

Unrestricted Document Pack

APOLOGIES Committee Services
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Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

20 June 2017

Dear Councillor

You are summoned to attend the meeting of the;


CENTRAL AREA PLANNING COMMITTEE

on **WEDNESDAY 28 JUNE 2017 at 7.30 pm.**

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'F. R. Marshall', enclosed within a large, loopy oval shape.

Chief Executive

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor B E Harker

VICE-CHAIRMAN

Councillor S J Savage

COUNCILLORS

Miss A M Beale
A T Cain
I E Dobson
Mrs B D Harker
M S Heard
Miss M R Lewis
M R Pearlman
Mrs N G F Shaughnessy
Rev. A E J Shrimpton

Ex-officio non-voting Members: Councillor Mrs P A Channer, CC

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AGENDA
CENTRAL AREA PLANNING COMMITTEE
WEDNESDAY 28 JUNE 2017

1. Chairman's notices (please see overleaf)
2. Apologies for Absence
3. **Minutes of the last meeting** (Pages 9 - 20)

To confirm the Minutes of the meeting of the Committee held on 31 May 2017, (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **FUL/MAL/17/00378 - 1 Wave Bridge Court, Colchester Road, Heybridge** (Pages 21 - 26)

To consider the planning application and recommendations of the Chief Executive (copy enclosed, Member' Update to be circulated).

6. **FUL/MAL/17/00465 - Maldon Saints Clubhouse, The Promenade Park, Park Drive, Maldon** (Pages 27 - 34)

To consider the planning application and recommendations of the Chief Executive (copy enclosed, Members' Update to be circulated).

7. **FUL/MAL/17/0494 - All Saints Church of England Primary School, Highlands Drive, Maldon** (Pages 35 - 42)

To consider the planning application and recommendations of the Chief Executive (copy enclosed, Members' Update to be circulated).

8. **ADV/MAL/17/00534 - Tesco, Fullbridge, Maldon** (Pages 43 - 52)

To consider the planning application and recommendations of the Chief Executive (copy enclosed, Members' Update to be circulated).

9. **Other Area and Planning Related Matters** (Pages 53 - 54)

To consider the report of the Chief Executive on the following matters:

(i) Appeals Lodged

(ii) Appeal Decisions

10. **Any other items of business that the Chairman of the Committee decides are urgent**

11. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

12. **Enforcement Update** (Pages 55 - 104)

To receive and note the report of the Chief Executive (copy enclosed).

Note:

1. The Council operates a facility for public speaking. This will operate only in relation to the consideration and determination of planning applications under Agenda Items Nos. 5 – 8.
2. The Committee may hear from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to speak is afforded only to those having previously made previous written representation.
3. Anyone wishing to speak must notify the Committee Clerk or a Planning Officer between 7pm and 7.20pm prior to the start of the meeting.
4. For further information please ring 01621 875791 or 876232 or see the Council's website – www.maldon.gov.uk/committees

* Please note the list of related Background Papers attached to this agenda.

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.

BACKGROUND PAPERS

The Background Papers listed below have been relied upon in the preparation of this report:

1. The current planning applications under consideration and related correspondence.
2. All third party representations and consultation replies received.
3. The following Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance:

Development Plans

- Maldon District Replacement Local Plan 2008 – Saved Policies
- Maldon District Local Development Plan 2014-2029 - submitted to the Secretary of State for Examination in Public on 25 April 2014 (as amended).

Legislation

- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991 and The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (Control of Advertisements) (England) Regs 2007
- The Town and Country Planning (Environmental Impact Assessment) Regs 2011
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- Growth and Infrastructure Act 2013

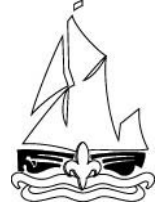
Supplementary Planning Guidance and Other Advice

- i) Government policy and guidance
 - National Planning Policy Framework (NPPF) and Technical Guidance
 - Planning Practice Guidance (PPG)
 - Planning policy for traveler sites
 - Planning practice guidance for renewable and low carbon energy
 - Relevant government circulars
- ii) Essex County Council
 - Essex Design Guide 1997
- iii) Maldon District Council
 - Submission Local Development Plan (April 2014) (as amended)
 - Five Year Housing Land Supply Statement 2014/15
 - Planning Policy Advice Note v.4 (October 2015)
 - Infrastructure Delivery Plan (All versions, including update in Council's Hearing Statement)
 - Infrastructure Phasing Plan (January 2015)
 - North Heybridge Garden Suburb Strategic Masterplan Framework - 2014

- South Maldon Garden Suburb Strategic Masterplan Framework - 2014
- Vehicle Parking Standards SPD - July 2006
- Accessibility to Buildings SPD – December 2006
- Children’s Play Spaces SPD – March 2006
- Sadd’s Wharf SPD – September 2007
- Heybridge Basin Timber Yard SPD – February 2007
- Developer Contributions Guide - 2010
- Affordable Housing Guide – June 2006
- Heybridge Basin Village Design Statement – November 2006
- Wickham Bishops Village Design Statement - 2010

Copies of all Background Papers are available for inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during normal office hours

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**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
31 MAY 2017**

PRESENT

Chairman	Councillor B E Harker
Vice-Chairman	Councillor S J Savage
Councillors	A T Cain, I E Dobson, Mrs B D Harker, M S Heard, Miss M R Lewis, Mrs N G F Shaughnessy and Rev. A E J Shrimpton

95. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

96. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Mrs P A Channer, CC.

97. MINUTES - 19 APRIL 2017

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 19 April 2017 be received.

Minute No. 1217 – Minutes of the Last Minutes

Councillor S J Savage advised that in respect of the Environmental Impact Assessment training, confirmation of this was provided in the next set of Minutes (page 17 of the Agenda Pack).

An amendment was sought to second part of this Minute regarding Tesco but it was agreed by the Committee that the Minutes were accurate.

Minute No. 1219 – HOUSE/MAL/17/00164 75 Goldhanger Road, Heybridge

Councillor Miss M R Lewis advised that the penultimate paragraph did not reflect what she had said and it was agreed that this be amended to read as follows:

“...be a forever home. *As their child with special needs continues to grow, handling was becoming more challenging which was why installation of a lift was needed along*

with additional storage space for the growing amount of specialist equipment. Members were of the opinion...

RESOLVED

- (ii) that subject to the above amendment, the Minutes of the meeting of the Committee held on 19 April 2017 be confirmed.

98. MINUTES - 22 MARCH 2017

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 22 March 2017 be received.

Minute No. 1109 – FUL/MAL/17/00074 – Tesco, Fullbridge, CM9 4LE

It was agreed that the second paragraph should read ...enforceable under planning law”.

Close of business

The Chairman advised that the time stated was incorrect and should be 9:22pm. This was noted by Members.

RESOLVED

- (ii) that subject to the above amendments, the Minutes of the meeting of the Committee held on 22 March 2017 be confirmed.

99. DISCLOSURE OF INTEREST

Councillor M S Heard declared that in relation to:

- Agenda Item 6: FUL/MAL/16/01252 Mobile Car Wash in Car Park Blackwater Leisure Centre, Park Drive, Maldon - he knew at least seven of the objectors.
- Agenda Item 9: FUL/MAL/17/00216 Topsail Charters Limited, Cooks Boatyard, The Hythe, Maldon – he had hired the applicant’s services two years ago.
- Agenda Item 10 - OUT/MAL/17/00359 Land Rear of 183 Fambridge Road, Maldon – he was a Council employee
- Agenda Item 12 - .FUL/MAL/17/00449 and LBC/MAL/17/00450 The Limes Guest House, 21 Market Hill, Maldon – he knew the applicant as a local developer.

Councillor Rev. A E J Shrimpton declared that in relation to Agenda Item 6: FUL/MAL/16/01252 - Mobile Car Wash in Car Park Blackwater Leisure Centre, Park Drive, Maldon he had used the car wash and Agenda Item 9: FUL/MAL/17/00216 - Topsail Charters Limited, Cooks Boatyard, The Hythe, Maldon he had been a customer of Topsail Charter.

Councillor Savage declared the following:

- Agenda Item 6: FUL/MAL/16/01252 Mobile Car Wash in Car Park Blackwater Leisure Centre, Park Drive, Maldon – he used the facilities.
- Agenda Item 7: FUL/MAL/17/00067 Millennium Wood, Park Drive, Maldon – he used the facilities.
- Agenda Item 9: FUL/MAL/17/00216 Topsail Charters Limited, Cooks Boatyard, The Hythe, Maldon - non-pecuniary as the applicant was known to him and he had lived adjacent to the flood zone since 1983 and been aware of it since 1969.
- Agenda Item 10 - OUT/MAL/17/00359 Land Rear of 183 Fambridge Road, Maldon – he knew the applicant.
- Agenda Item 11 - HOUSE/MAL/17/00377 27 Mundon Road, Maldon – non-pecuniary.

