



**MINUTES of  
CENTRAL AREA PLANNING COMMITTEE  
20 SEPTEMBER 2017**

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**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, M R Pearlman and Mrs N G F Shaughnessy

**448. CHAIRMAN'S NOTICES**

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

**449. APOLOGIES FOR ABSENCE**

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

**450. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 23 August 2017 be received.

**Minute No. 303 – Apologies for Absence**

Councillor A T Cain explained he had sent a block apology for the meetings he had missed due to holiday and that his apology had not been noted for the meeting of 23 August 2017.

**RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 23 August 2017 be confirmed.

**451. DISCLOSURE OF INTEREST**

Councillor B E Harker declared a personal and prejudicial interest in Item 6 - HOUSE/MAL/17/00643 – 8 St Pauls Mews, Heybridge. He informed the committee

that he would vacate the chair for this item, and that Councillor S J Savage would be in the chair for this item.

Councillor M R Pearlman declared a non-pecuniary interest in Item 5 – FUL/MAL/17/00428 – Flat at 11-14 The Kings Head Centre, 38 High Street, Maldon and Item 7 – FUL/MAL/1700798 – 16 High Street, Maldon.

Councillor S J Savage declared a non-pecuniary interest in Item 5 - FUL/MAL/17/00428 – Flat at 11-14 The Kings Head Centre, 38 High Street, Maldon, as the owner had invited him to a Carnival meeting, and Item 7 – FUL/MAL/1700798 – 16 High Street, Maldon, as he was a member of the same club that some of the involved parties attend and attended the site visit.

Councillor M S Heard declared a non-pecuniary interest in Item 7 - FUL/MAL/1700798 – 16 High Street, Maldon, as he knew the applicant.

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.

**452. FUL/MAL/17/00428 - FLAT AT 11-14 THE KINGS HEAD CENTRE, 38 HIGH STREET, MALDON**

<b>Application Number</b>	<b>FUL/MAL/17/00428</b>
<b>Location</b>	Flat At 11 - 14 The Kings Head Centre, 38 High Street, Maldon
<b>Proposal</b>	Change of use from office to 1 bedroom flat
<b>Applicant</b>	Mr. James Mann - James Mann Ltd
<b>Agent</b>	-
<b>Target Decision Date</b>	17 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>	Parish Trigger

It was noted from the Members’ Update that this application had been withdrawn by the applicant.

At this point in the meeting Councillor B E Harker vacated the chair and the Chamber for Item 6 – HOUSE/MAL/17/00643 8 St Paul’s Mews, Heybridge, in accordance with his earlier declaration of interest.

IN THE CHAIR : COUNCILLOR S J SAVAGE

**453. HOUSE/MAL/17/00643 - 8 ST. PAUL'S MEWS, HEYBRIDGE, MALDON**

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

Following the Officer's presentation of the report, Elaine Hammans, an objector and Mark Gormer, the applicant, addressed the Committee.

Some discussion followed between Members about how they themselves would not feel comfortable living in the neighbouring property and it was suggested that the officers work with the applicant to alter the application to suit their needs but not to overlook their neighbours.

A proposal to refuse this application, contrary to Officers recommendation, was made in the name of Councillor Miss A M Beale and this was seconded by Councillor Miss M R Lewis. Upon a vote being taken this was agreed.

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

- 1 The proposed development would constitute unneighbourly development due to the proposed rooflights causing overlooking and a loss of privacy within the neighbouring property. The proposal is therefore contrary to policy D1 of the Maldon District Local Development Plan.

Councillor S J Savage vacated the chair. Councillor B E Harker returned to the Chamber and chair for the remainder of the meeting.

IN THE CHAIR : COUNCILLOR B E HARKER

**454. FUL/MAL/17/00798 - 16 HIGH STREET, MALDON, ESSEX CM9 5PJ**

<b>Application Number</b>	<b>FUL/MAL/17/00798</b>
<b>Location</b>	16 High Street, Maldon, Essex
<b>Proposal</b>	Change of use and conversion of ground floor to create a 1 No. Live / Work One Bedroom Unit. Change of use and conversion of first floor to create two studio flats.
<b>Applicant</b>	Mr Salisbury
<b>Agent</b>	Ashley Robinson
<b>Target Decision Date</b>	25.09.2017
<b>Case Officer</b>	Kathryn Mathews, TEL: 01621 875805
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

Some discussion followed the Officer's presentation as to whether or not Members felt that the town centre was losing more retail space.

A proposal in the name of Councillor M R Pearlman was made to approve the officer's recommendation; this was seconded by Councillor A T Cain and agreed.

