

MEMBERS' UPDATE

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

05 April 2019

Dear Councillor

SOUTH EASTERN AREA PLANNING COMMITTEE - MONDAY 8 APRIL 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.

6. **OUT/MAL/18/01387 - Red Lyons Business Centre, Burnham Road, Latchingdon**
(Pages 3 - 4)
7. **HOUSE/MAL/19/00116 - 8 The Cobbins, Burnham-on-Crouch** (Pages 5 - 8)
8. **FUL/MAL/19/00120 - Land Rear of St. Vincent, 2A King Edward Avenue, Burnham-on-Crouch** (Pages 9 - 10)
9. **HOUSE/MAL/19/00122 - Oakleigh, 48 Mountview Crescent, St. Lawrence** (Pages 11 - 12)

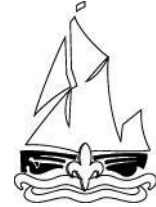
Yours faithfully



Head of Paid Service

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**CIRCULATED AT
THE MEETING**



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
08 APRIL 2019**

MEMBERS' UPDATE

AGENDA ITEM NO. 6

Application Number	OUT/MAL/18/01387
Location	Red Lyons Business Centre, Burnham Road, Latchingdon, Essex
Proposal	Erection of buildings to be used as mixed B1 (business) and B8 (storage or distribution) use, demolition of existing units 1 and 2 and relocation of existing access.
Applicant	Mr & Mrs Umran Khan - CVC Chelmervalve Co Ltd
Agent	Mr Mark Jackson - Mark Jackson Planning
Target Decision Date	27th February 2019 (EOT agreed: 12.04.2019)
Case Officer	Anna Tastsoglou
Parish	Latchingdon
Reason for Referral to the Committee / Council	Major Application Not Delegated to Officers Councillor R P Dewick has asked this application to be presented at South Eastern Area Planning Committee on the grounds that the decision should be made by Members.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

Since the preparation of the Officer Report, the following additional representations have been received:

7.1 Representations received from Parish / Town Councils

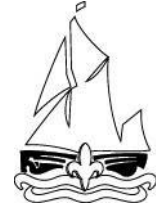
Name of Parish / Town Council	Comment	Officer Response
Latchingdon Parish Council	Recommend refusal on the grounds of the impact on neighbouring properties (mainly noise), the impact on the character of the area and the fact that it is a rural area and the expansion of the industrial area will not	The matters raised are addressed in the main body of the report.

Name of Parish / Town Council	Comment	Officer Response
	fit into the character of the village.	

7.4 Representations received from Interested Parties

- 7.4.1 For the avoidance of doubt, it should be noted that multiple objections have been received from the occupants of three properties and not just three representations. The summary of the content of these representations that is included in the Officer Report is considered to remain appropriate.

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MEMBERS' UPDATE

AGENDA ITEM NO. 7

Application Number	HOUSE/MAL/19/00116
Location	8 The Cobbins Burnham-on-Crouch
Proposal	Proposed detached double garage with room within roof with 2 No. pitched roof dormers.
Applicant	Mr & Mrs Lambert
Agent	Mr Ashley Robinson
Target Decision Date	28.03.2019
Case Officer	Devan Lawson
Parish	BURNHAM-ON-CROUCH NORTH
Reason for Referral to the Committee / Council	Member Call In by: Cllr. Peter Elliot Reason: Public Interest

Corrected plans have been submitted (Nos 7A and 9A) which show the proposed dormers at a lower height from the side elevations to ensure that the plans are consistent with what is shown on the front elevation. The revised plan also shows that the conifers are to be retained at the site. Given the alterations relate to a correction rather than an amendment to the scheme they have been accepted.

A revision to sections 12 and 13 of the application form have also been submitted which features a correction to the date printed on the Ownership Certificate and Declarations.

