

# Unrestricted Document Pack

APOLOGIES Committee Services  
Tel. 01621 875291

Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE  
CHIEF EXECUTIVE  
Fiona Marshall

18 July 2017

Dear Councillor

You are summoned to attend the meeting of the;

## **CENTRAL AREA PLANNING COMMITTEE**

on **WEDNESDAY 26 JULY 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*

THIS PAGE IS INTENTIONALLY BLANK



**AGENDA**  
**CENTRAL AREA PLANNING COMMITTEE**  
**WEDNESDAY 26 JULY 2017**

---

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 12)

To confirm the Minutes of the meeting of the Committee held on 28 June 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. **FULMAL1700372 - 26 Washington Road, Maldon** (Pages 13 - 20)

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

6. **FULMAL1700647 - Car Park, Butt Lane, Maldon** (Pages 21 - 28)

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

7. **FULMAL1700648 - Car Park, Butt Lane, Maldon** (Pages 29 - 36)

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

8. **Other Area Planning and Related Matters** (Pages 37 - 38)

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

- (i) Appeals Lodged
- (ii) Appeal Decisions

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

**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 – 7.
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](http://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



**MINUTES of  
CENTRAL AREA PLANNING COMMITTEE  
28 JUNE 2017**

---

**PRESENT**

Chairman	Councillor B E Harker
Vice-Chairman	Councillor S J Savage
Councillors	Miss A M Beale, I E Dobson, Mrs B D Harker, M S Heard and Mrs N G F Shaughnessy

**197. CHAIRMAN'S NOTICES**

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

**198. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A T Cain, Mrs P A Channer, CC and Miss M R Lewis.

**199. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 31 May 2017 be received.

**Minute No. 99 – Disclosure of Interest**

Councillor M S Heard – amendment to declaration of interest for Agenda Item 10 – he knew the applicant Mr Harmer, a council employee.

Councillor S J Savage – amendments to declarations of interest for Agenda Item 6 – he used the facilities of Blackwater Leisure Centre. Agenda Item 9 – ‘been aware of flooding on the quay since 1969.’

**RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 31 May 2017 be confirmed.

## 200. DISCLOSURE OF INTEREST

Councillor I E Dobson declared an interest in relation to Agenda Item 7 - FUL/MAL/17/00494, All Saints Church Of England Primary School Highlands Drive Maldon Essex as he was the chair of the governors board at All Saints School.

Councillor M S Heard declared an interest in relation to Agenda Item 6 FUL/MAL/17/00465, Maldon Saints Clubhouse, The Promenade Park, Park Drive, Maldon - as he knew the applicant and met there as a member of the legion.

Councillor Mrs N G F Shaughnessy declared an interest in relation to Agenda Item 7 - FUL/MAL/17/00494, All Saints Church Of England Primary School Highlands Drive Maldon Essex as her grandson attended the school and she also knew the teachers and head teacher.

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

## 201. FUL/MAL/17/00378 - 1 WAVE BRIDGE COURT, COLCHESTER ROAD, HEYBRIDGE

<b>Application Number</b>	<b>FUL/MAL/17/00378</b>
<b>Location</b>	1 Wave Bridge Court Colchester Road Heybridge Essex
<b>Proposal</b>	Replace rotten timber windows and doors with double glazed Upvc windows and doors
<b>Applicant</b>	Mr S Truss
<b>Agent</b>	Mr Allan Taylor - Blue Door Solutions Ltd
<b>Target Decision Date</b>	05 July 2017
<b>Case Officer</b>	Hilary Baldwin, TEL: 01621 875730
<b>Parish</b>	<b>HEYBRIDGE EAST</b>
<b>Reason for Referral to the Committee / Council</b>	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 **BLOCK PLAN, LOCATION PLAN, 1WC/3/1-1, 8621/1, 8621/2 and 8621/3**, and specifically referenced on this decision notice.
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.



