



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
CENTRAL AREA PLANNING COMMITTEE
14 NOVEMBER 2018**

Application Number	LBC/MAL/18/01079
Location	Avanti Photographics 57 High Street Maldon Essex
Proposal	Works associated with reconfiguration of existing retail space and conversion of remainder to 2No. Maisonettes and 1No. Studio Flat
Applicant	Salisbury Bright Ideas (Maldon) Ltd
Agent	A R Property Designs
Target Decision Date	19.11.2018
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call-in, Councillor M R Pearlman, of associated application reference FUL/MAL/18/01078

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

57 High Street
FUL/MAL/18/01078



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Maldon District Council 100018588 2014



www.maldon.gov.uk

Scale: 1:625

Organisation: Maldon District Council

Department: Department

Comments: Central Area Committee

Date: 15/10/2018

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 57 High Street is a Grade II listed building within the Maldon Conservation Area on the northern side of the High Street around 15m to the west of its junction with Market Hill. The neighbouring properties, 55 and 59 High Street are also Grade II listed buildings.
- 3.1.2 The property is within the Primary Retail Frontage as designated in the Local Development Plan (LDP).
- 3.1.3 The building is currently vacant but was last used for Class A1 (retail) purposes across a total of five floors (including a basement). There is no rear access to the property. The building fills the application site.
- 3.1.4 The proposal is for works associated with the proposed change of use of the property from Class A1 to mixed Class A1 and 3no. one bedroom residential units.
- 3.1.5 The conversion would involve reconfiguring the internal layout including the removal of sections of walls and new partition walling at ground and first -floor levels, blocking-up existing openings at ground and first-floor levels, the removal of existing staircases and installation of new staircases, and the formation of new doorways at ground and first floor levels, along with installation of bathrooms and kitchens. Externally, two roof lights in the rear flat roof would be replaced with a glazed lantern feature, a new roof light would be inserted into the rear flat roof over the stairwell enlargement and three new windows would be inserted into side elevation to serve a stairwell, cloakroom and a living room.
- 3.1.6 The residential units would be accessed via the existing side, shared access. There would be provision for bin and cycle storage within the converted building. A small external terrace (c.3sq.m.) with railing enclosure would be created at first floor level.
- 3.1.7 The application is accompanied by a Design and Access Statement and Heritage Asset Statement, bat survey declaration, Supplementary Heritage Asset Statement, and quotes from Lincoln Conservation for the conservation of wallpaper in the stairwell and the first and second floor rooms of 57 High Street.

3.2 Conclusion

- 3.2.1 The works proposed would not cause harm to the significance of the listed building, subject to the imposition of conditions.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2018 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places
- 184-192 Conserving and enhancing the historic environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S5 Maldon and Heybridge Central Area
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- H4 Effective Use of Land

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Essex Design Guide
- Maldon and Heybridge Central Area Masterplan
- Maldon District Design Guide (MDDG)

5. MAIN CONSIDERATIONS

5.1 The issue which requires consideration as part of the determination of this application is the impact of the proposed works on the listed building.

5.2 Impact on the Listed Building

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- Height, size, scale, form, massing and proportion;
- Landscape setting, townscape setting and skylines;
- Layout, orientation, and density;
- Historic environment particularly in relation to designated and non-designated heritage assets;
- Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- Energy and resource efficiency.

5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.2.5 In addition, policy H4 requires all development to be design-led and to seek to optimise the use of land having regard, among others, to the location and the setting of the site, and the existing character and density of the surrounding area. The policy also seeks to promote development which maintains, and where possible enhances, the character and sustainability of the original building and the surrounding area; is of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhances the sustainability of the original building; and does not involve the loss of any important landscape, heritage features or ecology interests.

5.2.6 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to desirability of preserving or enhancing the character or appearance of the conservation area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Council must have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Similarly, policy D3 of the approved Maldon District Local Development Plan (MDLDP) states that development proposals that affect a heritage assets must preserve or enhance its special character, appearance, setting and any features and fabric of architectural or historic interest. Where a proposed development would cause less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.2.7 The Conservation Officer has provided the following, specialist advice:-

Description of the heritage assets' significance:

Many, if not most, of the historic buildings which line Maldon High Street were either built or re-fronted in the Georgian period. These buildings typically present restrained and balanced, classically-themed facades with sash windows and parapets, and they set the dominant tone of the conservation area's architectural character and significance. In striking contrast to this, Nos 57 & 59 are part of a run of buildings erected in the late-19th century in a variety of exuberant and eclectic revivalist styles. These buildings are found on the north side of the High Street between the Moot Hall and the top of Market Hill and they were mostly rebuilt following a devastating fire in 1892. These Victorian buildings are all of high quality designs, materials and detailing. Their varied forms and materials create a lively and interesting townscape and make for a refreshing contrast to the more uniform classical Georgian facades on the opposite side of the road. They – and Nos 57 and 59 in particular – make a very positive contribution to the special character and appearance (or significance) of this part of the conservation area.

