



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
13 JANUARY 2020**

MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	19/01189/FUL
Location	Land South of Charwood And East of Orchard House, Stoney Hills, Burnham-On-Crouch, Essex
Proposal	Construct cul-de-sac road with turning head and vehicular and pedestrian access off stoney hills, erect three detached bungalows and three detached garages, lay out parking spaces and form gardens and amenity areas (amended proposal)
Applicant	Mr Burrows - Virium Technology Limited
Agent	Mr Stewart Rowe - The Planning And Design Bureau Ltd
Target Decision Date	08.01.2020 (EoT to be agreed for: 17.01.2019)
Case Officer	Anna Tastsoglou
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017 Member Call In – Cllr Stamp called this application in on the basis of policy D1.

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 development for the following reasons: a) does not comply with the provisions for "Windfall Sites" in MDC's Approved Local Development Plan & BTC's Approved Neighbourhood Development Plan and	All matters raised are addressed in detail within the officer's report.

Name of Parish / Town Council	Comment	Officer Response
	<p>b) is outside the development envelope; represents back land development; represents a further reduction in the rural nature of this area; adds to the existing vehicle movement problems associated with this unmade unadopted highway and its feeder Mill Road.</p> <p>c) Loss of amenities to local residents</p>	

7.3 Internal Consultees

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Environmental Health Team	Due to reduced resources, no comments were submitted by the Environmental Health Team.	As stated in the main Officer Report, regardless of the lack of comments from the Environmental Health Team, the comments previously received for an adjacent site are considered relevant to this application and thus, relevant conditions are imposed.

7.4 Representations received from Interested Parties (*summarised*)

- 7.4.1 Three letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Stoney Hills is already overdeveloped.	Comment noted. The character of Stoney Hills is discussed in section 5.1 of the report.
No consideration has been given to the existing residents of Stoney Hills.	The impact of the development on the neighbouring occupiers is assessed in Section 5.4 of the report. Further information in relation to the acceptability of the principle of the development are discussed in section 5.1 of the report.

Objection Comment	Officer Response
The site is outside the defined settlement boundaries.	Comment noted and discussed in section 5.1 of the report.
Stoney Hills is not designed for the additional traffic that would be generated by the development.	Matters in relation to impact on infrastructure are discussed in section 5.1 of the report.
Wildlife habitats and vegetation would be affected by the development.	Comments noted – secured by condition and S106.
The development would adversely impact upon the amenities of the neighbours. Loss of privacy.	The comments are addressed in section 5.4.
The development would result in light pollution.	Although it is accepted that the development would increase lighting, due to the introduction of three dwellings, when considered in comparison to the current undeveloped countryside, it is considered that the resultant lighting from three residential properties would be minimal and not result in a material harm to the neighbours' amenities to an extent that would warrant refusal of the application on those grounds.
Noise pollution.	It is considered that the development of three dwellings, which are compatible with the neighbouring residential uses, would not result in a materially harmful impact on the amenities of the neighbouring occupiers. The noise generated during construction would be temporary and not materially harmful to the amenities of the nearby neighbours. Statutory nuisance can be controlled by the Council's Environmental Health Team.
Lack of emergency access and inadequate pass-bys. Concerns regarding highway and pedestrian safety.	Although the comments raised are acknowledged it is noted that no objection was previously received by the Highway Authority for developments in Stoney Hills and no objections were raised by Inspectors

Objection Comment	Officer Response
	previously assessing developments in the area.
Lack of visitor parking.	The development would provide parking sufficient to meet the Council's Vehicle Parking Standards.
Lack of community amenity space.	It is noted that for development of such size (three dwellings) no contribution towards provision of public open space can be requested.
Developments in a cul de sac arrangement are not a precedent in the area.	This matter is further discussed in sections 5.1 and 5.3 of the report.

8. Please note the following amendment to section 8 of the report, to include the S106 agreement.

GRANT PLANNING PERMISSION subject to the following conditions and a Unilateral Undertaking:

A signed Unilateral Undertaking was received on the 9th January 2020, to confirm that the developer will contribute towards Essex Coast RAMS.

Condition remain as stated in the main officer report.