

MEMBERS' UPDATE

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

15 June 2018

Dear Councillor

SOUTH EASTERN AREA PLANNING COMMITTEE - MONDAY 18 JUNE 2018

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. **FUL/MAL/18/00389 - T J's Riding School, Burnham Road, Southminster, Essex, CM0 7BL** (Pages 3 - 4)
8. **OUT/MAL/18/00544 - Stapleton, Stoney Hills, Burnham-On-Crouch, Essex, CM0 8QA** (Pages 5 - 6)
9. **HOUSE/MAL18/00562 and LBC/MAL/18/00563 - Trusses Waterside Road, Bradwell-on-Sea** (Pages 7 - 10)

Yours faithfully

A handwritten signature in black ink, enclosed in a circular oval. The signature reads "F. R. Marshall".

Chief Executive

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**CIRCULATED
BEFORE THE
MEETING**



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

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
18 JUNE 2018**

MEMBERS' UPDATE

AGENDA ITEM NO. 6

Application Number	FUL/MAL/18/00389
Location	T J's Riding School, Burnham Road, Southminster, Essex, CM0 7BL
Proposal	Permanent retention of manager's dwelling following temporary consent granted 17 October 2014
Applicant	Ms Bridge Jennings - TJs Riding School
Agent	TMA Chartered Surveyors
Target Decision Date	28 June 2018
Case Officer	Anna Tastsoglou, TEL: 01621 875741
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	Member Call In The item has been called in by Cllr Fluker on the grounds of public interest and equine security.

7 CONSULTATIONS AND REPRESENTATIONS RECEIVED

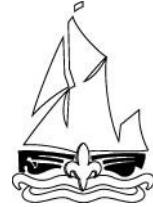
7.4 Representations received from Interested Parties

7.4.1 One letter in support of the application was received following publication of the Officer's report.

Support Comments	Officer Response
The development provides a very valuable asset to the local community by way of a much needed leisure and sport facility.	
It is imperative that the owner is allowed to remain on site in the evenings for security purposes.	Comments noted. All matters raised are addressed within the main body of the officer's report.
It is important that the owner is able to tend to the number of aging and sick animals.	

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MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	OUT/MAL/18/00544
Location	Stapleton, Stoney Hills, Burnham-On-Crouch, Essex, CM0 8QA
Proposal	Demolition of existing dwelling, buildings and removal of a caravan and erection of three single-storey dwellings and associated parking.
Applicant	M & M Developments Limited
Agent	Mrs Lisa Skinner - Bidwells
Target Decision Date	09.07.2018
Case Officer	Anna Tastsoglou, TEL: 01621 875741
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017

7 CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Burnham-on-Crouch Town Council	Object to the application. the development would be contrary to the contrary to the MDC Development Plan (policy S2 – outside the development boundaries) and the BoC Neighbourhood Development Plan para 10.2.	Comment noted. Although policies S2 and S6 of the LDP identifies that the infrastructure of Burnham-on-Crouch is limited and therefore development above the identified limit of 450 dwellings will not be supported, in this instance, taking into account the planning history of Stoney Hills, it is considered that three additional dwellings would not impose an additional

Agenda Item no. 8

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

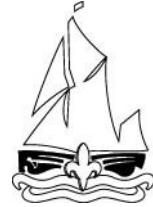
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Name of Parish / Town Council	Comment	Officer Response
		burden of existing infrastructure to an extent that would justify the refusal of the application.

1.1 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highway Authority	No objection raised.	Noted

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MEMBERS' UPDATE

AGENDA ITEM NO. 9

Application Number	HOUSE/MAL18/00562
Location	Trusses Waterside Road, Bradwell-on-Sea
Proposal	Construction of a garden room, porch, cart lodge, a swimming pool and associated pool house. Erection of 1.8m high close boarded fence, timber entrance gates and posts and picket fencing.
Applicant	Mr and Mrs Geoff Pearce
Agent	Mr Anthony Cussen – Cussen Construction Consultants
Target Decision Date	03.07.2018
Case Officer	Devan Lawson, TEL: 01621875845
Parish	BRADWELL-ON-SEA
Reason for Referral to the Committee / Council	Member Call In Cllr. Dewick Reason: Public Interest

