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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

15 August 2017

Dear Councillor

You are summoned to attend the meeting of the;

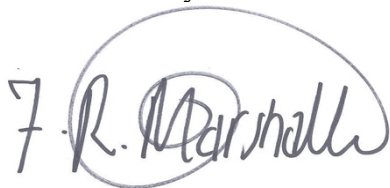
CENTRAL AREA PLANNING COMMITTEE

on **WEDNESDAY 23 AUGUST 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 23 AUGUST 2017

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

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 10)

To confirm the Minutes of the meeting of the Committee held on 26 July 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. **LBCMAL1700464 - Edwards Walk, Maldon** (Pages 11 - 18)

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

6. **HOUSEMAL1700636 - 32 Kingston Chase, Heybridge** (Pages 19 - 26)

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

7. **HOUSEMAL1700643 - 8 St. Paul's Mews, Heybridge** (Pages 27 - 32)

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

8. **HOUSEMAL1700652 - 7 Tennyson Road, Maldon** (Pages 33 - 40)

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

9. **FULMAL1700684 - 99 Wood Road Heybridge** (Pages 41 - 46)

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

10. **FULMAL1700754 - 37 Warwick Drive, Maldon** (Pages 47 - 52)

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

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

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

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

12. **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 No. 5 – 10.
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 Local Development Plan approved by the Secretary of State 21 July 2017
- Burnham-on-Crouch Neighbourhood Development Plan (2017)*

*Note the referendum was held on 20 July 2017 and was in favour of the Plan, but the Plan will be made by Maldon District Council in September 2017. In the meantime it is treated as being in effect.

Legislation

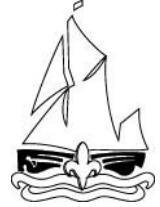
- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991 and The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and 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 traveller 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
26 JULY 2017**

PRESENT

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, and M R Pearlman.
Ex-Officio Non-Voting Member	Mrs P A Channer, CC

294. CHAIRMAN'S NOTICES

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

295. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs N G F Shaughnessy

296. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 28 June 2017 be approved and confirmed.

297. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer CC declared a non-pecuniary interest as she was also a Member of Essex County Council who was consulted on education, highways and other matters.

The Group Manager for Planning Services provided Members with an update on the Local Development Plan position.

The Committee received the reports of the Chief Executive and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated at the meeting.

298. FULMAL1700372 - 26 WASHINGTON ROAD, MALDON

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

Following the Officer's presentation of the report, Kathleen Evans, the Applicant, addressed the Committee.

There was some discussion around the material that should be used to construct the stair case, with regards to whether wood or steel would be more aesthetically pleasing and length of life.

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 development hereby approved shall be constructed of materials and finish as detailed within the application form.

299. FULMAL1700647 - CAR PARK, BUTT LANE, MALDON

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

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

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

300. FULMAL1700648 - CAR PARK, BUTT LANE, MALDON

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

RESOLVED that this application be **APPROVED** subject to the following 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.
- 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.
- 3 There shall be no amplified sound used within the site edged in red on the Location Plan.

301. OTHER AREA PLANNING AND RELATED MATTERS

The Committee received and noted the report of the Chief Executive on the following matters:

(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

Please note the appeals lodged under Item 1 on the agenda for 26 July 2017, have already been addressed on the previous Agenda and Members update for 28 June 2017 Central Area Committee.

(ii) Appeal Decisions

It was noted that the following Appeal Decisions had been received from the Planning Inspectorate:

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

FUL/MAL/16/01331 (Appeal Ref: APP/X1545/W/17/3171628)

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

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

APPEAL ALLOWED – 24 July 2017

DECISION LEVEL: Delegated

There being no further items of business the Chairman closed the meeting at 7.55 pm.

B E HARKER
CHAIRMAN



**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 August 2017

Application Number	LBC/MAL/17/00464
Location	Edwards Walk, Maldon
Proposal	New street surface in covered pedestrian walkway and render to be applied to existing red brick walls.
Applicant	Mr Giles Ford
Agent	Annabel Brown - Annabel Brown Architect
Target Decision Date	28August 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