Councillor A T Cain declared a non-pecuniary interest in agenda items 6:

FUL/MAL/16/01252 - Mobile Car Wash in Car Park Blackwater Leisure Centre, Park Drive, Maldon and 12 - .FUL/MAL/17/00449 and LBC/MAL/17/00450 - The Limes Guest House, 21 Market Hill, Maldon.

Councillor I E Dobson declared the he knew the objectors and related parties for agenda items and 9: FUL/MAL/17/00216 Topsail Charters Limited, Cooks Boatyard, The Hythe, Maldon.

Councillor Mrs N G F Shaughnessy declared that she knew one of the objectors in relation to 10 - OUT/MAL/17/00359 Land Rear of 183 Fambridge Road, Maldon.

The Committee considered the reports of the Chief Executive and determined the following applications taking into account all representations and consultation replies received, including those detailed on the Members' Update.

100. FUL/MAL/16/01252 - MOBILE CAR WASH IN CAR PARK BLACKWATER LEISURE CENTRE, PARK DRIVE, MALDON

Application Number	FUL/MAL/16/01252
Location	Mobile Car Wash In Car Park Blackwater Leisure Centre Park Drive Maldon Essex
Proposal	Retrospective - Change of use of 3No. parking bays for use as mobile car wash
Applicant	Mr Mark Taylor - Places For People Leisure Ltd
Agent	-
Target Decision Date	06.06.2017
Case Officer	Spyros Mouratidis, TEL: 01621 875841
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

It was noted from the Members' Update that if Members were mindful to refuse the application under the Committee's Terms of Reference the application would need to be determined by the Council.

Councillor Rev. A E J Shrimpton declared an interest in this application, as he was a regular user of the Blackwater Leisure Centre.

Following the Officers' presentation a debate ensued and in response to a comment regarding an application relating to Maldon Saints the Group Manager - Planning Services advised that temporary consent had been granted due to the community benefit it offered. A number of concerns relating to the proposed use were highlighted by Members.

RECOMMENDED that this application be **REFUSED** for the following reason:

- 1 The stationing of the metal container by way of its scale, poor utilitarian and rudimentary design and detailing and temporary nature is considered to have a detrimental impact upon the character and appearance of the area and visual amenities contrary to adopted and saved policy BE1 of the Maldon District Replacement Local Plan, emerging policy D1 of the submitted Local Development Plan and guidance contained within the National Planning Policy Framework.

101. FUL/MAL/17/00067 - MILLENNIUM WOOD, PARK DRIVE, MALDON

Application Number	FUL/MAL/17/00067
Location	Millennium Wood, Park Drive, Maldon
Proposal	Place a 20 foot x 10 foot converted metal container in the promenade park for use as a booking in suite, office and storage. Fence off the surrounding area for change of use for outdoor activity centre.
Applicant	Mr Ian Dobney - KI Combat Limited
Agent	-
Target Decision Date	29 May 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

It was noted from the Members' Update that if Members were mindful to refuse the application under the Committee's Terms of Reference the application would need to be determined by the Council.

Councillors Mrs B D Harker, B E Harker, M S Heard and S J Savage declared that they knew the objector who had registered to speak on this application.

Following the Officers' presentation, an objector, Mr Bob Wyness addressed the Committee.

RECOMMENDED that this application be **REFUSED** for the following reasons:

1. The proposed development would result in significant detrimental impact upon the character and appearance of the site by way of visual intrusion including

choice of boundary treatment, choice of materials within the site, level of built form and loss of public open amenity space contrary to adopted policies BE1, CC6 and REC7 emerging policies D1 and E5 of the submitted Local Development Plan and the guidance and provision of the National Planning Policy Framework.

2. It has not been demonstrated that the proposal would not result in material harm or detrimental impact upon the enjoyment and safety of adjacent neighbouring occupiers or users and workers within the site contrary to policies BE1, CON5 and CON6 of the adopted Maldon District Replacement Local Plan and emerging policies D1 and D2 of the submitted Local Development Plan and the guidance and provision as contained within the National Planning Policy Framework.
3. Policy E5 of the Local Development Plan supports development for new tourist facilities providing it is demonstrated that there is an identified need for the proposal, there is good connectivity with other tourist sites and green infrastructure networks, there is no significant detrimental impact on the character and amenity of neighbouring uses or the surrounding area and any impact on the natural environment is avoided. The proposal fails to meet these policy criterion and is therefore, contrary to Policy E5 of the Local Development Plan as well as provision as contained within the National Planning Policy Framework.
4. The Ecological Scoping Survey reference 0259.0001 Rev 0 has not fully demonstrated that there will be no detrimental effect on the ecology and biodiversity of the site contrary to adopted policies BE1, CC5 and CC6 of the adopted Maldon District Replacement Local Plan and emerging policies D1, E5, N1 and N2 of the submitted Local Development Plan and the guidance and provision as contained within the National Planning Policy Framework.

102. HOUSE/MAL/17/00183 - 32 RIDGEWAY, MALDON

Application Number	HOUSE/MAL/17/00183
Location	32 Ridgeway Maldon
Proposal	Single storey rear extension, loft conversion & garage
Applicant	Mr Allan Taylor - Blue Door Solutions Ltd
Agent	Mr & Mrs M Chapman
Target Decision Date	17.04.2017 EOT 01.06.2017
Case Officer	Hannah Bowles
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Councillor / Member of Staff

RESOLVED that this application be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings: Location Plan, Block Plan, Front Elevation received 20.02.2017 and Rear Elevation received 20.02.2017.
- 3 The external surfaces of the extension hereby approved shall be constructed of materials and of a finish to match the existing dwelling.

103. FUL/MAL/17/00216 - TOPSAIL CHARTERS LIMITED, COOKS BOATYARD, THE HYTHE, MALDON

Application Number	FUL/MAL/17/00216
Location	Topsail Charters Limited Cooks Boatyard The Hythe Maldon
Proposal	Change of use of existing lease to allow the following for three years:- <ul style="list-style-type: none"> • For mooring of historic barge on camp shed as public tearoom and daytime meeting room • Evening use as an Arts Venue • Erection of safety stanchions and link chain along riverside of path
Applicant	Ms Stephanie Valentine
Agent	N/A
Target Decision Date	20 April 2017
Case Officer	Yee Cheung
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

It was noted from the Members' Update that if Members were mindful to refuse the application under the Committee's Terms of Reference the application would need to be determined by the Council.

Following the Officers' presentation Mr Noel Probyn, an Objector, Mr Roger Beckett, a Supporter and Mr Paul Jefferies the Applicant addressed the Committee.

In response to a question, the Group Manager - Planning Services advised the Committee that if it was mindful to approve this application he would suggest that Officers be given delegated authority to discuss conditions with the Environment Agency to limit the harm they perceived.

Councillor A T Cain supported the application highlighting how it was for a short term lease, would bring employment into the area and how the economic benefit it would bring outweighed the disadvantages. These views were reiterated by other Members of the Committee.

In response to a question, the Group Manager - Planning Services provided Members with information regarding Government Guidance on granting temporary permissions. In particular, how such consents should not be extended but either approved or refused once the time limit has expired. He also highlighted a number of areas which Members needed to assess prior to approving or refusing the application.

In response to a question regarding the flood risk, the Officer explained that the Environment Agency would have considered how the site was going to be used and the matrix they would use to assess flood risk.

Councillor A T Cain proposed that the application be approved, contrary to Officers' recommendation.

The Chairman then put the Officers' recommendation of refusal to the Committee. Upon a vote being taken this was declared lost. Councillor S J Savage asked that his vote in favour of refusal be recorded.

The Chairman sought from Officers details of the proposed conditions if Members were mindful to approve the application. The Group Manager - Planning Services advised that would include conditions limiting consent for a temporary period (three years) and controlling hours of operation and noise. The responses from statutory consultees would be checked for additional conditions being recommended, subject to their meeting the statutory tests, and this would include the Environment Agency on flood matters.

The Chairman then put to the vote approval of the application, contrary to Officers' recommendation and this was duly agreed.

RESOLVED that this application be **APPROVED** subject to the following conditions together with additional conditions as referred to above:

- 1 The use hereby permitted shall be discontinued and the land restored to its former condition on or before 31 May 2020 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.

Councillor S J Savage commented on applications made on Council owned land and consulting Members in respect of them. In response the Development Control Team Leader provided Members with some information and the Chairman advised that this was a matter for outside of the meeting.

104. OUT/MAL/17/00359 - LAND REAR OF 183 FAMBRIDGE ROAD, MALDON

Application Number	OUT/MAL/17/00359
Location	Land Rear Of 183 Fambridge Road, Maldon
Proposal	Outline planning permission with all matters reserved for a single storey dwelling
Applicant	Mr. Nigel Harmer
Agent	-
Target Decision Date	16 June 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Councillor / Member of Staff

The Members' Update detailed a typographical error to reason for refusal 3 relating to this application. This was noted.

Following the Officers' presentation an Objector, Ms Maureen Patient-Saunders addressed the Committee.

