

Unrestricted Document Pack

APOLOGIES Committee Services
Tel. 01621 875763/875291

Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

14 February 2017

Dear Councillor

You are summoned to attend the meeting of the;

CENTRAL AREA PLANNING COMMITTEE

on **WEDNESDAY 22 FEBRUARY 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 M R Pearlman

COUNCILLORS

Miss A M Beale
A T Cain
I E Dobson
Mrs B D Harker
M S Heard
Miss M R Lewis
S J Savage
Mrs N G F Shaughnessy
Rev. A E J Shrimpton

Ex-officio non-voting Members: Councillor Mrs P A Channer, CC

THIS PAGE IS INTENTIONALLY BLANK



AGENDA
CENTRAL AREA PLANNING COMMITTEE
WEDNESDAY 22 FEBRUARY 2017

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

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 9 - 20)

To confirm the Minutes of the meeting of the Committee held on 25 January 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. **Members' Briefing**

To receive an Officer led presentation.

6. **LBC/MAL/16/01343 - Beeleigh Mill, Abbey Turning, Maldon** (Pages 21 - 26)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)*.

7. **FUL/MAL/16/01401 - 6 Wave Bridge Court, Colchester Road, Heybridge** (Pages 27 - 32)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)*.

8. **FUL/MAL/16/01496 and LBC/MAL/16/01497 - The Limes Guest House, 21 Market Hill, Maldon** (Pages 33 - 44)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)*.

9. **ADV/MAL/17/00006 - HSBC, 72 High Street, Maldon** (Pages 45 - 52)

To consider the planning application and recommendations of the Interim Head of

Planning Services (copy enclosed, Members' Update to be circulated)*.

10. **FUL/MAL/16/01419 and LBC/MAL16/01420 - Vaulty Manor, Goldhanger Road, Heybridge** (Pages 53 - 60)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)*.

11. **Other Area Planning and Related Matters** (Pages 61 - 62)

To consider the report of the Interim Head of Planning Services 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. 6 – 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 Replacement Local Plan 2008 – Saved Policies
- Maldon District Local Development Plan 2014-2029 - submitted to the Secretary of State for Examination in Public on 25 April 2014 (as amended).

Legislation

- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991 and The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (Control of Advertisements) (England) Regs 2007
- The Town and Country Planning (Environmental Impact Assessment) Regs 2011
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- Growth and Infrastructure Act 2013

Supplementary Planning Guidance and Other Advice

- i) Government policy and guidance
 - National Planning Policy Framework (NPPF) and Technical Guidance
 - Planning Practice Guidance (PPG)
 - Planning policy for traveler sites
 - Planning practice guidance for renewable and low carbon energy
 - Relevant government circulars
- ii) Essex County Council
 - Essex Design Guide 1997
- iii) Maldon District Council
 - Submission Local Development Plan (April 2014) (as amended)
 - Five Year Housing Land Supply Statement 2014/15
 - Planning Policy Advice Note v.4 (October 2015)
 - Infrastructure Delivery Plan (All versions, including update in Council's Hearing Statement)
 - Infrastructure Phasing Plan (January 2015)
 - North Heybridge Garden Suburb Strategic Masterplan Framework - 2014

- South Maldon Garden Suburb Strategic Masterplan Framework - 2014
- Vehicle Parking Standards SPD - July 2006
- Accessibility to Buildings SPD – December 2006
- Children’s Play Spaces SPD – March 2006
- Sadd’s Wharf SPD – September 2007
- Heybridge Basin Timber Yard SPD – February 2007
- Developer Contributions Guide - 2010
- Affordable Housing Guide – June 2006
- Heybridge Basin Village Design Statement – November 2006
- Wickham Bishops Village Design Statement - 2010

Copies of all Background Papers are available for inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during normal office hours

This page is intentionally left blank



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
25 JANUARY 2017**

PRESENT

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

914. CHAIRMAN'S NOTICES (PLEASE SEE OVERLEAF)

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

915. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A M Beale, A T Cain and M R Pearlman.

916. MINUTES OF THE LAST MEETING

RESOLVED

- (i) That the Minutes of the meeting of the Committee held on 14 December 2016 be received.

Minute 811 – Disclosure of Interest

Councillor S J Savage advised that his interest in Agenda Item 8 was of a non-pecuniary interest.

RESOLVED

- (ii) That subject to the above amendment, the Minutes of the meeting of the Committee held on 14 December 2016, be approved.

917. MINUTES

RESOLVED that the Minutes of the meeting of the Central Area Planning Committee held on 19 October 2016, be approved and confirmed.

918. DISCLOSURE OF INTEREST

Councillor S J Savage made the following declarations of non-pecuniary interest:
Agenda Item 11 – FUL/MAL/16/01230 – Land Rear of 47 Spital Road, Maldon as some of the family members lived in his ward.
Agenda Item 13 – FUL/MAL/16/01318 – 146C Fambridge Road, Maldon, as he gave the applicant advice.

Councillor M S Heard made the following declarations of non-pecuniary interest:
Agenda Item 12 – ADV/MAL/16/01247 – 151 High Street, Maldon as he knew the agent.

919. MEMBERS' BRIEFING

The Group Manager for Planning Services gave a presentation to the Members on Material Considerations.

The Chairman introduced the Interim Head of Planning, Simon Rowberry to the Members.

920. OUT/MAL/15/01261 - THE OLD ENGINE SHED, STATION ROAD, MALDON

Application Number	OUT/MAL/15/01261
Location	The Old Engine Shed, Station Road, Maldon
Proposal	10 B1 office units and 20 No 2 bedroom apartments
Applicant	Mr J Purdy
Agent	Robinson and Hall LLP now Stanfords
Target Decision Date	7 March 2017
Case Officer	Nigel Hebden, TEL: 01621 875741
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Previous Committee Decision Major Application

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received, including those detailed on the Members' Update.

The Group Manager for Planning Services explained that the unilateral undertaking had now been received from the applicant and recommended that Members agree delegation to the Interim Head of Planning to approve this application subject to the s106 agreement being signed within a month of this committee date.

It was suggested that the Economic Officer made contact with the business currently working out of this location to find them a new location within the district.

RESOLUTION of the committee from the 16th March carried subject to a time limit for the completion of the S106 Agreement.

921. FUL/MAL/16/00761 - MALDON SAINTS FOOTBALL CLUB, THE PROMENADE PARK, MALDON

Application Number	FUL/MAL/16/00761
Location	Maldon Saints Football Club, The Promenade Park, Park Drive, Maldon
Proposal	Permission is sought for the retention of the existing container store
Applicant	Miss Jodie Wright - Maldon Saints YFC
Agent	Mr Chris Cumbers - C B S Cumbers
Target Decision Date	6 February 2017
Case Officer	Rebecca Greasley, TEL: 01621 875805
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Major Application

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received.

Following the Officers presentation the Agent, Chris Cumbers, addressed the Committee.

A discussion followed with regards to why the application was not recommended for the requested three year temporary permission and whether the site should be considering a more permanent solution.

Councillor S J Savage proposed to change the Officer's recommendation from one year to three years and this was seconded by Councillor M S Heard.

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

1. The storage container hereby permitted shall be removed and the land restored to its former condition on or before 26 January 2020 unless before that date a formal planning application for the retention of the building has been approved by the local planning authority.
Reason: It is not considered that the grant of a permanent planning permission would be appropriate given the temporary nature of the storage unit and its impact upon the surrounding area.
2. The container shall only be used for storage purposes and for no other purpose including any purpose as defined within Class B8 of the Schedule to the Town & Country Planning Use Classes (Amendment) Order 2005 (or in any provision equivalent to that Class in any statutory instrument revoking or re- enacting that Order) and for no other purpose.
Reason: In order to ensure the appropriate use of the site in relation to neighbouring development and in accordance with policy BE1 of the adopted Maldon District

Replacement Local Plan, D1 of the submitted Local Plan and the NPPF.

3. The storage container hereby permitted shall be retained with a painted green finish and shall not be painted any other colour unless otherwise agreed in writing by the local planning authority

Reason: To ensure the structure is of an appropriate colour within this setting in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan, D1 of the submitted Local Plan and the NPPF.

922. ADV/MAL/16/01100 - LAS PARTNERSHIP, RIVENDELL, WHITE HORSE LANE, MALDON

Application Number	ADV/MAL/16/01100
Location	LAS Partnership Rivendell White Horse Lane Maldon Essex CM9 5QP
Proposal	Application for advertisement consent for two (2) no. fascia signs
Applicant	Mr Timothy Howard
Agent	N/A
Target Decision Date	26 December 2016 E.o.T. 27 January 2017
Case Officer	Spyros Mouratidis, TEL: 01621 875841
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received.