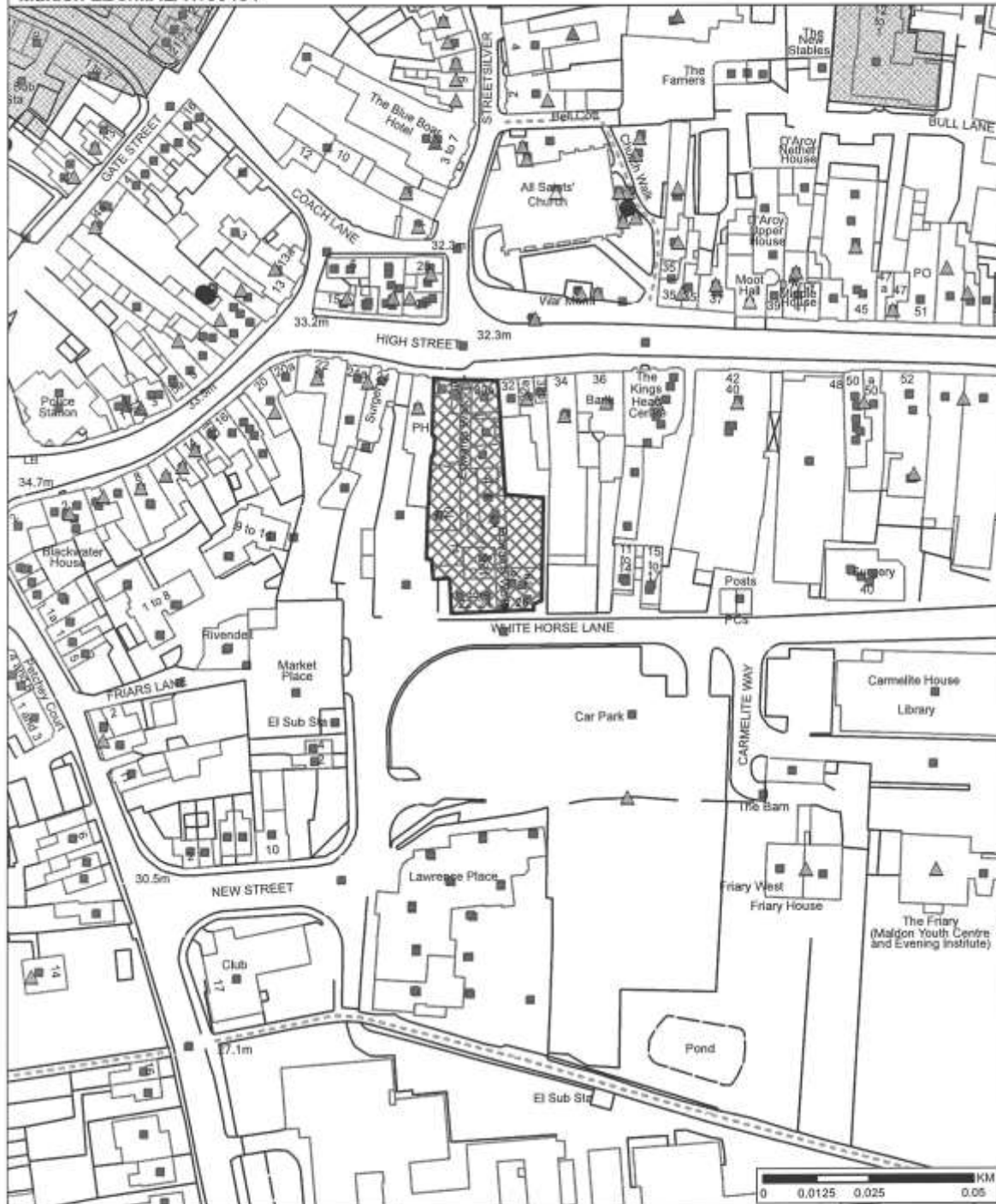
1. RECOMMENDATION

GRANT LISTED BUILDING CONSENT subject to the conditions as detailed within Section 8 of this report.

2. SITE MAP

Please see overleaf.

Edwards Walk
Maldon LBC/MAL/17/00464



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Maldon District Council 100018588 2014

www.maldon.gov.uk

Scale: 1:1,250

Organisation: Maldon District Council

Department: Planning Services

Comments: Central Committee

Date: 11/08/2017

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site falls within the Maldon Conservation Area and comprises a covered pedestrian walkway with associated retail outlets at ground floor level. The internal space has an ordinary pavement style floor finish with some coloured detailing incorporating a diamond design. The large retail shop windows are enclosed by red brick and the roof comprises a ridge roof with opaque glazed panels and white painted collar beams.
- 3.1.2 The arcade dates from late 20th century and is accessed between two retail units on the High Street known as No's 30 and 30A High Street at the northern end, and leads through to White Horse Lane. The retail units at the High Street frontage are Grade II listed buildings.
- 3.1.3 Listed Building consent is sought for a change to the walk way flooring and for the walls to be rendered with grey paintwork to the brick plinth. The flooring would comprise a composite porcelain tile mimicking a rough floor boarding in both surface detailing, colour and layout. The render would comprise a uniform but rough finish with cream paintwork with the existing brick plinth below the large retail windows painted a soft grey.

3.2 Conclusion

- 3.2.1 The arcade is curtilage listed by way of adjoining the retail units on the High Street only and is not considered to possess heritage significance in itself. There are very limited views into the walkway from either end and, albeit a public open space, it is enclosed and represents a modern style addition to the retail offering within the town centre.
- 3.2.2 The changes to the surface materials within the existing arcade are not considered to result in harm to the significance of either the listed buildings or the wider Conservation Area. The Conservation Officer has been consulted and there are no objections to the proposal which is not considered to cause harm to the significance of either designated heritage asset.

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, 56, 69

4.2 Maldon District Local Development Plan Approved on 21st July 2017

- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The site is located inside the settlement boundary of Maldon and the proposal relates to the internal floor and wall finish of the arcade known as Edwards Walk. The arcade is located within the designated Maldon Conservation Area and adjoins the listed buildings which front onto the High Street at the northern end. Therefore, the works must be considered on their merits in terms of design with specific regard to policy criterion of D3 of the approved LDP.

5.1.2 In determining development proposals that affect heritage assets such as listed buildings, local planning authorities are required by the NPPF to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

5.2 Design and Impact on the Character of the Area and Designated Heritage Assets

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 approved policies, a proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials and not have a detrimental impact on its surrounding area and local context and actively seek opportunities for enhancement in the built environment.

5.2.2 The works comprise changes to the materials used for both the floor covering and the wall treatment within the arcade only. In determining an appropriate contextual relationship with surrounding development, factors 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 No structural changes are proposed and the submission would solely be for the aesthetic changes to the floor and wall materials only. The current arcade comprises standard pavement style flooring with strong red brickwork surrounding the retail windows. At present it is considered that the bold wall colour and dark flooring encloses the internal space and where there is no roof glazing at the southern end of the arcade it represents a dark and uninviting space. The lighter recessive colours of the flooring and walls are considered to open the space and provide a lighter and modern offering within this successful retail area which is considered tired and dated in appearance.
- 5.2.5 It is noted that the Maldon Town Council have raised an objection to the proposal in terms of both design and flooring safety. In terms of design and visual impact the proposal, as previously stated is considered to result in an aesthetic improvement to the internal public space. In terms of flooring safety, the proposal is for Listed Building Consent and a refusal with regard to flooring safety is beyond the remit of this type of application. However, a detailed informative can be appended to any grant of consent advising the applicant that prior to any installation to seek formal and detailed advice as to Building Regulation requirements for testing and compliance with both that Act and the Equality Act in terms of disabled and public access for such spaces.
- 5.2.6 Notwithstanding the previous paragraph, the proposal is considered policy compliant with approved policy D1 and D3 and the provision and guidance as contained within the NPPF.