**202. FUL/MAL/17/00465 - MALDON SAINTS CLUBHOUSE, THE PROMENADE PARK, PARK DRIVE, MALDON**

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

**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 drawings referenced **518-01, 518-02 A, 518-03A and 518-04** specifically referenced on this decision notice.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
4. The use hereby permitted shall not commence unless and until the building has been constructed to provide sound insulation against internally generated noise in accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority. The scheme as approved shall be retained as such thereafter.
5. The use hereby permitted shall only be undertaken in conjunction with the park's opening and closing times.
6. Prior to the first use of the development hereby permitted, the parking space as shown on approved plan ref: **518-02 Rev A**, shall be constructed, surfaced, laid out and made available for use in accordance with the approved scheme and retained for such purposes thereafter.
7. Prior to the commencement of the development details of the surface water and foul water drainage scheme to serve the development shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development and shall be retained at all times thereafter. 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.

**203. FUL/MAL/170/0494 - ALL SAINTS CHURCH OF ENGLAND PRIMARY SCHOOL, HIGHLANDS DRIVE, MALDON**

<b>Application Number</b>	<b>FUL/MAL/17/00494</b>
<b>Location</b>	All Saints Church Of England Primary School Highlands Drive Maldon Essex
<b>Proposal</b>	Installation of a bicycle shelter
<b>Applicant</b>	Mr Philip Brown - All Saints CofE Primary School
<b>Agent</b>	-
<b>Target Decision Date</b>	1 August 2017
<b>Case Officer</b>	Hilary Baldwin, TEL: 01621 875730
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application 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 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.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.

**204. ADV/MAL/17/00534 - TESCO, FULLBRIDGE, MALDON**

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

**RESOLVED** that this application be **APPROVED** subject to the following 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.

## 205. 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: 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)

Appeal Start Date: 14 June 2017

**Application Number: ADV/MAL/16/01400 (APP/X1545/H/17/3172268)**

Site: Lidl, 2 Station Road, MALDON, CM9 4LQ

Proposal: Appeal against condition 9 of approved consent for the free-standing internally illuminated sign at the entrance, and refused consent for the two illuminated projecting gable 'bubble' signs above the store entrance and the directional signs.

Appeal by: Lidl UK GmbH

Appeal against: Conditions imposed and refusal

Appeal procedure requested: Written Representation

**(ii) Appeal Decisions:**

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

**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

**206. EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve 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.

**207. ENFORCEMENT UPDATE**

The Committee received and noted the quarterly update on enforcement cases affecting the Committee's area. Various cases were discussed in detail and the Enforcement Officer provided updates where requested to do so and advised Members of planned action to be taken.

There being no further items of business the Chairman closed the meeting at 8.20 pm.

**B E HARKER  
CHAIRMAN**



**REPORT of  
CHIEF EXECUTIVE**

---

to  
**CENTRAL AREA PLANNING COMMITTEE**  
**26 JULY 2017**

<b>Application Number</b>	<b>FUL/MAL/17/00372</b>
<b>Location</b>	26 Washington Road Maldon Essex CM9 6BL
<b>Proposal</b>	Replacement staircase
<b>Applicant</b>	Mrs Kathleen Evans
<b>Agent</b>	-
<b>Target Decision Date</b>	22.06.2017 Extension of Time: 27.07.2017
<b>Case Officer</b>	Spyros Mouratidis, TEL: 01621 875841
<b>Parish</b>	<b>MALDON WEST</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

**1. RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see overleaf.

**26 Washington Road, Maldon**  
**FUL/MAL/17/00372**



**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



[www.maldon.gov.uk](http://www.maldon.gov.uk)

Scale:	1:750
Organisation:	Maldon District Council
Department:	Department
Comments:	Central Committee 17/00372
Date:	13/07/2017
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 northern side of Washington Road, in an urban area, within the settlement boundary of Maldon. The building is one half of a pair of semi-detached properties but it has been converted into two residential units. To the rear of the property there is a single storey flat roof extension which is used as a balcony by the users of the upper floor residential unit. A staircase gives access from the garden to the balcony and vice versa.
- 3.1.2 Planning permission is sought for a proposed replacement staircase with associated balustrade to allow access from the garden to the middle of the existing balcony and replacement balustrade around the balcony. The proposed staircase will extend 2.9m to the rear of the building and elevate up to 2.6m above ground level. It has to be noted that the existing staircase which allows access from the side of the balcony is unauthorised and the original “L”-shaped timber staircase was deemed unsafe and subsequently was removed. The balustrade on the staircase and the balcony would be made of galvanized steel.

