

**MINUTES OF THE BURNHAM ON CROUCH PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, CHAPEL ROAD, BURNHAM-ON-CROUCH, ESSEX. on MONDAY 4<sup>th</sup>. FEBRUARY 2020 at 7pm**

Present: Cllr W. Stamp (Town Mayor)

Councillors: Cllr V. Bell, B. Calver, J. Donnelly, J. English, R. Pratt and Kevin B. Money Planning Clerk

*District Councillors reserved their right of view, at this meeting, as Town Councillors and they reserved their right to a different view, as District Councillors, at other meetings.*

**NOTE: This meeting was recorded and those attending warned that if they did not want to be recorded they may want to leave the meeting.**

**409 APOLOGIES FOR ABSENCE** were received from Cllr F. Clegg, N. Pudney, N. Skeens

**410 DECLARATIONS OF INTERESTS**

**All Town Councillors have completed their Statutory Declarations of Interests in accordance with the Localism Act 2011 and the Code of Conduct for Members adopted by the Town Council.**

Members are required to declare the existence and nature of any 'personal or prejudicial' interests relating to items on the Agenda having regard to the Code of Conduct for Members. Members are reminded that they are also required to declare interests as soon as they become aware should the need arise throughout the meeting.

Cllr W. Stamp declared a NPI in item 412/(d): Cllr B. Calver declared a NPI in item 412/(i):

Cllr V. Bell declared a NPI in item 412/(g): Cllr J. English declared a NPI in item 412/(i):

Cllr R. Pratt declared a NPI in item 412/(i).

**411 MINUTES**

To confirm the Minutes of the Planning Committee Meeting held on 20<sup>th</sup>. January 2020

**All Agreed**

**412 APPLICATIONS FOR PLANNING CONSENT**

**a) 19/01317/HOUSE** - 1 Springfield Road Burnham-On-Crouch Essex CM0 8TF

Single storey rear extension

**RESOLVED: Support this application**

**b) 20/00033/LDP** - 2A Mill Road Burnham-On-Crouch Essex CM0 8PZ

Claim for lawful development certificate for a proposed single storey rear extension

**RESOLVED: Councillors noted this application**

**c) 20/00032/HOUSE** - 17 Brickwall Close Burnham-On-Crouch Essex CM0 8HB

Single storey rear extension

**RESOLVED: Support this application**

**d) 19/00702/RES** - Land To The Rear Of 60A Maldon Road Burnham-On-Crouch Essex

Reserved matters application for the approval of access, appearance, landscaping, layout and scale on approved planning application OUT/MAL/17/1123 allowed on appeal APP/X1545/W/18/3195853

(Proposed erection of 6 residential dwellings and ancillary works with shared surface access of Green Lane and pedestrian/ cycle link to Maldon Road)

**RESOLVED: Councillors noted this application**

**e) 19/00929/FUL** - Dock The Quay Burnham-On-Crouch Essex

Removal of various structures and construction of steel supported access deck, handrails and jetty to access new access bridge and floating pontoon with support piles to serve 4 no. new houseboat berths with associated mains services to shoreside.

**RESOLVED: Refuse this application**

The proposed site is at an extremely sensitive location. It is

- In the centre of the town
- In a conservation area on Burnham's ancient quayside
- Immediately adjacent to and acting as a backdrop to registered heritage asset the Burnham war memorial
- The memorial is the centre of Town services and commemorations with already very compromised visibility and access to the crowds that attend such events

Because of its scale, mass and design it is believed that the addition of an extra 4 large domestic houseboats, with no effective control over design, appearance or maintenance standards (as has been demonstrated of the past 3 years with the Lylis Helig) would create an unacceptable precedence.

The proposed development fails key NPPF strictures:

- 194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 32. Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and allow for the efficient delivery of goods, and access by service and emergency vehicles
- There are no proposed parking provisions to service these 4 large permanent houseboats in an area which already has severe shortfalls
- The additional 4 large residential boats would be unsustainable because Burnham has insufficient NHS and Education facilities to meet present and already approved incremental residential accommodation when the town and district have in excess of 5 year land supply
- 195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Furthermore when the river is at high tide the houseboats will look directly into the neighbours windows. Hence a loss of privacy

This application should not be conjoined with the application to remove the Lylis Helig boat. These should be treated as TWO separate applications.

If this application was to be granted then a condition be placed on the application that NO sewerage from the houseboats be discharged directly into the river.

This application contravenes MDC policy H8 (Provision for houseboats)

**f) 20/00034/TCA** - 45 Chapel Road Burnham-On-Crouch Essex CM0 8JD

T1 Ash - Cut back approx. 1.5m.

**RESOLVED: Support this application** following the Tree Officers report which has no objection to this application

**g) 20/00003/ADV** - 111A Station Road Burnham-On-Crouch Essex CM0 8HQ

Fascia sign with details and logo of the company

**RESOLVED: Refuse this application.** This is a retrospective application following the conservation officers refusal of the signage. The sign with the colour scheme is inappropriate being in a conservation area.

**h) 19/01305/FUL** - Great Westwick Farm Marsh Road Burnham-On-Crouch Essex

Extension to the north of units 1,2 and 3 and extension to the east of unit 4 and 5 to create links between the units. Erection of two storage buildings, erection of 2m high mesh fence, creation of 10 parking spaces, new gas tank compound, relocation of feed bins and the cladding of units 1-5

**RESOLVED: Support this application** but the Councillors noted the "holding objection" by SuDS.

**i) 19/01208/FUL** - Land North Of Marsh Road Burnham-On-Crouch Essex

Residential development comprising the construction of 90 residential dwellings (Use Class C3), public open space, landscaping and associated infrastructure.