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

- 5.3.1 The proposal is within an internal space, albeit with public access and there are very limited public views from outside of the arcade. The proposal comprises changes to the material surfaces only, which are not considered to result in any detrimental impact upon neighbouring occupiers of the site. It is noted from the submission that the majority of owner/occupiers of the retail units have written to the LPA in support of the proposal and have stated that the lighter colours will be more inviting and that the investment in this arcade is very welcome and is aimed at increasing footfall.
- 5.3.2 As such the proposal is not considered to result in significant potential impact on the amenity of properties or their occupiers of any adjacent or adjoining buildings. The proposal is therefore considered to accord with approved policies D1 and D3 of the submitted Local Development Plan and the guidance and provision of the NPPF.

5.4 Other Considerations

- 5.4.1 The original proposal comprised changes to the shop frontages on the High Street. However, the applicant has been advised that these changes would require separate Advertisement Consent and these details have been withdrawn from the proposal. However, it is considered appropriate that should consent be granted, a condition is appended to the consent to this effect.

6. **ANY RELEVANT SITE HISTORY**

Whilst there is an extensive planning history on the site, there are no relevant applications in context with 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	Object	The comments of the Parish Council are noted

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

Name of External Consultee	Comment	Officer Response
Conservation Officer	No Objection to unconditional consent	The comments of the Service are noted

7.3 **Representations received from Interested Parties (*summarised*)**

7.3.1 Letters were received supporting the application from the following and reasons for support are summarized as set out below.

- Mavis Gardiner 24 White Horse Lane Maldon Essex
- Andrew Wilson Upstairs Downstairs 9-11 Edwards Walk High Street
- Karen Sach & Jo McCulloch Aesthetics Hair 16, 17 & 18 Edwards Walk Maldon
- Ian Brett The Village Cobbler 8 & 12 Edwards Walk Maldon
- Alan & Sue Outlaw Chameleon Maldon Limited 30A High Street Maldon
- Lauren King Blueys Babywear 14 Edwards Walk Maldon CM9 5PJ
- Mrs Patrica Pavelin Ruby Rose 6 & 7 Edwards Walk Maldon
- Gill Lightfoot Cordant People Ltd Chevron House 346 Long Lane
- Helena Billing 3 & 4 Edwards Walk Maldon Essex

Supporting Comments	Officer Response
Will increase footfall. Will result in a lighter brighter offering. Good to see commercial investment in the arcade. Current arcade is dark and visually unappealing and the proposed wall covering will provide much needed lightening to the arcade and make it more appealing Will remove cheap brickwork and	The comments have been noted and addressed within the report

Supporting Comments	Officer Response
concrete slabs. Positive effect on footfall and will ultimately increase business for retail occupiers.	

8. **PROPOSED 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 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with approved drawings **A17510-ELE PROPOSED, A17510-ELE EXISTING LOCATION PLAN, A17510-DD 01, MC5414**/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. Specifically this comprises
Flooring: Del Conca, ceramic paving ref: HMN201 in Beige
Wall Render: K Rend, Silicon Coloured Render
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 D3 of the approved Maldon District Local Development Plan.
4. This permission approves only the development described in the application and shall not be construed as giving approval for any changes to the shop facades in High Street, Maldon or for any associated Advertisement Consent
REASON: For the avoidance of doubt as to the extent of this permission.

INFORMATIVE

- 1 The applicant and agent are advised that prior to the installation of the flooring material hereby approved, that any such flooring must conform to the appropriate Building Regulation and Equality Act requirements for non-slip flooring in a public open space and be installed accordingly.

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**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 August 2017

Application Number	HOUSE/MAL/17/00636
Location	32 Kingston Chase Heybridge
Proposal	Extension and garage conversion
Applicant	Mr D McGoldrick
Agent	Mr S Reagan
Target Decision Date	EOT 30.08.2017
Case Officer	Devan Lawson, TEL: 01621 875845
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Parish Trigger

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

32 Kingston Chase
 Heybridge HOUSE/MAL/17/00636



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	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	Central Committee
	Date:	11/08/2017
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located within a cul-de-sac on the north eastern side of Kingston Chase within the defined settlement boundary of Heybridge. The site is occupied by a two storey detached dwelling. There are neighbouring properties to the south, east and west. Langford Road lies to the north of the site but is screened by dense vegetation.
- 3.1.2 Planning permission is sought for the construction of a single storey extension to the front of the dwelling and also the conversion of the garage into a kitchen/diner area.
- 3.1.3 The proposed front extension would measure 4.5 metres in width, 1.2 metres in depth, would have an overall height of 3.4 metres and will have a pitched roof. The proposal would involve the replacement of the original garage door with a ground floor window.