#### **3.2 Conclusion**

- 3.2.1 The proposal is considered to be acceptable and in line with local and national policies as the harm identified by the rudimentary design is outweighed by the lesser overlooking which would be caused by the layout of the staircase.

### **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 - Presumption in favour of sustainable development
- 17 - Core Planning Principles
- 56-68 - Requiring Good Design

#### **4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:**

- BE1 - Design of Development and Landscaping
- BE6 - Extensions to Dwellings

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

- H4 - Effective Use of Land
- D1 - Design Quality and Built Environment

#### **4.4 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

- Car Parking Standards
- Essex Design Guide

## **5. MAIN CONSIDERATIONS**

### **5.1 Principle of Development**

- 5.1.1 The proposal is for alterations to existing residential units. The principle for development of this nature is considered acceptable in accordance with policies BE6 of the adopted Replacement Local Plan (RLP) and H4 of the emerging Local Development Plan (LDP). Furthermore, it has to be noted that there has been a balcony with an associated staircase access on site at least since 2006. Hence, the principle of a staircase on the site is already established. Other material planning considerations are discussed in the following sections of the report.

### **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, liveable 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 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 saved 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 submitted 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.
- 5.2.3 The design of the proposed external staircase is utilitarian, rudimentary and of limited architectural merit. However, it must be noted that a stairway existed on site previously. In any case, views of the development would be obscured by the existing built form in the locality and as such it is not considered that the proposal would be visually intrusive or detrimentally harmful upon the character and appearance of the area to such a degree as to warrant the refusal of the application. With regard to materials, it is proposed the development to be constructed with galvanized steel. This material would appear out of place in the locality but would offer other benefits in terms of safety and durability when compared to timber used at the construction of the original staircase.
- 5.2.4 Overall, it is considered that although the proposed design and use of materials would be unsympathetic to the character and appearance of the site and the area, the identified harm would be limited and would not warrant the refusal of the application.

### **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 existing and the previous arrangements required the user of the staircase to turn and look towards the neighbouring properties. The proposed staircase would give access to the balcony without requiring the users to turn their view away from the site. Hence, it is considered that the proposed development would represent an improvement to the impact upon the amenity of the neighbouring occupiers when compared to the existing and the original arrangements. In terms of overpowering, the proposal would be located away from the neighbouring property at No.28 while the existing staircase abuts the boundary of the site. In terms of overlooking, a straight stair will give rise to overlooking at a lesser degree than the original “L”-shaped staircase.
- 5.3.3 The proposal includes the replacement of the balustrade around the balcony. Given the lack of evidence, it is not clear whether there has always been balustrade around the balcony previously. However, the use of the flat roof above the single-storey, rear extension as an amenity area is evident since at least 2006 as it can be demonstrated by aerial photographs of that time. Therefore, the replacement of the balustrade is not considered to give rise to any additional harm upon the amenity of neighbouring occupiers.
- 5.3.4 It is noted that neighbouring occupiers have raised concerns about the proposal. However, the main issue appears to be the use of the balcony as amenity space. The balcony has been used for these purposes since at least 2006 as it can be evidenced by aerial photographs from that time. Also, the use of the balcony is not part of this application. Another point raised by local residents is that the original staircase was not used for a period of time because it was deemed unsafe. It has to be noted that the original staircase which was causing more harm than the proposal could have been repaired without the need for a planning permission.

#### **5.4 Access, Parking and Highway Safety**

- 5.4.1 Policy BE6 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with alterations and/or additions to dwellings. Likewise, policy D1 of the submission 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 taking into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.4.2 The proposal would not affect the access or parking arrangements of the site. On this basis there are no objections to the applications in terms of access, parking or highway safety.

#### **5.5 Private Amenity Space and Landscaping**

- 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 one or two bedrooms is 50sq m.

- 5.5.2 The proposed development would not materially affect the private amenity space, which is already in excess of the standard required by policy, or the landscape of the residential units. Therefore, there is no objection to the proposal in relation to amenity space or landscaping.

## **6. ANY RELEVANT SITE HISTORY**

- 6.1 No relevant planning history.

