



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
2 DECEMBER 2020**

PRESENT

Chairman	Councillor M R Edwards
Vice-Chairman	Councillor Mrs J C Stilts
Councillors	Miss A M Beale, M S Heard, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy and C Swain
In Attendance	Councillor A L Hull

118. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. He took Members through some general housekeeping issues, together with the etiquette for the meeting and then asked Officers present to introduce themselves.

This was followed by a roll call of all Members present.

119. APOLOGIES FOR ABSENCE

There were none.

120. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 4 November 2020 be approved and confirmed.

121. DISCLOSURE OF INTEREST

Councillor S P Nunn declared a non-pecuniary interest in Agenda Item 7 – 20/01010/HOUSE, 98 Washington Road, Maldon, CM9 6AR, as he knew the applicant.

Councillor C Mayes declared a non-pecuniary interest in Agenda Item 7- 20/01010/HOUSE, 98 Washington Road, as she knew the children of the applicant.

Councillor Heard declared a non-pecuniary interest in Agenda Item 7 – 20/01010/HOUSE, 98 Washington Road, as he had telephone calls from some objectors.

Councillor N G F Shaughnessy declared a non-pecuniary interest in Agenda Item 7-20/01010/HOUSE, 98 Washington Road, as she had received related emails.

122. 20/00796/FUL - 119 HIGH STREET, MALDON

Application Number	20/00796/FUL
Location	119 High Street Maldon Essex
Proposal	Change of use of rear service building to C3 residential live/work unit including provision of secure bike storage and bin storage and replacement roof tiles, in association with shop 119 High Street, including minor internal alterations to shop to create separate toilet facility – Resubmission following a recent refusal reference: 20/00198/FUL
Applicant	Mr Jarman
Agent	Sharon Smith
Target Decision Date	20 October 2020
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Called in by Councillor C Mayes and Policies D1 and H4 were referenced in the Call-In.

Members’ attention was drawn to the Members’ Update which had been circulated prior to the meeting. Following the Officer’s presentation, Mr Jarman, the Applicant addressed the Committee.

The Chairman moved the Officer’s recommendation that the application be refused for the reasons as set out in Section 8 of the report. This was seconded by Councillor Mrs J C Stilts.

A discussion ensued where a number of points of clarification were sought around car parking, the size of the unit in question and areas of concerns raised around car parking provision and the loss of space in the retail area.

Councillor Morris said he had been persuaded by the applicant, that it was important to support the High St. and that should the officer recommendation to refuse be lost he proposed the application be approved.

In response to concerns raised Officers clarified that the onsite parking did not meet the minimum standards as laid down in the approved 2018 Vehicle Parking Supplementary Planning Document as well as the loss of ancillary retail facilities, that of a storeroom and preparation area, and the small size of the remaining retail floorspace, was the basis of Officers’ concerns.

The Chairman put the Officer’s recommendation to refuse the application to the Committee and upon a vote being taken it was refused.

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

- 1 The premises are within the Primary Retail Frontages identified in the Local Development Plan. The retail unit retained would be small in size and the

application is not accompanied by sufficient information to demonstrate that a retail unit of this size would be viable and that the proposal would not result in the loss of a Class A1 retail use, potentially causing harm to the vitality and viability of the High Street. On this basis, the proposal is contrary to Policies E2 and S5 of the Maldon District Approved Local Development Plan and the NPPF.

- 2 The development would not provide any off-street parking spaces, failing to accommodate the demand for car parking which, in turn, will lead to cars parking off-site in adjoining streets causing conditions of obstruction, congestion and danger to residents and other road users, contrary to Policies T2 and D1 of the Maldon District Approved Local Development Plan.

123. 20/00862/HOUSE AND 20/00863/LBC - 7 ALL SAINTS LONDON ROAD, MALDON, CM9 6HE

Application Number	20/00862/HOUSE & 20/00863/LBC
Location	7 All Saints, London Road, Maldon, CM9 6HE
Proposal	Single storey front extension to provide entrance, cloakroom and snug.
Applicant	Mr and Mrs Broom
Agent	Ms Annabel Brown – Annabel Brown Architect
Target Decision Date	06.11.2020
Case Officer	Hannah Dungate
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member call-in by Councillor C Mayes Reason: D1 and D3

Members’ attention was drawn to the Members’ Update which had been circulated before the meeting.

Following the Officer’s presentation, the Chairman moved the Officer’s recommendation to approve the application subject to conditions detailed in section 8 of the report. This was seconded by Councillor Miss A M Beale.

A discussion ensued where some Members felt the conversion was in keeping with the building and did not have a problem with what was being proposed. Others felt that, whilst the conversion was sympathetic, it was too large with a loss of amenity space.

The Lead Specialist Place advised that the Council had raised concerns regarding the amenity space but at appeal the Inspector had found it acceptable. It was noted that the layout did not detract from the amenity space.

The Chairman then put the Officer’s recommendation of approval to the Committee and upon a vote being taken it was approved.