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

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

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

Reasons 1- 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements)(England) Regulations 2007.

923. HOUSE/MAL/16/01174 - 30 TENNYSON ROAD, MALDON

Application Number	HOUSE/MAL/16/01174
Location	30 Tennyson Road, Maldon
Proposal	Two storey side & single storey rear extension.
Applicant	Mr & Mrs K Whiteley
Agent	Mr Allan Taylor - Blue Door Solutions Ltd
Target Decision Date	22 December 2016
Case Officer	Emily Hall, TEL: 01621 875744
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Councillor / Member of Staff

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received.

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

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

Reasons 1- 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements)(England) Regulations 2007.

Informative

- Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

924. FUL/MAL/16/01230 - LAND REAR OF 47 SPITAL ROAD, MALDON

Application Number	FUL/MAL/16/01230
Location	Land Rear Of 47 Spital Road, Maldon
Proposal	Proposed new 2 bedroom bungalow
Applicant	Mrs Anita Church
Agent	Penny Little - A & P Designs Ltd
Target Decision Date	27 January 2017
Case Officer	Emily Hall, TEL: 01621 875744
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Councillor / Member of Staff

The Chairman made the Members aware that this application was **WITHDRAWN** by the applicant.

925. ADV/MAL/16/01247 - 15 HIGH STREET, MALDON

Application Number	ADV/MAL/16/01247
Location	151 High Street Maldon Essex CM9 5BS
Proposal	Advertisement consent for 1no. Non illuminated projecting sign and 1no. externally illuminated fascia sign with oak surround.
Applicant	Mr B Rencber
Agent	Terence Wynn
Target Decision Date	19 January 2017
Case Officer	Spyros Mouratidis, TEL: 01621 875841
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received.

Following the Officers presentation the Agent, Terence Wynn, addressed the Committee.

A slight discussion was had over the contents of the advert and whether it would be illuminated or not.

RESOLVED that this application be **GRANTED ADVERTISEMENT CONSENT** subject to the following conditions:

1. The express consent hereby granted shall be for a period of 5 years beginning from the date hereof.
 2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 3. No advertisement shall be sited or displayed so as to:
 - (a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
 - (b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) Hinder the operation of any device used for the purposes of security or surveillance or for the measuring the speed of any vehicle.
 4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- Reasons 1- 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements)(England) Regulations 2007.

926. FUL/MAL/16/01318 - 146C FAMBRIDGE ROAD, MALDON

Application Number	FUL/MAL/16/01318
Location	146C Fambridge Road, Maldon
Proposal	Variation of Condition 7 of approved application FUL/MAL/04/00899 (5 no dwellings with garages).
Applicant	Mr & Mrs Dawes
Agent	N/A
Target Decision Date	19 January 2017
Case Officer	Nigel Hebden, TEL: 01621 875741
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Councillor / Member of Staff

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received, including those detailed on the Members' Update.

The Chairman drew attention to the correction of the address on condition 2; the address should read 146C Fambridge Road.

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

1. The development hereby permitted shall begin no later than three years from the date of this decision.
Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. The variation to condition 7 of Planning Permission FUL/MAL/04/00899 relating to the provision of timber joinery shall only relate to the dwelling now known as No 146C Fambridge Road, Maldon and all rainwater goods shall be in cast metal with a painted finish and retained as such thereafter.
Reason: For the avoidance of doubt and to meet the requirement of policies BE1 and BE16 of the Maldon District Replacement Local Plan.
3. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no windows or dormer window, other than those expressly authorised by Planning Permission FUL/MAL/04/00899 shall be formed without planning permission having been obtained from the local planning authority
Reason: For the avoidance of doubt and to meet the requirement of policies BE1 and BE16 of the Maldon District Replacement Local Plan

927. ADV/MAL/16/01333 - THE TOLL HOUSE, FULLBRIDGE

Application Number	ADV/MAL/16/01333
Location	The Toll House, Fullbridge
Proposal	Application for advertisement consent for 3No. illuminated signs, 1No. illuminated picture slide show & 1No. illuminated picture within the windows on the South Elevation
Applicant	Ms Zoe Napier - Zoe Napier Country & Equestrian
Agent	Mr William Morgan - Petro Designs Limited
Target Decision Date	4 January 2017 EOT 27 January 2017
Case Officer	Nicola Ward, TEL: 01621 875864
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received.

Following the Officers presentation the Applicant, Zoe Napier and an Objector, Christopher Coyle, addressed the Committee.

Councillor M S Heard proposed that condition 7 be changed so the times of the illuminated advert were from 08:00hrs to 18:00hrs throughout the whole year. This proposal was seconded by Councillor M R Lewis and was agreed

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

1. The express consent hereby granted shall be for a period of 5 years beginning from the date hereof.

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
3. No advertisement shall be sited or displayed so as to:
 - (a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
 - (b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) Hinder the operation of any device used for the purposes of security or surveillance or for the measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
Reasons 1- 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements)(England) Regulations 2007.
7. The advertisements hereby permitted shall be in only be illuminated between the hours of 08:00hrs and 18:00hrs.
Reason: In the interest of protecting the amenity of the neighbouring occupiers in accordance with policies BE1 or the Replacement Local Plan and D1 of the Local Development Plan.

928. HOUSE/MAL/16/01342 - 7 ACACIA DRIVE, MALDON

Application Number	HOUSE/MAL/16/01342
Location	7 Acacia Drive, Maldon, Essex
Proposal	Existing garage to side of dwelling removed and replaced with two storey extension to side including first floor extension over part of existing side/ rear extension. New pitched roof over existing front bay window
Applicant	Mr & Mrs M Pepper
Agent	Mr N Ward - The Nicholas Ward Design Practice
Target Decision Date	11 January 2017 EOT 27 January 2017
Case Officer	Nicola Ward, TEL: 01621 875864
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Parish Trigger

The Committee considered the report of the Director of Planning and Regulatory Services and determined the above application taking into account all representations and consultation replies received.

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.
Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
Reason: In order to ensure that the development is carried out in accordance with the approved details.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish to match the existing dwelling.
Reason: To protect the amenity and character of the area in accordance with BE1 of the adopted Maldon District Replacement Local Plan.

929. OTHER AREA PLANNING AND RELATED MATTERS

The Committee received the report of the Director of Planning and Regulatory Services, including those on the Members' Update, detailing the following:

(i) Appeals Lodged:

Appeal Start Date: 09/01/2017

Application Number: HOUSE/MAL/16/00726 (APP/X1545/D/16/3161573)

Site: 6 Narvik Close, Maldon, Essex, CM9 6UX

Proposal: Two storey side extension

Appeal by: Mr S Mosey

Appeal against: Refusal

Appeal procedure requested: Householder appeal service (HAS)

Appeal Start Date 09/01/2017

Application Number: HOUSE/MAL/16/00662 (APP/X1545/D/16/3164272)

Site: 98 Washington Road Maldon

Proposal: Single storey rear extension, single storey enlargement of lounge at front, single storey enlargement at front of garage, removal of dormer and alteration to front bedroom wall and roof, loft conversion. (Resubmission)

Appeal by: Mr M Brebner

Appeal against: Refusal

Appeal procedure requested: Householder Appeals Service (HAS)

Appeal Start Date: 13/01/2017

Application Number: HOUSE/MAL/16/00769 (APP/X1545/D/16/3162395)

Site: 81 Holloway Road - Heybridge

Proposal: Single storey rear extension to an existing dwellinghouse.

Appeal by: Mr Peter Ottaway

Appeal against: Refusal

Appeal procedure requested: Householder Appeals Service (HAS)

(ii) Appeal Decisions:

HOUSE/MAL/16/00102 (Appeal Ref: APP/X1545/D/16/3161558)

Proposal: Front first floor extensions over existing addition

Address: 43 Suffolk Road Maldon

Decision Level: Committee as per Officer Recommendation to refuse
APPEAL ALLOWED – 21 December 2016

FUL/MAL/16/00279 (Appeal Ref: APP/X1545/W/16/3153893)

Proposal: Conversion of former All Saints CE Primary School to 8 residential units, associated amenity space and parking.

Address: All Saints Church Of England Primary School, London Road, Maldon

APPEAL ALLOWED – 18 January 2017

APPELLANT APPLICATION FOR AWARD OF COSTS IS REFUSED – 18 January 2017

DECISION LEVEL: Committee overturned Officer Recommendation to approve.

There being no further items of business the Chairman closed the meeting at 8.48 pm.