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 surrounding area. Furthermore, it is considered that the proposed development would not 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 S1, D1, D5, H4, T1 and T2 of the 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
- 57
- 58

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- S1 – Sustainable Development
- D1 - Design Quality and Built Environment
- D2 – Climate Change & Environmental Impact of New Development
- D5- Flood Risk and Coastal Management
- H4 – Effective Use of Land
- T1 – Sustainable Transport
- T2 – Accessibility

4.3 Relevant Planning Guidance / Documents:

- Car Parking Standards

- Essex Design Guide
- National Planning Policy Framework (NPPF)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of altering a dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance D1 of the LDP. Other material planning considerations are discussed 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 Planning permission is sought for the construction of a single storey extension to the front of the dwelling and also the conversion of the garage into a kitchen/diner area.
- 5.2.3 A search of the planning history of the site found that condition 13 states: *‘Provision shall be made for at least one garage space and one parking space for each dwelling of three bedrooms or less and one garage space and two parking spaces for each dwelling of four bedrooms or more.’*
- 5.2.4 As the condition does not require the garages to be retained for the use of parking, there are no conditions on the decision notice that prevent the conversion of the garage to a habitable space. Therefore, the garage conversion would not require planning permission.
- 5.2.5 The proposal to convert the existing garage to a dining room/ kitchen does not amount to development and would not require planning permission unless restrictive conditions have been imposed previously. However, the proposed alterations to the exterior of the dwelling, to create an extension which is associated with the use of the garage as a kitchen-diner, does amount to development.
- 5.2.6 The proposed front extension would measure 4.5 metres in width, 1.2 metres in depth, would have an overall height of 3.4 metres and will have a pitched roof. The proposal would involve the replacement of the original garage door with a ground floor window.
- 5.2.7 The materials of the proposed extension will match those used on the existing property with the exception of the windows and doors which will be constructed from PVCu in contrast to the existing, which are made from timber.
- 5.2.8 The design of the extension whilst considered to be of limited architectural merit is a typical style and design for a residential development. In terms of its proportions,

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namely its size, bulk and appearance, the development is proportionate in relation to the existing dwelling.

- 5.2.9 Whilst the installation of PVCu windows is not considered to be as attractive as the timber windows which are already present on the property, it is noted that a number of properties within the streetscene have already replaced timber windows with PVCu. Furthermore, the new window and door will have a similar appearance as the current windows and door on site. Therefore, it is not considered that the installation of a PVCu window and door on the dwelling will result in any demonstrable harm to the dwelling or the streetscene.
- 5.2.10 The proposed extension will have a gable end located over the front door which mirrors the cantilevered porch on the neighbouring dwelling. The area of roof located over the window serving the dining room will be mono-pitched in design and makes reference to the original roof style on the property. Therefore, as the design makes reference to the visual cues of the existing dwelling and the surrounding area, it is considered that the proposed development will not result in harm to the character and appearance of both the dwelling and the surrounding area.
- 5.2.11 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 surrounding area or be materially harmful to the existing building in accordance with policies D1 and H4 of the approved LDP.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.3.2 The proposal relates to the construction of an extension on the principal elevation of the dwelling. As the development is located towards the front of the dwelling and is one storey in nature, there would be no detrimental impact on neighbouring or existing occupiers as a result of the proposed development.
- 5.3.3 Therefore, it is not considered that there would be any undue harm in the way of being overbearing, resulting in overlooking or any loss of privacy.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Councils adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes. In the same way Policy T2 of the LDP requires that an accessible environment is created for everyone.
- 5.4.2 The Council's adopted vehicle parking standards require that a dwelling with four or more bedrooms should have a maximum of 3 spaces.

- 5.4.3 The proposed development will result in the minor loss of the parking to the front of the dwelling and will also result in the loss of the garage space. However, the Highways Authority have raised no concerns in regards to the dwelling and there is still space to park 2 vehicles on the hard standing at the front of the dwelling.
- 5.4.4 Whilst it is noted that the parish have raised an objection to the development as it does not adhere to the adopted Vehicle Parking Standards, the Vehicle Parking Standards refer to a maximum parking number and allow for a relaxation in the level of off street parking required in areas considered to be sustainable.
- 5.4.5 Government guidance highlights the importance reducing reliance on private transport. Furthermore, the adopted Vehicle Parking Standards state:
- 'Minimal private parking provision should be applied to locations such as the town centres of major urban areas, where access to public car parking facilities and alternative forms of transport is good.'*
- 5.4.6 Therefore, as the site is located 500 metres from the nearest bus stop, in an urban area of the District, it is considered that a relaxation in the vehicle requirements is acceptable. As set out above, the loss of the garage space cannot be reasonably prevented as the garage could be converted without requiring planning permission.
- 5.4.7 Therefore, there development adheres to Policies S1, T1 and T2 of the approved LDP.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sq.m. of private amenity space for dwellings with three or more bedrooms.
- 5.5.2 The proposal relates to an extension towards the front of the dwelling. Therefore, the development will not change the number of bedrooms available within the site or impact the amenity space provision. Therefore, there is no objection to amenity space provision within the site.

5.6 Flood Risk

- 5.6.1 Policy D5 of the approved LDP requires all development to minimise the risk of flooding. Furthermore, the Environment Agency recommend that a Flood Risk assessment is provided with all applications to demonstrate that flood risk issues have been adequately addressed.
- 5.6.2 A flood risk matrix has been supplied with the application stating that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate. However, supporting evidence outlining the details of any flood proofing/resilience and resistance techniques in accordance with 'Improving the flood performance of new dwellings' (CLG, 2007) has not been included with the application.

- 5.6.3 To ensure that appropriate mitigation measures have been taken, a condition is required showing the details of any flood proofing, resilience and resistance techniques.

6. ANY RELEVANT SITE HISTORY

OUT/MAL/93/00477 – Approved conditional residential development.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection – subject to conditions regarding surface water drainage and foul drainage	Whilst regard has been given to the conditions requested by Environmental Health. It is considered due to the scale of the development the proposed conditions in relation to foul water and surface water runoff are not considered to be reasonable, relevant to the development and necessary. Therefore, they do not pass the 6 tests for conditions and have therefore, not been included as suggested conditions.
Heybridge Parish Council	Object based on lack of parking	See section 5.4 of the report
Highways	No objection	See section 5.4 of the report

8. PROPOSED 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 drawing: D Goldrick 003, D Goldrick 001,

REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy D1 of the Submitted Local Development Plan.

3. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application

REASON: To protect the amenity and character of the area in accordance with policy D1 of the Submitted Local Development Plan.

4. Prior to the commencement of the development, details shall be submitted to and approved in writing by the local planning authority, showing the details of any flood proofing, resilience and resistance techniques, in accordance with 'Improving the flood performance of new buildings' CLG (2007) and also showing that the floor levels within the proposed development will be set no lower than the existing levels. The approved scheme shall be undertaken and completed prior to the first use of the development and shall be retained as such thereafter.

REASON: In order to ensure that the development does not increase the risk of flooding in accordance with policy policy D5 of the submitted Local Development Plan.



**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 August 2017

Application Number	HOUSE/MAL/17/00643
Location	8 St Pauls Mews, Heybridge, Essex, CM9 4QZ
Proposal	Proposed side facing roof windows
Applicant	Gormer & Ms Macmaster
Agent	Mr David Jones - Alun Design Consultancy
Target Decision Date	24.08.2017
Case Officer	Mahsa Kavyani; TEL: 01621 875744
Parish	HEYBRIDGE EAST
Reason for Referral to the Committee / Council	Member Call In

1. RECOMMENDATION

APPROVE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

8 St Pauls Mews
Heybridge HOUSE/MAL/17/00643



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 Maldon District Council 100018588 2014

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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Planning Services
Comments:	Central Committee
Date:	11/08/2017
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 western side of St Paul's Mews and close to the junction with Lake Mead. The site lies within the settlement boundary of Heybridge East within the Chelmer and Blackwater Navigation Conservation Area.
- 3.1.2 The site comprises an end-of-terrace two storey dwelling set within the residential street of St Paul's Mews. The private garden of the dwelling lies to the rear of the property on the western side. The property sits alongside the rear gardens of properties No.6 and No.4 to the north and property No.10 to the south.
- 3.1.3 The proposal seeks planning permission for side facing roof windows to the north facing roofscape.

3.2 Conclusion

- 3.2.1 The proposal is to install 4 roof windows to the side of the roof slope on the northern side. The proposed development would not result in significantly detrimental impact on the amenity of neighbouring occupiers, due to the positioning on the roof slope of those windows and their setting well above the eye-line of the occupiers of the dwelling.
- 3.2.2 Furthermore the proposed roof windows are not considered to cause harm to the streetscene and would preserve the character and appearance of the Conservation area.

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:

- 56-68

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- D5 Flood risk

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of altering and extending the dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with Policy D1 of the LDP. Other material planning considerations are discussed below.

5.2 Design and impact on the character and appearance 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 should be sought to create a high quality built environment for all types of development.
- 5.2.2 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 The Council seeks to preserve and enhance the characteristics of the conservation area that make a significant contribution to the area. Therefore, existing features of the area and its buildings, which contribute to the character and appearance of the area, should be retained and original external features of buildings should be repaired rather than replaced.
- 5.2.4 The proposal involves the installation of four roof windows. The proposed windows would not protrude more than 150 mm beyond the plane of the roof slope, they are no higher than the highest part of the roof, and they will be located on the side elevation of the property. Whilst the proposed windows are visible within the streetscene and surrounding properties, due to the scale of the roof windows and the presence of them on properties within the vicinity of the site, it is considered that the development would preserve the character and appearance of the Conservation Area. It is also noted that the Conservation Officer has raised no objection.

5.3 Impact on Residential Amenity

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas and local context. The proposed windows would protrude from the roof slope by a maximum of 150 mm, which is considered acceptable, and furthermore would not materially change the existing built form of the roof. The proposed windows would be set at 1.7 metres above the floor of the room in which the windows are to be installed and therefore above the eye level. It is therefore unlikely that the proposed development would cause overlooking, overshadowing or appear dominating in relation to the neighbouring properties. Therefore, the proposal is in accordance with Policy D1 of the LDP and is considered acceptable.

5.4 Access, Parking and Highway Safety

- 5.4.1 The proposal will not impact access to the site, parking or highways safety.

5.5 Amenity Space

- 5.5.1 The Essex Design Guide advises a suitable garden size for dwellings with three or more bedrooms is 100m². The proposed development would increase the number of bedrooms within the site from 2 bedrooms to 3 bedrooms. The current garden size is approximately 75m² which is above the current minimum requirement but below the minimum requirement once the proposed development is implemented. However, on balance, the amenity space provision is reasonable and able to meet the needs of the future occupiers. Therefore the proposal is not considered to have such a detrimental impact on amenity as to warrant a reason for refusal.

5.6 Flood Risk

- 5.6.1 Policy D5 of the approved LDP requires all development to minimise the risk of flooding. However, as the proposed development does not involve any new buildings it is not a relevant consideration for this application.

5.7 Other Material Considerations

- 5.7.1 It should be noted that the covenants imposed on a development by a previous landowner are not a material planning consideration. Therefore, covenants should be afforded no weight in the assessment of a planning application.

