

MEMBERS' UPDATE

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

06 October 2017

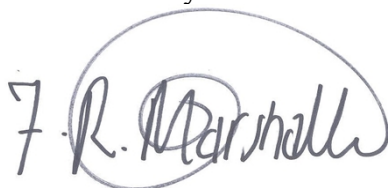
Dear Councillor

SOUTH EASTERN AREA PLANNING COMMITTEE - MONDAY 9 OCTOBER 2017

Please find enclosed the Members' Update for the above meeting, detailing any further information received in relation to the following items of business since the agenda was printed:

6. **OUT/MAL/17/00713 - Land South of 97 South Street, Tillingham** (Pages 3 - 4)
8. **FUL/MAL/17/00840 - Land North of Asheldham Hall Farm, Hall Road, Asheldham** (Pages 7 - 8)
9. **FUL/MAL/17/00860 - Barn, Little Ashtree Farm, Steeple Road, Mayland** (Pages 9 - 10)
10. **FUL/MAL/17/00899 - Land Adjacent Tideways Lodge, Steeple Road, Latchingdon** (Pages 11 - 12)
12. **Other Area and Planning Related Matters** (Pages 13 - 14)
13. **Delegated Planning Applications** (Pages 15 - 22)

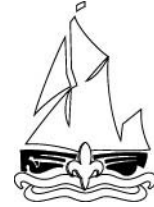
Yours faithfully

A handwritten signature in black ink, appearing to read 'F. R. Marshall', is written over a circular stamp or seal.

Chief Executive

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**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
CHIEF EXECUTIVE**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
9 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 6

Application Number	OUT/MAL/17/00713
Location	Land South Of 97 South Street Tillingham Essex
Proposal	Outline planning application for change of use of land to residential and construction of 14 residential dwellings
Applicant	Mr Oliver Mee - J D Mee & Sons
Agent	Sarah Threlfall - TMA Chartered Surveyors
Target Decision Date	4 October 2017
Case Officer	Yee Cheung
Parish	TILLINGHAM
Reason for Referral to the Committee / Council	Member Call In

7.3 Internal Consultees (summarised)

Name of Internal Consultee	Comment	Officer Response
Housing Department	Supports the application as the development meets the housing need of the District in accordance with policy H1 of the LDP	Noted in the report

7.4 Representations received from Interested Parties (summarised)

7.4.1 Letters were received **objecting** to the application from the following and the reasons for objection are summarised as set out in the table below:

- Mr Jason Scadding, 98 South Street, Tillingham, Essex
- Mrs Maureen B Johnson, 3 Bakery Close, Tillingham, Essex

Objection Comment	Officer Response
<ul style="list-style-type: none"> • Remote location outside the development boundary • Urbanising effect upon the site and surrounding • Not a sustainable development as the adverse impact of the development would significantly and demonstrably outweigh the benefits • Impact on the view of the countryside • the road cannot cope with increase car and parking • Impact on highway safety • Impact on the local primary school and medical centre 	<p>Noted. These issues have been addressed in the report.</p>

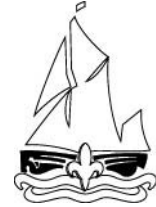
Typographical Error in Section 7.4 of the Agenda

Stephen Jennings 123 Holloway Road Heybridge Essex should be delegated from the report.

Additional Information

Since the publication of the agenda, the Applicant has prepared a legal agreement in relation to affordable housing to address the reasons for refusal (Point 3) in Section 8 of the report. The legal agreement is in draft form and has not been signed and dated and therefore does not secure the delivery of affordable housing.