Councillor B E Harker declared that he knew the applicant.

RESOLVED that this application be **REFUSED** for the following reasons:

1. The principle of a dwelling in this location by way of its siting and location to the rear of No's 2 – 8 Spencer Close would result in an incongruous and contrived development out of character with the prevailing pattern of development within the area. As such the proposal is contrary to adopted Maldon District Replacement Local Plan policy BE1 policies D1 and H4 of the submitted Local Development Plan and Government guidance contained within the National Planning Policy Framework.
2. The proposed development by way of the proximity of the access and intensification of its use would result in loss of amenity and detrimental impact upon the occupiers of the adjacent dwellings by way of noise and disturbance contrary to policies BE1 of the adopted Maldon District Replacement Local Plan as well as the principles of delivering sustainable development contained within the National Planning Policy Framework.
3. The proposed development by way of the restricted width of the access would result in the intensification of on-street parking to the detriment of highway and pedestrian safety resulting in an unacceptable degree of hazard to potential future occupiers and existing road users, contrary to policy T2 of the adopted Maldon District Replacement Local Plan and policy T2 of the submission version of the Local Development Plan.

105. HOUSE/MAL/17/00377 - 27 MUNDON ROAD, MALDON

Application Number	HOUSE/MAL/17/00377
Location	27 Mundon Road, Maldon, Essex
Proposal	Front extension, render existing walls & vehicle crossover
Applicant	Mrs J Cox
Agent	Mr Allan Taylor - Blue Door Solutions Ltd
Target Decision Date	07/06/2017
Case Officer	Nicola Ward, TEL: 01621 875864
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Councillor / Member of Staff

RESOLVED that this application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish to match the existing dwelling.
4. Prior to first use of the proposed development, the vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specification of the Highway Authority.
5. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
6. The driveway hereby approved shall either be constructed of a porous material or provision shall be made to direct run-off water from the hard surface to a

permeable or porous area or surface within the curtilage of the dwellinghouse and shall be retained as such thereafter.

106. FUL/MAL/17/00449 AND LBC/MAL/17/00450 - THE LIMES GUEST HOUSE, 21 MARKET HILL, MALDON

Application Number	FUL/MAL/ 17/00449
Location	The Limes Guest House 21 Market Hill Maldon Essex
Proposal	Resubmission of planning application FUL/MAL/16/01496 following a recent refusal to construct a single storey extension to the existing annexe.
Applicant	Mr James Mann
Agent	Mr Mark Morgan - Petro Designs Limited
Date Valid	26 April 2017
Target Decision Date	21 June 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Town Council	MALDON NORTH
Reason for Referral to the Committee / Council	Previous Committee Decision

Application Number	LBC/MAL/17/00450
Location	The Limes Guest House 21 Market Hill Maldon Essex
Proposal	Resubmission of Listed Building Consent LBC/MAL/16/01497 following a recent refusal to construct a single storey extension to the existing annexe.
Applicant	Mr James Mann
Agent	Mr Mark Morgan - Petro Designs Limited
Date Valid	26 April 2017
Target Decision Date	21 June 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Town Council	MALDON NORTH
Reason for Referral to the Committee / Council	Previous Committee Decision

It was noted from the Members' Update that a consultation response had been received from Maldon Town Council and 13 letters of objection relating to application FUL/MAL17/00449 and eight letters of objection relation to application LBC/MAL/17/00450.

Following the Officers' presentation an objector, Ms Val Wilson addressed the Committee.

In response to a question regarding the level of objection received, the Group Manager - Planning Services advised that the level of objection was not a material consideration, it was about the value and content of the letters. Members had to determine an application in accordance with the development plan unless material considerations indicated otherwise. Members were advised that there was also extensive case law that volume of objections was not a material consideration.

In light of the concerns raised Councillor M S Heard sought confirmation as to whether an Environmental Impact Assessment (EIA) should be requested. In response the Officer advised that there were specific requirements to meet when requesting an EIA and this application would not meet them.

A number of Members spoke in support of the application and specific reference was made to this application being smaller than the application already given planning permission.

In response to a question regarding sheds on the site and the allocation of the land should they be removed, the Officer explained that if Members were mindful to approve the application then a condition could be added relating to this.

Councillor A T Cain proposed that the applications be approved. The Chairman then put approval of the applications to the vote and this was duly agreed.

RESOLVED

FUL/MAL/17/00449

That this application be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
- 3 No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
- 4 No trees within the site shall be felled, cut back, damaged or removed, unless otherwise first agreed in writing with the local planning authority. No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS 5837:2005 in relation to tree retention and protection as follows:
 - Tree report detailing retained trees and works required;
 - Tree retention protection plan;
 - Tree constraints plan;
 - Arboricultural impact assessment;
 - Arboricultural method statement (including drainage service runs, construction of foundations and hard surfaces).
- 5 No development shall commence until fencing and ground protection to protect the trees shall be erected, details to be submitted and approved as per BS 5837:2005, and ground protection been erected details of which shall have been submitted to the local planning authority for written approval. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority.
- 6 Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in

writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- Run-off from the site is limited to greenfield rates for a storm event that has a 100% chance of occurring each year (1 in 1 year event).
- The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.

LBC/17/00450

That **LISTED BUILDING CONSENT** be **GRANTED** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
- 3 No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

107. OTHER AREA AND PLANNING RELATED MATTERS

The Committee received the report of the Chief Executive, including those on the Members' Update, detailing the following:

(i) Appeals Lodged:

It was noted that the following appeals had been lodged with the Planning Inspectorate.

Appeal Start Date: 04/05/2017

Application Number: FUL/MAL/16/01331 (APP/X1545/W/17/3171628)

Site: The Toll House, Fullbridge, Essex, CM9 4LE

Proposal: Single storey extension to side of existing building over part of existing enclosed yard.

Appeal by: Rollings Commercial Ltd

Appeal against: Refusal

Appeal procedure requested: Written Representations

Appeal Start Date: 04.05.2017

Application Number: FUL/MAL/17/00003 (APP/X1545/W/17/3171404)

Site: Units 1 And 2 Old Maltings Hall Road Heybridge

Proposal: Change of use to a mixed used of B1/B2/D2

Appeal by: Miss Martyna Jackowska

Appeal against: Refusal

Appeal procedure requested: Written Representation

Appeal Start Date: 09/05/2017

Application Number: WTPO/MAL/16/01478 (APP/TPO/6087)

Site: D'Arcy Court - Maldon

Proposal: T1, T2, T3 - Common Lime - Crown reduce by cutting back to the previously cut points. Continue practice of cutting back basal epicormic shoots. Remove any dead wood.

Appeal by: D'Arcy Court Maldon Ltd

Appeal against: Refusal

Appeal procedure requested: Fast Track Appeal

Appeal Start Date: 25/05/2017

Application Number: ADV/MAL/16/01137 (APP/X1545/Z/17/3169073)

Site: TFP Financial Planning Limited - Left Front Office - 65B High Street – Maldon

Proposal: Replace the existing hanging and fascia signs

Appeal by: TFP Financial Planning Limited

Appeal against: Refusal

Appeal procedure requested: Commercial Appeals Service (CAS)

In response to a question, the Group Manager - Planning Services clarified that the Commercial Appeals Service was a new scheme to help speed up appeal decisions.

(ii) Appeal Decisions:

It was noted that the following appeal decisions had been received from the Planning Inspectorate.

HOUSE/MAL/16/01090 (Appeal Ref: APP/X1545/D/17/3169620)

Proposal: Rooms in roof

Address: 52 Victoria Road - Maldon

APPEAL DISMISSED – 2 May 2017

DECISION LEVEL: Delegated

FUL/MAL/16/00649 (Appeal Ref: APP/X1545/W/17/3168381)

Proposal: Vary condition 15 (delivery hours) of approved planning application FUL/MAL/15/00567 (Planning application for the demolition of existing buildings and the construction of a foodstore (Class A1) together with access, car-parking (100 spaces), landscaping and associated engineering works on land at Station Road / Fullbridge, Maldon) Vary delivery hours.

Address: Land At Corner Of Station Road, Maldon, Essex

Decision Level: Committee overturned Officer recommendation to approve

APPEAL ALLOWED – 22 May 2017

108. NOMINATION OF A MEMBER TO THE LOCAL AREA HIGHWAYS PANEL

RESOLVED that Councillor M S Heard be nominated to represent the Central Area Planning Committee on the Local Area Highways Panel.

There being no further items of business the Chairman closed the meeting at 9.00 pm.