B E HARKER
CHAIRMAN

This page is intentionally left blank



**REPORT of
INTERIM HEAD OF PLANNING SERVICES**

to
**CENTRAL AREA PLANNING COMMITTEE
22 FEBRUARY 2017**

Application Number	LBC/MAL/16/01343
Location	Beeleigh Mill Abbey Turning Maldon
Proposal	Erection of a wood shed.
Applicant	Mr Lawrence Tattersall - Beeleigh Mill Restoration Group
Agent	-
Date Valid	12 January 2017
Target Decision Date	9 March 2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

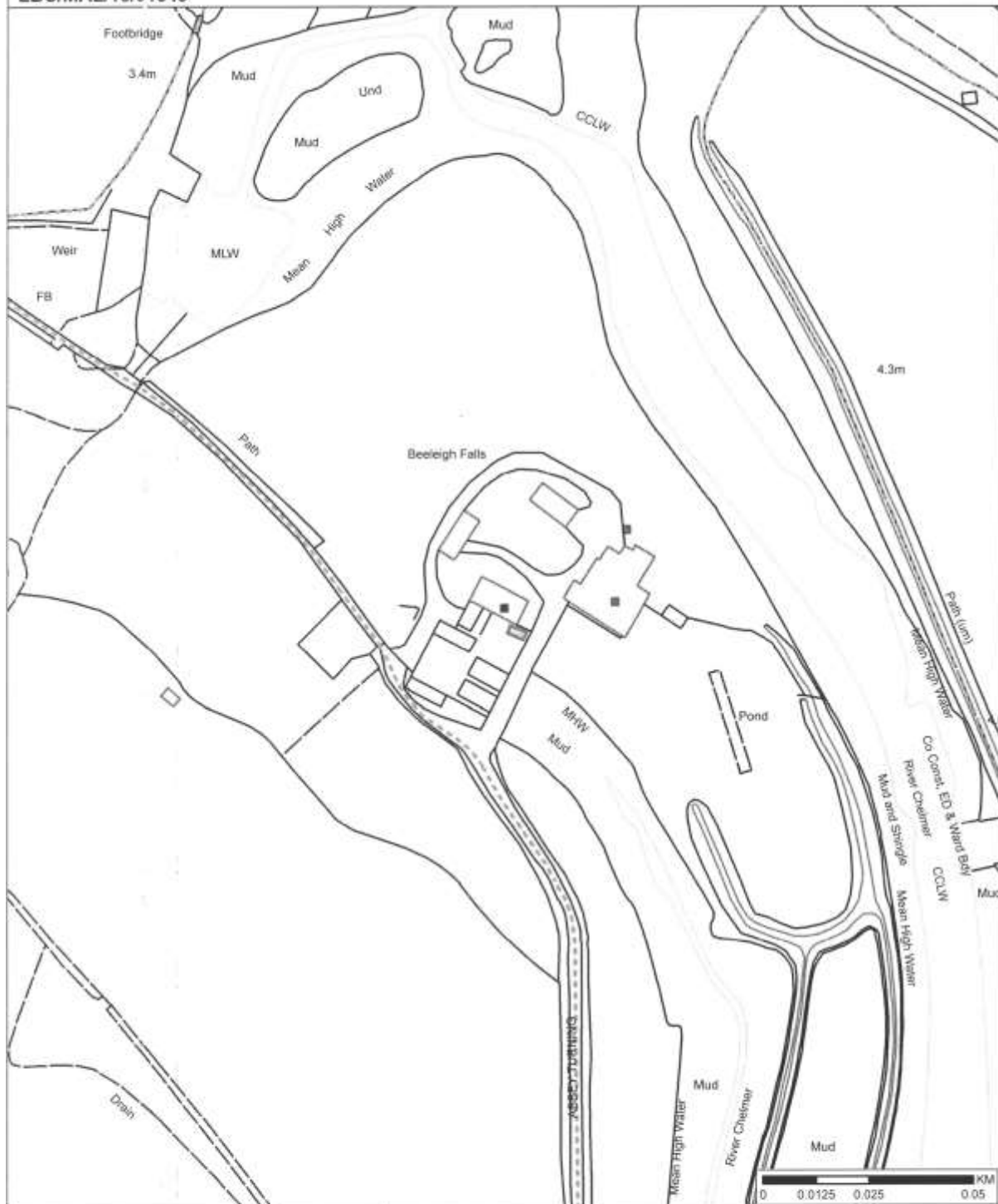
1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

Beeleigh Mill, Abbey Turning, Maldon LBC/MAL/16/01343



Copyright
For reference purposes only.
No further copies may be made.
This map is reproduced from Ordnance Survey
material with the permission of Ordnance Survey on
behalf of the Controller of Her Majesty's Stationery
Office © Crown copyright.
Unauthorised reproduction infringes Crown copyright
and may lead to prosecution or civil proceedings.
Maldon District Council 100018588 2014


MALDON DISTRICT
COUNCIL

www.maldon.gov.uk

Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	C Committee 16/01343/LBC
Date:	09/02/2017
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

3.1.1 The application site is located to the west of Maldon Town, outside of the development boundary. Beeleigh Mill is a Grade II* Listed Building and is situated in the Chelmer and Blackwater Navigation Conservation Area.

3.1.2 Listed Building consent is sought for the erection of a wooden shed within the enclosed walled yard of Beeleigh Mill. The shed would measure 2.4m wide, 3.6m in depth, 1.8m to the eaves and 2.1m to the ridge. The shed would be used by the Beeleigh Mill Restoration Group to store materials and tools used in relation to the restoration project.

3.2 Conclusion

3.2.1 The proposed development, by means of its design, size and siting is not considered to be detrimental to the significance and setting of the listed building in accordance with policies BE13 and BE16 of the RLP and D3 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:

- 14 Presumption in favour of sustainable development
- 17 Core Planning Principles
- 56-68 Requiring Good Design
- 126-141 Conserving and enhancing the historic environment

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE16 Extensions, Alterations to and Additional Buildings in the Curtilage of Listed Buildings

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

- D3 Conservation and Heritage Assets

4.4 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Listed buildings represent a non-renewable finite historic resource that forms part of the heritage of the District and the nation. The loss of any feature that provides to a listed building its special interest can never be replaced. This is an overriding concern in the management of the historic building stock. There is a general presumption in favour of the preservation of listed buildings unless other material considerations indicate otherwise.

5.2 Impact upon the significance of the Listed Building

- 5.2.1 Policy BE16 states that alterations to listed buildings will only be permitted if the District Council is satisfied that the proposal would not harm the building, its setting and any features that contribute to its special architectural or historic interest.
- 5.2.2 The proposed shed would be located in the north east corner of the walled yard of Beeleigh Mill; this would limit views of the shed from the public realm. The proposed shed is considered to be modest in size and would be of traditional design for a wooden garden shed. Due to this and its scale and location, it is considered that it would cause no harm to the significance of the Listed Building and would preserve the special character of the Chelmer and Blackwater Navigation Conservation Area.

6. ANY RELEVANT SITE HISTORY

- 02/01093/LBC - Repair work to strengthen bridges over north and south leat tunnels, and to north and south barge bay bridges - Grant Listed Building Consent – 20.12.2002
- 14/00935/FUL - Change of use of land for car parking and storage container for the use of volunteers working at Beeleigh Mill – Approve - 22.12.2014
- 14/00978/LBC - Restoration of beam engine and mill hurst to a "rotatable" condition. - Grant Listed Building Consent - 21.11.2014
- 15/00120/FUL - Change of use of land for car parking for the use of volunteers working at Beeleigh Mill – Approve - 01.04.2015

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	The Town council Recommends Refusal of the application on the grounds that it would be out of keeping with the context of this historical site.	Please see section 5 of the report

Agenda Item no. **6**

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 the approved drawings specifically referenced on this decision notice.
REASON: In order to ensure that the development is carried out in accordance with the approved details.
- 3 The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.
REASON: To protect the visual amenity and the significance of the listed building in accordance with policy BE16 of the adopted Maldon District Replacement Local Plan, policy D3 of the Local Development Plan and guidance contained within the National Planning Policy Framework.

This page is intentionally left blank



**REPORT of
INTERIM HEAD OF PLANNING SERVICES**

**to
CENTRAL AREA PLANNING COMMITTEE
22 FEBRUARY 2016**

Application Number	FUL/MAL/16/01401
Location	6 Wave Bridge Court Colchester Road Heybridge
Proposal	Replacement of rotting single glazed windows and doors with uPVC frames and composite door, all to FENSA standard with secure locking bolts. No change to external colour - brown. Shape/ style/ appearance to remain
Applicant	Mrs G Bomford
Agent	Mr Allan Taylor - Blue Door Solutions Ltd
Date Valid	21 December 2016
Target Decision Date	15 February 2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	HEYBRIDGE EAST
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.