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**REPORT of
CHEIF EXECUTIVE**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
9 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 7

Application Number	FUL/MAL/17/00821
Location	Asheldham Grange Barn Rushes Lane Asheldham
Proposal	Removal of condition 4 on approved planning permission FUL/MAL/13/00203 (Demolition and removal of existing timber frame barn, which is the subject to two extant planning permission for change of use to residential use, and replacement with new Essex barn to be used as a dwelling)
Applicant	Mr N Kelly
Agent	Mr Mark Jackson - Mark Jackson Planning
Target Decision Date	18.09.2017
Case Officer	Hannah Bowles
Parish	Asheldham
Reason for Referral to the Committee / Council	Member Call In

Supporting information

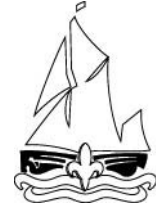
A letter from the applicant has been submitted to the Council following the dispatch of the agenda. The main points raised are summarised below:

Comment	Officer Response
The barn is historic and is of a considerable age.	Addressed within 5.2.2 of the Officers Report.
If it is removed I will apply to build a modern concrete and steel clad barn or similar.	Addressed with 5.2.4 of the Officers Report.
I have provided the Officer report to the appointed ecologist, the author of the report and he advises that given that there are Protected species including a habitat for breeding and the young that in his expert opinion they cannot be relocated for and the barn should definitely not be demolished.	Addressed within 5.6 of the Officers Report.

Officer Comment

The comments within the submitted letter have been noted. However, they do not alter the Officers recommendation.

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**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
10 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	FUL/MAL/17/00840
Location	Land North Of Asheldham Hall Farm, Hall Road, Asheldham, Essex
Proposal	Erection of chalet bungalow
Applicant	Mr & Mrs D Henson
Agent	Mrs Hayley Webb - Smart Planning Ltd
Target Decision Date	5 th October 2017 (Date extension of time agreed: 13 th October 2017)
Case Officer	Anna Tastsoglou
Parish	ASHELDHAM
Reason for Referral to the Committee / Council	Member Call In

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.2 Statutory Consultees and Other Organisation

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex and Suffolk water	No objection subject to compliance with the Essex and Suffolk water requirements	Comment noted

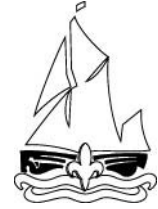
7.4 Representations received from Interested Parties

Following publication of the Officers Report, Mrs H Webb (agent of the application) contacted Cllr Channer to respond to the recommended reasons for refusal, as follows:

- The site has benefit of two access tracks from Hall Road, which are used in association with the livery business. The site has sufficient space to provide off-street parking. The Highway Authority raised no objection. **[Officer comment: Please refer to section 5.4 of the officer's report.]**

- The site is outside the settlement boundary; however, it not isolated. The proposed dwelling would be located in close proximity to the existing livery business and agricultural buildings and it would be well screened. The development would not harm the rural character of the area. **[Officer comment: Please refer to sections 5.1 and 5.2 of the officer’s report.]**
- The dwelling is vital for the livery business. At present the applicants commute twice daily, which is not sustainable. The dwelling would be a home for the applicant’s family and therefore, a temporary structure is not viable. **[Officer comment: Please refer to paragraphs 5.1.10 – 5.1.14 of the officer’s report.]**

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**REPORT of
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**to
SOUTH EASTERN AREA PLANNING COMMITTEE
9 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 9

Application Number	FUL/MAL/17/00860
Location	Barn Little Ashtree Farm, Steeple Road, Mayland, Essex
Proposal	Conversion of barn to residential. Alterations to existing openings, together with insertion of new windows and rooflights. Replacement of external wall and roof cladding.
Applicant	Mr Wiffen
Agent	Andy Hall - Tyburn Consulting Limited
Target Decision Date	1 st November 2017
Case Officer	Anna Tastsoglou
Parish	Mayland
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017 Member Call In

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.3 Internal consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to condition in relation to submission of details of surface water and foul drainage scheme. It is also noted that a questionnaire about previous sure of the barn has been sent to the applicant from the Environmental Health Services, which should be returned.	Comments noted. Condition 9 of the officer's report has been amended to accord with the recommended condition.