B E HARKER
CHAIRMAN



**REPORT of
CHIEF EXECUTIVE**

**to
CENTRAL AREA PLANNING COMMITTEE
28 June 2017**

Application Number	FUL/MAL/17/00378
Location	1 Wave Bridge Court Colchester Road Heybridge Essex
Proposal	Replace rotten timber windows and doors with double glazed Upvc windows and doors
Applicant	Mr S Truss
Agent	Mr Allan Taylor - Blue Door Solutions Ltd
Target Decision Date	05 July 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	HEYBRIDGE EAST
Reason for Referral to the Committee / Council	Councillor / Member of Staff

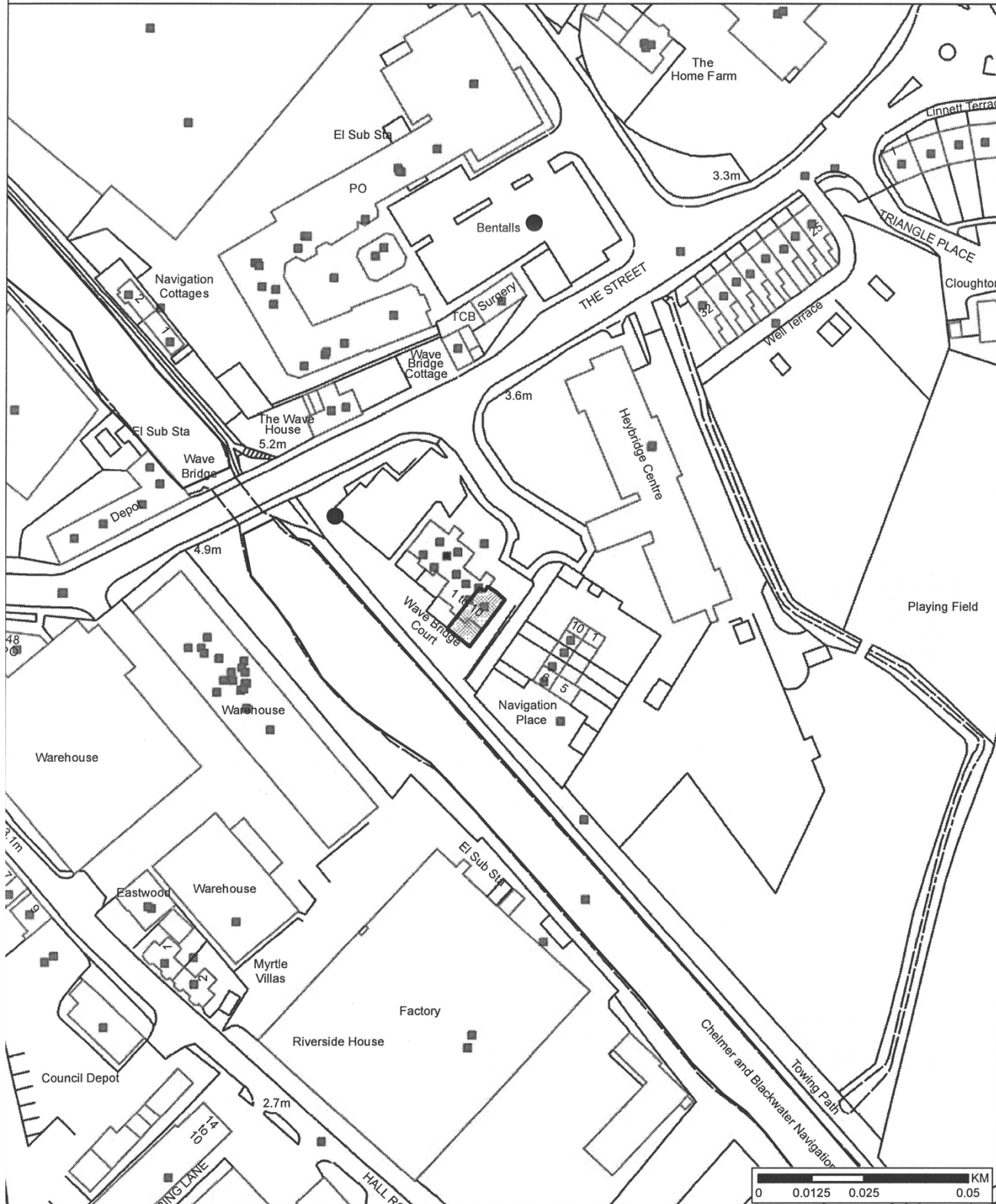
1. RECOMMENDATION

APPROVE subject to the conditions as detailed within Section 8 of this report.

2. SITE MAP

Please see overleaf.

1 Wave Bridge Court, Colchester Road, Maldon
FUL/MAL/17/00378



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 Maldon District Council 100018588 2014



www.maldon.gov.uk

Scale: 1:1,250

Organisation: Maldon District Council

Department: Department

Comments: C Committee 17/00378/FUL

Date: 15/06/2017

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the south side of Colchester Road, within the settlement boundary of Heybridge; and the Chelmer and Blackwater Navigation Conservation Area. The application site is within a purpose built block of flats and is on the ground floor. The block is opposite the Heybridge Centre and is modern in terms of appearance.
- 3.1.2 Planning permission is sought for the replacement of all existing windows and external doors which serve the accommodation within No 1. The existing windows and doors are single glazed and constructed of wood; it is proposed to replace the windows with double glazed uPVC windows. The style, size and colour would match the existing windows. The proposed doors would also be constructed of uPVC and would match the existing doors in terms of size and design.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development, by reason of its design would not harm the appearance or character of the existing building or the conservation area or have an overbearing impact on the amenity of the neighbouring residents. In addition, the proposed development does not detrimentally impact on the provision of amenity space and car parking provision. It is therefore considered that the proposed development is in accordance with policies BE1, BE13 and T8 of the Replacement Local Plan (RLP) and D1 and D3 of the Local Development Plan (LDP).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 56, 58 and 59

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE1 - Design of New Development and Landscaping
- BE13 - Development in Conservation Areas
- T8 - Vehicle Parking Standards

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- S1 - Sustainable Development
- S8 - Settlement Boundaries and the Countryside
- D1 - Design Quality and Built Environment
- D3 - Conservation and Heritage Assets
- I1 - Infrastructure and Services

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Essex Design Guide
- Car Parking Standards

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 There is no objection to the principle of altering the existing accommodation in association with its residential use and the proposal is considered compliant with policies BE1 and BE6 of the RLP and D1 of the LDP. Other material planning considerations are considered below.

5.2 Design and Impact on the Character of the Area

- 5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, livable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design sought to create a high quality built environment for all types of development.
- 5.2.2 The application is located within the Maldon Conservation Area. A Conservation Area is “an area of special architectural or historic interest” with a character which is “desirable to preserve or enhance” (Planning (Listed Buildings & Conservation Areas) Act, 1990). This special character will come from a range of factors including the design of the buildings as well as the materials used.
- 5.2.3 Planning permission is sought to replace all of the windows and external doors that serve No.1 Wave Bridge Court. The existing fenestration is single glazed wooden framed; it is proposed to replace these with double glazed uPVC units. The style, size and colour would match the existing fenestration.
- 5.2.4 There are no objections to the proposed like for like design of windows and doors, no new openings would be created and the proposed fenestration including the colour, would match the appearance of the existing units.
- 5.2.5 The use of uPVC is not normally considered acceptable within a conservation area. However, considering the architectural merit of the host building and its location, which is not considered to be in a particularly prominent position within the conservation area, in this instance the proposed use of uPVC is not considered to cause harm to existing building and would preserve the character and appearance of the conservation area. Furthermore, the Conservation Officer has not raised an objection.
- 5.2.6 Therefore, it is considered that the proposal, by means of its design, including its materials, is considered acceptable in its setting and would not detract from the appearance of the conservation area or be materially harmful to the existing building.

5.3 Impact on Residential Amenity

- 5.3.1 Policies BE1 and BE6 of the RLP protect neighbouring occupiers from unacceptable development which results in a loss of amenity in relation to overlooking, overpowering or undue reduction of light to the main windows of their property. Similarly, the basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.
- 5.3.2 The proposal relates to the replacement of existing windows and doors, no new openings are proposed and there would be no increased overlooking as a result of the proposed development.
- 5.3.3 In addition there would be no change to the external dimensions of the building and therefore the development is not considered to be overbearing or unneighbourly.

5.4 Access, Parking and Highway Safety

- 5.4.1 Adopted Policy T8 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with new development. Likewise, Policy D1 of the LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards. The Parking Standards are expressed as maximum standards and Government guidance encourages the reduction in the reliance on the car and promoted methods of sustainable transport.
- 5.4.2 The proposal relates to the replacement of existing windows and doors only, the development will not change the number of bedrooms available within the site or impact the car parking or access arrangements. Therefore, there is no objection to parking provision within the site.

5.5 Private Amenity Space, Landscaping and Nature Conservation

- 5.5.1 Policy BE1 of the RLP requires that amenity space is provided that is appropriate to the type of development. In addition, the Essex Design Guide advises a suitable garden size for dwellings with three or four bedrooms is 100 m².

6. ANY RELEVANT SITE HISTORY

- 6.1 None.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	No Objection	The comments of the Parish Council are noted.