## **7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Maldon Town Council	Object - unreasonable degree of overlooking and loss of privacy to the occupiers of adjacent properties.	See section 5.3 of the report

### **7.2 Representations received from Interested Parties**

- 7.2.1 Letters were received **objecting** to the application from the following and the reasons for objection are summarised as set out in the table below:

- Mr & Mrs Ingvarsson - 28 Washington Road Maldon Essex CM9 6BL
- Mrs Walker - 30 Washington Road Maldon Essex CM9 6BL

<b>Objection Comment</b>	<b>Officer Response</b>
No letter to notify of the application.	Letters are sent only to occupiers of adjoining properties.
No site notice to notify of the application.	A site notice has been displayed on 24 May 2017
The balcony is a large structure highly visible.	See section 5.3 of the report
The balcony is overlooking neighbouring gardens resulting to loss of privacy and impairment.	See section 5.3 of the report
The users of the balcony are causing nuisance which was not present before.	See section 5.3 of the report
The gardens on Washington road enjoy a large, green, leafy outlook. A metal staircase and balcony would be visually out of character. There are no other houses with balconies.	See section 5.2 of the report
The maisonette has an independent external entrance at ground floor level similar to a dwelling house, which makes	See section 5.1 of the report

Objection Comment	Officer Response
the requirement of an external staircase for safety reasons invalid.	

## 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 specifically referenced on this decision notice.  
REASON: In order to ensure that the development is carried out in accordance with the approved details.
3. The development hereby approved shall be constructed of materials and finish as detailed within the application form.  
REASON: To minimise the harm upon the character and appearance of the area in accordance with policies BE1 and BE6 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Submitted Local Development Plan.

This page is intentionally left blank



## REPORT of CHIEF EXECUTIVE

---

to  
CENTRAL AREA PLANNING COMMITTEE  
26 JULY 2017

<b>Application Number</b>	<b>FUL/MAL/17/00647</b>
<b>Location</b>	Car Park, Butt Lane, Maldon
<b>Proposal</b>	Change of use of part of car park to Maldon retail market on a Thursday until 31 August 2019
<b>Applicant</b>	Maldon District Council - Mr Richard Holmes
<b>Agent</b>	-
<b>Target Decision Date</b>	07 August 2017
<b>Case Officer</b>	Hilary Baldwin, TEL: 01621 875730
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land

### 1. RECOMMENDATION

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

*This application falls to be considered by the Area Planning Committee, but under its terms of reference if the Committee is minded to refuse permission the application will need to be determined by the Council and the Committee will need to recommend accordingly.*

### 2. SITE MAP

Please see overleaf.

**Car Park, Butt Lane, Maldon**  
FUL/MAL/17/00647



**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 Stationery  
Office © Crown copyright.  
Unauthorised reproduction infringes Crown copyright  
and may lead to prosecution or civil proceedings.  
Maldon District Council 100018588 2014



[www.maldon.gov.uk](http://www.maldon.gov.uk)

Scale: 1:750

Organisation: Maldon District Council

Department: Department

Comments: Central Committee 17/00647

Date: 13/07/2017

MSA Number: 100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is located within the development boundary for Maldon, within the Town Centre and the Conservation area as defined in the adopted Maldon District Replacement Local Plan.
- 3.1.2 The application relates to the south-eastern corner of the Butt Lane car park, which is owned by Maldon District Council. The application site covers an area of approximately 605 sq. m. which covers 38 existing car parking spaces, the same area approved under the existing temporary permission on the site. The site is accessed from the car park itself with pedestrian access from Wenlock Way.
- 3.1.3 The proposal seeks approval for the continuation of the change of use of the car park for market stalls one day a week (Thursdays) until 31 August 2019 from 07.30 until 18:00. The current permission uses this area for a market one day a week and expires on 31 August 2017.

#### **3.2 Conclusion**

- 3.2.1 As discussed within this report, it is considered that unless harm has been identified, or there is a requirement to maintain monitoring, then the repetitive issue of a temporary consent is contrary to government guidance and good planning practice. It is therefore considered that, albeit the proposal is for a two year period, as no harm has been identified within the lifetime of the extant permission and no concern has been raised by consultees or adjacent neighbouring occupiers that a permanent consent is issued.
- 3.2.2 It is considered that the proposed development is acceptable and compliant with the policies S1, BE1, BE13 and T8 of the adopted Maldon District Replacement Local Plan, emerging policies D1, D3, T1 and T2 of the Local Development Plan and the guidance and provision as contained within the National Planning Policy Framework.