7.4 Representations received from Interested Parties

Following publication of the Officers Report, Mr A Hall (agent of the application) responded to the comments raised by the objector, as follows:

- The current submission seeks to amend details forming part of the ‘prior approval’ application (COUPA/MAL/16/00308), which shows the existing building being retained in its current position and would be unaltered.
- It is acknowledged that one elevation of the existing building is located on the property boundary. As such, there are technical issues that will need to be addressed as part of the Building Regulations process, however, we do not feel that this is a material planning issue.
- Concerning the issue of overlooking, it should be noted that the current proposals are not dissimilar to those contained within the ‘prior approval’ consent. The extant scheme shows two bedrooms with windows on the South elevation and the current scheme contains three, one of which is a bathroom window and it would be glazed in obscure glass.
- The objection states that a new opening has been created for benefit the current application. I confirm that this is an existing opening. The applicant exposed the aperture whilst undertaking preparatory works in relation to the ‘prior approval’ scheme
- The applicant have commenced with preliminary works which they are entitled to undertake under the extant consent (COUPA/MAL/16/00308).
- For the avoidance of doubt, the metal tank referred to within the objection is a foul water treatment unit (a septic tank).
- The objection makes reference to new windows being shown on the plans, but not on the elevation drawings. This is not the case.
- Reference is made to the existing hedge, which will not be affected by the current application.

8. PROPOSED CONDITIONS OR REASONS FOR REFUSAL, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

PROPOSED CONDITIONS OR REASONS FOR REFUSAL

Amended condition 9 to read, as follows:

Prior to the commencement of the development details of the surface water and foul drainage scheme to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.

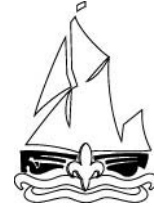
REASON: To prevent the undue contamination of the site in accordance with policy D2 of the approved Maldon District Local Development Plan.

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Our Vision: Working in Partnership to make the Maldon District a better place to live, work and enjoy

**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
CHEIF EXECUTIVE**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
9 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 10

Application Number	FUL/MAL/17/00899
Location	Land Adjacent Tideways Lodge, Steeple Road, Latchingdon
Proposal	New dwelling house
Applicant	Mr & Mrs D Winfield
Agent	Greg Wiffen - Planman
Target Decision Date	04.10.2017 (date of extension of time agreed: 11.10.2017)
Case Officer	Anna Tastsoglou
Parish	Latchingdon
Reason for Referral to the Committee / Council	Member Call In

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.4 Representations received from Interested Parties

Following publication of the Officers Report, Mr and Mrs Winfield (applicants) contacted Cllrs and case officer Channer to respond to the recommended reasons for refusal, as follows:

- Response to para 3.2.1: We are aware of the beauty of the countryside and it is this that we want to embrace by raising our children amongst it. We would find the rejection of our application easier to understand if it wasn't for the fact that two residential houses, in close proximity, hadn't been granted by yourselves. One of which was within the last 18 months (application number FUL/MAL/16/00043) which is also outside the same settlement boundary. **[Officer Comment: Reference is made to the approval of a new dwelling in the land between Tideway Farm & Tideway Lodge. It is noted that this was an infill development located between two existing dwellings, unlike the current proposal which would result in a further intrusion to the countryside. It is also of importance that the abovementioned application was approved prior to the adopted MDLDP.]**
- Response to para 5.1.2: We strongly believe our dwelling will have a much more positive impact to the countryside in contrary to what is currently situated on the said land. The storage structure and contents would be permanently removed from this derelict site and replaced with a beautiful country home with surrounding trees to

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which has been described by the officer in section 5.3.7 as "acceptable appearance".

[Officer Comment: Please refer to para 5.3.7. of the officers report.]