7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No Objection	The comments of the Conservation Officer are noted

7.3 Representations received from Interested Parties (*summarised*)

7.3.1 None received at the time of writing this report.

8. **PROPOSED CONDITIONS**

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings **BLOCK PLAN, LOCATION PLAN, 1WC/3/1-1, 8621/1, 8621/2 and 8621/3**, and specifically referenced on this decision notice.
REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Submitted Local Development Plan.
3. No development shall take place until written details and samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
REASON: To protect the amenity and character of the area in accordance with policy BE1 and BE13 of the adopted Maldon District Replacement Local Plan and emerging policies D1 and D3 of the Submitted Local Development Plan. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.



**REPORT of
CHIEF EXECUTIVE**

**to
CENTRAL AREA PLANNING COMMITTEE
28 JUNE 2017**

Application Number	FUL/MAL/17/00465
Location	Maldon Saints Clubhouse, The Promenade Park, Park Drive, Maldon
Proposal	Extension to existing clubhouse forming function room and office.
Applicant	Mr Henry Thompson - Maldon Saints FC
Agent	Chris Cumbers - CBS Cumbers MCIAT
Target Decision Date	28 June 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

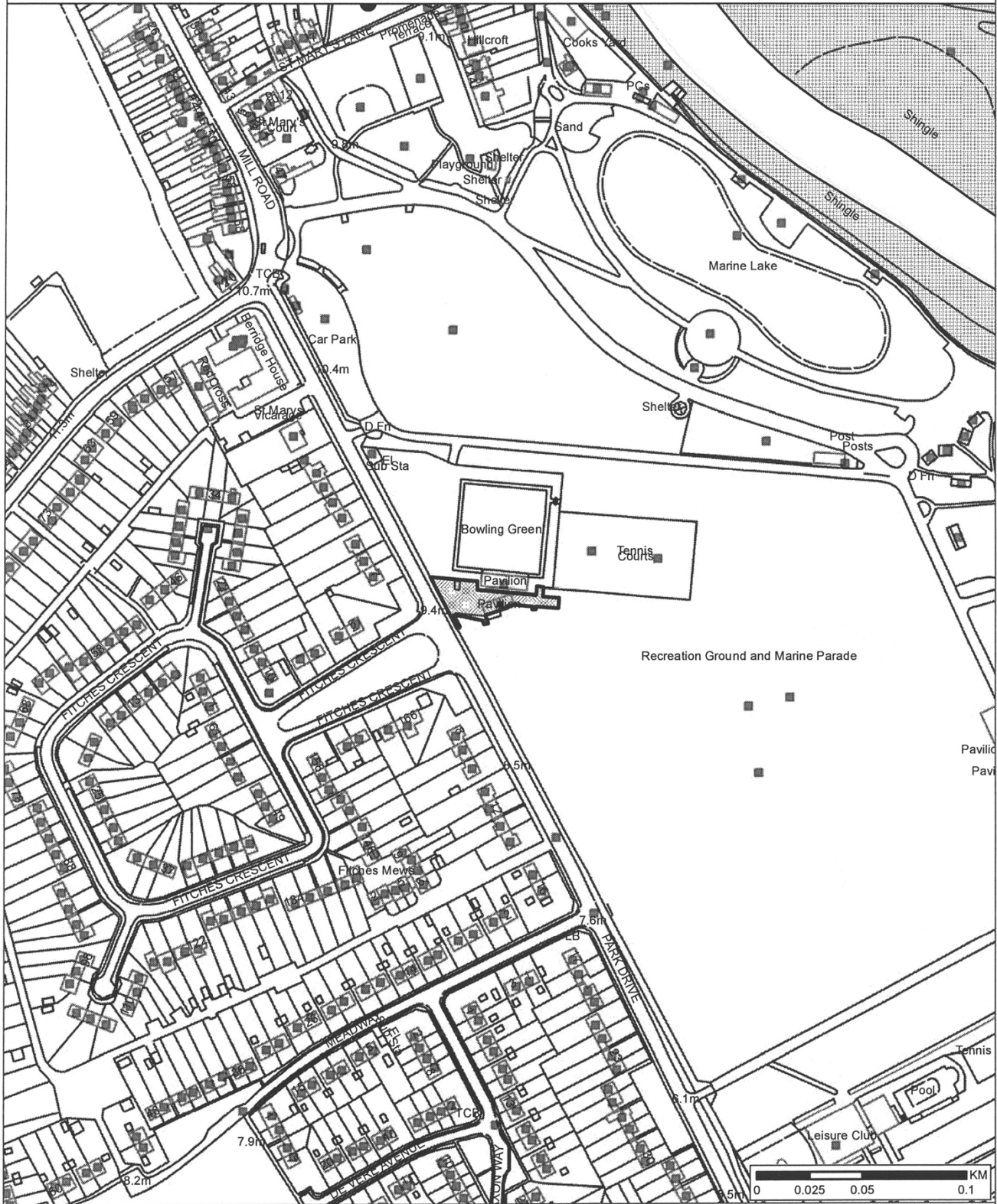
1. RECOMMENDATION

REFUSE subject to the reason as detailed within Section 8 of this report.

2. SITE MAP

Please see overleaf.

Maldon Saints Club House, The Promenade Park, Park Drive, Maldon
FUL/MAL/17/00465



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 Maldon District Council 100018588 2014



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Scale: 1:2,500

Organisation: Maldon District Council

Department: Department

Comments: C Committee 17/00465/FUL

Date: 15/06/2017

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is within the wider area of public land adjacent to the west side of Promenade Park and immediately adjacent to the Maldon bowling green and its clubhouse and the tennis courts. To the west is Park Drive and the residential area of south Maldon. The current site comprises a small pavilion with timber weatherboard elevation. Internally there is a hall area, kitchen and office and externally there is a small informal parking area with direct access from the highway. The site lies outside of the settlement boundary of Maldon.
- 3.1.2 Planning permission is sought for an extension to the existing facility for the benefit of a function room, server and office projection to the rear (north). Separate access is proposed as well as a link to the existing facility.
- 3.1.3 The structure would measure 18.4m wide, 5m deep with the rear office projection measuring 3.3m by 4.6m. A small entrance porch would project 1.5m with a width of 3.4m. The link between the existing and proposed structures would be set at an angle as the proposed building would be set parallel with the bowls club and tennis clubs to the rear.
- 3.1.4 The building would have a brick plinth and black timber weatherboard elevations. Black aluminium fenestration is proposed together with black rainwater goods. The roof would comprise profile metal sheeting. All materials would match the existing structure.
- 3.1.5 The submission states that the site would be for the benefit of training meetings for the football clubs and functions and social events associated with the club. Hours of opening are stated as being from 09:00 to 20:00 seven days a week.

3.2 Conclusion

- 3.2.1 The proposed development would not result in a detrimental impact upon the parkland setting or adjacent neighbouring residential occupiers subject to appropriate conditions for materials, hours of opening and noise insulation. However, due to the lack of formal parking provision within the site and lack of information with regard to the level of proposed parking, it cannot demonstrate that it would meet the policy and Vehicle Parking Standard requirements and may result in on-street parking and danger to both pedestrians and vehicle users of the site and adjacent highway.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 7, 14, 56, 69

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- S1 Development Boundaries and New Development
- S2 Development outside Defined Settlement Boundaries
- BE1 Design of New Development and Landscaping
- BE8 Lighting
- CC6 Landscape Protection
- CC11 Coastal Zone
- REC7 Protection of Existing Public and Private Open Space
- T1 Sustainable Transport and Location of New Development
- T2 Transport Infrastructure in New Developments
- T8 Vehicle Parking Standards

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Essex Design Guide
- Car Parking Standards

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The site located outside of the settlement boundary of Maldon. However, the application proposes an extension to the existing clubhouse whereby the principle of development is acceptable. Other material planning considerations are discussed below.

5.2 Relevant Planning History

- 5.2.1 The site has been subject to two previous applications (referenced in a subsequent section of this report) for the development of the site and for a very similar structure. However, whilst the external shell was the same as that proposed in this submission, the internal space was for shower and changing facilities of the football and sports teams. Whilst the original permission for the building and changing facilities was

renewed in 2013, the structure was never constructed as the provision of public shower and changing facilities for minors is not now considered necessary.

5.3 Design and Impact on the Character of the Area

5.3.1 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. In order to comply with Policy BE1 of the RLP, the proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials. Similarly, the basis of policy D1 of the emerging LDP ensures that development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.

5.3.2 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

5.3.3 The NPPF states that:

'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

'That permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

5.3.4 Planning permission is sought for an extension to the existing clubhouse building. Whilst the proposed structure would double the size of the existing facility, the overall footprint of the building only extends to 111m², resulting in a gross internal floor area of 206m² with the ridge set at 0.2m than the existing building.

5.3.5 The design of the building is commensurate with the existing building and whilst it would result in an elongated structure, it would be seen against the backdrop of the long low building of the bowls club to the rear and the tennis courts with their high perimeter fences. In the wider parkland, the combined structures would still appear as a small subservient facility in this corner of the public space.