6. ANY RELEVANT SITE HISTORY

- FUL/MAL/06/00482 – Condition 22 removed Permitted Development rights for insertions into the roof.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Loss of amenity and change of streetscene	Addressed at points 5.2 and 5.5 above

7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objections raised	Acknowledged

7.3 Representations received from Interested Parties (*summarised*)

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

- A J Sinclair FRICS: 31 Battle Rise, Heybridge, Essex, CM9 4PF
- Mr Kevin Inskip: 4 Lake Mead, Heybridge, Maldon, Essex CM9 4UJ
- Mrs Deborah Starling: 7 Lake Mead, Heybridge, Maldon, Essex, CM9 4UJ
- Mrs Elaine Hammans: 6 Lake Mead, Heybridge, Maldon, Essex, CM9 4UJ
- Mr Les Hammans: 6 Lake Mead, Heybridge, Maldon, Essex, CM9 4UJ
- M J Emson: 6 Lake Mead, Heybridge, Maldon, Essex, CM9 4UJ

Objection Comment	Officer Response
<ul style="list-style-type: none">• Obtrusive and overpowering.• Loss of privacy to the garden and the rear rooms of No. 6.• The location of the windows in the roof slope are out of keeping to the Conservation Area.• Number of windows proposed is excessive.• Increased parking problems.	Addressed within sections 5.2.4, 5.4 and 5.6

7.3.2 Letters were received **in support** of the application from the following and the reasons for support are summarised as set out in the table below:

- Miss Sharon Conway: 10 St Pauls Mews, Heybridge, Maldon, Essex CM9 4QZ

Supporting Comment	Officer Response
No objections raised regarding the proposal – parking issues would not be exacerbated and the loft conversion would not affect the amenity of the area.	Addressed 5.2, 5.3 and 5.3

8. **PROPOSED 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: GM/3937/17/PL-01.
REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy D1 of the Local Development Plan.



**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 AUGUST 2017

Application Number	HOUSE/MAL/17/00652
Location	7 Tennyson Road Maldon
Proposal	First floor side extension & replace rear flat roof
Applicant	Mr Alan Taylor - Blue Door Solutions Ltd
Agent	Mr & Mrs C Raper
Target Decision Date	23.08.2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Parish Trigger

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

7 Tennyson Road
Maldon HOUSE/MAL/17/00652



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	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	Central Committee
	Date:	11/08/2017
	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 located on the north side of Tennyson Road, within the defined settlement boundary for Maldon. The site comprises a two storey semi-detached dwelling with an attached garage. The main form of development within the area is semi-detached dwellings of a similar size and design.
- 3.1.2 Planning permission is sought for a first floor extension over the existing attached garage and for the replacement of an existing flat roof to the rear and side of the property with a pitched roof.
- 3.1.3 The first floor extension would measure 6.2m wide, 2.4m deep, the height to the eaves from ground level would be 4.9m with an overall height of 6.9m. The additional accommodation would provide an additional bedroom. The replacement of the existing flat roof with a pitched roof, on the single storey rear and side element would increase the overall height of the roof from 2.8m to 3.6m.
- 3.1.4 The proposal is a revision of a previously refused application (16/01240/HOUSE) for a first floor extension over the existing single storey elements on the front and rear elevations and the replacement of an existing flat roof to the rear and side of the property with a pitched roof. The scheme has been amended, omitting the front and rear first floor extension in favour of a first floor side extension over the existing garage.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development, by reason of its scale and design would not harm the appearance or character of the dwelling and the locality. 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 D1, T2 and S1 of the 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
- 59

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- D1 - Design Quality and Built Environment.
- S1 - Sustainable Development
- T2 - Accessibility

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of altering and extending the dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with D1, S1 and T2 of the LDP. Other material planning considerations are discussed 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 design of the first floor extension over the existing garage, namely the scale, bulk and proportions, including the height to the ridge, which is noticeably lower than that of the existing dwelling, is considered to form a subservient addition to the existing dwelling. The development is not considered to be visually dominant over the existing built form or out of keeping given that the roof form references that of the existing dwelling. Whilst the proposed development would be highly visible from within the streetscene, it is not considered that it would look out of place; similar developments have taken place within the vicinity of the site (22, 23 and 37 Tennyson Road). Therefore, it is not considered that the proposed first floor extension would harm the character and appearance of the existing dwelling or the area.
- 5.2.3 The proposed materials would largely match those used on the existing dwelling, with the exception of weatherboarding. It is considered that the use of weatherboarding on the external walls of the entire extension would appear incongruous within its setting given that the use of this material is not prevalent within the immediate or wider surrounding area. Therefore, it is recommended that a condition is implemented to ensure that the external materials used match those of the existing dwelling should the application be approved.
- 5.2.4 The existing flat roofed single storey rear and side element, is considered to be of limited architectural merit. It is proposed to change the roof from flat to pitched, increasing the overall height from 2.8m to 3.6m. This is considered to be a minor development and an enhancement to the overall appearance of the dwelling. Whilst the pitched roof that wraps around the side elevation of the property would be visible from within the streetscene, it is not considered to form a dominant or out of character development. Therefore, the proposed development is not considered to have a

detrimental impact. Furthermore, no concerns were raised within the previous application in relation to this element.

- 5.2.5 Therefore, it is considered that the proposal, by means of its design, including its scale, siting and materials, is considered acceptable in its setting and would not detract from the appearance of the locality or be materially harmful to the existing dwelling in compliance with policy D1 of the submission LDP and guidance contained within the NPPF.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, loss of light and visual impact.
- 5.3.2 The application site has two adjacent neighbouring properties no. 5 located to the west, which adjoins the application site and no. 9 located to the east which is link attached to the host dwelling via the garages.
- 5.3.3 The proposed extension, due to its location on the eastern elevation would have a limited impact on neighbouring property no. 5.
- 5.3.4 The proposed extension would be located on the shared boundary with neighbouring property no. 9, around 0.75m from the main dwelling on site. There is a window located within the side elevation of no. 9; it is considered that the loss of light to this window would not be significant enough to warrant a reason for refusal. There are no windows located in the side elevation that would give rise to overlooking and the proposed extension is not considered to form an overbearing addition.
- 5.3.5 The proposed change in roof form, due to the minor nature of the development, is not considered to give rise to overlooking, loss of light or form an unneighbourly development.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas.
- 5.4.2 The proposed development results in an additional bedroom, creating a four bedroomed dwelling; the recommended standard within the Council's Vehicle Parking Standards is a maximum of three spaces.
- 5.4.3 The application site currently provides space to park two vehicles at the frontage of the site including one garage space, there is communal parking area which could be utilised by the occupiers of the dwelling. Therefore, no concerns are raised in relation to car parking provision.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sq.m of private amenity space for dwellings with three or more bedrooms.
- 5.5.2 The proposed development would not impact the existing amenity space and therefore complies with D1 of the RLP.