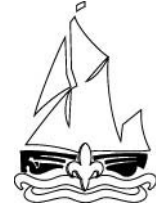
- Response to para 5.1.4: I would like to draw your attention to the fact that my husband, with his brother grew up at Tideway Farm. We are now residing back with his Mother and Father on a temporary basis in the hope to build our home. We are fully aware of the limitations of living outside walking distance of amenities however, do not feel this detrimental to our family living. We understand it makes us reliant of our cars (as much as the other surrounding residents) but travel to and from our family will of course be reduced. **[Officer Comment: The applicant confirms that by reason of the location of the proposed dwelling, their family would be depended to private vehicles, contrary to the guidance contained in the NPPF and policy T1 of the MDLDP.]**
- In contrast to your decision of the said dwelling not being in a sustainable position, I would like to advise you of the fact that this piece of land was granted Lawful development for a mobile home. Surely the needs and sustainability would be mirrored in the occupants of a mobile home and our proposed dwelling. **[Officer Comment: The applicant refers to a certificate of lawfulness to use a single mobile home as residential accommodation for staff which was allowed on appeal in January 2014 (APP/X1545/C/12/2186886). This is considered to be a materially different proposal given that it was to certify the lawfulness of a existing mobile home within part of the car park of the Swingfield Family Golf Centre. The proposal was assessed on the basis of the evidence submitted in relation to the continuous use of the mobile home as living accommodation for staff working at the Swingfield Family Golf Centre. The proposal is therefore determined solely on the basis of evidence and statutory legislation and not against the Council's policies as the current application.]**
- Response to para 5.2.1: I would like to briefly explain why we are looking to build a 4 bedroom house. We are a family of 5 with 3 boys ranging from 7 to 12. The 4 bedrooms and size of the house are of a requirement for comfortable living rather than any type of greed for a larger property. We are a humble family excited by the possibility to join our family and live within close proximity. We hope to aid with needs that will arise as our parents get older.

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Our Vision: To make Maldon District a better place to live, work and enjoy

**CIRCULATED
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**REPORT of
CHEIF EXECUTIVE**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
09 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 12

ITEM 1 APPEALS LODGED

Appeal Start Date: 26/09/2017

Application Number: FUL/MAL/16/001376 (APP/X1545/W/17/3177225)

Site: Earth Enclosure Land Adjacent To Bradwell Marina, Waterside Road, Bradwell-On-Sea, Essex

Proposal: Retention of earth enclosure

Appeal by: Port Flair Ltd

Appeal against: Refusal

Appeal procedure requested: Informal Hearing

Appeal Start Date: 26/09/2017

Enforcement Notice Reference Number: ENF/16/00303/01

Appeal Reference Number: APP/X1545/C/17/3177226

Site: Bradwell Marina, Waterside Road, Bradwell-On-Sea, Essex, CM0 7RB

Alleged Breach of Planning Control: Without planning permission the unauthorised erection of a earth embankment over 2m high at the entrance to the marina.

Appeal by: Port Flair Ltd

Grounds of Appeal: That planning permission should be granted for what is alleged in the notice, that the time given to comply with the notice is too short.

Appeal procedure requested: Informal Hearing

Appeal Start Date: 27/09/2017

Application Number: FUL/MAL/17/00027 (APP/X1545/W/17/3183374)

Site: Land Adjacent Three Ways Batts Road Steeple

Proposal: Proposed residential development comprising 7 No. two bedroom dwellings

Appeal by: Mr P Ellis

Appeal against: Refusal

Appeal procedure requested: Written Representation

Appeal Start Date: 28/09/2017

Application Number: OUT/MAL/17/00204 (APP/X1545/W/17/3181143)

Site: Land At 32A Green Lane Burnham-On-Crouch

Proposal: Outline planning application for the construction of 2no. two storey homes

Appeal by: Marion Jackson and Ronald Spooner

Appeal against: Refusal

Appeal procedure requested: Written Representations

ITEM 2 APPEAL DECISION

Please note the following appeal falls within the Purleigh Parish and therefore will be included on the Agenda for North West Committee

OUT/MAL/16/00915 (Appeal Ref: APP/X1545/W/17/3172993)