There is a terracotta plaque on the façade of Nos 57 and 59 bearing the date it was built – 1892 (the same year as the Great Fire) – and the initials of its owner and builder – Leonard Bentall. The façade is largely unaltered, comprising three storeys framed by ornate terracotta pilasters and cornicing, a pair of painted-timber shopfronts on the ground floor flanking a central passageway, red brickwork to the first and second floors, canted oriel windows on the first floor, and sash windows framed by terracotta surrounds on the second floor. The front brickwork retains its original red stopping mortar and the brickwork in the passage has bastard tuck pointing.

Internally, No. 57 has been modernised at ground-floor and first-floor level, but it is remarkably unaltered at second-floor and third-floor level. Permission was granted by the Borough Council to add a modest two-storey rear extension in 1902, and the plans for that (reproduced below) shed some light on the original layout of the building. Towards the centre of the ground-floor shop as it is today, there was a staircase which ran right up to the second floor. This staircase has been removed but it aligns with an original flight of stairs which connects the second and third floors.

In contrast to the rest of the interior, the second and third floors of No. 57 are a remarkable time-capsule. Here, the main stair passage and two of the adjoining rooms retain an incredible amount of apparently original wall paper and joinery paintwork. The stair passage is the most striking of the spaces, where the wallpaper is of a bold Aesthetic-style design with different patterns above and below a fictive dado rail which follows the angle of the stairs. There is even an original gas light fitting. Although these rooms must have originally been lived in, their unparalleled state of preservation suggests that they were fairly soon abandoned and left to be used for low-key storage. From at least 1894 the building was owned by the Gower family which ran a “stationers and printers” business from the premises until around 1990.

In the latter part of the 20th century the rear yard was infilled by a two-storey extension with a flat, felt-covered roof. This is a utilitarian and architecturally bland structure of no significance, but it is fortunately largely hidden from view.

Overall, the significance of the listed building derives mainly from its age, ornate late-Victorian design, the special contribution it makes to the architectural character of the streetscene, the very high quality of its materials and detailing, its exceptionally well-preserved façade and second and first-floor interior, and its association with figures of local historical interest.

Identification and assessment of the proposal's likely impact on the asset's significance:

The applicant's commitment to retain and conserve the historic wallpaper and finishes is highly commendable. However, the interior of the second and third floors needs to be recorded and analysed prior to any work starting on it, and a detailed methodology for the conservation work needs to be submitted for approval prior to commencement. It is disappointing that this information was not submitted with the application, as I had recommended at preapp stage. In the absence of this information, it will need to be required by a pre-commencement condition.

I do not object the proposed bin stores on the ground floor. The 'retail bin store' will be in the zone occupied historically by the original stairs, so will not disrupt an important internal space. The 'residential bin store' will involve the loss of some of the structure of the 1902 extension, but as this has already been quite altered I consider it to be of low significance.

None of the other proposed alterations would result in the loss of any historic important historic fabric or detract from the building's special character.

- 5.2.8 Based on the above advice, it is considered that the proposed development would cause no harm to the significance of the listed building, subject to conditions requiring the recording, analysing and conservation of the historic finishes on the second and third floors, and details of the design and materials to be used for the new external windows and doors, as recommended by the Conservation Officer.
- 5.2.9 Essex County Council Archaeology advised that the upper domestic floors are remarkably unchanged and contain notable survivals of a late Victorian decorative scheme, including wall papers. Such survival is both extremely rare and very fragile. They also recommend that a full condition requiring building recording is imposed.
- 5.2.10 The proposed conversion has been designed in such a way as to minimize external alterations to the building and internal works to the original part of the building, as well as to provide an opportunity to record, analyse and conserve the historic finishes on the second and third floors of the building.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/18/01079** Reconfigure existing retail space with remainder converted to 2No. Maisonettes and 1No. Studio Flat. Undetermined to date

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Objects – loss of retail floorspace in the High Street and loss of storage space, lack of external fire exits for residents, proposed bin store a fire hazard, lack of access and concern that alleyway access not compliant with the Crime and Disorder Act 1997	Noted –matters raised are not material to the determination of an application for listed building consent, and are dealt with as part of the associated FUL/MAL/18/01078

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council Archaeology	No objection subject to a condition requiring the implementation of a historic building recording programme	Noted – refer to section 5.2 of report

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objection subject to conditions	Noted – refer to section 5.2 of report

7.4 Representations received from Interested Parties

7.4.1 No letters of representation received.

8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 accordance with the following approved plans and documents: L1, 01, 02 revA, location plan, SK05
REASON To ensure that the development is carried out in accordance with the details as approved.
- 3 No works shall take place until a report by a conservator has been submitted to and approved in writing by the local planning authority. The report shall including the recording and analysing of the historic finishes on the second

and third floors of the building and a methodology for their conservation. The works shall be carried-out in accordance with the approved details.

REASON In the interest of the integrity of the listed building, in accordance with policies D1 and D3 of the approved LDP and guidance contained within the NPPF.

- 4 No works shall take place until large-scale drawings of all new windows and doors – illustrating elevations at 1:20, section details (including of glazing bars) at 1:2 and materials - have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.

REASON In the interest of the integrity of the listed building, in accordance with policies D1 and D3 of the approved LDP and guidance contained within the NPPF.