6 Wave Bridge Court, Colchester Road, Heybridge
FUL/MAL/16/01401



Copyright

For reference purposes only.
 No further copies may be made.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright.
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 Maldon District Council 100018588 2014

www.maldon.gov.uk

Scale: 1:750

Organisation: Maldon District Council

Department: Department

Comments: C Committee 16/01401/FUL

Date: 09/02/2017

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 south side of Colchester Road, within the settlement boundary of Heybridge and the Chelmer and Blackwater Navigation Conservation Area. The application site is a ground floor flat. The block of flats is located opposite the Heybridge Centre, it is considered to be a relatively modern building in terms of appearance.
- 3.1.2 Planning permission is sought for the replacement of all of the existing windows and doors that serve 6 Wave Bridge Court. The existing windows and doors are single glazed and constructed of wood; it is proposed to replace the windows with double glazed uPVC windows. The style, size and colour would match the existing windows. The proposed doors would also be constructed of uPVC and would match the existing doors in terms of size and design.

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 conservation area or 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 BE1, BE13 and T8 of the RLP and D1 and D3 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 Replacement Local Plan 2005 – Saved Policies:

- BE1 - Design of New Development and Landscaping.
- BE13 Development in Conservation Areas
- T8 Vehicle Parking Standards

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

- D1 - Design Quality and Built Environment.
- D3 Conservation and Heritage

4.4 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 a dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with BE1 of the RLP and 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 The application is located within the Maldon Conservation Area. 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 Planning permission is sought to replace all of the windows that serve 6 Wave Bridge Court. The existing windows are single glazed wooden windows; it is proposed to replace these with double glazed uPVC windows. The style, size and colour would match the existing windows.
- 5.2.4 There are no objections to the proposed like for like design of windows and doors, no new openings would be created and the proposed windows including the colour, would match the appearance of the existing windows.
- 5.2.5 The use of uPVC is not normally considered acceptable within a conservation area. However, considering the architectural merit of the host building and its location, which is not considered to be in a particularly prominent position within the conservation area, in this instance the proposed use of uPVC is not considered to cause harm to existing building and would preserve the character and appearance of the conservation area. Furthermore the conservation officer has not raised an objection.
- 5.2.6 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 conservation area or be materially harmful to the existing building.

5.3 Impact on Residential Amenity

- 5.3.1 Policies BE1 and BE6 of the RLP protect neighbouring occupiers from unacceptable development which results in a loss of amenity in relation to overlooking,

overpowering or undue reduction of light to the main windows of their property. Similarly, the basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.

- 5.3.2 The proposal relates to the replacement of existing windows, no new openings are proposed and there would be no increased overlooking as a result of the proposed development.
- 5.3.3 In addition there would be no change to the external dimensions of the building and therefore the development is not considered to be overbearing or unneighbourly.
- 5.3.4 Therefore, the proposed development will not result in a demonstrable impact on the amenities of neighbouring occupiers,

5.4 Access, Parking and Highway Safety

- 5.4.1 Adopted Policy T8 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with new development. Likewise, Policy D1 of the LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards. The Parking Standards are expressed as maximum standards and Government guidance encourages the reduction in the reliance on the car and promoted methods of sustainable transport.
- 5.4.2 The proposal relates to the replacement of existing windows, the development will not change the number of bedrooms available within the site or impact the car parking or access arrangements. Therefore, there is no objection to parking provision within the site.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy BE1 of the RLP requires that amenity space is provided that is appropriate to the type of development. In addition, the Essex Design Guide advises a suitable garden size for dwellings with three or four bedrooms is 100 m².
- 5.5.2 The proposal relates to the replacement of existing windows, 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.

6. ANY RELEVANT SITE HISTORY

None.

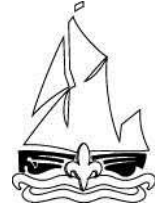
7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	I raise no objection to this application. It will cause no harm to the special character or appearance of the Chelmer and Blackwater Navigation Conservation Area.	See section 5.2 of the report
Urban Design	The proposal does not impact on the content of the masterplan. I have no comments to make on the proposal.	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 specifically referenced on this decision notice.
REASON: In order to ensure that the development is carried out in accordance with the approved details.
3. No development shall take place until written details and samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
REASON: To protect the amenity and character of the area in accordance with policy BE1 and BE13 of the adopted Maldon District Replacement Local Plan and emerging policies D1 and D3 of the Submitted Local Development Plan.



**REPORT of
INTERIM HEAD OF PLANNING SERVICES**

to
CENTRAL AREA PLANNING COMMITTEE
22 FEBRUARY 2017

Application Number	FUL/MAL/16/01496
Location	The Limes Guest House 21 Market Hill Maldon Essex
Proposal	The proposals are for an office and bedroom to the rear with en-suite within a single storey extension to the existing annexe.
Applicant	Mr James Mann
Agent	Mr Mark Morgan - Petro Designs Limited
Date Valid	4 January 2017
Target Decision Date	1 March 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Town Council	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

Application Number	LBC/MAL/16/01497
Location	The Limes Guest House 21 Market Hill Maldon Essex
Proposal	The proposals are for an office and bedroom to the rear with en-suite within a single storey extension to the existing annexe.
Applicant	Mr James Mann
Agent	Mr Mark Morgan - Petro Designs Limited
Date Valid	23 December 2016
Target Decision Date	1 March 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Town Council	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

1. RECOMMENDATION

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

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

2. SITE MAP

Please see overleaf.

The Limes Guest House, 21 Market Hill, Maldon

FUL/MAL/16/01496



Copyright

For reference purposes only.
No further copies may be made.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Maldon District Council 100018588 2014



www.maldon.gov.uk

Scale: 1:1,250

Organisation: Maldon District Council

Department: Department

Comments: C Committee 16/01496/FUL

Date: 09/02/2017

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The Limes Guest House is located on the west side of Market Hill, Maldon. The building is Grade II listed and is within the Maldon Conservation Area. To the north of The Limes is a car park for guests with an annex containing guest accommodation behind. To the rear of The Limes is a small garden area and a “garage” which has been converted to guest accommodation with a laundry on the ground floor. Both the annex and the “garage” are clad in black clad timber above a brick plinth with tiled roofs. The boundary is marked by a 1.7m high close boarded timber fence.
- 3.1.2 The site slopes down to the north and there is a steep drop down to the adjacent site to the north which is occupied by Market Hill Court a two/three storey flatted development. To the west / rear of the site is garaging and car parking areas associated with Saxon Court, a modern flatted development. There is an extant planning permission on this site for the construction of a shed in between the annexe and the “garage” which was approved in 2014 by application: FUL/MAL/14/01130.
- 3.1.3 It is proposed to construct a single storey building between the “garage” and the annex for use in conjunction with the guest house. The building would provide an office and a manager suite and would become a focal point for guests checking in / out.
- 3.1.4 The maximum length of the shed would be 10.5 metres and its width 3 metres. At the rear there is an inset in the building’s footprint to accommodate a tree growing close to the site boundary. The ridge height of the development would be approximately 4 metres and it would be clad in black stained timber to match the existing buildings with a brick plinth. The roof would be of natural clay plain tiles to match the existing building.

3.2 Conclusion

- 3.2.1 The proposed development is acceptable as it is modest in scale and would not adversely affect the setting of the listed building or the Maldon Conservation Area in accordance with policies BE1, BE13 and BE16 of the Maldon District Local Replacement Plan, policies S1, D1 and D3 of the Maldon District Local Development Plan, and Government advice contained in the National Planning Policy Framework.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2012 including paragraphs:

- 7, 8, 14, 17, 56. 57, 131

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE1, BE13, BE16, T8

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

- S1, D1, D3, E5, T2

4.4 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The proposal is for the construction of a new building for a site manager to be present during the day and night in conjunction with the use of the site as an established guest house. The principle of such proposal would be supported by Maldon District Local Development Plan and the National Planning Policy Framework where it supports developments that widen the viability and vitality of the town centre and providing accommodation within the town centre that would support activity in the town centre. Further, there is an extant planning permission on this site for the construction of a shed between the annex and “garage” and is material consideration when determining this planning application.