The applicant and agent have provided further supporting information. Any additional points raised have been summarised in the table below:

Supporting Information	Officer Response
Garage is not being built as a separate dwelling but to replace the integral garage which is being converted into ancillary accommodation.	The application has been assessed as a garage.
The proposal has been accepted by Maldon, Burnham and Highways.	Maldon District Council has not yet provided a decision on the application. Therefore, it has not been 'accepted'. Furthermore, whilst Burnham-on-Crouch Town Council and Essex County

<p>Estate Agents say that the proposal will enhance the property and neighbours properties as new purchases will be given the same idea.</p> <p>The applicant proposed to sign a Section 106 to prevent the garage becoming a separate dwelling but Burnham-on-Crouch Town Council did not think this was necessary.</p> <p>By Burnham-on-Crouch Town Council, Essex County Highways and Maldon District Council approving the integral garage conversion there is a need for a new garage.</p> <p>Cobbins Grove all have garages within a similar position to the proposal</p> <p>No. 24 The Cobbins has a detached double garage to the side with a pitched roof and No.17 has one to the rear.</p> <p>All houses within The Cobbins have pitched roofs with Dormers directly</p>	<p>Council Highways are consultees and their comments are material considerations, but they are not decision makers. Therefore, the application will be determined by the Members of the South Eastern Area Planning Committee.</p> <p>This appears to be in relation to property values, which is not a planning consideration.</p> <p>This matter could be dealt with via condition rather than a S106.</p> <p>The garage conversion referred to relates to a building control application and not a planning application. Permitted development rights in most instances allow the conversion of integral garages to habitable accommodation without the need for express planning permission from the District Council. Therefore, whilst it is noted that the conversion will result in the loss of some parking at the site, the impacts were not able to be assessed by The Council.</p> <p>It is noted that dwellings within Cobbins Grove have garages within similar positions. However, these do not feature dormer windows and the cul-de-sac has its own individual character.</p> <p>It is noted that No. 24 has a detached garage. However, it is set in a different setting in a corner plot location and does not feature dormer windows. It is noted No.15 has a garage to the rear and not No.17. However, this is set back from the streetscene to the rear of the property and does not feature dormer windows. Therefore, it is not considered comparable to this proposal.</p> <p>This point refers to integral garages and the dormers serve the living</p>
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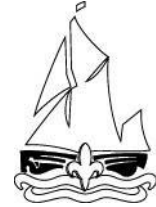
above their garages.	accommodation within the dwelling. Therefore, the dormers can be read in the residential context of the dwelling and are not standalone features of the garage. Therefore, the use of dormers upon the dwellings is not considered comparable to the proposal to implement them on the garage.
Proposal mirrors No.10 opposite.	No.10 features an integral garage as described above. Therefore, a detached garage with two pitched dormers is not considered to mirror an integral garage which sits below the habitable accommodation within the dwelling.
Garage is a sufficient size for car parking and meets the Essex County Council Planning Requirements Design and Good Practice in terms of garage size.	As stated at section 5.4 of the Officers report there is no objection to car parking within the site. However, it should be noted that this is in relation to the Maldon District Vehicle Parking Standards SPD and not the requirements of Essex County Council.
Neighbours should provide their own planting.	This is not a consideration for this application.
Proposal has halved in size in comparison to the previous application.	This is noted and addressed in section 5.2 of the Officer report. However, it is not considered that the reductions sufficiently overcome the previously highlighted harm.
The land is of the perfect size and situation for the proposal.	Addressed at section 5.2 of the Officer report.
The applicant has extended their driveway to accommodate the new garage. Neighbouring properties have not ensured they have enough off street parking.	The parking provision within neighbouring properties is not a consideration for this application.
The previous report stated that it would not be unusual to see detached garages or extensions to the front/side part of the site and it is accepted that some form of development could occur in an acceptable manner” and it was concluded that there was no harm to neighbouring amenity.	Addressed at sections 5.2 and 5.3 of the officer report.

