



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
22 NOVEMBER 2023**

PRESENT

Chairperson	Councillor J Driver
Vice-Chairperson	Councillor N G F Shaughnessy
Councillors	S J Burwood, K Jennings, K M H Lagan, A M Lay, N R Miller, N D Spenceley, P L Spenceley, J C Stilts and N J Swindle

323. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

324. APOLOGIES FOR ABSENCE

There were none.

325. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 30 August 2023 be approved and confirmed.

326. DISCLOSURE OF INTEREST

Councillors K Jennings, A Lay, N R Miller, N G F Shaughnessy and J C Stilts declared a non-pecuniary interest as they knew the applicant in Agenda items 5 -23/00603/FUL - Kings Head Centre, 38 High Street, Maldon, Essex and 6 - 23/00604/LBC - The Kings Head Centre, 38 High Street, Maldon, Essex.

Councillor P L Spenceley also declared a non-pecuniary interest as she knew the applicant in Agenda items 5 -23/00603/FUL - Kings Head Centre, 38 High Street, Maldon, Essex and 6 - 23/00604/LBC - The Kings Head Centre, 38 High Street, Maldon, Essex as a fellow trustee of the Maldon Festival

Councillors K M H Lagan, N R Miller, J C Stilts and P L Spenceley declared a non-pecuniary interest as he had acknowledged correspondence with residents in regard to Agenda items 7 - 23/00943/FUL & 23/00944/LBC - 43-45 High Street, Maldon, CM9 5PF, 8 - 23/00947/LBC - 43-45 High Street, Maldon, CM9 5PF and 9 - 23/00946/ADV - 43-45 High Street, Maldon, CM9 5PF.

327. **23/00603/FUL - KINGS HEAD CENTRE, 38 HIGH STREET, MALDON, ESSEX**

Application Number	23/00603/FUL
Location	The Kings Head Centre, 38 High Street, Maldon, Essex
Proposal	Change of use from office use (Class E(g)(i)) and former treatment rooms (Class E (e)) to 2no. short term holiday lets (Sui Generis) and associated works to part of first floor fronting the High Street including installation of secondary glazing.
Applicant	Mr James Mann
Agent	Tim Farley – Copesticks Ltd.
Target Decision Date	05.09.2023
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member call-in request by Councillor N R Miller for the following reasons: will ensure that an important heritage building in the Town Centre will be able to continue to be a positive influence. With the lack of high quality accommodation within the town and bearing in mind this building was a former Hotel this application is in compliance with S1 and D3 of the LDP and keeps an historic (and very high maintenance) building at the heart of our community. Parking is readily available nearby which complies with Policies T2 and D2 of the LDP. There is currently no interest on a commercial basis and with the excess of empty office space available within the Town there would appear to be little hope securing a viable rent for the property. Policy E5 states we should support and encourage positive developments to aid the growth of the local economy.

Following the Officer's presentation, the Agent, Mr Farley addressed the Committee. The Chairperson then opened the floor for debate.

Councillor N R Miller proposed to approve the application in line with the Officer's recommendation and this was duly seconded.

There being no further discussion the Chairperson put the proposal to the Committee and upon a vote being taken this was agreed.

RESOLVED that the application be **APPROVED** subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations and 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 accordance with the following approved plans and documents:
Premises as Existing drawing 61E
Premises as Proposed drawing 69A
Window detail drawing no. 63
Window detail drawing no. 66A
Noise survey and assessment (September 2023) PC-21-0245-RP1 rev.E
3. The use hereby permitted shall not commence until all of the noise mitigation measures included in the Noise Survey and Assessment (September 2023) PC-21-0245-RP1 rev.E for the accommodation the subject of this application have been installed and it has been demonstrated to the local planning authority that

- the predicted noise levels have been achieved. The mitigation measures shall be retained, as approved, thereafter.
4. The size, appearance and locations of any air-conditioning units associated with the approved development shall be submitted to and agreed in writing with the local planning authority prior to their installation.
 5. The development hereby approved shall be used as holiday accommodation and at no time shall the unit be occupied continuously for a period exceeding 28 days by the same person(s) or reoccupied within 3 months of vacating the accommodation by the same person(s).
 6. The owners / operators shall maintain an up to date register of the names of all persons who stay within the approved holiday accommodation on the site, the duration of their stay, and an indication of their main home addresses by way of road name and town and shall make this information available at all reasonable times to the Local Planning Authority.
 7. The use hereby permitted shall not commence until provision has been made for the storage of bicycles within the site in accordance with details which have been submitted to and gained the prior written approval of the local planning authority. The approved facility shall be secure, convenient, covered, maintained free from obstruction and retained thereafter. The storage facility shall be retained as approved in perpetuity.

328. 23/00604/LBC - THE KINGS HEAD CENTRE, 38 HIGH STREET, MALDON, ESSEX

Application Number	23/00604/LBC
Location	The Kings Head Centre, 38 High Street, Maldon, Essex
Proposal	Works associated with proposed change of use from office use (Class E(g)(i)) and former treatment rooms (Class E (e)) to 2no. short term holiday lets (Sui Generis) and associated works to part of first floor fronting the High Street including installation of secondary glazing.
Applicant	Mr James Mann
Agent	Tim Farley – Copesticks Ltd.
Target Decision Date	05.09.2023
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member call-in request by Councillor N R Miller for the following reasons: will ensure that an important heritage building in the Town Centre will be able to continue to be a positive influence. With the lack of high quality accommodation within the town and bearing in mind this building was a former Hotel this application is in compliance with S1 and D3 of the LDP and keeps an historic (and very high maintenance) building at the heart of our community. Parking is readily available nearby which complies with Policies T2 and D2 of the LDP. There is currently no interest on a commercial basis and with the excess of empty office space available within the Town there would appear to be little hope securing a viable rent for the property. Policy E5 states we should support and encourage positive developments to aid the growth of the local economy.