RESOLVED that the 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.

REASON: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended) and Section 16(2) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*.

- 2 The development hereby permitted shall be carried out and retained in accordance with the following approved plans and documents: A20633/PI01; A20633/PL02; A20633/PL05; A20633/PL06/A.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 Prior to their use details and photographs of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 4 The external brick work shall be constructed in an English bond to match existing and shall be retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 5 Prior to the installation of any doors or windows as part of the development hereby approved, large scale drawings [1:20] showing all new windows, rooflights and doors including sections [1:2] through the head, cills and glazing bars shall be submitted to and approved in writing by local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 6 All external joinery shall be in timber with a painted finish and shall be retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 7 All rainwater goods shall be of cast metal with a black painted finish and retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.

GRANT LISTED BUILDING CONSENT 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.
REASON: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended) and Section 16(2) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*.
- 2 The development hereby permitted shall be carried out and retained in accordance with the following approved plans and documents: A20633/PI01; A20633/PL02; A20633/PL05; A20633/PL06/A.
REASON: To ensure that the development is carried out in accordance with the details as approved.

- 3 Prior to their use details and photographs of the materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 4 The external brick work shall be constructed in an English bond to match existing and shall be retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 5 Prior to the installation of any doors or windows as part of the development hereby approved, large scale drawings [1:20] showing all new windows, rooflights and doors including sections [1:2] through the head, cills and glazing bars shall be submitted to and approved in writing by local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 6 All external joinery shall be in timber with a painted finish and shall be retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.
- 7 All rainwater goods shall be of cast metal with a black painted finish and retained as such thereafter.
REASON: To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.

124. 20/01010/HOUSE - 98 WASHINGTON ROAD, MALDON, CM9 6AR

Application Number	20/01010/HOUSE
Location	98 Washington Road, Maldon, CM9 6AR
Proposal	Amendments to application APP/X1545/D/16/3164272 allowed on appeal: Single storey front extension to garage and porch. Omit 2nd storey front and rear aspect windows. Flat roof dormer to rear. Rooflights. S73A application for side aspect gable window to 2nd storey bedroom. Form hip to gable roof to the existing single storey rear extension. Alternation of ridge height to western side gable projection.
Applicant	Mrs Karen Wiseman
Agent	Mr Richard Bailey
Target Decision Date	03/12/2020
Case Officer	Sophie Mardon
Parish	MALDON WEST

Reason for Referral to the Committee / Council	Member Call In – Councillor Shaughnessy – Reason for Call in: Contrary to policy H4 and D1 of the LDP.
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Members’ attention was drawn to the Members’ Update which had been circulated prior to the meeting. Following the Officers presentation an Objector, Mr Giles, and the Applicant, Ms Wiseman, addressed the Committee.

The Chairman then moved the recommendation of approval, subject to conditions as detailed in section 8 of the report. This was seconded by Councillor C Mayes.

At this point Councillor Heard wished to make it clear that his non-pecuniary declaration of interest was in respect of this item of business. He had a telephone conversation with an objector but did not express an opinion.

Councillor Shaughnessy also wished to make it known that she had not expressed an opinion in her email exchanges on this item of business.

A long debate ensued on the differences between the changes agreed at appeal and the subsequent amendments to that plan. Members raised concerns about the number of windows, the raised roof height, the imbalance in the street scene, parking space and potential overlooking. The issue of a site visit was also raised.

Councillor Swain proposed that the application be rejected due to the proliferation of windows. It was noted that there already was a duly seconded motion on the table.

The Lead Specialist Place responded by advising that what the Committee needed to demonstrate was the extent of the harm due to the proposed changes. Officers had assessed the differences between what was approved and what was planned and determined that the quantum of development could be contained onsite, and that with appropriate conditioning there was no demonstrable harm. He reminded Members that a lot of the work such as windows and fanlights could be carried out under permitted development and that there was no overall uniformity of development in Washington Road.

On the issue of the site visit he advised that in order for this to be undertaken properly it required all Members attendance as part of the decision-making process. At the moment this was not permissible due to COVID-19.

Councillor Swain then raised a point of order regarding his motion on the table. In response, both Councillors Heard and Nunn reminded the Committee that there already was a duly seconded motion on the table that needed to be addressed first.

The Chairman put the Officer’s recommendation of approval to the Committee and upon a vote being taken it was lost.

Councillor Heard then proposed that the application be refused on the grounds of a number of design flaws. This was seconded by Councillor Swain. The Lead Specialist Place suggested that due to the number of unresolved design elements raised the detailed reasons for refusal be delegated to Officers, in consultation with the Chairman and Ward Members.

The Chairman then put the proposal to refuse the application with reasons delegated to Officers in consultation with the Chairman and Ward Members. Upon a vote being taken it was refused.

RESOLVED that the application be **REFUSED** for reasons to be determined as outlined above.

There being no further items of business the Chairman closed the meeting at 8.00 pm.

M R EDWARDS
CHAIRMAN