7.3 Representations received from Interested Parties

- 7.3.1 A further letter **objecting to** the application has been received and the reasons for objection are summarised as set out in the table below:

Supporting Comment	Officer Response
Proposal is not in keeping with the original estate plan.	Addressed at section 5.3 of the Officer report.
The dormers shown on the proposed drawings from the side elevation are higher than shown on the principle elevation.	This has been addressed through revised plans and was considered a drafting error.
Dormer windows and roof height are excessive for a storage area. The staircase if to be used as storage would be of more use within the garage.	The application must be assessed based on what is being proposed. This is further addressed at section 5.1 of the report.
If the garage doors were replaced with windows it would appear as a small dwelling.	A condition could be imposed ensuring that the garage remains as a garage.
A third gable end to towards the boundary of No. 6 The Cobbins of this height would create a sense of enclosure. A site plan and aerial image has been provided to try to demonstrate this.	Impacts on neighbouring amenity are addressed at section 5.3 of the report.
The proposal would not mirror the integral garage at No. 10 The Cobbins due to it being detached and featuring pitched dormers.	Addressed above and within section 5.3 of the Officer report.
There would be no objection to a single storey garage or a flat low 4 sided pitched roof as the neighbouring impacts would be reduced which will leave space for a DIY storage shed.	Noted. However, the application must be assessed on what is proposed as part of this application only.
The applicant's hobby is to do up cars. However, neighbours should not have to put up with what will become a commercial endeavour rather than a hobby.	This does not form a consideration for this application.

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MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	FUL/MAL/19/00120
Location	Land Rear of St Vincent 2A King Edward Avenue Burnham-on-Crouch
Proposal	Erection of 2 bedroom bungalow with a detached garage and a new access
Applicant	Ms Emma Regan
Agent	Mr Michael Lewis – Bailey Lewis
Target Decision Date	EOT: 12.04.2019
Case Officer	Devan Lawson
Parish	BURNHAM-ON-CROUCH North
Reason for Referral to the Committee / Council	Member Call In: Cllr. Ron Pratt. Reason: Public Interest

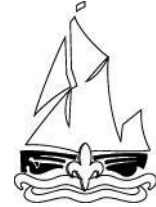
7 CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.2 External and Statutory Consultees

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Cadent Gas	No objection in principle	Noted

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MEMBERS' UPDATE

AGENDA ITEM NO. 9

Application Number	HOUSE/MAL/19/00122
Location	Oakleigh 48 Mountview Crescent St Lawrence
Proposal	Extensions and alterations to existing bungalow to convert to a chalet style property
Applicant	Mr and Mrs Lear
Agent	Elisa Hampson – E.H Planning Services
Target Decision Date	EOT 09.04.2019
Case Officer	Devan Lawson
Parish	ST LAWRENCE
Reason for Referral to the Committee / Council	Member Call In by: Cllr. Penny Channer Reason: Local Knowledge and Public Interest

Please note that the agenda states that the application is within the Mayland Parish. However, it is located within St Lawrence Parish as noted above.

Paragraph 5.9 should read 'Having regard to the above assessment, it is considered that the development **not** cause material harm to the character and appearance of the dwelling.

7 CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.4 Representations received from Interested Parties

7.4.2 **One further letter objecting** to the application has been received and the reasons for objection are summarised as set out in the table below:

Objecting Comment	Officer Response
The proposal would represent overdevelopment of the site.	Addressed at section 5.2 of the Officers report.
Application 15/01249/HOUSE at 75 Mountview Crescent is not comparable to the proposal and was never constructed.	It is noted that a comparison was provided within the planning statement between the proposal and permission 15/01249/HOUSE. The proposal and the permission are comparable to some degree in that they both feature

<p>The applicant parks commercial vehicles here for a commercial business he runs from the site so there is concern in a reduction of off-street parking.</p> <p>Photographs have been provided to show that the site currently fails to provide sufficient parking.</p> <p>Application should include a side to rear vehicle access to take the vehicles away from the streetscene.</p> <p>The applicant should be applying for permission to run a commercial business from the site.</p>	<p>substantial increases to the scale, mass and bulk of existing bungalows. Nevertheless it is noted that the permission was not built out. However, each application is assessed on its own merits and the scale, bulk and mass of the proposal is considered acceptable as addressed at section 5.2 of the report.</p> <p>The proposal meets the minimum number of required parking spaces as discussed at section 5.4 of the Officer's report.</p> <p>The proposal provides sufficient parking in accordance with the Council's Vehicle Parking Standards. The proposal is assessed on the lifetime of the development and not on the needs of individual occupiers.</p> <p>This application can only be assessed on what has been proposed.</p> <p>This does not form part of this application and therefore, is not considered as part of the assessment.</p>
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