



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

to
**NORTH WESTERN AREA PLANNING COMMITTEE
28 OCTOBER 2019**

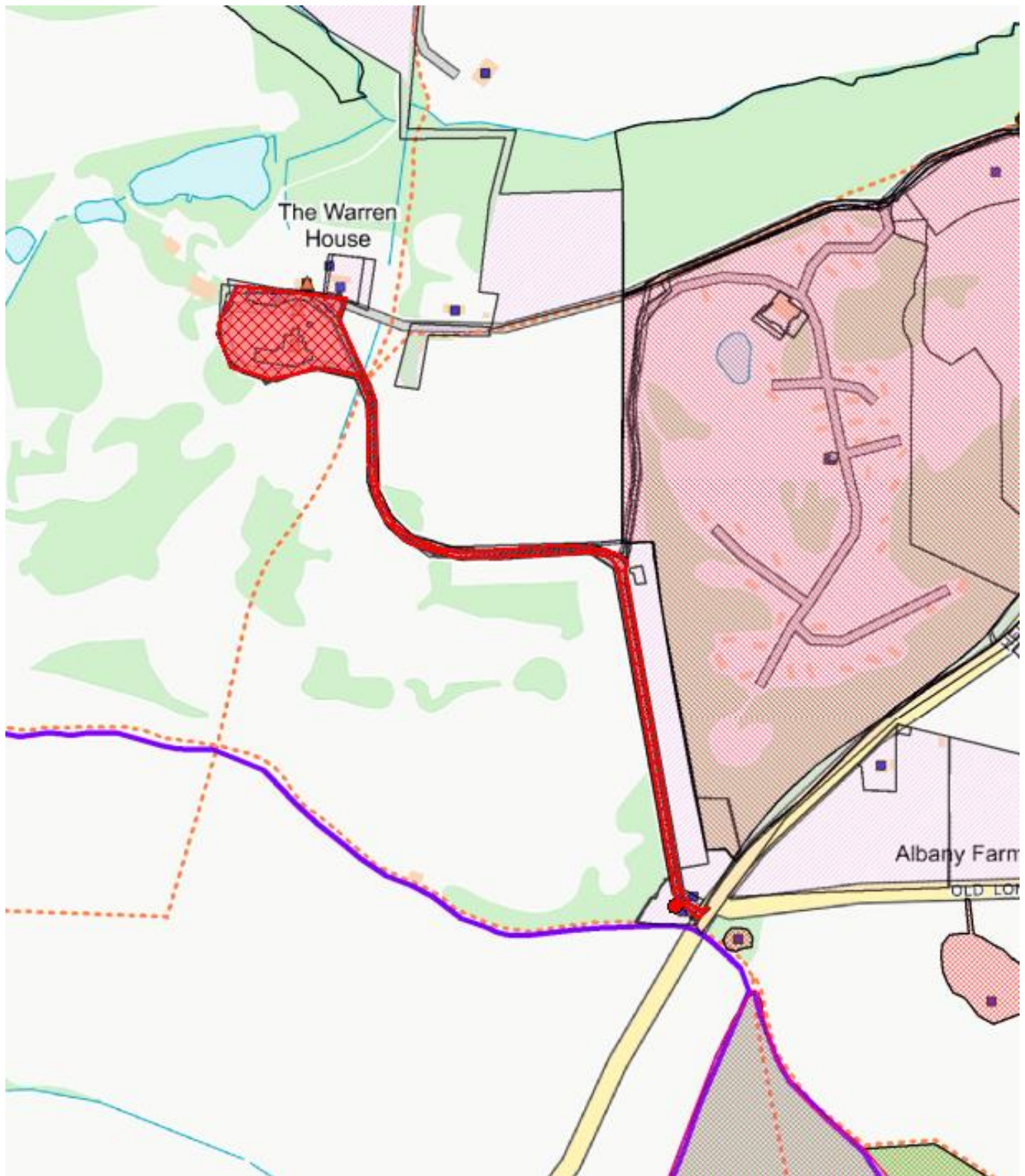
Application Number	FUL/MAL/19/00843
Location	The Warren Old London Road Woodham Walter
Proposal	New surface to existing car park
Applicant	Mr Neil Vaughan
Agent	Ms Annabel Brown
Target Decision Date	01/11/2019
Case Officer	Hannah Bowles
Parish	Woodham Walter
Reason for Referral to the Committee / Council	Major Application

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The Warren is a Grade II listed building used as a golf club and wedding venue. The site is located within an area of open countryside set off a narrow access track between two dwellings known as No.1 and 2 Redgates.
- 3.1.2 The application site occupies three buildings and the members car park, which is the subject of this application.
- 3.1.3 Planning permission is sought to re-surface the existing car park, which covers an area of approximately 2352.30sqm. The car park is currently surfaced with loose gravel. It is proposed to resurface the area with a mix of black tarmac to the circulation areas and a paler tar and chip surface to the parking bays.
- 3.1.4 Please note the access, scale and use of the car park is not impacted by the proposed development.

3.2 Conclusion

- 3.2.1 The proposal to re-surface the existing car park area is considered to be acceptable in principle and the proposed surface materials are considered to have an acceptable visual impact on the site and setting of the listed buildings in accordance with policy D1 and D3 of the Local Development Plan (LDP) and the guidance contained within the NPPF.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2019 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
- 59-66 Delivering a sufficient supply of homes
- 102-111 Promoting sustainable transport
- 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
- S8 Settlement Boundaries and the Countryside

- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Guidance (NPPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The proposed development relates to the maintenance of an existing car park, utilised by members of The Warren. Therefore, the proposal to re-surface the existing car park is considered acceptable in principle.