### **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:**

- 17, 7

#### **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 Aspects

**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 application site lies within the Town Centre of Maldon as defined in the adopted Maldon District Replacement Local Plan. The market helps to strengthen and maintain the role of Maldon town centre by improving the range of retailing which helps to promote the vitality and viability of the town centre environment. The application is therefore acceptable in principle.

**5.2 Relevant Planning History**

- 5.2.1 The application site has had planning permission to run the Maldon retail market since 2004. Temporary consent has been granted previously as it is not considered that a grant of permanent planning permission is appropriate. The granting of temporary consent enables the local planning authority to reassess the impact of the development upon the area. Some concerns have been raised in the past regarding hours of operation and breaches of previous planning permissions.
- 5.2.2 In respect of the above, the current application for temporary consent for a two year period would allow further monitoring and assessment. However, these issues appear to have been resolved and it is noted that during the lifetime of the extant temporary consent there were no issues raised in relation to the operation of the market.

**5.3 Design and Impact on the Character of the Area**

- 5.3.1 Policy BE1 (a) relates to design and seeks to ensure that new development is reflective of its setting in terms of architectural style, scale / bulk / height, materials and visual impact (among other factors).
- 5.3.2 Policy BE13 states that development in conservation areas should protect the character and historic value of the area.
- 5.3.3 Maldon is historically a market town and there is no objection to the continued use of part of the Butt Lane Car Park to hold the Maldon retail market. The proposed



change of use is considered to improve the vitality and viability of the Maldon Town Centre and therefore is considered to promote the overall vitality of the town centre, environment which in turn contributes to the character of the Maldon Conservation Area. As such, the proposal is not considered to have a detrimental impact on the special character of the Maldon Conservation Area.

- 5.3.4 The Conservation Officer has been consulted and there is no objection to the proposal.

#### **5.4 Impact on Residential Amenity**

- 5.4.1 The proposed market spaces are located within close proximity to residential properties at Old Mill Close and Wenlock Way. As a result the impact of the market stalls on the residential amenities of these properties has been assessed.

- 5.4.2 The change of use would result in an intensification of the use site and an increase in noise disturbance to the neighbouring residential amenity. However, in considering the temporary nature of the change of use, and the number of days in the year that the markets would be run, on balance, the harm caused is not considered to be demonstrable to the occupiers of adjacent buildings. In addition, the Environmental Health Department has received no known noise complaints from the neighbouring residents which are monitored as part of these temporary consents.

- 5.4.3 Whilst it is noted that the current submission is for a temporary period, albeit for two years, planning guidance recommends that unless there is a valid reason for refusal or harm has been identified which requires monitoring, then repetitively issuing temporary consents is not good practice. It is therefore considered appropriate in this instance to issue permanent consent.

- 5.4.4 Notwithstanding the above, through liaison with the Environmental Health Officer on previous applications, a condition had been imposed to ensure that there is a restriction on amplified music being played on the stalls so as not to disturb the nearby residential properties. The use of the condition is still considered to be applicable and can be appended to any grant of permission.

#### **5.5 Access, Parking and Highway Safety**

- 5.5.1 It is acknowledged that the market does result in the loss of car parking spaces on market days. However, this has to be considered in the wider context of the overall number of car parking spaces available within the town centre as a whole, as well as the economic benefits of there being a market within the town centre. There is no evidence to suggest that the use of the site has resulted in any on-street car parking, detrimental to the free flow of traffic or highway safety.

#### **6. ANY RELEVANT SITE HISTORY**

- **FUL/MAL/04/00971** - Change of use of part of car park to Maldon retail market, 2 days per week (Thursday and Saturday). Approved - 09.12.2004.
- **FUL/MAL/06/01022** - Continued use of part of car park as retail market on 2 days per week (Thursday and Saturday). Approved - 28.11.2006.

