



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

to  
**COUNCIL**  
**11 AUGUST 2016**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 4      FUL/MAL/14/00356 – LAND BETWEEN CHANDLERS  
AND CREEKSEA LANE, MALDON ROAD, BURNHAM-  
ON-CROUCH, ESSEX**

<b>Application Number</b>	<b>FUL/MAL/14/00356</b>
<b>Location</b>	Land Between Chandlers and Creeksea Lane Maldon Road Burnham-On-Crouch Essex
<b>Proposal</b>	Application for full planning permission for 180 homes including 20 bungalows), new vehicular accesses onto Maldon Road, the spine road through the development, green space, and associated infrastructure. Outline planning permission with all matters reserved (except for access) is sought for a 50-60 bed care home, a nursery school, 3.4 hectares of B1, B2 and B8 and 0.65 hectares of allotments.
<b>Applicant</b>	Mr Simon Butler-Finbow – Pigeon Land Ltd
<b>Agent</b>	Mr David Barker – Evolution Town Planning LLP
<b>Target Decision Date</b>	30.08.2016 (extension of time agreed)
<b>Case Officer</b>	Debi Sherman
<b>Parish</b>	<b>BURNHAM NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application Strategic Site within the submitted Local Development Plan Departure from the Local Plan 2005 Parish Trigger

**9      CONSULTATIONS AND REPRESENTATIONS RECEIVED (PAGES 50 – 63)**

**9.1      Representations received from Parish / Town Councils**

<b>Name of Parish/Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Burnham-on-Crouch Town Council	The proposal represents overdevelopment as it exceeds the 180 dwellings allocation for the strategic site (contrary to policies S1, S2, S8 & H4).	See Section 7.1 of original report
	The design of the affordable housing is too	The design has been altered to 'break up' the

<b>Name of Parish/Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>square, with a barrack block appearance compacted into a small area.</p> <p>The proposal does not comply with policy BE1 (Replacement Local Plan), policy D1 (LDP) and the emerging Burnham-on-Crouch Neighbourhood Plan.</p>	<p>extent of the block facing onto the proposed public opens space. No objections are raised to this revision.</p>

## 9.2 Statutory Consultees and Other Organisations

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Highways	<p>No change to previous comments</p> <p>No objection</p>	<p>Conditions will be imposed as previously reported</p>

## 9.3 Internal Consultees

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer response</b>
Countryside and Coast Officer	<p>Concerns that the wide belt of planting proposed on the new western boundary encroaches on the existing hedgerow and confuses the landscape pattern of the setting. Details of this vegetation should be secured through a landscape condition and a detailed Landscape and Ecology Management Plan.</p> <p>Building AF4 has been split into 4a and 4b by an area of paving. This breaks the continuity of the frontage onto the green open space and creates a disjointed</p>	<p>Conditions proposed would be able specify details of areas where particular planting/landscaping are appropriate. Conditions 8, 22 and 30 apply.</p> <p>No objections are raised in overall urban design terms</p>

Name of Internal Consultee	Comment	Officer response
	<p>boundary.</p> <p>Repositioning of the allotments with a row of trees to the west could reduce functionality as they will be shaded over their western edges. Planting to the west should be limited to taller shrubs or low-growing trees.</p>	<p>This can be accommodated within the landscaping conditions.</p>
<b>Housing Services</b>	<p>The proposed provision of a residential care home for older people is in accordance with Policy H3 of the emerging Local Development Plan and whilst distinct from other forms of sheltered and supported housing and the need for this particular type of provision is recognised and acknowledged as being suitable to meet any anticipated shortfall in the provision of residential care for the area.</p> <p>It is uncertain at this stage whether Essex County Council would in the future commission or contribute toward the cost of care on an individual basis as the proposal is for a privately operated scheme.</p>	<p>The Housing Service's consultation response confirms the need for this type of accommodation and is confirmed by Essex County Council.</p>

#### 9.4 Representation received from Interested Parties

9.5 Further letters objecting to the application have been received from the following and the reasons for objection are summarised as set out on the table below:

- Glyn and John Hitcham Creeksea Lodge, Creeksea Lane, Burnham on Crouch
- Burnham BROOD, Mrs Natalie Bettany (Secretary), 11 Chandlers, Burnham on Crouch

- Mr & Mrs Lovell, Fairway Cottage, Creeksea Lane, Burnham on Crouch
- Mrs Wendy Stamp, 62 Maldon Road, Burnham on Crouch ( 2 letters)
- Mr Barrie Stamp, 62 Maldon Road, Burnham on Crouch
- Iain A Corbett, 17 Fernlea Road, Burnham on Crouch
- D & M Kennedy, Chestnut House, Green Lane, Burnham on Crouch

<b>Objection Comment</b>	<b>Officer Response</b>
Badly flawed complex cul de sac road layout – [could] increase permeability by adopting U shape two entrance format onto the major roads.	Issues relating to overall design and layout of the scheme have been previously addressed in the original report particularly Sections 7.5 and 7.6.
The layout is totally dysfunctional.	
There is still no effective buffer insulation area along the boundary with Chandlers.	
Burnham has an ageing population – it is vital that the Burnham West proposal incorporates 100% Lifetime Homes content.	
The proposed gross area still seems to be about 2.5 – 3 times larger than that set out in the LDP.	
Changes to the scheme are out of line with the NPPF. Cul de Sac spine road are an inadequate response to Councillors concerns – need complete re-design with access/exit onto Maldon Road.	The changes to the spine road are to address concerns raised by Members. No objections are raised by the Highway Authority.
Response in report to query over need for care home inadequate.	Addressed in Section above.
Concerns regarding the maintenance and management of public open space and SuDS – whether the developer would be required to ensure long term management and maintenance.	The Heads of Terms for the S106 relating to this matter would set out in detail the requirements to ensure that long term management and maintenance of open space and Sustainable Drainage Systems (SuDS) would be addressed.
No rush to determine the application as already over 4 years old and 411 potential additional dwellings from other sites – not reliant on this scheme.	See Section 7.1 of the original report.
Impacts on social infrastructure (education / medical) in Burnham from developments in Southminster and projected rural allocations (350 units).	See Sections 7.19 and 7.20 of the original report.

## **SUPPORTING INFORMATION**

The applicant has submitted information setting out how the application has evolved to respond to issues raised. They reference that the extent of objection has decreased since the original scheme was tabled in 2014. Their statement states that the site area is larger than the LDP allocation because of the greater package of community assets offered, the variety of

homes to meet local needs in keeping with the area, provision of high quality employment areas, open space and allotments (in excess of Council standards) set in a landscaped and spacious environment.