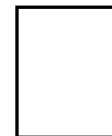
Proposal: Outline planning application for the demolition of one dwelling with all matters reserved for the construction of 7 dwellings comprising 2 x two bed, 2 x three bed and 3 x four bed dwelling

Address: Land Rear Of The Orchards Maldon Road Latchingdon

Decision Level: Delegated

APPEAL DISMISSED – 22 September 2017

Town and Country Planning Act 1990
Monthly List Of Delegated Planning Decisions
Committee Date 9 October 2017



HOUSE/MAL/17/00815 Althorne

Single storey rear extension
Wallasea View Bridgemarsh Lane Althorne Essex
Mr & Mrs Faraway

APPROVE

Dated : 14/09/2017

FUL/MAL/17/00513 Burnham North

Proposed two bay cart lodge and log store
Land Opposite Monksfield Stoney Hills Burnham-On-Crouch Essex
Mr Jamie Moccock - Think Green Energy

APPROVE

Dated : 27/09/2017

HOUSE/MAL/17/00785 Burnham North

Extension of existing building to provide studio. Re-positioning of external door assembly.
The School Room Creeksea Lane Burnham-On-Crouch Essex
Mr Roger Barcroft

REFUSE

Dated : 21/09/2017

HOUSE/MAL/17/00804 Burnham North

Demolition of existing canopy over front door and replacement with new porch.
2 Woodcutters Burnham-On-Crouch Essex CM0 8PE
Mr & Mrs James Carroll

APPROVE

Dated : 12/09/2017

OUT/MAL/17/00806 Burnham North

Erection of 2 x one bedroom bungalows, the provision of car parking spaces and alterations to the existing access
Land Rear Of 11 Church Road Burnham-On-Crouch Essex
Mr D Hayley

REFUSE

Dated : 12/09/2017

HOUSE/MAL/17/00825 Burnham North

Proposed hipped roof dormer and velux window to front elevation. Porch infill and relocation of the entrance door.
7 Cedar Grove Burnham-On-Crouch Essex CM0 8DQ
Ms Angelique Bell

REFUSE

Dated : 26/09/2017

HOUSE/MAL/17/00839 Burnham North

Retrospective - Detached games room/store building.
25 King Edward Avenue Burnham-On-Crouch Essex CM0 8PB
Mr & Mrs J Pamment

REFUSE

Dated : 05/10/2017

HOUSE/MAL/17/00741 Burnham South

Demolish existing sloping roof above existing single storey attached boathouse and garage and construct new first floor extension over with new bedrooms and en-suite bathrooms. Demolish existing rear ground floor cloakroom, glazed screen over dining room doorway and existing external boiler house and wood store compound and construct new ground floor extension.
7 Silver Road Burnham-On-Crouch Essex CM0 8LA
Mr & Mrs Will Dallimore

APPROVE

Dated : 20/09/2017

HOUSE/MAL/17/00838 Burnham South

Single storey side and rear extensions to existing dwelling house
17 Hillside Road Burnham-On-Crouch Essex CM0 8EY
Mr & Mrs A Fowler

APPROVE

Dated : 21/09/2017

HOUSE/MAL/17/00843 Burnham South

Ground floor extension and removal of front bay window and reinstatement to original details. Removal of boundary panel fence and replacement with facing brick wall. Installation of lantern light to rear facing flat roof. Removal of second floor rear facing dormer window and reinstatement to original details
8 Witney Road Burnham-On-Crouch Essex CM0 8JS
Mr Graham Dale-Jones

APPROVE

Dated : 21/09/2017

LBC/MAL/17/00844 Burnham South

Alterations to existing Quay gateway and existing external access doorway and screen wall to existing ground floor store to provide access for electric mobility scooter from the Quay to enable disabled access for applicant and owner / occupier of the house.
The Moorings The Quay Burnham-On-Crouch Essex
Dr Derek Corless