- **FUL/MAL/07/00469** - Change of use of part of car park to Retail Market for 2 days per week (Thursday and Saturday) until 31st August 2008. Approved - 30.07.2007.
- **FUL/MAL/08/00643** - Use of part of car park for Maldon retail market 2 days per week (Thursday and Saturday) until 31 August 2010. Approved - 29.07.2008.
- **FUL/MAL/10/00401**- Use of part of car park for Maldon retail market 2 days per week (Thursday and Saturday) until 31 August 2012. Approved 10.08.2010.
- **FUL/MAL/11/00344**- Continuation of use of part of car park for Maldon retail market 2 days per week (Thursday and Saturday) until 31 August 2013. Approved 23.06.2011.
- **FUL/MAL/13/00448** - Change of use for Market stalls 2 days a week. Approved 26.06.2013.
- **FUL/MAL/15/00809** - Change of use of part of car park to Maldon retail market 2 days a week (Thursdays and Saturdays) until 31 August 2016. Approved 8 September 2016.
- **FUL/MAL/16/00664** - Change of use of part of Butt Lane car park to Maldon Retail Market 1 day a week (Saturdays) until 31st August 2017. Approved 25 August 2016.
- **FUL/MAL/16/00665** - Change of Use of part of Butt Lane car park to Maldon Retail Market 1 day a week (Thursdays) until 31st August 2017. Approved 25 August 2016.

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

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

### 7.2 **Internal Consultees (*summarised*)**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Conservation Officer	No Objection	The comments of the Conservation Officer are noted
Environmental Health Service	No Comment	The comments of the EHO are noted

### 7.3 Statutory Consultees and Other Organisations (*summarised*)

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Highways	No objection	The comments of the Highway Authority are Noted

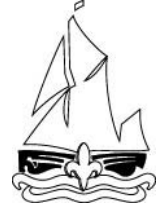
### 7.4 Representations received from Interested Parties (*summarised*)

7.4.1 No letters of representation have been received.

## 8. **PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be carried out in complete accordance with the approved Location Plan 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 in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan, the National Planning Policy Framework and policy D1 of the submitted Maldon District Local Development Plan.
- 2 The Maldon retail market hereby permitted shall operate only between the hours 07:30 to 18:00 on Thursdays only with no setting up of any stall prior to 07:00. All stalls and related equipment shall be removed from the site prior to 19:00 hours on each day.  
REASON: To ensure the use is appropriate to the locality in accordance with policy BE1 (a) (vii) of the adopted Maldon District Replacement Local Plan.
- 3 There shall be no amplified sound used within the site edged in red on the Location Plan.  
REASON: To ensure the use is appropriate to the locality in accordance with policy BE1 (a) (vii) of the adopted Maldon District Replacement Local Plan.

This page is intentionally left blank



**REPORT of  
CHIEF EXECUTIVE**

---

to  
**CENTRAL AREA PLANNING COMMITTEE**  
**27 JULY 2017**

<b>Application Number</b>	<b>FUL/MAL/17/00648</b>
<b>Location</b>	Car Park, Butt Lane, Maldon
<b>Proposal</b>	Change of use of part of car park to Maldon retail market on a Saturday until 31 August 2019
<b>Applicant</b>	Maldon District Council - Mr Richard Holmes
<b>Agent</b>	-
<b>Target Decision Date</b>	11 August 2017
<b>Case Officer</b>	Hilary Baldwin, TEL: 01621 875730
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land

**1. RECOMMENDATION**

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

*This application falls to be considered by the Area Planning Committee, but under its terms of reference if the Committee is minded to refuse permission the application will need to be determined by the Council and the Committee will need to recommend accordingly.*

**2. SITE MAP**

Please see overleaf.

**Car Park, Butt Lane, Maldon**  
FUL/MAL/17/00648



**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 Stationery Office © Crown copyright.  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
Maldon District Council 100018588 2014



[www.maldon.gov.uk](http://www.maldon.gov.uk)

Scale: 1:750

Organisation: Maldon District Council

Department: Department

Comments: Central Committee 17/00648

Date: 13/07/2017

MSA Number: 100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is located within the development boundary for Maldon, within the Town Centre and the Conservation area as defined in the adopted Maldon District Replacement Local Plan.
- 3.1.2 The application relates to the south-eastern corner of the Butt Lane car park, which is owned by Maldon District Council. The application site covers an area of approximately 70 sq. m. which covers five existing car parking spaces, the same area approved under the existing temporary permission on the site. The site is accessed from the car park itself with pedestrian access from Wenlock Way.
- 3.1.3 The proposal seeks approval for the continuation of the change of use of the car park for market stalls one day a week (Saturday) until 31 August 2019 from 07.30 until 18:00. The current permission uses this area for a market one day a week and expires 31 August 2017.