5.3.6 Furthermore, the design of the building closely resembles the design of the previous grant of permission for the changing room and shower facility. The footprint and external envelope is the same as that permission with the exception of the addition of a separate front projection for the benefit of the separate access.

5.3.7 In terms of the design, the proposal is considered acceptable and policy compliant. Conditions for the external materials to be can be appended to any grant of permission.

5.4 Effect on amenity of neighbouring occupiers and users of the site

- 5.4.1 The site is within the wider confines of the Council's public recreation area and directly adjacent to the bowls club. The nearest residential properties are to the western side of Park Drive. Whilst the extent of the building may not in itself be considered large, the use of the combined facility for functions may lead to noise and disturbance during evenings and weekends for adjacent residential occupiers. It is acknowledged that the Environmental Health Service has not raised an objection on this element, but their concerns are stated. However, as the existing facility can be open up to midnight it is considered that should permission be granted, a condition to limit the hours of use to that of the existing building is appended to any grant of permission. Furthermore, it is also considered prudent to append a condition to any grant of permission for the submission of soundproofing of the new facility.
- 5.4.2 As such the proposal is not considered to result in significant potential impact on the living conditions of the nearest residential properties or impact upon adjacent park users and subject to appropriate conditions is considered to accord with adopted policies BE1 and CON5 and emerging policies D1 and D2 of the submitted Local Development Plan and the guidance and provision of the NPPF.

5.5 Access, Parking and Highway Safety

- 5.5.1 The Maldon District Council Supplementary Planning Document (SPD), states that leisure use for indoor facilities within Use Class D2 requires a maximum of 1 space per 22m² of floor space. The proposal comprises an extension to the existing facility which has provision for some informal parking within the application site. As the combined floor space of the two structures would just exceed 200m², parking provision should be for a minimum of 10 spaces. No formal parking provision or layout has been provided with the submission and the increased floor area of 111m² would require an additional 5 car parking spaces.
- 5.5.2 Furthermore, it must be noted that the previous application was for ancillary shower and changing facilities in conjunction with the use of the existing clubhouse and adjacent playing fields. Therefore as the current proposal is for a function suite it is materially different and must be assessed accordingly.
- 5.5.3 The Essex County Council highway authority has not raised an objection to the proposal. However, currently there is limited informal provision for the existing use and no additional provision for the proposed function suite. Whilst it is acknowledged that the Highway Authority has not objected on highway safety grounds, there is concern from the Local Planning Authority that inappropriate parking on the public highway could take place in this location, leading to impact upon the free flow of traffic or private residential parking in the vicinity of the site. It must be noted that no other car parking areas have been included within the area edged in red and therefore cannot be relied upon to meet the car parking needs for this development.
- 5.5.4 Therefore, as the proposal does not comprise formal parking arrangements and prohibits social inclusion and accessibility, the proposal is considered to be contrary to the criteria of adopted LP policy T1 and T2 and emerging policy T1 of the submitted LDP.

5.6 Landscaping and Boundary Treatment

- 5.6.1 No new boundary treatments are proposed for the site. However, as the site is within the public park and its use may be restricted to that of the football club only, it is not considered that any additional landscaping or boundary treatments are necessary. The existing clubhouse is open to the public park and playing fields and whilst the structure would be elongated additional screening is not considered necessary.
- 5.6.2 The proposal is considered to accord with policies BE1, REC1, REC7 CC6 of the adopted LP and emerging policies D1, N1, N2 and N3 and the guidance and provision as contained within the NPPF.

5.7 Other Considerations

- 5.7.1 As previously stated, the site has been subject to two previous submissions for very similar development, albeit the internal layout and use may be different in this current submission. The proposal is for development on a public open space which requires assessment against REC7 - Protection of Existing Public and Private Open Space. Whilst that policy states that permission will not be granted for development on such a facility unless an equivalent convenient space for the same purpose is provided, it is considered that in light of the two previous approvals and the minimal loss of this corner of the parkland (which would not impact upon any pitches or sports area), the proposal is considered acceptable in this instance. Furthermore, the restriction of the facility to that of the applicants (the football club), would ensure its retention as a sporting facility.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/93/00287** – New clubhouse and football pitches, hockey pitch and netball courts including stand, car par ancillary buildings and floodlights. Approved 11 October 1993.
- **FUL/MAL/10/00542** - Extension to existing clubhouse forming changing rooms, referees room, tennis club office with associated showers and toilets. Approved 24 September 2010.
- **FUL/MAL/13/00878** - Extend time limit for implementation of approval FUL/MAL/10/00542 (Extension to existing clubhouse forming changing rooms, referees room, tennis club office with associated showers and toilets). Approved 22 January 2014.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Support	The comments of the Parish Council are noted.

7.2 External Consultees (*summarised*)

Name of External Consultee	Comment	Officer Response
ECC Highway Authority	No Objection.	The comments of the Service are noted.

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health Service	No Objection Subject to conditions for hours of use, noise insulation and doors, surface and foul drainage and floodlighting.	The comments of the Environmental Health Service are noted.

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 None were received at the time of writing this report

8. **REASON FOR REFUSAL**

1. It has not been demonstrated that the proposed development would provide an adequate level of parking within the site and that there is sufficient space for vehicles to manoeuvre and park within the site. The proposed development could lead to an obstruction to the highway network to the detriment of the free flow of traffic. This will result in an unacceptable level of danger to pedestrians and vehicles using the highway and the free flow of traffic contrary to adopted Maldon District Replacement Local Plan Policies BE1 and T8 and emerging policies D1 and T1 of the submitted Local Development Plan and the guidance and provisions as contained within the National Planning Policy Framework.



**REPORT of
CHIEF EXECUTIVE**

**to
CENTRAL AREA PLANNING COMMITTEE
28 JUNE 2017**

Application Number	FUL/MAL/17/00494
Location	All Saints Church Of England Primary School Highlands Drive Maldon Essex
Proposal	Installation of a bicycle shelter
Applicant	Mr Philip Brown - All Saints CofE Primary School
Agent	-
Target Decision Date	1 August 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Major Application Councillor / Member of Staff

1. RECOMMENDATION


APPROVE subject to the conditions as detailed within Section 8 of this report.

2. SITE MAP

Please see overleaf.

All Saints Church of England Primary School, Highlands Drive, Maldon
FUL/MAL/17/00494



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Committee 17/00494/FUL
	Date:	20/06/17
	MSA Number:	100018588
www.maldon.gov.uk		

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is an established single storey primary school located within a residential area with external play areas and fields. The main entrance in Highlands Drive has existing walls and railings and security gates. Directly adjacent to the entrance on the northern side is an external play area for the youngest pupils and comprises large play equipment. The southern side of the entrance is a grassed area which leads to the main playing fields. Opposite the site is a residential area of single storey properties.
- 3.1.2 Planning permission is sought for the installation of a bicycle store and cover. The structure would be located directly adjacent to the perimeter boundary. The structure would measure 6m wide by 2m deep, be constructed of a tubular metal frame with a clear curved Perspex cover. The overall height of the structure would be 2.5m and set on a concrete base.

3.2 Conclusion

- 3.2.1 The proposed development would not result in a visual detrimental impact upon the school setting and would be viewed in context with the use of the site. The proposed structure and its clear Perspex structure, whilst highly visible in the street scene is not considered to result in harm to the character and appearance of the site or the area. Furthermore, the structure would only utilized during school opening hours and the transparent nature of the cover would help assimilate it into its setting at other times.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 7, 14, 56, 69

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- S1 - Development Boundaries and New Development
- BE1 - Design of New Development and Landscaping
- T1 - Sustainable Transport and Location of New Development
- T2 - Transport Infrastructure in New Developments
- T8 - Vehicle Parking Standards

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- S1 - Sustainable Development
- S8 - Settlement Boundaries and the Countryside
- D1 - Design Quality and Built Environment
- H4 - Effective Use of Land

- T1 - Sustainable Transport
- T2 - Accessibility

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Essex Design Guide
- Car Parking Standards

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The site is located inside the settlement boundary of Maldon and within the school boundary whereby the principle of such development is considered acceptable. Other material planning considerations are discussed below.

5.2 Design and Impact on the Character of the Area

- 5.2.1 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. In order to comply with Policy BE1 of the Replacement Local Plan (RLP), the proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials. Similarly, the basis of policy D1 of the emerging Local Development Plan (LDP) ensures that development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.

- 5.2.2 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

- 5.2.3 The NPPF states that:

‘The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’

‘That permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.’

- 5.2.4 Planning permission is sought for the installation of a bicycle store within the school grounds and would be located directly adjacent to the main entrance and within a grassed area that leads round to the main playing fields.
- 5.2.5 The design of the structure is considered commensurate with the existing use of the site and whilst directly adjacent to the highway boundary, it would be seen in context

with the 1.8m perimeter railings and brick wall in this location and the backdrop of a typical school building. The boundary treatment in this location is a 1.7m high brick wall forming the corner to the main entrance with matching height railings for the remainder of the playing field perimeter.