5.2 Design and Impact on the Character of the Area

- 5.2.1 Policy BE1 of the adopted local plan and policy D1 of the Local Development Plan highlights the importance of all new development being of a suitable design ensuring they are compatible with their surroundings /or improve the surrounding location subject to certain criteria. Policies BE13 and BE16 of the adopted local plan, policy D3 of the LDP and the NPPF provides guidance on heritage assets, and the importance to protect, preserve and enhance the setting of listed buildings in conservation areas.
- 5.2.2 The proposed development would be positioned to the south west of the site between the annex and “garage”. The building would have a footprint of approximately 26.5 square metres. Whilst it is acknowledged that the footprint of the development is approximately 11 square metres larger than the shed previously approved on this site, it is considered that this modest increase would not result in overdevelopment of the site.
- 5.2.3 Having considered the scale and height of the development, the building would appear subservient when viewed in context with the guest house, annex and “garage”. In terms of design and appearance, the new building would echo the annex and the “garage” and would not appear at odds when viewed from the public domain. It would be sympathetic and would have minimal impact on the setting of the listed

building in accordance with policies BE13 and BE16 of the adopted local plan and policy D3 of the Local Development Plan.

- 5.2.4 The new building would be positioned to the rear and approximately 6 metres away from the listed building and has also been designed to avoid the removal of an existing tree on the western boundary. The Conservation Officer has been consulted and has raised no objection to the proposed scheme.

5.3 Impact on Residential Amenity

- 5.3.1 To the rear of the site there is a parking area associated with Saxon Court. Much of the new build would be screened by the fence on the western boundary and is flanked by the existing annex and “garage” building. As such, the development would result in no impact on the amenity of residential properties to the north, west and south of the site. This would accord with policy BE1 of the adopted local plan and policy D1 of the Local Development Plan.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T8 of the adopted local plan seeks to ensure that appropriate off-street parking is provided in conjunction with new development. Likewise, policy T2 of the Local Development Plan seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council’s adopted parking standards.
- 5.4.2 The access / egress point to the guest house. As such, there is no objection in this respect as the proposal would comply with policy T2 of the adopted local plan. The Highway Authority has raised no objection to this.
- 5.4.3 With regard to off-street parking on site, the Council’s adopted Vehicle Parking Standards advises that 1 space per bedroom to be made available for guest or staff. There are currently 15 car parking spaces on site. It is noted that the new building would be occupying an area which is currently marked out as a disabled parking bay. This disabled bay would be relocated to the front of the annex and would become a ‘drop off area’ as this area is hard surfaced and level with no pea-shingle. Whilst there are concerns in relation to the number of off-street parking available at the site, it is important to note that the development is in a town centre location, a sustainable location, where such provisions can be relaxed. In this instance, it is not considered that the loss of a car parking space would be reasonable to warrant refusal of this application.

5.5 Other Material Considerations

- 5.5.1 In support of this application, the Applicant confirmed in an email correspondence dated 10 January 2017 that the new building would be used for an office with a Manager’s suite to the rear. The reason for the Manager’s suite is that the guest house is in operation 24 / 7 and there has to be a manager or night staff on duty through the night and the suite is for shift work through the night where the manager has somewhere to sleep/rest between shifts.
- 5.5.2 Letters of representation were received by the Council concerning the historic wall which forms the shared boundary between the application site and Hill House /

Market Hill Court. The development would be constructed to the south western side of the site between two existing structures and therefore would not have an adverse impact on the wall in question.

- 5.5.3 In terms of rainwater / surface water drainage, the Environmental Health Services has raised no objection to the proposal subject to condition to be imposed should the application be approved for the submission of surface water drainage detail to be approved prior to the commencement of development.

6. **ANY RELEVANT SITE HISTORY**

- **LBC/MAL/94/00136** - General renovations and internal alterations forming dining room sitting room 4 bedrooms bathroom and shower room to the front 3 storey part and formation of kitchen lobby toilet. Approved: 30.03.1994.
- **FUL/MAL/95/00782** - Proposed new garage. Approved: 05.02.1996.
- **LDP/MAL/99/00440** - Change of use of part of dwelling to bed and breakfast and internal alterations. Refused: 18.06.1999.
- **FUL/MAL/99/00531** - Change of use of part of dwelling to bed and breakfast accommodation. Withdrawn: 15.07.1999.
- **LBC/MAL/99/00532** - Change of use of part of dwelling to bed and breakfast accommodation. Withdrawn: 15.07.1999.
- **LBC/MAL/01/00013** - Proposed installation of en-suite shower room in existing first floor guest bedroom. Approved: 09.02.2001.
- **FUL/MAL/01/00345** - Proposed Iron railings down front door steps and around pavement area with gate. Approved: 12.07.2001.
- **FUL/MAL/06/00217** - Continued use as a guest house. Approved: 28.03.2006.
- **FUL/MAL/06/00833** - Erection of Conservatory. Refused: 22.09.2006.
- **LBC/MAL/06/00834** - Erection of Conservatory. Refused: 22.09.2006.
- **LBC/MAL/06/00847** - To alter and convert existing double garage. Application Withdrawn: 12.07.2006.
- **FUL/MAL/06/00849** - Change of use of ground floor lounge, dining room and conservatory to tea rooms and bistro 2 evenings a week (Friday and Saturday). Refused: 05.09.2006.
- **FUL/MAL/06/00850** - Conversion of existing double garage and first floor storage into 3 bedrooms with en-suite. Refused: 05.09.2006.
- **FUL/MAL/06/01152** - Retention of mobile home in connection with existing bed and breakfast use. Refused: 17.11.2006.
- **FUL/MAL/06/01237** - Change of use of the ground floor lounge, dining room, conservatory (subject to separate planning permission) to tea rooms. Approved: 25.01.2007.
- **FUL/MAL/06/01311** - Vehicle barrier for guest house. Refused: 26.01.2007.
- **FUL/MAL/06/01413** - Erection of conservatory. Approved: 19.02.2007.
- **LBC/MAL/06/01414** - Erection of conservatory. Approved: 19.02.2007.

- **LBC/MAL/06/01424** - En-suite shower room to ground floor bedroom using existing vents in room, no alterations to building made. Application Closed: 13.03.2007.
- **LBC/MAL/07/00216** - Alterations to kitchen, forming cupboard and lobby from new conservatory to toilets. Withdrawn: 16.04.2007.
- **LBC/MAL/07/00306** - Retrospective application for the conversion of lounge into bedroom with en-suite. Approved: 01.06.2007.
- **LBC/MAL/07/00467** - Install glazed canopy link from conservatory to rear door to gain access to toilet facility, form an opening by removing existing window to gain access to conservatory and internal alterations to kitchen. Approved: 21.06.2007.
- **CON/MAL/08/00062** - Reduce height of the flank retaining wall due to imminent collapse. Approved: 20.03.2008.
- **FUL/MAL/08/00611** - Installation of metal fence along boundary to Market Hill and erection of shed. Withdrawn: 29.07.2008.
- **FUL/MAL/08/00927** - Installation of metal fence & shed. Approved: 30.09.2008.
- **FUL/MAL/10/00162** - Proposed detached annexe. Approved: 25.06.2010.
- **NMA/MAL/11/00500** - Non material amendment following approval on application FUL/MAL/10/00162 (Proposed detached annexe) to increase thickness of fascia to 200mm. Approved 29.06.2011.
- **TCA/MAL/13/00057** - T1 Lime - pollard the trees adjacent to roadside. T2 Sycamore - remove 2 front co-dominant trunks from 1 tree and crown raise the remaining by up to 20ft. T3 Prunus - remove to ground level in the rear side car park. Approved 18.03.2013.
- **FUL/MAL/13/00163** - Install 2 No. sheds to rear of site adjoining annexe and rear fence. Refused 23.04.2013.
- **FUL/MAL/13/01153** - Install 2 No. sheds to rear of site adjoining annexe and rear fence. Approved 21.02.2014.
- **FUL/MAL/14/01130** - Erection of shed – Approved 23.12.14
- **LBC/MAL/15/01162** - Extend existing conservatory to match existing with new timber pitched glazed roof to match existing. Internal alterations to decrease size of kitchen to form new bedroom, office. conservatory - Approved 23.12.2015
- **FUL/MAL/15/01161** - Extend existing conservatory to match existing with new timber pitched glazed roof to match existing. Internal alterations to decrease size of kitchen to form new bedroom, office. –Approved – 23.12.2015
- **FUL/MAL/15/01173** - To construct a two storey annexe comprising of two ground floor bedrooms and two first floor bedrooms to serve The Limes Guest House. – Refused -22.12.2016. Dismissed on Appeal: 4 October 2016
- **LBC/MAL/15/01174** - To construct a two storey annexe comprising of two ground floor bedrooms and two first floor bedrooms to serve The Limes Guest House. –Refused 22.12.2015

- **FUL/MAL/16/00898** - To extend existing conservatory by building new glazed roof over existing within timber rafters to new wall / windows / doors, all to match existing. Approved: 25.10.2016
- **LBC/MAL/16/00899** - To extend existing conservatory by building new glazed roof over existing within timber rafters to new wall / windows / doors, all to match existing. Approved: 25.10.2016.

