

## MEMBERS' UPDATE

HEAD OF PAID SERVICE'S OFFICE  
HEAD OF PAID SERVICE  
Richard Holmes

08 March 2019

Dear Councillor

### **SOUTH EASTERN AREA PLANNING COMMITTEE - MONDAY 11 MARCH 2019**

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.

5. **OUT/MAL/18/01034 - Mapledean Poultry Farm, Mapledean Chase, Mundon**  
(Pages 3 - 4)
7. **FUL/MAL/18/01479 - The Clubhouse, Coronation Road, Burnham-On-Crouch, Essex, CM0 8HW** (Pages 5 - 8)
8. **FUL/MAL/18/01502 - Land Adjacent to 29, Pippins Road, Burnham-On-Crouch, Essex** (Pages 9 - 10)
9. **HOUSE/MAL/19/00065 - Farcroft, Burnham Road, Latchingdon, Essex, CM3 6HA** (Pages 11 - 12)

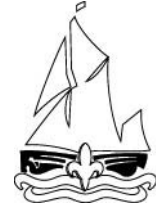
Yours faithfully



Head of Paid Service

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<b>CIRCULATED AT THE MEETING</b>
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**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 MARCH 2019**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 5**

<b>Application Number</b>	<b>OUT/MAL/18/01034</b>
<b>Location</b>	Mapledean Poultry Farm, Mapledean Chase, Mundon, Essex
<b>Proposal</b>	Redevelopment of poultry farm for approximately 5,030m <sup>2</sup> of B1 commercial floorspace with associated access arrangements
<b>Applicant</b>	B.J. Rock Ltd & S.P. Bardwell Ltd
<b>Agent</b>	Mr Peter Le Grys - Stanfords
<b>Target Decision Date</b>	28 <sup>th</sup> November 2018 (EOT agreed: 15.03.2019)
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>MUNDON</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application Member Call In Councillor R Dewick has called in this application on the grounds of the size of the application site and in order for the Committee to assess whether the previous reasons for refusal have been addressed.

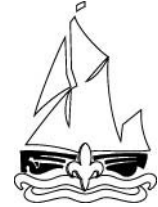
**7 CONSULTATIONS AND REPRESENTATIONS RECEIVED**

**1.1 Internal Consultees**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Waste Management	The Council does not provide a Trade Waste Collection Service for commercial premises and thus, the Waste Management Team has no comments on the proposed development.	Noted.

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11 MARCH 2019**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 7**

<b>Application Number</b>	<b>FUL/MAL/18/01479</b>
<b>Location</b>	The Clubhouse, Coronation Road, Burnham-on-Crouch
<b>Proposal</b>	Proposed extensions, alterations and change of use of the former yacht club to a single dwelling house.
<b>Applicant</b>	Mr and Mrs R Taylor
<b>Agent</b>	Mr David Taylor – AFT Design
<b>Target Decision Date</b>	12.03.2019
<b>Case Officer</b>	Devan Lawson
<b>Parish</b>	<b>BURNHAM SOUTH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In by: Councillor R Pratt Reason: Public Interest

**7 CONSULTATIONS AND REPRESENTATIONS RECEIVED**

**7.2 External and Statutory Consultees**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Environment Agency	Holding Objection – The development is classified as a ‘more vulnerable’ development and is therefore required to pass the Sequential and Exception Tests and be supported by a Flood Risk Assessment (FRA).  The submitted FRA is unreferenced and undated	Flood risk on the basis of the submitted information is addressed at section 5.7 of the Officer’s report.

Agenda Item no. 7

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>and does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Reference ID: 7-030-20140306. The FRA fails to:</p> <ol style="list-style-type: none"> <li>1. Identify what flood levels have been used and where they come from.</li> <li>2. Correctly calculate the expected flood depths on site and within the building</li> <li>3. Provide Finished Floor Levels above the design level with climate change</li> <li>4. Assess breach risk for the proposed development</li> <li>5. No topographic survey has been submitted.</li> </ol> <p>The objection could be overcome by submitting an FRA that covers the deficiencies highlighted.</p>	

In addition to the above an email was received from the agent dated 07<sup>th</sup> March 2019. Within this email the agent considers that as there is already a lawful habitable residential existing dwelling within the property with Council Tax bills having been paid, and sleeping accommodation at ground floor level, that the proposal is not considered as a more vulnerable development. However, the accommodation referred to relates to a Stewards flat and areas of accommodation for travelling Yachtsman. Therefore, the accommodation is ancillary to the established use of the site and is not a self-contained dwelling. Whilst it is noted that Council tax has been paid at this site this does not confirm that the accommodation discussed represents a self-contained unit. Furthermore, there is no site history or Lawful Development Certificates to suggest that the accommodation in question does represent a self-contained unit.