**RESOLVED: Refuse this application.**

Councillors are asking MDC to ask the applicant to undertake an "Air Quality report". The development with all the heavy vehicles using it's access will be directly opposite the school. MDC has 5.27 years of housing supply as at 20.12.19 report.

This application also contravenes BoCNP policies HC2, HC3, HO7,PI.11 and PI.10a.

This application also contravenes MDC LDP policies S1 and S2.

Councillors could not open the Draft Legal document on the MDC website.

BTC Councillors also noted the "holding objection" of the Essex Wildlife Trust

Councillors also noted that this is a strategic site. The same reasons do apply to all applications due to infrastructure constraints. BTC allocation was 450 (not being a ceiling), but prior to LDP being 'made', Burnham had 75 Pippins and 80 Southminster Road approved on appeal which with all other approvals approximately is up to 682. Not including 18/00443 Land North West of 2 Maldon Road.

## **413 DECISIONS BY MALDON DISTRICT COUNCIL**

### **To note decisions made by Maldon District Council**

**WTPO/MAL/19/00893** - First And Second Floor 5 High Street Burnham-On-Crouch Essex  
T2 Willow – Fell. **REFUSE** for the following reasons:-

The proposed felling of the Willow tree would result in the unjustified loss of a tree which has significant amenity value to the detriment of the character and appearance of the area

**TCA/MAL/19/00900** - Quay House The Quay Burnham-On-Crouch Essex

T1 Pyracantha - Reduction in height and sides by 1m. T2 Whitebeam/Sorbus - Crown reduce by 1m. T3 Silver Birch - Reduce crown by 3m back to previous. T4 Beech - Reduce height by 3m and cut back from neighbouring property by 1m. T5, T6, T7 & T8 Maple - Reduce crown by 2m back to previous. T9 Laurel - Reduce height by 1m. T10 Maple - Crown reduce by 1.5m. T11 Alder - Remove lowest limb and cut back from neighbours by 1m. T12 Bay - Hedge cut back by 1m to previous. **ALLOWED TO PROCEED**

**FUL/MAL/19/01123** - The Old Booster Station 1 Maldon Road Burnham-On-Crouch Essex

Section 73A application for extension of residential land with associated boundary fencing and formation of enlarged car parking area. **APPROVE** subject to conditions. See MDC website

**ADV/MAL/19/01203** - Land North West Of 2 Maldon Road Burnham-On-Crouch Essex

Erect non-Illuminated advertisement hoarding not exceeding 23 metres in length

**APPROVE** subject to conditions. See MDC website

**FUL/MAL/19/00875** - Creeksea Sailing Club Ferry Road Burnham-On-Crouch Essex

Replacement of existing timber race hut & alterations to raised decking area

**APPROVE** subject to conditions. See MDC website

**HOUSE/MAL/19/01092** - 8 The Cobbins Burnham-On-Crouch Essex CM0 8QL  
Conversion of the existing double garage into residential accommodation, first floor extension, alterations to roof of existing dormer and a replacement detached double garage.

**APPROVE** subject to conditions. See MDC website

**FUL/MAL/19/01189** - Land South Of Charwood And East Of Orchard House Stoney Hills  
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. **APPROVE** subject to conditions. See MDC website

**HOUSE/MAL/19/00883** - 6 Hardings Reach Burnham-On-Crouch Essex CM0 8LL  
Rear extension and alteration to dwelling. **APPROVE** subject to conditions. See MDC website

**COUPA/MAL/19/01036** - Barn At Burnham Wick Farm Wick Road Burnham-On-Crouch  
Notification for prior approval for a proposed change of use of agricultural building to a gym.

**REFUSE** for the following reason. See MDC website

**FUL/MAL/19/01143** - Sea End Caravan Park Belvedere Road Burnham-On-Crouch Essex  
Variation of condition 2 on approved planning application FUL/MAL/95/00407 (Retention of consent refs. BUR/23/51 without compliance with condition 3 BUR/21/59 condition 1 and MAL/909/77 condition 3 to allow occupancy of caravans from 1 March to 30 November annually) to allow occupation of the site at any time of the year. **APPROVE** subject to conditions. See MDC website

**FUL/MAL/19/01190** - 171 - 173 Station Road Burnham-On-Crouch Essex CM0 8HN  
Partial change of ground and first floor from shop (A1) to residential (C3), demolition of outbuilding to the south of the building, erection of single storey rear extension and installation of new fence and gates. **REFUSE** for the following reasons. See MDC website

**ADV/MAL/19/01191** - 171 - 173 Station Road Burnham-On-Crouch Essex CM0 8HN  
Application for advertisement consent for Fascia painted signs.

**APPROVE** subject to conditions. See MDC website

### **APPEAL/S & DECISION/S**

#### **TOWN AND COUNTRY PLANNING ACT 1990**

#### **APPEAL UNDER SECTION 78**

**Site Address:** Old Vicarage Southminster Road Burnham-On-Crouch Essex

**Proposal:** Proposed erection of an indoor swimming pool and garaging within the grounds of the Old Vicarage

**Application Ref:** 19/00840/HOUSE PP-08053731

**Appeal Ref:** APP/X1545/D/19/3242092

**Appeal Start Date:** 10 January 2020

#### **414 CORRESPONDENCE AND LATE PLANS**

#### **Circulated to Councillors at the meeting**

**Date of next planning meeting Tuesday 18<sup>th</sup>. February 2020**

There being no further business the Town Mayor thanked everyone for attending and closed the meeting at 7.40pm

Signed.....18<sup>th</sup>. February 2020

**Wendy Stamp**