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. Overdevelopment of the site	Noted in Paragraph 5.2.2 of the report

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highways	No objection subject to informative	Noted

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Urban Designer	The site would not impact on the Maldon and Heybridge Central Area - No comments to make on the proposal	Noted
Environmental Health Services	No objection subject to conditions and informative	Noted
Tree Officer	No objection subject to conditions	Noted
Conservation Officer	No objections	Noted

7.4 Representations received from Interested Parties (*summarised*)

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

- Hill House Park (Freehold) Ltd, 5 Hill House, Hill House Park, Maldon, Essex
- Mr and Mrs J Salisbury, 4 Hill House Mews, Maldon, Essex
- Stan Staines, 2 Hill House Mews, Maldon, Essex
- David Pickles, 5 Hill House Mews, Maldon, Essex

Objection Comment	Officer Response
Hill House and The Limes are listed building in the Maldon Conservation Area	Noted in report
The development would not enhance or preserve the conservation area	Noted in report
The development would reduce the number off-street parking on site	Noted in report
Issue regarding the site level and the collapse of the boundary wall between the application site and Hill House	Noted in report
Surface Water / soak-away on site	Noted in report

8. **PROPOSED CONDITIONS**

FUL/MAL/16/01496

- 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 by Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 No development shall take place until written details or 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.
REASON: To ensure the external materials to be used in the construction of the development would be appropriate for the area in accordance with policy BE1 of the Maldon District Replacement Local Plan, policy D1 of the Maldon District Local Development Plan, and Government advice contained in the National Planning Policy Framework.
- 4 No trees within the site shall be felled, cut back, damaged or removed, unless otherwise first agreed in writing with the local planning authority. No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS 5837:2005 in relation to tree retention and protection as follows:
 - Tree report detailing retained trees and works required;
 - Tree retention protection plan;
 - Tree constraints plan;
 - Arboricultural impact assessment;
 - Arboricultural method statement (including drainage service runs, construction of foundations and hard surfaces).**REASON:** To protect the visual amenity of the area in accordance with policy BE1 of the Maldon District Replacement Local Plan, policy D1 of the Maldon District Local Development Plan.

- 5 No development shall commence until fencing and ground protection to protect the trees shall be erected, details to be submitted and approved as per BS 5837:2005, and ground protection been erected details of which shall have been submitted to the local planning authority for written approval. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree 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 visual amenity of the area in accordance with policy BE1 of the Maldon District Replacement Local Plan and policy D1 of the Maldon District Local Development Plan.
- 6 Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- Run-off from the site is limited to greenfield rates for a storm event that has a 100% chance of occurring each year (1 in 1 year event).
- The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.

REASON: To ensure appropriate surface water drainage scheme is available for the site in accordance with policy CON5 of the adopted Maldon District Replacement Local Plan.

INFORMATIVES

This planning application FUL/MAL/16/01497 should be read in conjunction with Listed Building Consent LBC/MAL/16/01497

- 1 All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the specifications of the Highway Authority; details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford CM2 5PU

The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:

- a) No waste materials should be burnt on the site, instead being removed by licensed waste contractors;
- b) No dust emissions should leave the boundary of the site;
- c) Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
- d) Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

- 2 The applicant suggests that a soakaway or soakaways will be used to collect the surface water from this development. Essentially this will satisfy building control measures however, we have seen more of these systems fail due to capacity during periods of heavy rainfall. In a development of this size and type it would be favourable to include a more sustainable surface water option than a soakaway which might include water harvesting systems or similar. Where a soakaway is intended soil percolation tests should be undertaken in or calculated for winter months to mimic saturated soils.

LBC/MAL/16/01497

- 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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 No development shall take place until written details or 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.
REASON: To ensure the external materials to be used in the construction of the development would be appropriate for the area in accordance with policies BE13 and BE16 of the Maldon District Replacement Local Plan, policy D3 of the Maldon District Local Development Plan, and Government advice contained in the National Planning Policy Framework.

INFORMATIVES

This Listed Building Consent LBC/MAL/16/01497 should be read in conjunction with planning application FUL/MAL/16/01496.

This page is intentionally left blank



**REPORT of
INTERIM HEAD OF PLANNING SERVICES**

to
CENTRAL AREA PLANNING COMMITTEE
22 February 2017

Application Number	ADV/MAL/17/00006
Location	HSBC 72 High Street Maldon
Proposal	1 No. Externally illuminated letters and logo fascia sign. 1 No. Non illuminated projecting roundel sign. 1 No. Non illuminated vitreous enamelled branch nameplate sign. 1 No. Non illuminated reverse applied vinyl opening hours sign.
Applicant	Mr Ben French - HSBC Bank PLC
Agent	Mr Mack Anthony - AQP
Date Valid	5 January 2017
Target Decision Date	2 March 2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

1. RECOMMENDATION

GRANT ADVERTISEMENT CONSENT subject to the conditions as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

HSBC, 72 High Street, Maldon
ADV/MAL/17/00006



Copyright

For reference purposes only
No further copies may be made.
This map is reproduced from Ordnance Survey
material with the permission of Ordnance Survey on
behalf of the Controller of Her Majesty's Stationery
Office © Crown copyright.
Unauthorised reproduction infringes Crown copyright
and may lead to prosecution or civil proceedings.
Maldon District Council 100018588 2014

www.maldon.gov.uk

Scale:	1:625
Organisation:	Maldon District Council
Department:	Department
Comments:	C Committee 17/00006/ADV
Date:	09/02/2017
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 south side of the High Street and is within the settlement boundary, the Conservation Area and the Town Centre boundary of Maldon. The property forms part of a row of shops, within the High Street of Maldon.

3.1.2 Advertisement consent is sought for the following signs:

- Advertisement 1 – 1 No. Externally illuminated letters and logo fascia sign, measuring 0.4m in height, 3.4m in width and would be 3.1m above ground level. The sign would be constructed of aluminum; the text would be black with a red logo on a white background.
- Advertisement 2 – 1 No. Non-illuminated projecting roundel sign measuring 0.65m in height, 0.1m in width and would be 0.8m above ground level. The sign would be constructed with aluminum face panels with a metal bracket and would have a red logo on a white background.
- Advertisement 3 – 1 No. Non-illuminated vitreous enameled branch nameplate sign measuring 0.4m in height, 0.3m in width and would be 0.9m above ground level. The text would be black, with a red logo on a white background.
- Advertisement 4 - 1 No. Non-illuminated reverse applied vinyl opening hours sign measuring 0.4m in height, 0.3m in width and would be 1.1m above ground level. The text would be black with a red logo on a white background.

3.1.3 It should be noted the proposed signage would replace the existing signage on site.

3.2 Conclusion

3.2.1 It is considered that the proposed signage would preserve the character and appearance of the conservation area and the site and would respect the interest of public safety. It is therefore considered that the proposed advertisement is in accordance with saved policies BE9 and BE11 of the Maldon District Replacement Local Plan, emerging policies D3 and D6 of the submitted Local Development Plan and guidance contained within the National Planning Policy Framework.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2012 including paragraphs:

- **56-68** Requiring Good Design
- **126-141** Conserving and enhancing the historic environment

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- **BE9** Advertisements on Buildings
- **BE11** Advertisements on Buildings in Conservation Area

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

- **D3** Conservation and Heritage Assets
- **D6** Advertisements

4.4 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 Advertisements are controlled only with reference to their effect on amenity and public safety in accordance with Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). The NPPF and National Planning Practice Guidance (NPPG) also provides guidance on advertisements, recognising that poorly placed advertisements can have a negative impact on the appearance of built and natural environment and on public safety.

5.1.2 The main policies when assessing this application are policy BE9 and BE11 of the adopted RLP and policy D6 of the submitted LDP. Policy BE9 stipulates that consent will only be given to signs that respect the interest of public safety and amenity subject to the following criteria:

5.1.3 Advertisements will only be permitted if they are well designed and located so as not to detract from the area in which they are situated.

- Proliferation of signs advertising a single site or enterprise will not be permitted.
- Signs and advertisements should relate to the scale and character of the building in which they are located.
- Consent for signs to be illuminated will be considered in relation to the visual impact and functional need. Such advertisements will not be permitted in residential areas.

