

**CIRCULATED AT  
THE MEETING**



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

to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
17 JUNE 2019**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 8**

<b>Application Number</b>	<b>FUL/MAL/19/00465</b>
<b>Location</b>	Chartwell, 120 Maldon Road, Burnham-On-Crouch, Essex, CM0 8DB
<b>Proposal</b>	Change of use from Class C3 dwellinghouse to a residential children's home Class C2 (residential institution).
<b>Applicant</b>	Mr Frederik Booyesen - PSS Care Group
<b>Agent</b>	Miss Nichola Brown - PSS Care Group
<b>Target Decision Date</b>	28.06.2019
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>BURNHAM NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In Councillor Wendy Stamp has requested the application to be presented before Members of the South Eastern Area Planning Committee on the grounds of public interest.

**7 CONSULTATION AND REPRESENTATIONS RECEIVED**

7.4 Representations received from Interested parties

7.4.1 It is noted that an additional eleventh letters of objection have been received since the writing of the committee report. Two of the objection letters being received have been submitted from the same neighbours previously raised comments, one of which has confirmed that the original letter was a letter of objection rather than comment to the application. On that basis, the type of representation on the website has been changed accordingly. It is noted that these two letters raise the same comments as those originally raised and thus, there is not reason to be reiterated. All new comments, objecting to the proposal that have not been addressed in the Officer Report are summarised below.

<b>Objection Comment</b>	<b>Officer Response</b>
The off-street parking spaces will not be sufficient to meet the requirements of the development and public transport is	This matter is addressed in sections 5.1 and 5.5.

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<b>Objection Comment</b>	<b>Officer Response</b>
limited.	
No pre-application consultation was undertaken prior to the submission of the application.	It is noted that this is not a statutory requirement.
The proposal does not provide a market assessment.	The submission of a market assessment is not a policy requirement, but provision of revenue funding is discussed in section 5.1 of the report.
The proposal goes against the Council's expectation to deliver older persons housing.	The proposal would not result in loss of an existing older persons accommodation.
The proposal will result in reduction of housing (C3 use class) supply.	This matter is addressed in section 5.1 of the report.
The development would not comply with the requirements of policy H3 regarding Specialist Needs Accommodation.	Assessed in section 5.1 of the report.
Further details in relation to the nature of the proposal, in particular the needs of the future children that would reside on site, the times that they will be supervised and the way that nuisance will be managed, are considered necessary to be provided.	The application is supported by a statement that provides information about the nature of the use. All relevant planning matters in relation to the nature of the use and its impact on the neighbours are assessed in sections 5.1 and 5.4 of the report.
Correspondence regarding requesting the application to be called in to committee have been submitted.	Noted.
Highway safety concerns.	Addressed in section 5.5 of the report.
The site notice was posted on 28 <sup>th</sup> May.	It is noted that the site notice was posted on site in accordance with the statutory requirements and within the time frame of the application.
No details of the type of vehicle usage at the property and the vehicle movement is provided.	Details of parking requirement for this type of development are discussed in section 5.5 of the report. Although no details of the type of vehicles using the site have been provided, given the limited

<b>Objection Comment</b>	<b>Officer Response</b>
	number of young people residing on site, it is considered unlikely that more than one larger vehicle would be required to be parked on site. The site benefits from a large sized front curtilage that can accommodate at least eight vehicles (including turning facilities). On that basis, the provision of one larger vehicle would not result in a material reduction of the off-street parking provision to an extent that would warrant refusal of the application on those grounds.
Adverse impacts on the neighbours' residential amenity.	Discussed in section 5.4 of the report.
Concerns regarding not being able to upload comments on the Council's website and therefore, the Council has not carried out its duty to seek comments from those that may be impacted from the development.	It is noted that Council has three available options to receive correspondence, including the website, an email address and by post. The Council's offices are also open and representation letters can be received at the reception. Furthermore, a short unavailability to register comments on the website, goes beyond the local planning authority's remit.
Lack of police presence to ensure vulnerable children are not targeted.	This is a matter that goes beyond the local planning authority's control.
Burnham-on-Crouch lacks facilities to support the development of the children.	Burnham-on-Crouch, according to the LDP is one of the main settlements in Maldon, that benefit from a range of facilities and services and is provided with good public transport.
The house is large with potential to be extended further and therefore, a limit on numbers should be imposed.	The Council can only assess the proposal as it has been submitted. Any further development would require the submission and assessment of a new application.
The proposed development is not incomparable to a conventional dwelling and it will result in significant impact on residential amenity, due to the number of people residing and the children's background.	Consideration has been given to the potential additional impact caused in terms of noise and activity in comparison to a conventional dwelling. However, it is noted that this is a large property that could have been occupied by a large family with dependent people. On balance, it is considered that the additional impact, due to the residential

Objection Comment	Officer Response
	nature of the development would not be greater to an extent that would warrant refusal of the application on those grounds.

7.4.2 It is noted that a letter from the agent has been submitted providing further information regarding the proposed development. These further details are summarised below:

- The purpose of the services provided is for young people to have the opportunities to achieve in the same way as their peers.
- The services provided are for long rather than short term care for young people.
- Further details in relation to the market value of the neighbouring houses to the existing residential children home in Myaland have been provided. It is also noted that only one house near this property has been for sale since the residential children home started operation, which was for sale prior to the conversion of the site to residential children's accommodation.
- Records of all police visits is kept as part of our OFSTED inspection schedule. It is confirmed that in the past 12 months there have been 4 police visits on 3 separate days at the residential children's house in Mayland. Further details of each police visit are provided.
- The additional parking need from a conventional dwelling is accepted, but it is noted that this was a reason a site like the application site was chosen, due to the existing ample parking space.
- Since the opening of the residential children's house in Mayland there has been one formal complaint, which has been resolved.
- Details of an incident where one of the children in the residential children's house in Mayland has been abusive to neighbours is given and it is stated that the placement was closed for this young person.
- It is noted that the PSS Care Group does not have a residential children's house in Rayleigh or are a large business.
- It is also noted that PSS Care group has a comprehensive complaints policy which is regulated by an independent visitor monthly and OFSTED at inspection. It is advised that copies can be made available to neighbours if they require it.