#### **3.2 Conclusion**

- 3.2.1 As discussed within this report, it is considered that unless harm has been identified, or there is a requirement to maintain monitoring, then the repetitive issue of a temporary consent is contrary to government guidance and good planning practice. It is therefore considered that, albeit the proposal is for a two year period, as no harm has been identified within the lifetime of the extant permission and no concern has been raised by consultees or adjacent neighbouring occupiers that a permanent consent is issued.
- 3.2.2 It is considered that the proposed development is acceptable and compliant with the policies S1, BE1, BE13 and T8 of the adopted Maldon District Replacement Local Plan, emerging policies D1, D3, T1 and T2 of the Local Development Plan and the guidance and provision as contained within the National Planning Policy Framework.

### **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:**

- 17, 7

#### **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 Aspects

**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 application site lies within the Town Centre of Maldon as defined in the adopted Maldon District Replacement Local Plan. The market helps to strengthen and maintain the role of Maldon town centre by improving the range of retailing which helps to promote the vitality and viability of the town centre environment. The application is therefore acceptable in principle.

**5.2 Relevant Planning History**

- 5.2.1 The application site has had planning permission to run the Maldon retail market since 2004. Temporary consent has been granted previously as it is not considered that a grant of permanent planning permission is appropriate. The granting of temporary consent enables the local planning authority to reassess the impact of the development upon the area. Some concerns have been raised in the past regarding hours of operation and breaches of previous planning permissions.
- 5.2.2 In respect of the above, the current application for temporary consent for a two year period would allow further monitoring and assessment. However, these issues appear to have been resolved and it is noted that during the lifetime of the extant temporary consent there were no issues raised in relation to the operation of the market.

**5.3 Design and Impact on the Character of the Area**

- 5.3.1 Policy BE1 (a) relates to design and seeks to ensure that new development is reflective of its setting in terms of architectural style, scale/bulk/height, materials and visual impact (among other factors).
- 5.3.2 Policy BE13 states that development in conservation areas should protect the character and historic value of the area.
- 5.3.3 Maldon is historically a market town and there is no objection to the continued use of part of the Butt Lane Car Park to hold the Maldon retail market. The proposed



change of use is considered to improve the vitality and viability of the Maldon Town Centre, and therefore is considered to promote the overall vitality of the town centre environment which in turn contributes to the character of Maldon Conservation Area. As such, the proposal is not considered to have a detrimental impact on the special character of the Maldon Conservation Area.

- 5.3.4 The Conservation Officer has been consulted and there is no objection to the proposal.

#### **5.4 Impact on Residential Amenity**

- 5.4.1 The proposed market spaces are located within close proximity to residential properties at Old Mill Close and Wenlock Way, as a result the impact of the market stalls on the residential amenities of these properties have been assessed.
- 5.4.2 The change of use would result in an intensification of the use site, and an increase in noise disturbance to the neighbouring residential amenity. However, in considering the temporary nature of the change of use, and the number of days in the year that the markets would be run, on balance, the harm caused is not considered to be demonstrable to the occupiers of adjacent buildings. In addition, the Environmental Health Department has received no known noise complaints from the neighbouring residents which are monitored as part of these temporary consents.
- 5.4.3 Notwithstanding the above, through liaison with the Environmental Health Officer on previous applications, a condition had been imposed to ensure that there is a restriction on amplified music being played on the stalls so as not to disturb the nearby residential properties. The use of the condition is still considered to be applicable and can be appended to any grant of permission.

#### **5.5 Access, Parking and Highway Safety**

- 5.5.1 It is acknowledged that the market does result in the loss of car parking spaces on market days. However, this has to be considered in the wider context of the overall number of car parking spaces available within the town centre as a whole, as well as the economic benefits of there being a market within the town centre. There is no evidence to suggest that the use of the site has resulted in any on-street car parking, detrimental to the free flow of traffic or highway safety.