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, 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:

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;

- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- 5.2.4 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.2.5 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. Similarly, policy D3 of the approved Maldon District Local Development Plan states that development proposals that affect a heritage asset 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.
- 5.2.6 The proposed development is for the re-surfacing of the existing members car park, used in association with The Warren golf club and wedding venue. The area of land to be covered is approximately 2352.30sqm. The car park is currently surfaced with loose gravel. It is proposed to re-surface the area with a mix of black tarmac to the circulation areas and a paler tar and chip surface to the parking bays.
- 5.2.7 Following initial concerns with the proposal, due to the proposed material, which would have resulted in the entire 2,352.30sqm area being surfaced in black tarmac; the applicants have amended the proposed materials to include a buff colored chip and tar surface material to the parking bays to break up what would have been a large black mass.
- 5.2.8 The amended plan and surface details are considered acceptable to replace to the existing loose gravel which is considered to be in need of upgrading/replacing. The proposed surface materials would not form an overbearing mass considering the visual break due to the buff coloured chip and tar surface.
- 5.2.9 As stated above the application site includes listed buildings which are in close proximity to the proposed newly surfaced car park. The Conservation Officer has been consulted and confirmed that the proposal would have a neutral impact on the setting of the listed building.
- 5.2.10 Therefore, there are no concerns in relation impact of the re-surfacing of the existing car park on the character and appearance of the area and the proposal is considered to comply with policies D1 and D3 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the Maldon District Design Guide (2017).
- 5.3.2 There are residential properties within the vicinity of the site however, given the nature of the development it is not considered that the proposal would result in a loss of light or overlooking to the detriment of the neighbouring occupiers.

5.4 Other Material Considerations

- 5.4.1 It is noted that concerns in relation to the potential surface water runoff and the impact this may have on the neighbouring occupiers has been raised. The Environmental Health Officer suggested a condition in relation to the surface water drainage and in response to the request for the pre-commencement condition the agent for the application sent over a previously approved drainage strategy for the site. Following the assessment of this document it is considered that a condition to ensure that infiltration testing is undertaken to determine the suitability of infiltration techniques, should be implement if the proposal is approved.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/00/01060** - Proposed change of use of cricket pavilion to residential – Refused.
- **FUL/MAL/14/00556** and **LBC/MAL/14/00557** - Clubhouse redevelopment and internal alterations, incorporating a new building to provide changing room facilities and plant room – Approved.
- **LBC/MAL/15/00008** - Internal and external alterations to existing clubhouse – Approved.
- **FUL/MAL/15/00047** - Residential development comprising 11 dwellings – Refused. Appeal dismissed.
- **LBC/MAL/15/00915** - Alterations to clubhouse – Approved.
- **FUL/MAL/15/00925** - Erection of Pergola for weddings – Approved.
- **FUL/MAL/15/01155** - Alterations to clubhouse – Approved.
- **FUL/MAL/18/00064** and **LBC/MAL/18/00065** - New build linking building between clubhouse and barn to replace existing structure which was approved for alteration in **LBC/MAL/15/00915** – Approved.
- **LBC/MAL/18/00303** - Replacement glazing to existing barn building and new sliding folding doors to existing bar area opening – Approved.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Woodham Walter Parish Council	We raise no objection but wish to make the following comment: Councillors consider that it is a shame that a listed building will be fronted by a sea of tarmac as the building will gain an urban character. The Parish Council will defer to the Conservation Officer's recommendation.	The Conservation Officer shared the view expressed by the Parish Council. The applicants have since amended the material to be a combination of black tarmac and

7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objection to amended surface materials.	Noted.
Environmental Health	Satisfied with the strategy provided and would request that the recommendations (2 and 3) are applied from that report as follows: <i>'2. Undertake BRE 365 infiltration testing to determine the suitability of infiltration techniques'</i> <i>'3. Survey the existing sewerage treatment plant to confirm that sufficient capacity exists'</i>	Noted and a condition has been recommended in relation to infiltration testing. However, given the proposal is for a car park surface the capacity of the sewerage treatment plant is considered unnecessary.

7.3 Representations received from Interested Parties (*summarised*)

7.3.1 No letters of representation have been 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).

2. The development hereby permitted shall be carried out in complete accordance with approved drawings and documents: EZH_001, A18553A/PP09 received on 08/10/2019 and Drainage Strategy received on 09/10/2019.
REASON: For the avoidance of doubt as to the extent of this permission.
3. The materials to be used for the surface of the car park hereby approved shall be black tarmac to the circulation areas and buff tar and chip to the parking bays, unless otherwise agreed in writing by the LPA.
REASON: To protect the character and appearance of the area and the setting of the listed buildings in accordance with policies D1 and D3 of the LDP.
4. Prior to any part of the new surface hereby permitted being laid, a scheme detailing the infiltration techniques to serve the development shall be submitted to and agreed in writing by the local planning authority. The scheme shall include BRE 365 infiltration testing, as recommended in the submitted drainage strategy dated February 2019. The agreed scheme shall be implemented prior to the first beneficial use of the new car park surface and retained in perpetuity.
REASON: To ensure and appropriate surface water drainage scheme is implemented in accordance with policy D2 of the LDP.