

**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
CHIEF EXECUTIVE**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
6 November 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 5

Application Number	FUL/MAL/17/00860
Location	Barn Little Ashtree Farm, Steeple Road, Mayland
Proposal	Conversion of barn to residential. Alterations to existing openings, together with insertion of new windows and rooflights. Replacement of external wall and roof cladding.
Applicant	Mr Wiffen
Agent	Andy Hall - Tyburn Consulting Limited
Target Decision Date	6 December 2017
Case Officer	Anna Tastsoglou
Parish	STEEPLE
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017 Member Call In

8. CONSULTATIONS AND REPRESENTATIONS RECEIVED

8.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highway Authority	Following the re-consultation for the above application, please be advised that the position of the Highway Authority remains unchanged and has no comments to make on the proposal.	Comment noted.

8.3 Internal consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	Additional comments have been received from the Environmental Health Team requesting a condition in relation to reporting any potential contamination to be imposed, as well as an informative regarding working hours.	Comments noted. Condition 10 is added as recommended. An informative to control nuisance during construction has alterably been added.

8.4 Representations received from Interested Parties

8.4.1 An additional letter was received by Mrs Sandra McClaren **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Should planning permission be granted, the matter would become a legal redress.	The Local Planning Authority has no control on any legal or private matters in terms of compensation for damages.
Reference is made to the right of the neighbour to erect a 6ft high fence along the boundary which flushes with the south elevation of the barn.	Comment is noted. For that reason the applicant advised to relocate the bedroom windows to front and rear elevations, to avoid any possible blocking of light and outlook.
Concerns are raised regarding the foul drainage system.	It is noted that the waste water treatment has been shown to be located to the north of the building (plan no. 1084/101 Rev B).
Concerns were raised by the neighbour regarding the accuracy of the boundary line shown on the Council's Site Plan.	It is noted that the map within the Committee Report is only indicative in terms of the boundary line. The application is assessed on the basis of the plans submitted by the applicant; which have been now corrected to show only the land within the applicant's ownership. Nevertheless, this map has been amended and it is listed below.

9. PROPOSED CONDITIONS

Add condition 10

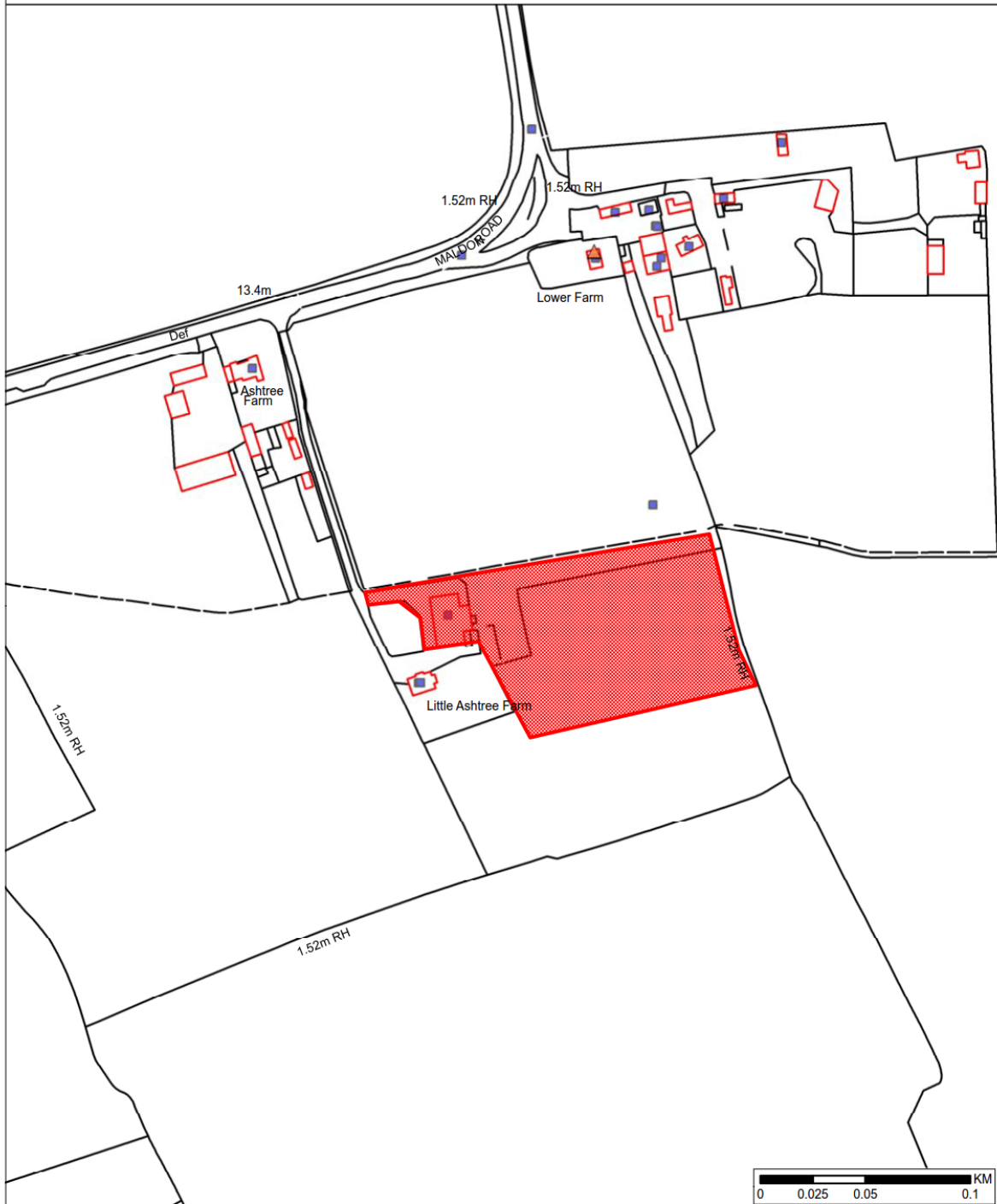
- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.


REASON: To prevent the undue contamination of the site in accordance with policy D2 of the approved Maldon District Local Development Plan.

Other matters

1. In response to the neighbour's concerns regarding the boundary line shown on the Council's Site Map, please see amended Site Map below
2. Please also note correction of the Target Decision Date, which following the validation of the application on the basis of the amended drawing, is the 6th December 2017.

Barn, Little Ashtree Farm, Steeple Road, Mayland
FUL/MAL/17/00860



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	Department:	Department
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