with conditions delegated to Officers in consultation with the Chairman.

The meeting closed at 8.14 pm.

MRS M E THOMPSON
CHAIRMAN