The email also suggests that the sequential test may not be required. As set out in section 5.7 of the Officers report, new dwellings and residential uses are considered as being ‘more vulnerable’ based on the Flood Risk Vulnerability Classification (NPPG) and in accordance with the National Planning Policy requires the Exception Test to be applied in addition to the sequential test. Whilst it is noted that a change of use application is not required to pass the sequential test, as the proposal includes extensions and building operations, the development exceeds a change of use and is not householder development or a small non-residential extension as set out in paragraph 164 of the NPPF. Therefore, the sequential test is required to be passed.

The manner in which the Sequential Test is undertaken is for the Local Planning Authority to decide, which the Agent correctly notes. However, this is in regards to the scope and content of the test, not whether it is undertaken. Therefore, it is considered that both the sequential and exception tests should be passed.

### 1.1 Representations received from Interested Parties

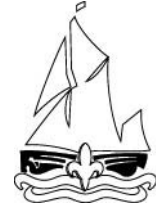
7.4.2 A further letter **in support** of the application has been received and the reasons for support are summarised as set out in the table below:

<b>Supporting Comment</b>	<b>Officer Response</b>
Proposal represents the unique opportunity to restore the original building in a very imaginative way that will enhance the quay. Doing nothing may lead to a much less attractive future development.	The design of the development and impacts on the character and appearance of the area are addressed at section 5.3 of the Officers Report.

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**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 MARCH 2019**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 8**

<b>Application Number</b>	<b>FUL/MAL/18/01502</b>
<b>Location</b>	Land Adjacent to 29 Pippins Road, Burnham-on-Crouch
<b>Proposal</b>	Proposed development of 2No. three-bedroom houses.
<b>Applicant</b>	Mr I Walker – Bridgewicks Development Ltd
<b>Agent</b>	Mr Adam McLatchie – Front Architecture Ltd
<b>Target Decision Date</b>	12.03.2019
<b>Case Officer</b>	Devan Lawson
<b>Parish</b>	<b>BURNHAM NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from Local Plan 2017

**7 CONSULTATIONS AND REPRESENTATIONS RECEIVED**

**1.1 Parish/Town Council**

<b>Name of Parish/ Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Burnham-on-Crouch Town Council	Object – over and above BTC development allocation. Unsustainable in regards of service provision S2 and S6. Overdevelopment of the site	Addressed at sections 5.1, 5.2 and 5.3 of the Officers report.  It should also be noted Policy 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. However, in this instance, it is

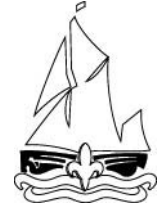
Agenda Item no. 8

Page 1/1

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

<b>Name of Parish/ Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
		considered that two additional dwellings would not impose an additional burden of existing infrastructure to an extent that would justify the refusal of the application.

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

to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 MARCH 2019**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 9**

<b>Application Number</b>	<b>HOUSE/MAL/19/00065</b>
<b>Location</b>	Farcroft, Burnham Road, Latchingdon, Essex, CM3 6HA
<b>Proposal</b>	Section 73A application for the retention of close boarded fence
<b>Applicant</b>	Mr G Carr
<b>Agent</b>	Sue Bell - Sue Bell Planning Consultant
<b>Target Decision Date</b>	15.03.2019
<b>Case Officer</b>	Nicola Ward
<b>Parish</b>	<b>LATCHINGDON</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Cllr Helm – Public Interest

**1 Representations received from Interested Parties** (*summarised*)

- 1 additional letter has been received **in support** of the application and the reasons for support are summarised as set out in the table below:

<b>Supporting Comment</b>	<b>Officer Response</b>
<ul style="list-style-type: none"> <li>• The fencing is safer when driving in and out of the site.</li> <li>• The road is a dangerous road and it is safer to drive out of the site.</li> <li>• Better visibility, accessing the property since removal of the over grown hedge and replacing it with the fence.</li> </ul>	<p>Addressed within sections 5.2.7 and 5.4.2 of the officer report</p>

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