

MEMBERS' UPDATE

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE'S OFFICE
DIRECTOR OF STRATEGY PERFORMANCE AND
GOVERNANCE
Paul Dodson

04 August 2020

Dear Councillor

SOUTH EASTERN AREA PLANNING COMMITTEE - WEDNESDAY 5 AUGUST 2020

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. **20/00097/FUL - Former Petticrows Boatyard, The Quay, Burnham-on-Crouch**
8. **20/00421/FUL - Stokes Hall, Burnham Road, Althorne, Essex, CM3 6DS**
9. **20/00574/FUL - Land North West of Riversleigh, Nipsells Chase, Mayland** (Pages 3 - 4)

Yours faithfully



Director of Strategy, Performance and Governance

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**CIRCULATED
BEFORE THE
MEETING**



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
05 AUGUST 2020**

MEMBERS' UPDATE

AGENDA ITEM NO. 6

Application Number	20/00097/FUL
Location	Former Petticrows Boatyard, The Quay, Burnham-on-Crouch
Proposal	Demolition of existing building and erection of a residential institution (C2 Use Class) to accommodate 75 specialist assisted living elderly persons units, including restaurant/bar, cafe, tv room, wellbeing suite, quiet area, consultation room and other communal facilities, together with vehicular and pedestrian accesses, car parking, amenity space and landscaping.
Applicant	McLaren Senior Living
Agent	Mr Michael Carpenter – CODE Development Planners Ltd
Target Decision Date	12.08.2020
Case Officer	Devan Hearnah
Parish	Burnham South
Reason for Referral to the Committee / Council	Major Application

5. MAIN CONSIDERATIONS

5.1 Principle of development

5.1.17 In light of all the above local policies and local and national guidance, it is considered that there is an identified need for older people housing within the District. However, Government guidance advises that schemes should be of a mixture of type of provision and tenure which this development does not provide. Furthermore, guidance encourages that older people should be supported to remain in their own homes before needing to relocate to a **C2 C3** Use which this proposal would not facilitate. Therefore, whilst it is acknowledged that there is a need for older people accommodation it is not considered that there is a need for additional **C2 C3** Uses. Without any sound or robust assessment putting forward a reasoned argument for the need to provide over the level identified within the SHMA, taking into account the above-mentioned approved schemes and the need for housing in the District, there is a concern that the proposal will result in the inward migration of older people due to an over provision of this type of development. Whilst it is noted that the Market Assessment does consider application 18/00443/OUT, the report does not consider the other developments mentioned above. Furthermore, consideration should be had to

whether the benefits of the proposed development, given the identified need for older people housing, would outweigh any potential harm caused to the countryside.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Historic England	No comment – seek views of your specialist conservation and archaeological advisers, as relevant.	Noted
Natural England (Further Response on HRA)	<p>The LPA has screened the proposed development and consider that it falls within scope of the Essex Coast RAMS and that a HRA (Stage 2: Appropriate Assessment) has been under taken in order to secure any necessary recreational disturbance mitigation.</p> <p>Without appropriate mitigation the application would have an adverse effect on the integrity of European designated sites within the scope of Essex RAMS.</p> <p>The mitigation described in the LPA's Appropriate Assessment is in line with Natural England's Strategic advice. The mitigation should rule out an 'adverse effect on the integrity' of the European Designated sites. The financial contribution should be secured through an appropriate and legally binding agreement, in order to ensure no adverse effect on integrity.</p>	This confirms that Natural England is content with the findings outlined at section 5.15

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	Appropriate planning conditions or obligations should be attached to any permissions to secure mitigation proposals against noise, lighting dust, airborne pollutants, run off and traffic disturbances and also to ensure that major maintenance works will be scheduled to be undertaken within the summer months, and to secure a lighting strategy to avoid light spillage. This will protect the on the Crouch and Roach Estuaries SPA and Ramsar.	This confirms that Natural England is content with the findings outlined at section 5.14. However, this does not overcome the concerns highlighted in section 5.13 which relate to ecology and biodiversity within the site.

7.4 **Representations received from Interested Parties**

- 7.4.1 A further **five** letters of objection have been received, taking the total to **fifteen**. The reasons for objection do not raise any new material considerations but have been summarised in the table below for completeness.

