

## Delegation meeting - Minutes

- **Date:** 12 October 2021
- **Time:** 11am to 12:30pm
- **Meeting held:** via Teams
- **Attendees:** Chris Carter (CC), Cllr Henry Batchelor (HB), Tom Gray (TG)

**Minutes approved by:** Cllr Henry Batchelor (Vice Chair of Planning Committee – Consultee) on 26 October 2021, Chris Carter (Delivery Manager – Strategic Sites) on 26 October 2021

### 21/03587/FUL - Burwash Manor Farm School Lane Barton CB23 7BD

#### Reason for call-in request

Council comments:

Parish comments: Customer made comments neither objecting to nor supporting the Planning Application

Comment Reasons:

Barton Parish Council was granted an extension until 17 September by the Planning Officer to make a comment.

Barton Parish Council recognises both the beneficial and the potential damaging aspects of this planning application and Councillors have expressed a mixture of views on the matter. It is also recognised that the live enforcement order ENF/0105/19B is in place regarding the breach of planning control over a period of four years and that issues concerning the equipment from the outset are still in existence.

Councillors generally support the existence of a playground as an amenity enhancing the Burwash experience and recognise the high quality of the equipment utilised and its popularity.

The Parish Council recognise that the source of the disturbance and noise is not solely from the play park but the location and the proximity of the play equipment to the

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boundary with properties on Allen's Close is a key issue. There is welcome recognition of the proposed mitigating factors expressed in the applicant's Agents latest supporting letter including the acoustic fence, opening/closing times of the play facility, numbers of participants allowed and the enclosure of the gable ends of the climbing frame. It is hoped that the acoustic fence would be subject to strict and approved construction industry criteria with evidence of its efficacy provided. This is a key factor for councillors and the noise management plan provided suggests it would occur. The prescribed height of the proposed fence and that of the existing leylandii could prevent adequate light reaching the properties.

The Council feels that the complexity specific to this planning application and the history preceding it via previous planning applications and enforcement orders warrants referral to the District Council Planning Committee for resolution.

### **Key considerations**

The case officer provided an update on the proposal and presented plans and photos of the scheme. The case officer also confirmed that the officer recommendation would be in line with that of the Parish Council.

It was noted that the Parish Council had raised material planning considerations, raising significant planning concerns. It was not considered that the proposal presented significant implications for adopted policy, such that would justify a committee decision. The nature, scale and complexity was also not determinative.

It was noted that there is a complex planning enforcement history associated with the site and, in particular, the proposed play area.

Whilst some of the criteria for referring the application to committee were found to be met, it was considered most expedient deal with this application under delegated powers. The reason for this was that the officer recommendation is in line with that of the Parish Council.

### **Decision**

Delegated decision – see above.