**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 retail floorspace of the live/work unit shall be finished ready for occupation before the residential floorspace is occupied and the residential use shall not precede commencement of the retail use.
- 4 The residential floorspace of the live/work unit shall not be occupied other than by a person solely or mainly employed, or last employed in the business occupying the retail floorspace of that unit, a widow or widower of such a person, or surviving civil partner or any resident dependants.
- 5 Notwithstanding the submitted details, the roof of the new porch hereby permitted shall be covered using natural slate only. No development shall take place until 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.
- 6 The boundary treatment proposed shall be constructed prior to the occupation of any of the residential units hereby permitted and retained as such thereafter.
- 7 All new doors and window shall be in timber with a painted finish and shall be retained as such thereafter.

**455. FUL/MAL/17/00865 - HAPPY DAYS CARAVAN PARK, GOLDHANGER ROAD, HEYBRIDGE, ESSEX**

<b>Application Number</b>	<b>FUL/MAL/17/00865</b>
<b>Location</b>	Happy Days Caravan Park, Goldhanger Road, Heybridge, Essex
<b>Proposal</b>	Vary condition 2 on approved application F/MAL/514/93 (Retention of consent ref: MAB/111/60 without compliance with condition 1 to allow) Vary condition of planning permission to extend the permitted holiday season to 11.5 months
<b>Applicant</b>	Mr & Mrs Peter Norburne - Happy Days Caravan Park
<b>Agent</b>	N/A
<b>Target Decision Date</b>	29.09.2017
<b>Case Officer</b>	Yee Cheung, TEL: 01621 876220
<b>Parish</b>	<b>HEYBRIDGE EAST</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In

It was suggested by a Member that if the Committee refused the application that they could be making some families homeless and then it would be the Council's responsibility to home these people.

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

1. No caravans shall be occupied between 15 February and 1 March in any calendar year.
2. The caravans hereby permitted shall be occupied for holiday purposes only.
3. No caravans shall be used as a person's sole or main place of residence. The owners / operators shall maintain an up to date register of the names of all owners / occupiers of caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority for inspection.
4. The measures contained within the Flood Warning and Evacuation Plan (as prepared by Happy Days Caravan Park Document C dated July 2017) shall be fully implemented and in place prior to the permission being implemented. The measures contained within Flood Warning and Evacuation Plan shall be applicable as such thereafter.

**456. 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: 31/08/2017  
**Application Number: HOUSE/MAL/17/00422 (APP/X1545/D/17/3179597)**  
Site: 35 Victoria Road, Maldon, Essex, CM9 5HE  
Proposal: Proposed loft conversion with rear dormer and internal alterations (amended scheme)  
Appeal by: Mr Justin Lloyd  
Appeal against: Refusal  
Appeal procedure requested: Householder Appeals Service (HAS)

Appeal Start Date: 14/09/2017  
**Application Number: FUL/MAL/16/01335 (APP/X1545/W/17/3180915)**  
Site: Land Adjacent 7 Granger Avenue Maldon  
Proposal: Three bed dwelling  
Appeal by: Mr B Marshall  
Appeal against: Refusal  
Appeal procedure requested: Written Representations

Appeal Start Date: 14/09/2017  
**Application Number: HOUSE/MAL/17/00532 (APP/X1545/D/17/3182411)**  
Site: 24 Scraley Road Heybridge  
Proposal: Proposed part two storey and part first floor front extensions with associated alterations  
Appeal by: Mr and Mrs Mark Hockton  
Appeal against: Refusal  
Appeal procedure requested: Householder Appeals Service (HAS)

Appeal Start Date: 18/09/2017  
**Application Number: HOUSE/MAL/17/00153 (APP/X1545/D/17/3179755)**  
Site: The Lake House, 33 Battle Rise, Heybridge, Essex, CM9 4PF  
Proposal: Proposed alterations to existing window openings to front elevation and replacement of existing windows with new patio doors.  
Appeal by: Mr and Mrs Dean Curtis  
Appeal against: Refusal  
Appeal procedure requested: Householder Appeals Service (HAS)

## **(ii) Appeal Decisions**

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

**HOUSE/MAL/17/00087 (Appeal Ref: APP/X1545/D/17/3177175)**  
Proposal: New garage to front elevation adjoining the existing semi-detached house, maintaining rear access through new rear door garage.  
Address: 39 Orchard Road - Maldon  
**APPEAL DISMISSED – 7 September 2017**  
DECISION LEVEL: Delegated

**457. 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 of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

**458. 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 8.40 pm.

**B E HARKER  
CHAIRMAN**