5.1.4 Policy BE11, in addition to the previous criteria states that:

- Consent will only be given to signs using materials appropriate to the building, location of the building and use of the building. Where applied lettering or symbols are used the lettering or symbols shall have a three-dimensional quality;
- Internally illuminated signs will not be permitted.

5.1.5 Similarly the criteria set in policy D6 state:

- The design, materials and location of the advertisement respects the scale and character of the building in which it is situated, the surrounding areas, and other advertisements within the area;
- Any proposals will not result in a cluttered street scene, excessive signage, or proliferation of signs advertising a single site or enterprise;
- Consent for signs to be illuminated will be considered in relation to impact on visual amenity, potential light pollution, road safety and functional need. Internally illuminated signs will not be permitted where a listed building or a conservation area is affected. Illuminated signs will not be permitted in residential areas;
- Where an advertisement is situated in a location remote from the business being advertised, permission will only be granted where the need for the advertisement clearly overrides any detriment to local amenity; adequate measures must then be put in place to reduce any potential harm to the amenity of the area

5.1.6 Paragraph 67 of the NPPF seeks to ensure that advertisements are appropriate for their setting. It states that control of advertisements should be efficient, effective and simple in operation.

5.1.7 As the proposal seeks consent in order to display signage within an existing commercial site, it is considered that the principle is acceptable. Other material considerations are discussed below.

5.2 Impact on the Character of the Area

5.2.1 The application site is part of the Conservation Area of Maldon. A Conservation Area is an area of special architectural interest, with a character or appearance which is considered desirable to enhance or preserve. According to policies BE11 of the RLP and D3 of the submission LDP any proposal within a conservation area requires clear and convincing justification and can only be considered acceptable if it would not harm the building, its settings and any feature that contributes to the special architectural or historic interest, or the benefits from the proposal overwhelmingly outweigh the loss or harm.

5.2.2 In assessing the impact of visual amenity, the Local Planning Authority must assess the visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. In assessing amenity, the Local Planning Authority must consider the local characteristics of the neighbourhood and whether the proposed advert is in scale and in keeping with the character and appearance of the area.

5.2.3 With regard to the character of the area, the application site is located within Maldon Conservation Area as mentioned previously. 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 derives from a range of factors including the design of the buildings as well as the materials used.

- 5.2.1 In terms of detracting from the area, the proposed signs would be viewed in context of the application site and would represent signage in-line with the permitted intended use of the application site. The proposed illumination would not affect the character of the area, when taking into account the existing fascia logo sign (approved under application 10/00033/ADV) is externally illuminated. It is considered that the proposed signage would not increase the level of advertisement on the site, as it would replace the existing signage. Furthermore, the scale and proportions of the proposed signage are not considered to be disproportionate in relation to the main building, being similar in size to the existing signage on site. Furthermore, the proposed materials are considered acceptable and the Conservation Officer has raised no objection.
- 5.2.2 Therefore, it is not considered that the proposed advertisements would result in demonstrable harm to the character or appearance of the commercial locality or a proliferation of advertisement nor would they be visually obtrusive and it is considered that they would preserve the character and appearance of the conservation area.

5.3 Effect on Public Safety

- 5.3.1 Considerations of public safety are defined as matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians. The vital consideration in assessing an advertisement's impact is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and other's safety.
- 5.3.2 All advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. If it can be demonstrated that signs would be confused with traffic or directional signals or the visibility of drivers is impaired an application may be refused.
- 5.3.3 It is considered that the design of the adverts themselves is of a nature which is simple, clear and legible and is unlikely to result in the confusion or delay of passing traffic to the detriment of highway safety.
- 5.3.4 The positioning of the advertisements which are visible from the highway, are not considered to result in the confusion or delay of passing traffic to the detriment of highway safety. A condition shall be imposed to control the illumination of signs if advertisement consent is to be granted.
- 5.3.5 Therefore, subject to conditions, no conflict would arise with saved policy BE9 of the RLP or policy D6 of the submitted LDP.

6. ANY RELEVANT SITE HISTORY

- 10/00033/ADV - Fret-cut lettering to be added to existing fascia sign. Existing fascia sign consists of HSBC letters and logo, proposals involve adding the web address and telephone number in matching, but smaller, fret-cut letters. – Approved - 11.03.2010.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	The Town Council recommends refusal of all externally illuminated signage in this application on the grounds that it is out of keeping with the Conservation Area.	Addressed within section 5.2 of the report.

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Highways	No objections subject to a condition	Noted

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	I raise no objection to this application. The replacement signage will be very similar in appearance to the existing. The development will preserve the special character and appearance of the Maldon Conservation Area.	Noted
Urban Design Officer	The proposal does not impact on the content of the masterplan. I have no comments to make on the proposal.	Noted

8. **PROPOSED CONDITIONS**

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

REASON 1 – 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements)(England) Regulations 2007.
- 7 The light source shall be positioned or shielded so that no impairment of vision will affect the users of the public highway.

REASON: To minimise the effect of the advertisement upon the public safety.
- 8 The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 600 Candelas per square metre (600cd/m²).

REASON: To ensure that glare and dazzle is not caused to traffic in the adjoining highway, in the interests of highway safety.

INFORMATIVES

1. The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging or adjacent to the highway which is considered to be an obstruction or a hazard to the safe and convenient passage of the public in the highway.
2. All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the specifications of the Highway Authority; details shall be agreed before the commencement of works.



REPORT of INTERIM HEAD OF PLANNING SERVICES

to
PLANNING AND LICENSING COMMITTEE
2 MARCH 2017

(TO BE CONSIDERED BY THE NORTH WESTERN AREA PLANNING COMMITTEE ON 6 FEBRUARY 2017 AND CENTRAL AREA PLANNING COMMITTEE ON 22 FEBRUARY 2017)

Application Number	FUL/MAL/16/01419
Location	Vaulty Manor Goldhanger Road Heybridge Essex
Proposal	Wedding gazebo within the enclosed garden of Vaulty Manor
Applicant	Mr Colin Downie - Osea Leisure Park
Agent	Geoffrey Vale - Geoffrey Vale Chartered Architect
Date Valid	6 December 2016
Target Decision Date	7 March 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	The planning application and Listed Building Consent both fall under the parishes of Goldhanger and Heybridge and therefore would need to be considered by Members at the North Western Area Planning Committee and Central Area Planning Committee.
Application Number	LBC/MAL/16/01420
Location	Vaulty Manor Goldhanger Road Heybridge Essex
Proposal	Wedding gazebo within the enclosed garden of Vaulty Manor
Applicant	Mr Colin Downie - Osea Leisure Park
Agent	Geoffrey Vale - Geoffrey Vale Chartered Architect
Date Valid	6 December 2016
Target Decision Date	31 January 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	The planning application and Listed Building Consent both fall under the parishes of Goldhanger and Heybridge and therefore would need to be considered by Members at the North Western Area Planning Committee and Central Area Planning Committee.

1. RECOMMENDATION

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

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

2. SITE MAP

Please see overleaf.

Vaulty Manor, Goldhanger Road, Heybridge
FUL/MAL/16/01419



 MALDON DISTRICT COUNCIL Copyright <small>For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014</small>	Scale:	1:5,000
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	C Committee 16/01419/FUL
	Date:	09/02/2017
	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 in the rural area beyond the settlement boundaries for both Goldhanger and Heybridge. The site is located on the north side of Maldon Road/Goldhanger Road with the buildings set back approximately 140 metres from the highway. To the front / southern boundary of the application site there is an established hedge and some trees have been planted along the private driveway into the site. The site itself is occupied by a Grade II listed building and planning permission was granted to change the use of the existing six bedroom 'Vaulty Manor' to be used as a hotel in association with the existing wedding venue (reference: FUL/MAL/16/00026).
- 3.1.2 Planning permission is sought for the erection of a gazebo to be used in conjunction with the existing wedding venue. The gazebo would be octagon in shape and measure approximately 4 metres wide and 4 metres deep with a height of 3.9 metres to ridge level. It would be positioned approximately 12 metres further forward and 32 metres away to west from the main house.