Following the Officer's presentation, the Chairperson opened the floor for debate.

Councillor N R Miller proposed that listed building consent be granted in line with the Officer's recommendation and this was duly seconded.

There being no further discussion the Chairperson put the proposal to the Committee and upon a vote being taken this was agreed.

RESOLVED to 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.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Premises as Existing drawing 61e
Premises as Proposed drawing 69A
Window detail drawing no. 63
Window detail drawing no. 66A
3. The size, appearance and locations of any air-conditioning units associated with the approved development shall be submitted to and agreed in writing with the local planning authority prior to their installation.

329. 23/00943/FUL & 23/00944/LBC - 43-45 HIGH STREET, MALDON, CM9 5PF

Application Number	23/00943/FUL & 23/00944/LBC
Location	43-45 High Street, Maldon, CM9 5PF
Proposal	Installation of condenser units and full internal alterations/refurbishment.
Applicant	Mr Jon Birtles - Loungers UK Limited
Agent	Elizabeth Lawrence - Turley
Target Decision Date	27 November 2023
Case Officer	Hayley Sadler
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In by Councillor N R Miller for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) & D3 (Conservation and Heritage Assets)

Following the Officer's presentation, an objector, Ms Wright, a supporter, Mr Panton and the Agent, Mrs Russell addressed the Committee. The Chairperson then opened the floor for discussion.

Councillor K M H Lagan opened the debate seeking confirmation that the application in front of Members met all legal requirements under current planning legislation and that the application being retrospective shouldn't bare any weight when deciding the application outcome, the Officer confirmed this as being correct.

Members debated the application further seeking clarity around possible delivery time restrictions and whether the application being retrospective had been taken into consideration when producing the report and the recommendation. The Officer provided the following responses:

- Under this application Officers were encouraged that Loungers as a company operate their own noise management plan and neighborhood liaison officer to mitigate issues raised around the operating of the business that may affect the residents of that area.
- Carrying out works prior to planning permission being sought or granted isn't against the law, however, it may become unlawful and subject to enforcement if the works are deemed to be non-compliant with planning policy

Members felt that the liaison between Loungers and residents of the area was poor prior to the work being carried out.

Councillor K H M Lagan proposed to approve the application and grant listed building consent in line with the Officer's recommendation as this was duly seconded.

There being no further discussion the Chairperson put the proposal to the Committee and upon a vote being taken this was agreed.

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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, LNG4165.BP, LNG4165.01, LNG4165.02, LNG4165.03A, LNG4165.04B, LNG4165.10A, L241-01, OC Innovations Odour Control Spec Sheet, Loungers Maldon – Operations and Noise Management Plan
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved.

RESOLVED to **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 consent.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Location Plan, LNG4165.BP, LNG4165.01, LNG4165.02, LNG4165.03A, LNG4165.04B, LNG4165.10A

330. 23/00947/LBC - 43-45 HIGH STREET, MALDON, CM9 5PF

Application Number	23/00947/LBC
Location	43-45 High Street, Maldon, CM9 5PF
Proposal	Installation of signage, changes to external materials including the repainting of doors and windows and glazing alterations.
Applicant	Mr Jon Birtles - Loungers UK Limited
Agent	Ms Ali Maskell - Richard Pedlar Architects
Target Decision Date	27 November 2023
Case Officer	Hayley Sadler
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In Councillor N R Miller has called in the application for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) and D3 (Conservation and Heritage Assets)

Following the Officer's presentation, the Chairperson opened the floor for debate.

Following a brief discussion around the proposed signage and colour schemes used by the applicant, Councillor K M H Lagan proposed that listed building consent be granted in line with the Officer's recommendation and this was duly seconded.

There being no further discussion the Chairperson put the proposal to the Committee and upon a vote being taken this was agreed.

RESOLVED to **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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan, LNG4165.BP, LNG4165.02, LNG4165.06D.
- 3 The materials used in the construction of the advertisements hereby approved shall be as set out within the plans hereby approved.

331. 23/00946/ADV - 43-45 HIGH STREET, MALDON, CM9 5PF

Application Number	23/00946/ADV
Location	43-45 High Street, Maldon, CM9 5PF
Proposal	Advertisement consent for 1No. externally illuminated fascia sign, 1No. externally illuminated hanging sign, 1No. internally illuminated menu board and lighting
Applicant	Mr Jon Birtles - Loungers UK Limited
Agent	Ms Ali Maskell - Richard Pedlar Architects
Target Decision Date	27 November 2023
Case Officer	Hayley Sadler
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In Councillor N R Miller has called in the application for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) & D3 (Conservation and Heritage Assets)

Following the Officer's presentation, the Chairperson opened the floor for debate.

Councillor K M H Lagan proposed to approve the application in line with the Officers recommendation and this was duly seconded.

There being no further discussion the Chairperson put the proposal to the Committee and upon a vote being taken this was agreed.

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

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

- 6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

There being no other items of business the Chairperson closed the meeting at 8.21 pm.

J DRIVER
CHAIRPERSON