#### **6. ANY RELEVANT SITE HISTORY**

- **FUL/MAL/04/00971** - Change of use of part of car park to Maldon retail market, 2 days per week (Thursday and Saturday). Approved - 09.12.2004.
- **FUL/MAL/06/01022** - Continued use of part of car park as retail market on 2 days per week (Thursday and Saturday). Approved - 28.11.2006.
- **FUL/MAL/07/00469** - Change of use of part of car park to Retail Market for 2 days per week (Thursday and Saturday) until 31 August 2008. Approved - 30.07.2007.
- **FUL/MAL/08/00643** - Use of part of car park for Maldon retail market 2 days per week (Thursday and Saturday) until 31 August 2010. Approved - 29.07.2008.

- **FUL/MAL/10/00401**- Use of part of car park for Maldon retail market 2 days per week (Thursday and Saturday) until 31 August 2012. Approved 10.08.2010.
- **FUL/MAL/11/00344**- Continuation of use of part of car park for Maldon retail market 2 days per week (Thursday and Saturday) until 31 August 2013. Approved 23.06.2011.
- **FUL/MAL/13/00448** - Change of use for Market stalls 2 days a week. Approved 26.06.2013.
- **FUL/MAL/15/00809** - Change of use of part of car park to Maldon retail market 2 days a week (Thursdays and Saturdays) until 31 August 2016. Approved 8 September 2016.
- **FUL/MAL/16/00664** - Change of use of part of Butt Lane car park to Maldon Retail Market 1 day a week (Saturdays) until 31 August 2017. Approved 25 August 2016
- **FUL/MAL/16/00665** - Change of Use of part of Butt Lane car park to Maldon Retail Market 1 day a week (Thursdays) until 31 August 2017. Approved 25 August 2016

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

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

### 7.2 **Internal Consultees (*summarised*)**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Conservation Officer	No Objection	The comments of the Conservation Officer are noted
Environmental Health Service	No Comment	The comments of the EHO are noted

### 7.3 **Statutory Consultees and Other Organisations (*summarised*)**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Highways	No objection	The comments of the Highway Authority are Noted

#### **7.4 Representations received from Interested Parties (*summarised*)**

7.4.1 No letters of representation have been received.

#### **8. PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be carried out in complete accordance with the approved Location Plan 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 in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan, the National Planning Policy Framework and policy D1 of the submitted Maldon District Local Development Plan.

- 2 The Maldon retail market hereby permitted shall operate only between the hours 07:30 to 18:00 on Saturday s only with no setting up of any stall prior to 07:00. All stalls and related equipment shall be removed from the site prior to 19:00 hours on each day.

REASON: To ensure the use is appropriate to the locality in accordance with policy BE1 (a) (vii) of the adopted Maldon District Replacement Local Plan.

- 3 There shall be no amplified sound used within the site edged in red on the Location Plan.

REASON: To ensure the use is appropriate to the locality in accordance with policy BE1 (a) (vii) of the adopted Maldon District Replacement Local Plan.

This page is intentionally left blank



**REPORT of  
CHIEF EXECUTIVE**

---

**to  
CENTRAL AREA PLANNING COMMITTEE  
26 JULY 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)

Appeal Start Date: 14 June 2017

**Application Number: ADV/MAL/16/01400 (APP/X1545/H/17/3172268)**

Site: Lidl, 2 Station Road, MALDON, CM9 4LQ

Proposal: Appeal against condition 9 of approved consent for the free-standing internally illuminated sign at the entrance, and refused consent for the two illuminated projecting gable 'bubble' signs above the store entrance and the directional signs.

Appeal by: Lidl UK GmbH

Appeal against: Conditions imposed and refusal

Appeal procedure requested: Written Representation

## **ITEM 2      APPEAL DECISIONS**

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

**ADV/MAL/16/01137 (Appeal Ref: APP/X1545/Z/17/3169073)**

Proposal: Replace the existing signs due to company name change and regulatory authority

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

**APPEAL DISMISSED – 4 July 2017**

**DECISION LEVEL:** Delegated