- 5.2.6 The tubular metal frame would be seen in context with the existing railings and whilst 6m in length, it would be parallel with the main entrance and project in towards the school building. The transparent nature of the cover would help assimilate the structure into its setting.
- 5.2.7 The materials of metal and Perspex are considered appropriate in this context and subject to a condition to ensure that the structure is built in accordance with the approved plans and material details, no further conditions for submission of materials are considered appropriate or necessary. For this element the proposal is considered policy compliant.

5.3 Effect on amenity of neighbouring occupiers and users of the site

- 5.3.1 The site of the proposed structure is directly adjacent to the main entrance to the school within Highlands Drive. The nearest residential properties are to the eastern side of Highlands Drive directly opposite the site. However, the storage of bicycles during school opening hours is not considered to result in significant levels of impact over that normally expected during school hours. Furthermore, due to the nature of a school, its use would typically only be during the morning, lunchtime and afternoon arrival and departure times.
- 5.3.2 As such the proposal is not considered to result in significant potential impact on the living conditions of the nearest residential properties or impact upon adjacent park users and subject to appropriate conditions is considered to accord with adopted policies BE1 and CON5 and emerging policies D1 and D2 of the submitted Local Development Plan and the guidance and provision of the NPPF.

5.4 Access, Parking and Highway Safety

- 5.4.1 The site is located within a grassed corner leading out to the main playing fields and there would be no impact upon existing parking provision. There is an existing pedestrian access which would lead to the bicycle store. The Highway Authority has been consulted and there is no objection to the scheme.
- 5.4.2 Therefore, as the proposal does not compromise and existing access, parking provision or lead to impact upon highway safety, the proposal is considered to accord with the criteria of adopted LP policy T1 and T2 and emerging policy T1 of the submitted LDP.

5.5 Landscaping and Boundary Treatment

- 5.5.1 No new boundary treatments are proposed. However, as the site is within the wide external space of the school and from the highway would be viewed against the backdrop of the school setting, it is not considered that any additional landscaping or boundary treatments are necessary.

- 5.5.2 The proposal is considered to accord with policies BE1, REC1, REC7 CC6 of the adopted LP and emerging policies D1, N1, N2 and N3 and the guidance and provision as contained within the NPPF.

6. ANY RELEVANT SITE HISTORY

- 6.1 Whilst there is an extensive planning history on the site, there are no relevant applications in context with the location of the application subject of this report.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Support.	The comments of the Parish Council are noted.

7.2 External Consultees (*summarised*)

Name of External Consultee	Comment	Officer Response
Essex County Council (ECC) Highway Authority	No Objection.	The comments of the Service are noted.
Essex County Council	No Response at time of writing report.	Any response received will be reported within the Members' Update.

7.3 Representations received from Interested Parties (*summarised*)

- 7.3.1 None were received at the time of writing this report.

8. PROPOSED CONDITIONS

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with approved drawings **1068/A/04, 1068/A/10 and 1068/A/11** and specifically referenced on this decision notice as well as the submitted detailed specifications.
REASON: To ensure that the development is carried out in accordance with the details as approved.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.

REASON: To ensure that the development is carried out in accordance with the details as approved and in order to meet the requirements of policy BE1 of the Maldon District Replacement Local Plan.

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**REPORT of
CHIEF EXECUTIVE**

**to
CENTRAL AREA PLANNING COMMITTEE
28 JUNE 2017**

Application Number	ADV/MAL/17/00534
Location	Tesco Fullbridge Maldon Essex
Proposal	Application for advertisement consent for 23No. of non illuminated other signs.
Applicant	Tesco Stores Limited
Agent	Mrs Mariana Benitez Rickmann - People & Space Limited
Target Decision Date	06 July 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

1. RECOMMENDATION

APPROVE subject to the conditions as detailed within Section 8 of this report.

2. SITE MAP

Please see overleaf.

Tesco, Fullbridge, Maldom
ADV/MAL/17/00534

Copyright For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014	Scale:	1:2,500
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	C Committee 17/00534/ADV
	Date:	15/06/2017
	MSA Number:	100018588

www.maldon.gov.uk

3. SUMMARY

3.1 **Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site is within the settlement of Maldon and is occupied by a large retail store (Tesco) and associated petrol filling station and shopper parking facilities. In addition there is a “Click and Collect” facility and car wash located on the western side of the site. The eastern side of the site adjoins the roundabout with Fullbridge and Station Road and is the primary vehicle access into the complex. Neighbouring site to the east and south comprise a mix of fast food outlets, offices, industrial and workshop facilities.
- 3.1.2 The site lies to the north of the Chelmer and Blackwater Navigation Conservation Area which effectively wraps around the site. The site does not fall within the Conservation but is within the defined settlement boundary. A public footpath is located on western boundary adjacent to the river estuary and is elevated above the car park and store building. Additionally a towpath is located on the northern boundary with views directly into the car park.
- 3.1.3 The proposal seeks advertisement consent for a total of 23 advertisements. These are directly associated with the proposed customer car parking restrictions within the site and in relation to 2 (two) Automatic Number Plate Recognition (ANPR) cameras approved under application **FUL/MAL/17/00074**. The advertisements comprise one style; a small sign board located in numerous locations around the car park. Details of the sign boards are as follows:

	Width of Sign	Height of Sign	Total Height above ground
Post Signs	600m	800mm	2800mm

- 3.1.4 The post and wall signs are located in various positions around the car park area. The signs would be as follows:

		Colour Code on Submitted Plan
Back to Back signs on Existing Posts	8	Yellow
Single signs on Existing Posts	11	Red
Single signs on New Posts	2	Green
Wall Signs on western elevation of main store	2	Purple
Total Locations	23	

3.2 **Conclusion**

- 3.2.1 The number of individual board signs are considered acceptable and to comply with the policy criterion. It is noted that the proposal has reduced the number of signs

around the site by twelve (12) in total and specifically those adjacent to the boundary with the Blackwater and Chelmer Conservation Area over that previously proposed under **ADV/MAL/17/00075** which totaled 35 signs and one main entry board. The number of signs now proposed is considered acceptable in the context of a large retail superstore carpark and only comprises a total of two new posts with all others being sited on existing posts and walls. As per the previous application, the individual signs themselves are not considered contrary to policy criteria for design or size, and the reduced volume of post signs adjacent to the boundary is considered to have overcome previous reasons for refusal on this. It should be noted that the previous Advert Consent application was a split decision which approved the main entry board sign but not the post signs around the site.

3.2.2 It is therefore recommended that advertisement consent is granted.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 14, 67

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE1 - Design of New Development and Landscaping
- BE9 - Advertisements on Buildings
- BE10 - Display of Advertisements Remote from the Site Being Advertised

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- D1 - Design Quality and Built Environment
- D6 - Advertisements

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 In order to determine if the proposal for advertisement consent is acceptable, the proposal must be assessed against the requirements of policy BE9 and also have regard to emerging policy D6 of the Local Development Plan (LDP) which confirms the direction of travel for the Council in terms of the District wide position for advertisements. The NPPF also provides additional guidance on advertisements, recognising at paragraph 67 that poorly placed adverts can have a negative impact on the appearance of a built and natural environment. The paragraph goes on to confirm that advertisements should be subject to control only in the interests of amenity and

public safety, taking account of cumulative impacts. This is reflected in the current local plan policy BE9 and also policy D6 of the submitted LDP.

5.1.2 Policy BE9 states that consent will only be given for the display of advertisements that respect the interests of public safety and amenity subject to four criteria. With regard to amenity, the preamble to policy BE9 states at paragraph 6.44 that “*The legislation controlling the display of advertisements strikes a balance between the need of commerce to advertise and the need to protect the visual amenity of the area.*” Paragraph 6.45 of the preamble provides guidance on appearance of the advertisements in terms of being well proportioned and not dominant in relation to the elevation on which it is displayed, suitable lettering size and type and need to avoid clutter. Paragraph 4.46 of the preamble refers to the suitability of materials for the advertisements proposed. It is noted that the need for good design for all new development is also reflected in policy BE1 of the local plan.

5.1.3 The four criterion of Policy BE9 and relevant assessment are as follows:

1 Advertisements will only be permitted if they are well designed and located so as not to detract from the area in which they are situated

5.1.4 The proposed advertisements are considered to be of an acceptable design reflective of the existing use of the building and follow corporate design standards recognisable with the authorised use of the building by a major food retailer.

5.1.5 The post signs would, with the back to back signs total 31 new sign boards on existing and new posts. The existing car park already contains numerous directional and parking signs. Two (2) new posts would be located adjacent to the main roadway adjacent to the building, unlike the previous application which proposed seven (7) new posts directly adjacent to the boundary of the site.

