



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
24 JULY 2019**

PRESENT

Chairman	Councillor M S Heard
Councillors	Miss A M Beale, M R Edwards, B E Harker, C Mayes, C Morris, N G F Shaughnessy, Mrs J C Stilts and C Swain
Ex-Officio Non-Voting Member	Councillor(s) Mrs P A Channer, CC

278. CHAIRMAN'S NOTICES

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

279. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S N Nunn and K M H Lagan.

280. MINUTES OF THE LAST MEETING

Minute No. 193 - FUL/MAL/19/00425 - Land Adjacent 53 Orchard Road, Maldon

Councillor C Morris disagreed with Minute 193 - FUL/MAL/19/00425 - Land Adjacent 53 Orchard Road, Maldon, as there had not been sufficient time allowed for his proposal to be seconded.

The Chairman advised that the item had been recorded accurately, but Councillor Morris's comments would be noted.

RESOLVED

- (i) that subject to the above amendment the Minutes of the meeting of the Committee held on 26 June 2019 be confirmed.

281. DISCLOSURE OF INTEREST

Councillor C Morris declared a non-pecuniary interest in Agenda Item 5, FUL/MAL/19/00044 - The Old Ship, Lock Hill, Heybridge Basin, Essex, as he had occasionally frequented the premises as a customer.

Councillor P A Channer declared a non-pecuniary interest in all items on the agenda as she was a member of Essex County Council, a consultee on planning application matters with respect generally, to highways, matters of access and education primarily.

Councillor M S Heard declared a non-pecuniary interest in Agenda Item 6, HOUSE/MAL/19/00688 - 94 Dorset Road, Maldon, as he had previously been contacted by the Applicant and discussed the process within the Chamber, but not the application.

282. FUL/MAL/19/00044 - THE OLD SHIP, LOCK HILL, HEYBRIDGE BASIN, ESSEX

Application Number	FUL/MAL/19/00044
Location	The Old Ship, Lock Hill, Heybridge Basin, Essex
Proposal	Section 73A application for change of use of the grassed area to the front of the pub to an amenity area
Applicant	Mrs D Cooper
Target Decision Date	26 th July 2019
Case Officer	Nicola Ward
Parish	HEYBRIDGE EAST
Reason for Referral to the Committee / Council	Member Call In Councillor B E Harker – The visual impact on the character of the Conservation Area

The Officer presented their report to the Committee, noting the Members' Update which advised that the Parish Council had, at time of going to print, made no comment regarding the application.

Following the Officer's presentation, Mr David Brock, an Objector, Councillor Miriam Lewis, representing Heybridge Parish Council, and Mr Tony Cooper, on behalf of the Applicant, addressed the Committee.

Councillor B E Harker opened the discussions, making comment on how the prospective benches situated in front of the neighbouring cottages would be intrusive, the proximity would be harmful to their amenities and that the application contradicted Section 22 of the Building and Conservation Act 1990 as the cottages were considered a local heritage asset. Councillor Harker then proposed that the application was refused, contrary to the officer's recommendation, for the aforementioned reasons, and this was duly seconded.

The subsequent discussion raised queries as to whether the Village Design Statement had been considered and whether the Conservation Officer had provided any comments.

In response to questions from the Committee, the Lead Specialist Place confirmed that, as the benches were to be a static feature, they required planning permission and if the

terrain they were sited on was to be converted to hard standing a separate application would be required.

Councillor C Morris proposed that the application be approved in accordance with the officer's recommendation, as there was a business need to provide additional seating and were the benches removed of an evening no planning permission would be required. This was duly seconded.

Members reviewed the application with consideration made to comments provided by Conservation Officer, which had not been included in the table at Section 7 of the report. The Lead Specialist Place advised that the report could contain errors where this information had previously been omitted. In light of this, Councillor M S Heard proposed that the application be deferred to allow Officers the opportunity to review the report with the inclusion of the Conservation Officer's comments as this could change the Officer's recommendation. This was duly seconded.

Councillor M S Heard put the initial proposal of refusal, contrary to the Officer's recommendation, to the Committee, and upon a vote being taken the application was refused.

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

The change of use of the grass area to the front of The Old Ship Public House and No.1, 2 and 3 Lock Hill harms the appearance and character of the conservation area, which is a local heritage asset and will have a detrimental impact on the amenities of the residents of No.1, 2 and 3 Lock Hill and therefore the proposal is in conflict with policies D1, D3 and H4 of the Maldon District Local Development Plan and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

283. HOUSE/MAL/19/00688 - 94 DORSET ROAD, MALDON

Application Number	HOUSE/MAL/19/00688
Location	94 Dorset Road, Maldon
Proposal	Part garage conversion, single storey rear extension, first floor side and 2 storey rear extension, material alterations, front canopy/roof alterations and extend existing hardstanding.
Applicant	Mr & Mrs M. Wallis
Agent	Miss Andrea Savill – Athena Architectural Services
Target Decision Date	12.08.2019
Case Officer	Louise Staplehurst
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Member Call In Councillor M S Heard – In the public interest

The Officer presented their report to the Committee, making reference to the Members' Update which provided confirmation that no amendments had been made when compared to the previous application, that a supporting statement had been received, and additional information on the design and impact on the character of the area was

provided. It was noted that a further representation had been received from Maldon Town Council who recommended approval of the application.

Following the Officer's presentation, Councillor Andrew Lay, representing Maldon Town Council, and Mrs Nina Wallis, the Applicant, addressed the Committee.

Councillor F G S Shaughnessy opened the discussion, acknowledging that the application had mirrored the design of the neighbouring property in compliment to the streetscene. Councillor Shaughnessy then made a proposal that the application be approved, contrary to the Officer's recommendation, and this was duly seconded.

The Committee discussed the scale and bulk of the proposed extension, exploring whether there would be a loss of amenities to neighbouring properties and noting that a previous application had been deferred to Officers for decision.

The Chairman put the proposal of approval, contrary to the Officer's recommendation, to the Committee, and upon a vote being taken the application was approved.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: AT-1113 003, AT-1113 001, AT-1113 002 Rev D
REASON: To ensure that the development is carried out in accordance with the details as approved.
3. The materials used in the development hereby approved shall be as set out within the application form/plans hereby approved.
REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 8:35 pm.

M S HEARD
CHAIRMAN