GRANT LISTED BUILDING CONSENT

Dated : 21/09/2017

HOUSE/MAL/17/00875 Burnham South

Two front dormer windows, enlargement of the existing rear dormer window, replacement roof to the existing single storey rear element and a replacement canopy to the rear.
19 Western Road Burnham-On-Crouch Essex CM0 8JE
Mr Dan Coster

APPROVE

Dated : 25/09/2017

TCA/MAL/17/00890 Burnham South

T1 Lime - Re-pollard and remove epicormic/bassal growth, remove 2m of growth on top. T2 Pear - Reduce & remove re-growth of 0.5m. T3 Liquid Amber Styracislua - Reduce by 2m. T4 Privet - Reduce height by 1m.
6/8 High Street Burnham-On-Crouch Essex CM0 8AA
Mrs Anne Barker

ALLOWED TO PROCEED

Dated : 15/09/2017

FUL/MAL/17/00905 Dengie

Proposed new dwelling.
Land Adjacent To 1 Manor Cottages Manor Road Dengie Essex
Mr & Mrs Filsell

REFUSE

Dated : 05/10/2017

WTPO/MAL/17/00740 Mayland

TPO 02/04 - T2 and T3 - Oak - Crown lift to 4m. Reduce crown back by 0.5m-1m to previous trim points (last performed in 2012), reducing overhang on neighbouring properties and reducing limb extension towards property.
61A West Avenue Mayland Essex CM3 6AE
Mr Robert Harding

APPROVE

Dated : 05/10/2017

FUL/MAL/17/00787 Mayland

Siting of static caravan whilst building work is carried out for approved planning permission FUL/MAL/16/01492.

Land South East Of Harlow Sailing Club Sea View Parade Mayland Essex
Mrs Beverly Corcoran

APPROVE

Dated : 27/09/2017

HOUSE/MAL/17/00814 Mayland

Retrospective application for the erection of a timber shed in rear garden.
Walita 96 The Drive Mayland Essex
Mr & Mrs Alfred Puxley

APPROVED

Dated : 14/09/2017

HOUSE/MAL/17/00829 Southminster

Conversion of attached garage to create granny annexe, including extending
same to the rear.
3 Smyatts Close Southminster Essex CM0 7JT
Mr Gary Smith

APPROVE

Dated : 13/09/2017

HOUSE/MAL/17/00624 St Lawrence

Erection of a 6ft fence. Bollards placed outside the front of the house and an
electric gate.
1 Black House Farm Cottages Bradwell Road St Lawrence Essex
Mrs Susan Allen

REFUSE

Dated : 11/09/2017

OUT/MAL/17/00801 St Lawrence

Demolition of existing pre-fabricated dwelling and utilities garage, including the removal and disposal of 27ft static caravan. Building of a new 2 bedroom dwelling on existing plot.

100 Riverton Drive St Lawrence Essex CM0 7NG
Mr Andrew Bullock

APPROVE

Dated : 11/09/2017

HOUSE/MAL/17/00903 St Lawrence

Detached cart lodge garage with store room.
81 Anchorage View St Lawrence Essex CM0 7JH
Mr & Mrs Turner

REFUSE

Dated : 05/10/2017

OUT/MAL/17/00872 Tillingham

Variation of condition 5 of planning permission OUT/MAL/16/00528 (Application for outline planning permission for two residential units and associated garages with access off Mill Road - Renewal of 13/00366/OUT) to allow the removal of one sycamore tree.

Land Adjacent 13 Mill Road Tillingham Essex
Miss Christine Rook

REFUSE

Dated : 25/09/2017

TCA/MAL/17/00900 Tillingham

T1 Hop Hornbeam - Dig trench to identify root protection area
Gipsy Lodge 48 South Street Tillingham Essex
Mr Mark Barnes

ALLOWED TO PROCEED

Dated : 21/09/2017

**CIRCULATED BEFORE
THE MEETING**

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