6. ANY RELEVANT SITE HISTORY

04/00776/FUL - First floor front extension - Refused - 22.09.2004

04/01077/FUL - First floor front extension to existing house - Refused - 19.11.2004

16/01240/HOUSE - First floor front / rear extensions & replacement of flat roof - Refused - 16.01.2017

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon	The Town Council recommends refusal of this application as the proposed development, by means of its bulk, scale and design would be a dominant and incongruous feature and not in keeping with the street scene. Therefore, giving a cramped appearance leading to a detrimental effect on neighbouring properties affecting their residential amenity and contrary to policies BE1 and BE6 of the adopted Replacement Local Plan, Emerging Policy D1 of the Submitted Local Development Plan and guidance contained within the National Planning Policy.	Noted and addressed in paragraph 5.2 and 5.3 of the Officers Report.

8. PROPOSED 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 drawing: 7RT/8/16 – 10B.
REASON: In order to ensure that the development is carried out in accordance with the approved details.
3. Notwithstanding the details shown within the application, the external surfaces of the extension hereby approved shall be constructed of materials and of a finish to match the existing dwelling.
REASON: To protect the amenity and character of the area in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan.

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**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 August 2017

Application Number	FUL/MAL/17/00684
Location	99 Wood Road, Heybridge
Proposal	Replacement windows - timber single glazed to UPVC double glazed. Replacement doors to rear elevation (West) - timber to aluminum. Replacement of timber soffits, fascias & barge boards with UPVC.
Applicant	Mr David Rust - Maldon District Council
Agent	-
Target Decision Date	EOT: 25.08.2017
Case Officer	Mahsa Kavyani; TEL: 01621 875744
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Councillor / Member of Staff

1. **RECOMMENDATION**

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

2. **SITE MAP**

Please see overleaf.

99 Wood Road
Heybridge FUL/MAL/17/00684



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 Maldon District Council 100018588 2014

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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Planning Services
Comments:	Central Committee
Date:	11/08/2017
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on a corner plot at the western side of Wood Road in Heybridge and comprises a mixed use semi-detached building, which comprises a flat on the first floor and a laundrette on the ground level. The block is of a brick built construction with rendered first floor to the front and tiled roofs.
- 3.1.2 Planning permission is sought for timber single glazed windows being replaced with UPVC double glazed windows, the replacement of doors to the rear elevation (West) with timber being replaced with aluminum and the replacement of timber soffits, fascias & barge boards with UPVC. The proposed replacements are of a similar design and working mechanisms.

3.2 Conclusion

- 3.2.1 The proposed alterations to the external appearance of the building are considered minimal. Additionally the design is in keeping with the existing building and the vicinity of the area. The proposed replacements are in accordance with policy D1 of the LDP. Therefore, the application is recommended for approval subject to conditions.

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, 57, 64

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- D1 Design Quality and Built Environment
- S1 Sustainable Development

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of undertaking minor alterations to the existing building is not considered to be objectionable in principle, especially as the proposed developments would not affect the use of the building or the intensity of the use of the building.

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 should be 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. The basis of policy D1 of the Local Plan ensures that all 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 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.
- 5.2.4 The Wood Road area contains a mix of housing types and retail and commercial units, in terms of size and design. Although the buildings vary in architectural scale and design, the use of uPVC doors and windows, is prevalent within the area.
- 5.2.5 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.”
- 5.2.6 Policy D1 of the LDP relates to design and seeks to ensure that the proposal is reflective of its setting in terms of architectural style, scale/bulk/height, materials and visual impact.
- 5.2.7 The proposed changes, seek to improve the performance and the appearance of the building, the change in appearance of the building is considered minimal and design of the proposed windows are 'of a similar appearance' to the appearances of the existing windows, and therefore, the proposal would not cause significant harm to the setting and the locality of the area. Also, the replacement windows are located to the

rear of the building and therefore the impact is reduced as they will have little impact on the streetscene.

- 5.2.8 The proposal is not considered to have a detrimental visual impact on the area. The proposed external materials are not considered to be out of character with other development within the locality and are therefore in accordance with Policy D1 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas and local context.
- 5.3.2 The application site is a corner plot, occupying a prominent location within the street scene. It is highly visible within the public realm of Wood Road and Heywood Way. The proposal seeks to replace existing doors and windows and as such would not change the size of the existing building or increase the number of windows. Therefore, the proposal would not cause overshadowing or overlooking to the adjacent neighbouring properties.
- 5.3.3 Therefore, it is considered that the proposal would not have an adverse impact on the amenity of the neighbouring occupants in relation to overlooking, overshadowing or domination, in accordance with policy D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 The proposal will not impact access to the site, parking or highways safety.

6. ANY RELEVANT SITE HISTORY

- No relevant planning history

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Support	---

7.2 Representations received from Interested Parties (*summarised*)

- No letters of representation received

8. PROPOSED 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, SATS/560/03.
REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy D1 of the Local Development Plan.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.
REASON: To protect the amenity and character of the area in accordance with policy D1 of the Submitted Local Development Plan.