3.2 Conclusion

- 3.2.1 The gazebo, to be used in conjunction with the existing wedding venue at Vaulty Manor is considered acceptable in principle and would not cause demonstrable harm to the character and appearance of the rural area, the residential amenity of neighbouring properties and the setting of the Grade II listed building. In this respect, the proposal would accord with policies BE1, BE16 and CC6 of the adopted local plan, policies S1, S8, D1, D3 and H4 of the Local Development Plan, and Government advice contained within the National Planning Policy Framework.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2012 including paragraphs:

- 7, 14, 17, 56, 57

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE1, BE16, CC6

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

- S1, S8, D1, D3, H4

4.4 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of erecting a gazebo to be used in conjunction with the established wedding venue within the house and ground is considered acceptable. There is no objection to the development proposal in principle subject to other planning considerations which will be discussed below:-

5.2 Design and Impact on the Character of the Area and the setting of the Listed Building

- 5.2.1 Policy BE1 of the adopted local plan states that development proposals will only be permitted if they are compatible with their surroundings in terms of layout, scale, bulk, height and visual impact. The gazebo would be set within the grounds of a listed building and as such policy BE16 would also apply to this case. Further, policy D3 of the Local Development Plan and the National Planning Policy Framework both provide guidance on heritage assets. Policy BE16 states that ‘extensions, alterations to, and additional buildings in the curtilage of listed buildings’ will only be permitted if the proposal would not harm the building, its setting and any features that contribute to its special architectural or historic interest.
- 5.2.2 The development proposes to construct a gazebo to be used for wedding purposes in conjunction with the main house. The gazebo would be octagon in shape and of a simple design. It is modest in scale, featuring external materials such as wood composite for the decking and painted timber posts supporting the cedar shingles to form the roof. The gazebo would be positioned approximately 35 metres away from west of the main house and therefore would not have material impact on the principle building which is Grade II listed. Whilst it is noted that the gazebo would be set 12 metres further forward than the house, it would still be screened by existing line of trees and therefore cannot be seen from the public domain. The structure is considered to be appropriate and sympathetic to the rural setting in accordance with Policies BE1, BE16 and CC6 of the adopted local plan and Policies S1, S8, D1 and D3 of the Local Development Plan. The Conservation Officer has raised no objection to the proposal.

5.3 Impact on Residential Amenity

- 5.3.1 Policy BE1 of the adopted local plan seeks to protect neighbouring occupiers from development which would be detrimental to their amenities by reason of overlooking, overpowering and loss of light. The nearest dwellings are No. 1 and 2 Vaulty Manor Cottages located approximately 190 metres away to the south east of the site with the Barrow Marsh Caravan Park located some 170 metres to the south west. Having considered the scale and nature of work proposed, it is not considered the gazebo would have an adverse impact on the amenity of the occupiers at the named cottages or the occupiers at the caravan park to warrant refusal.
- 5.3.2 Whilst it is acknowledged that the gazebo, to be used for wedding purposes, may result in some noise and disturbance i.e. with music being played from the structure, it is important to note that there is currently no restriction within the grounds of the house to erect a temporary structure such as a tent for a day with music being played

within. As such, it is considered the gazebo would not significantly harm the residential amenity of the above residential properties to justify refusal of this application.

- 5.3.4 Having checked the planning history for the site, it appears that no restriction has been placed on the house and grounds to facilitate functions, parties and weddings, it is therefore considered to impose a condition restricting music being played during wedding ceremonies within the gazebo would be unreasonable.

5.4 Access, Parking and Highway Safety

- 5.4.1 The construction of a gazebo would not reduce the level of car parking spaces that are currently available within the grounds of Vaulty Manor. The proposed gazebo would not result in additional visitors on top of the existing facility to such a degree as to result in any demonstrable increase in on-site parking. In this respect, the proposal would accord with policy T8 of the adopted local plan and policy T2 of the Local Development Plan.

5.5 Landscaping

- 5.5.1 The proposed gazebo positioned on a lawn area and would be screened by existing soft landscaping. In preparation for wedding ceremonies, temporary decorations such as flower displays, mats and seats would be laid out for the people attending the wedding. As these features would be temporary, it is considered that it would not harm the character and appearance of the area and the setting of the listed building.

5.6 Other Material Considerations

- 5.6.1 The application site is located on the boarder of Flood Zones 2 and 3. The site area is approximately 2.6 hectares and as such the Environment Agency, Essex County Council Sustainable Urban Drainage (ECC SUDs) Team and the Emergency Planner were consulted regarding the development proposal. No objection has been raised by the Environment Agency and the ECC SUDs Team. The Emergency Planner has raised no objection to the proposal subject to a condition to be imposed for a flood water evacuation plan to be presented on site. This can be dealt with by a planning condition.

6. ANY RELEVANT SITE HISTORY

- 01/00105/FUL - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall. Approved 28.03.2001
- 01/00106/LBC - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall.
- 02/00201/FUL - Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002
- 02/00202/LBC - Application for listed building consent to Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002

- 02/00849/FUL - Erection of guest accommodation rooms. Approved 12.11.2002
- 03/01220/FUL - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004
- 03/01221/LBC - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004
- 05/00666/FUL - Extension to Banqueting Hall. Approved 07.02.2006
- 16/00026/FUL - Change of use (of the house on the estate site) from (C3) private dwelling house to (C1) hotel/guest house. Approved: 10.05.2016
- 16/00027/LBC - Minor alterations to first floor interior bedroom and en-suite arrangements. Granted Listed Building Consent: 08.03.2016.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
Goldhanger Parish Council	Supports the FUL and LBC applications	Acknowledged
Heybridge Parish Council	To grant planning permission and Listed Building Consent	Acknowledged

7.2 **Statutory Consultees and Other Organisations** (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Environment Agency	The site is in an area of flood risk. EA has advised that in managing flood risk, is for the Council to consult the Emergency Planner when making decisions.	Noted
Emergency Planner	No objection subject to a condition for a flood water evacuation plan to be presented on site	Noted
SUDs Team	The scheme is unlikely to have much of an impact on surface water drainage.	Noted
ECC Highways	No objection	Noted

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objection to the proposed gazebo. It will cause no harm to the setting or significance of the Grade II listed Vaulty Manor.	This has been addressed in Paragraph 5.2.2.

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 No letters of representation at the time of writing this report.

8. **PROPOSED CONDITIONS**

FUL/MAL/16/01419:-

- 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON To ensure that the development is carried out in accordance with the details as approved.
- 3 No development shall take place until written details or 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.
REASON To ensure that external materials for the construction of the development is appropriate to the rural area in accordance with policies BE1 and CC6 of the Maldon District Replacement Local Plan, policies S1, S8 and D1 of the Maldon District Local Development Plan, and Government guidance contained within the National Planning Policy Framework.
- 4 Prior to first use of the gazebo hereby permitted, weatherproof signs shall be displayed within the gazebo, which comprehensively describe the site evacuation procedures in the event of a flood. The signage shall thereafter be retained.
REASON: To ensure that all users of the development are aware that the site is at risk of flooding in accordance with policy D5 of the Maldon District Local Development Plan, and government advice contained within the National Planning Policy Framework and Planning Practice Guidance.

LBC/MAL/16/01420:

- 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 the approved drawings specifically referenced on this decision notice.
REASON To ensure that the development is carried out in accordance with the details as approved.



**REPORT of
INTERIM HEAD OF PLANNING SERVICES**

**to
CENTRAL AREA PLANNING COMMITTEE
22 FEBRUARY 2017**

OTHER AREA PLANNING AND RELATED MATTERS

ITEM 1 APPEALS LODGED

ITEM 3 APPEAL DECISIONS

Please see overleaf.

ITEM 1 APPEALS LODGED

Notification has been received from the Planning Inspectorate of the following appeals lodged.

ITEM 2 APPEAL DECISIONS

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

OUT/MAL/16/00360 (Appeal Ref: APP/X1545/W/16/3158021)

Proposal: Outline planning permission for erection of a dwelling and garage

Address: Land South Of Grapnells Farm, Wood Lane, Heybridge, Essex

Decision Level: Delegated

APPEAL DISMISSED – 26 January 2017

RES/MAL/15/01055 (Appeal Ref: APP/X1545/W/16/3156961)

Proposal: Approval of Reserved Matters application relating to the approval of appearance, landscaping, layout and scale as required by condition 1 and 3 of Outline Planning Permission ref APP/X1545/A/14/2213988 (Outline planning permission for demolition of existing buildings and erection of up to 120 residential dwellings with associated vehicular access OUT/MAL/13/00763). This reserved matters application is for 108 dwellings

Address: Land East of Wycke Hill, Maldon

Decision Level: Committee overturned Officer recommendation to approve

APPEAL ALLOWED – 6 February 2017

HOUSE/MAL/16/00769 (Appeal Ref: APP/X1545/D/16/3162395)

Proposal: Single storey rear extension to an existing dwellinghouse.

Address: 81 Holloway Road - Heybridge

APPEAL ALLOWED – 10 February 2017

DECISION LEVEL: Delegated