5.1.6 The car park is already a visually busy environment with a proliferation of instructional and directional signs and previously it was considered that a further 40 sign boards would visually detract from the area. Whilst it was acknowledged that advertisements can form an important part of a commercial development, the excessive number together with the existing signage in that application was considered to create a cluttered and visually damaging environment. However, the significantly reduced number and their siting within the site away from the boundary with the Conservation Area are considered acceptable in this instance. The site perimeter and land immediately adjacent to the site (specifically the carpark) is predominantly a public footpath and towpath and located within the Chelmer and Blackwater Conservation Area. This area and its soft landscaped boundary marks a gradual transition between the site and its setting. The reduction of posts and signs on this boundary is now considered to have overcome previous reasons for refusal.

5.1.7 The NPPF at paragraph 67 clearly states that poorly placed adverts can have a negative impact on the appearance of the built and natural environment and that advertisements should be subject to control in terms of interests of amenity, taking into account the cumulative impact.

2 Proliferation of signs advertising a single site or enterprise will not be permitted.

5.1.8 The proposal seeks a total of an additional 31 signs in total when counting the back to back signs individually. This number of signs on existing posts (with the exception of two) is considered acceptable when viewed within the context of the existing use of the site and its commercial nature.

5.1.9 Within paragraph 6.45 of the preamble to policy BE9, it states that all advertising is expected to respect basic design criteria and avoid clutter and repetition. The reduced number of signs together with the existing signs is not considered to result in detrimental visual impact and over proliferation.

3 Signs and advertisements should relate to the scale and character of the building on which they are located

5.1.10 In terms of the scale of the advertisements all are considered commensurate with the size and scale of the building on which they would be sited. In terms of character, the estate is not considered to be of any particular architectural merit and in this regard the proposed advertisements would not appear out of character when viewed singularly or within a significantly smaller quantity.

4 Consent for signs to be illuminated will be considered in relation to the visual impact and functional need. Such advertisements will not be permitted in residential areas.

5.1.11 It is not intended to illuminate the advertisements. Therefore the proposal complies with this element of the policy criterion.

5.2 Highway Safety

5.2.1 The position of the proposed advertisements is a relevant and is should be clear that no harm would result in terms of highway safety. In this instance, the Highway Authority has not objected to the proposal on highway safety grounds. The positioning of the advertisements is not considered to result in any material harm to road users in terms of highway safety. Therefore, no conflict would arise with policy T2 of the LP or submitted policy T2 of the LDP.

5.3 Other Considerations

5.3.1 It is noted that the previous submission for the advertisement consent and its corresponding planning application for two 4m poles for ANPR cameras attracted a significant quantity of public attention. This is in relation to the potential 3 hour restriction for customer parking by the retailer at the site and the implications of this for the previously required parking bays for public parking in conjunction with the use of a “park and ride” facility into the wider area of Maldon and Heybridge. Notwithstanding the potential implications of this, the current application must be assessed upon its own merits and consideration against relevant adopted local and national policy. However, from research undertaken into the planning history of the site, the four hour limitation was required through legal agreements agreed and signed in conjunction with successive planning applications. Therefore, any decision taken by the local planning authority for this advertisement consent and the extant planning application to install ANPR cameras (referenced earlier in this report), would not be

contrary to any planning condition appended to previous grants of permission, but would be conflicting with the relevant legal agreements.

- 5.3.2 It is noted that the Town Council supported the previous application for advertisement consent subject to there not being a condition already in place that allowed unlimited parking for residents and visitors, if such a condition exists. The Town Council have now recommended refusal due to the excessive signage and detrimental impact to the street scene. As previously stated, the overall number of signs has been significantly reduced and especially those adjacent to the site boundary with the Conservation Area and is now considered acceptable.
- 5.3.3 The previous proposals attracted letters of representation, comment and public interest in relation to the potential loss of parking bays for the park and ride facility from this car park and the potential restriction of parking to 3 (three) hours. However, as stated within paragraph 5.3.2 above, this assessment is not relevant for assessment through advertisement consent and was addressed within the relevant planning application for the ANPR cameras submitted in conjunction with the previous submission which was granted.
- 5.3.4 It is noted that both the Council's Conservation Officer and Urban Design Officer do not object to the proposal and comment that it would not impact upon the Central Area Action Plan or the adjacent Conservation Area.

6 ANY RELEVANT SITE HISTORY

- **ADV/MAL/99/00227** - Proposed non illuminated car parking signs. ADVA 29.04.1999.
- **ADV/MAL/01/01142** - Internally illuminated signage. Part Approved Part Refused 11.02.2002.
- **ADV/MAL/01/01144** - Internally illuminated signage at petrol filling station, kiosk and canopy fascia. Refused 11.02.2002.
- **ADV/MAL/02/00025** - Two gantry signs relating to adjacent supermarket and petrol filling station. Withdrawn 21.02.2002.
- **ADV/MAL/02/00179** - Install internally non-illuminated canopy signs and internally illuminated fascia sign to petrol filling station. Refused 14.05.2002. Appeal Allowed 09.12.2002.
- **ADV/MAL/02/00180** - Install 2 no. internally illuminated gantry signs relating to adjacent supermarket and petrol filling station. Refused 14.05.2002. Appeal Allowed 09.12.2002.
- **ADV/MAL/02/00181** - Install 7 no. internally illuminated signs to supermarket building. Approved 10.05.2002.
- **ADV/MAL/08/00219** - Continued display of two gantry signs (Renewal of advertisement consent ADV/MAL/02/00180). Approved 11.04.2008.
- **ADV/MAL/10/00139** - Car park signage. Refused 27.04.2010.
- **ADV/MAL/10/00140** - Replacement gantry signs. Approved 15.04.2010.
- **ADV/MAL/10/00141** - Re-branding of petrol filling station canopy and kiosk. Approved 15.04.2010.

- **ADV/MAL/10/00142** - Main building elevation signage. Approved 15.04.2010.
- **ADV/MAL/10/00375** - Car park signage. Part Approved Part Refused 01.07.2010.
- **ADV/MAL/12/00499** - Proposed signage to Click & Collect facility and the retention of existing signs. Part approved part refused 23.08.2012.
- **ADV/MAL/12/00798** - Proposed signage to Click & Collect facility. Approved 20.12.2012.
- **ADV/MAL/13/01158** - Installation of advertisements for proposed dry cleaning, key cutting, shoe & watch repairs pod to Class 1 retail premises. Refused 21.02.2014.
- **ADV/MAL/14/00266** - 2no internally illuminated fascia signs. Refused 24.07.2014.
- **ADV/MAL/14/00808** - Car park directional signage, tablet signs, window vinyls, gantry signs and AMT signage. Part allowed/Part refused 11.12.2014.
- **FUL/MAL/17/00074** – Installation of 2no. ANPR cameras on 5m poles. Approved 29 March 2017.
- **ADV/MAL/17/00075** - Advertisements related to ANPR cameras and associated signs at Tesco car park. Split Decision: Part approved, part refused. 29 March 2017.

7 **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Object: Proliferation of signs and detrimental impact on street scene	These points have been addressed within the report

7.2 **External Consultees (*summarised*)**

Name of External Consultee	Comment	Officer Response
Essex County Council (ECC) Highway Authority	No Objection.	The comments of the Highway Authority are noted.

7.3 **Internal Consultees (*summarised*)**

Name of Internal Consultee	Comment	Officer Response
Environmental Health Service	No Objection or Comment	The comments of the Environmental Health Service are noted.

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	<p>No Objection.</p> <p>The development will not cause harm to the character, appearance setting or significance of the adjacent Conservation Area</p>	The comments of the Conservation Officer are noted.

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 No letters of representation have been received at the time of writing this report.

8 **PROPOSED CONDITIONS**

Conditions:

1. The express consent hereby granted shall be for a period of 5 years beginning from the date hereof.
2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
3. No advertisement shall be sited or displayed so as to:
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purposes of security or surveillance or for the measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASONS 1- 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements)(England) Regulations 2007.

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**REPORT of
CHIEF EXECUTIVE**

**to
CENTRAL AREA PLANNING COMMITTEE
28 JUNE 2017**

OTHER AREA PLANNING AND RELATED MATTERS

ITEM 1 APPEALS LODGED

ITEM 2 APPEAL DECISIONS

Please see overleaf.

ITEM 1 APPEALS LODGED

Notification has been received from the Planning Inspectorate that the following appeal has been lodged:

Appeal Start Date: 19/06/2017

Application Number: ADV/MAL/16/01066 (APP/X1545/Z/17/3171512)

Site: Unit 4, Home Farm Industrial Estate, Colchester Road, Heybridge, Essex, CM9 4NL

Proposal: Advertisement consent for company logo sign.

Appeal by: Mr Simon Houlding

Appeal against: Refusal

Appeal procedure requested: Commercial Appeals Service (CAS)

ITEM 2 APPEAL DECISIONS

Notification has been received from the Planning Inspectorate of the following appeal decision.

FUL/MAL/16/01218 (Appeal Ref: APP/X1545/W/17/3169518)

Proposal: Retrospective - The siting of cake fridges in the front garden.

Address: 16 Fambridge Road - Maldon

APPEAL DISMISSED – 14 June 2017

DECISION LEVEL: Delegated

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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