**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 August 2017

Application Number	FUL/MAL/17/00754
Location	37 Warwick Drive, Maldon
Proposal	Remove existing steep ramp, construct new level platform to receive Terry Steplift 500 wheelchair lifting platform. Widen front entrance door. To allow wheelchair access for disabled tenant.
Applicant	Christine Dispirito - Maldon District Council
Target Decision Date	08.09.2017
Case Officer	Nicola Ward, TEL: 01621 875864
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Maldon District Council Application

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

37 Warwick Drive
Maldon FUL/MAL/17/00754



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Maldon District Council 100018588 2014
www.maldon.gov.uk

Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Planning Services
Comments:	Central Committee
Date:	11/08/2017
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 Planning permission is sought for the widening of the existing entrance door, the removal of the existing access ramp and the widening of the existing footpath. The application proposes the construction of new level platform to insert a wheelchair lifting platform, a 'Terry Steplift 500'.
- 3.1.2 The proposed level platform measures 1.4 wide and 1.9m deep with an overall height of 0.5m. The widening of the door will increase the existing width from 0.8m to 1.1m. The widening of the path foot will increase the existing width from 1m to 1.2m.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development, by reason of its scale and design would not harm the appearance or character of the host dwelling and the locality. It is therefore considered that the proposed development is in accordance with policies S1, D1 and H4 of the LDP.

4. MAIN RELEVANT POLICIES

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

4.1 Maldon District Local Development Plan Approved by the Secretary of State

- D1 – Design Quality and Built Environment
- S1 Sustainable Development
- H4 Effective Land Use

4.2 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

The principle of altering and extending a dwellinghouse to provide facilities in association with residential accommodation is considered acceptable, in compliance with policy D1 of the LDP.

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. The basis of policy D1 of the LDP ensures that all 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 The proposed development includes the removal of the existing disabled access ramp and the installation of a wheelchair lifting platform. The proposed lifting platform is relatively small in size but is not a traditional residential feature. The proposed platform is required to facilitate superior access for a future resident that has restricted mobility. This is considered to be a material consideration of demonstrable weight. Furthermore, the proposal would be shielded by six Euonymus evergreen shrubs which would lessen the visual impact on the streetscene. Therefore, on balance, it is not considered that the proposal would be harmful to the character and appearance of the site and the surrounding area.
- 5.2.3 The widening of the existing front entrance door would result in a 0.2m increase of width. Due to the minimal enlargement it is not considered to result in any demonstrable harm to the host dwelling. In addition, the external appearance of the proposed widened door will remain the same as the existing.
- 5.2.4 There is a mix of different frontages within the streetscene and therefore the widening of the existing footpath is not considered to have a detrimental impact on the setting of the streetscene.
- 5.2.5 It is considered that the development, by reasons of its scale, design and appearance would not be harmful to the character and appearance of the host dwelling and the local area in accordance with policies D1 and H4 of the LDP.
- 5.2.6 Whilst the benefits to the future occupier would be for a limited period the improved access could be utilised by additional occupiers in the future. For this reason it is not considered a personal permission would be appropriate.

5.3 Impact on Residential Amenity

- 5.3.1 Consideration is given to the location of the proposed development in relation to neighbouring dwellings to ensure the development adheres to the requirements of policy D1 of the LDP which supports development that is not detrimental to the amenities of the occupiers by means of overlooking, overpowering or undue reduction of light.
- 5.3.2 The proposed development would be located 8.1m from the neighboring boundary of number 35 Warwick Drive and 3.7m from the neighbouring boundary of numbers 41 and 43 Warwick Drive. Therefore, due to the distance and the scale of the works, it is not considered that the proposed development would result in any detrimental harm to the neighbouring occupiers, in accordance with policy D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T2 of the LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards.
- 5.4.2 The proposed development does not propose any alterations to the existing parking arrangements. Therefore, the development is in accordance with policy T2.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the LDP 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 bedrooms is 100sq m.
- 5.5.2 The proposed development would not result in any loss of the rear garden and therefore, complies with policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

- None

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	Noted

7.2 Representations received from Internal Consultees

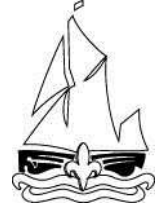
Name of Parish / Town Council	Comment	Officer Response
Environmental Health	No Objection	Noted

8. PROPOSED 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 LOCATION PLAN, BLOCK PLAN, PROPOSED GROUND FLOOR PLAN, PROPOSED ELEVATIONS and LANDSCAPING
REASON: In order to ensure that the development is carried out in accordance with the approved details.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.
REASON: To protect the amenity and character of the area in accordance with D1 of the Maldon District Local Development Plan.
4. The hedges identified on the approved plan drawing reference LANDSCAPING which is attached to and forms part of this permission shall be planted during the first planting season following from the completion of the proposed development. If within five years from the completion of the

development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement 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.

REASON: To protect the amenity and character of the area in accordance with D1 of the Maldon District Local Development Plan.



**REPORT of
CHIEF EXECUTIVE**

**to
CENTRAL AREA PLANNING COMMITTEE
23 AUGUST 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: 26/07/2017

Application Number: HOUSE/MAL/17/00087 (APP/X1545/D/17/3177175)

Site: 39 Orchard Road Maldon

Proposal: New garage to front elevation adjoining the existing semi-detached house, maintaining rear access through new rear door garage.

Appeal by: Mr Stephen Hoy

Appeal against: Refusal

Appeal procedure requested: Householder Appeals Service (HAS)

ITEM 2 APPEAL DECISIONS

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

FUL/MAL/17/00003 (Appeal Ref: APP/X1545/W/17/3171404)

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

Address: Units 1 And 2 Old Maltings, Hall Road, Heybridge, Essex, CM9 4NJ

Decision Level: Delegated

APPEAL ALLOWED – 31 July 2017