Objecting Comment	Officer Response
Lack of infrastructure, services and facilities capacity in Burnham-on-Crouch	Addressed at section 5.1
Inappropriate density, scale and bulk, The development would result in overdevelopment at the site	Addressed at section 5.6
Increase in highway congestion and safety concerns due to an increase in vehicle movements and an unsafe and insufficient access for pedestrians and vehicles	Addressed at section 5.9
Flood Risk	Addressed at section 5.12
Impacts on the nearby Corinthian Yacht Club	Addressed at section 5.7
Inappropriate scale	Addressed at section 5.6
BOCNDP deems the site inappropriate for residential use.	Addressed at section 5.1
Odour Impacts resulting from neighbouring sewage works	Addressed at section 5.8
There is no need for assisted living	Addressed at section 5.1

accommodation in Burnham-on-Crouch	
Inaccessible and unsustainable due to edge of town location	Addressed at section 5.1
Design is not in keeping with the local vernacular	Addressed at section 5.6
It would disrupt iconic river views as a result of the five storey height.	Addressed at section 5.6

7.4.2 **One** letter commenting on the application has also been received from the North East Essex Badger Group. The comments are considered in the table below:

Comment	Officer Response
There is a main Badger sett not far from the site. Apart from the holes on site, which may or may not be active at any one time, there is the possibility of foraging badgers. If the application is to be approved care should be taken when clearing the site and measures taken to cover any excavations at night to prevent badgers falling in and being unable to exit.	Noted. If the application were to be approved, then a condition could be imposed to secure these measures. However, as discussed at section 5.13 it is not considered that the details within the Preliminary Ecological Appraisal are sufficient to ensure that the development would not impacts on the existing ecological assets and habitats within the site.

**CIRCULATED AT
THE MEETING**



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
SOUTH EASTERN AREA PLANNING COMMITTEE
5 August 2020

MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	20/00421/FUL
Location	Stokes Hall, Burnham Road, Althorne, Essex CM3 6DS
Proposal	Diversion of part of length of access driveway.
Applicant	Mr Kevin Taylor
Agent	Mr Christopher Mew - CRM Architects Ltd
Target Decision Date	17/08/2020
Case Officer	Annie Keen
Parish	ALTHORNE
Reason for Referral to the Committee / Council	Major Application

This application has been withdrawn.

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**CIRCULATED
BEFORE THE
MEETING**



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

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
05 AUGUST 2020**

MEMBERS' UPDATE

AGENDA ITEM NO. 9

Application Number	20/00574/FUL
Location	Land North West of Riversleigh, Nipsells Chase, Mayland
Proposal	Variation of condition 2 on approved planning permission 18/00280/FUL (Construction of an apple storage barn)
Applicant	Mr and Mrs Kenny and Sue Paton
Agent	Mr Anthony Cussen – Cussen Construction Consultants
Target Decision Date	12.08.2020
Case Officer	Devan Hearnah
Parish	Mayland
Reason for Referral to the Committee / Council	Councillor / Member of Staff

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.5 The plans also show that the building would have a brick damp course up to a height of 0.8m with horizontal boarding above, as opposed to being finished entirely in horizontal boarding as previously approved. As this was not included in the reasons as to why the condition was being changed under section 5 of the Planning Application Form it was not previously considered as part of this application. However, since the submission of the application the materials have been approved under the terms of application 20/05040/DET. Given that the brick was considered acceptable as part of the discharge of conditions application it is not considered to have a significant bearing on the outcome of this application and does not require re-consultation. However, the impacts of the change from timber to brick on the character and appearance of the area are a material consideration and have been considered below.

5.2 Design and Impact on the Character of the Area

- 5.2.7 The addition of a brick damp course also contributes towards the building appearing more residential in nature than the previously approved design. However, as discussed in paragraph 5.2.6 of the original report, as the previously approved design was not reflective of its proposed function and resulted in a building that was more residential in appearance, it is not considered that the proposed brick when considered in

isolation or as a whole with the proposed alterations to the fenestration would materially alter the overall character of the building in comparison to what was previously approved.

5.6 Other Matters

- 5.6.4 It is not considered that the addition of the brick would have an impact on any of the other material considerations.