Application Number	LBC/MAL/18/00563
Location	Trusses Waterside Road, Bradwell-on-Sea
Proposal	Construction of a garden room, porch, cart lodge, a swimming pool and associated pool house. Erection of 1.8m high close boarded fence, timber entrance gates and posts and picket fencing.
Applicant	Mr and Mrs Geoff Pearce
Agent	Mr Anthony Cussen – Cussen Construction Consultants
Target Decision Date	03.07.2018
Case Officer	Devan Lawson, TEL: 01621875845
Parish	BRADWELL-ON-SEA
Reason for Referral to the Committee / Council	Member Call In Cllr. Dewick Reason: Public Interest

The following supporting information and comments have been received from the applicant in response to the objection comments received.

Comment	Officer Response
The fence and its location have been designed by the architect a sufficient	This is covered within section 5.3 of the Officers report.

Agenda Item no. 9

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

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Comment	Officer Response
<p>distance from the window mentioned to enable a sufficient amount of light to be allowed into the window.</p>	
<p>The difference in height between the current fence and the proposed is modest and will have no impact on the light going into the window.</p>	<p>This is covered within section 5.3 of the Officers report.</p>
<p>There is a neighbouring storage shed next to the window concerned within the neighbouring property, which restricts light to the bedroom window. There are also storage sheds behind the siting of the proposed pool house within the neighbouring garden.</p>	<p>The proposal must be assessed against what is proposed and not the existing.</p>
<p>1.8 meters is the standard height of a privacy fence on the boundary of a property.</p>	<p>This is covered within section 5.3 of the Officers report.</p>
<p>The correct consents have not been obtained for building and overdeveloping within the neighbouring site.</p>	<p>This is not a matter for this planning application</p>
<p>The pool house will be on the same level as the pool (as shown in the plans).</p>	<p>This is covered within section 5.3 of the Officers report.</p>
<p>The 'patio' referred to is large decking which does not have Listed Building Consent.</p>	<p>This is not a matter for this planning application</p>
<p>None of the trees within the site are protected and their removal does not require planning permission. A qualified tree surgeon will be employed to remove these trees.</p>	<p>This is covered within section 5.6 of the Officers report.</p>
<p>The plans do show the exact position of the pool with measurements. The pool is of a standard size for residential use. The construction method is not an issue for planning objections as it must be assumed that the pool is being constructed by professional tradesman who will construct it in a competent manner. The earth is being replaced by water (of greater mass per volume than soil) which will prevent damage to the neighbouring property.</p>	<p>If the application is approved a construction method statement will be required via a condition. However, the concern raised is considered to be a civil matter which will need to be resolved between the applicant and neighbour.</p>

Comment	Officer Response
The pool, as shown on the site plan, is located a considerable distance from the Fennel's property. The noise level from the pool is not a legal planning objection.	This is covered within section 5.3 of the Officers report.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.4 Representations received from Interested Parties

7.4.1 A further letter objection from a neighbour has been received, expanding on their original objection comments.

Comment	Officer Response
Photos were provided to show that the proposed Pool House will cover the window on the northern elevation and will be the height of two thirds of the house, 2 metres from the boundary.	Regards is given to the height of the Pool House. However, as it has an eaves height of 2.3m and the roof would rake away from the neighbouring property, it is not considered that there will be an overbearing impact or significant loss of light to the window on the northern boundary of Trusscot. Furthermore, as detailed in section 5.3 it is not considered that the proposal would result in any increase in loss of light in comparison to the existing trees which are to be removed as part of the development.
The storage box is 1.2m towards the road and doesn't restrict light into the bedrooms north facing window and the decked area also doesn't impact on the light.	It is not considered that the existing structures within the neighbouring property impact this proposal or form part of the assessment.
The proposal will be visible from Woodyards Road and High Street. The pool house will impact our house and anyone looking at it. The Pool House has the same effect as the Cart lodge due to its closeness to the house and the height.	Given the scale of the Pool House it is not considered that there will be long views available from the surrounding roads. Therefore, it is not considered that there would a materially harmful impact on the countryside when viewed from Woodside Road and High Street. Please also see paragraph 5.2.12.
We have 2 sheds and 1 garage which is the same as when the property was purchased.	This is not a matter for this planning application.

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