



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**CENTRAL AREA PLANNING COMMITTEE
11 DECEMBER 2019**

Application Number	FUL/MAL/19/001061
Location	Anchor Guest House 7 -9 Church Street Maldon Essex
Proposal	Alteration of existing property and change of use of ground floor guest house accommodation to form a five bedroom "house in multiple occupation". Existing first floor flat and existing attached cottage to be retained as independent dwellings.
Applicant	Mr Stuart Ringer
Agent	Mr Robert Ward-Booth - Ward-Booth Partnership
Target Decision Date	13.12.2019
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call-in – Councillor C Mayes for the following reasons: D4 (5.2) Volume of residential units too high on site therefore not providing a good quality of life H4 (5.28) minimal design inside - not quality living. HMO's are not on the list of development needs. D1 (3.6) insufficient given potential number of residents SPD - potential to have five families (9 people) plus flat (2 persons) and existing cottage (2 persons) (9 spaces + 1 space + 1 space = 11 spaces. Only 4 available and not allocated) D1 poor design inside and out - flat roof retained and rear entrances not designed to provide a quality living environment for residents. D3 (3.28) within conservation area the poor/no design layout overall is lacking. HMO requirements are demanding and quality is paramount to avoid longer term issues that could cause the EHO issues.

1. RECOMMENDATION


REFUSE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

Anchor Guest House 7-9 Church Street, Maldon
19/01061/FUL



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Area Committee
	Date:	19/11/2019
	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 on the northern side of Church Street, close to its junction with High Street and North Street. The site is located within Maldon Conservation Area. The site is within a predominantly residential area but there are non-residential uses in the vicinity including a public house, hot food takeaway, an Islamic Cultural Association and offices.
- 3.1.2 The site currently accommodates a two-bedroom dwelling attached to a building which accommodated a guest house at ground floor and a one-bedroom residential flat at first floor level for the guest house manager. There are existing extensions to the rear of the building – a flat roofed two storey addition which forms part of the existing dwelling and a single storey flat roof projection which forms part of the guest house. Vehicular access to the site is from Church Street and is located to the east of the existing building. This access also provides access to the neighbouring block of flats (Blackwater Court) (11-21 Church Street) which is located to the east of the site. To the north (5 Church Street and 4 North Street) and west (12 North Street) are neighbouring residential properties. The main pedestrian access to the existing dwelling is gained via a doorway on the western elevation of the building. The main pedestrian access to the guest house is on the principal elevation of the building. The main access to the first floor flat is via a doorway to the rear of the building. To the rear of the building is a hard-surfaced area used for parking and storage. The existing building is rendered externally with the main part of the building having a tiled roof.
- 3.1.3 Planning permission is sought for the alteration of the existing property and change of use of the ground floor guest house accommodation to form a five bedroom "house in multiple occupation" (HMO). The existing first floor flat and existing attached cottage would be retained as independent dwellings.
- 3.1.4 The existing rear yard would be used for parking and the storage of bins and bicycles. The existing windows and doors would be replaced on the front and part of the eastern, side elevation with painted timber casement windows and the majority of the existing render would be over-clad with white painted timber weather-boarding. The existing ground floor bay windows on the front elevation of the building would be replaced.
- 3.1.5 The application is accompanied by a Design, Access & Heritage Statement in which it states that the quality of the accommodation in the guest house is very poor by modern standards and 'the size and configuration of the building means that it is poorly suited to the provision of modern and economically sustainable tourist facilities'. It is suggested that the guest house no longer has a viable future. It is stated that the existing rear yard does not provide any on site parking or amenity space for the occupiers of the existing two-bedroom dwelling or the guest house. The agent considers that the proposed external works to the building would enhance the character and appearance of the Conservation Area and outweigh any conflict with parking or amenity space provision standards.
- 3.1.6 The Biodiversity Assessment submitted with the application concludes that the proposal would not have any adverse impact on biodiversity.

3.2 Conclusion

- 3.2.1 The proposal would result in the unjustified loss of tourist accommodation which Policy E5 of the Maldon District Approved Local Development Plan (MDLDP) seeks to retain in the interests of the economy of the District. However, it is concluded that the development would not harm the character or appearance of the area (which is a Conservation Area), would not cause harm to the amenity of neighbours, would provide an adequate quality of life for the occupiers of the proposed residential accommodation, would not cause adverse issues with respect to highway safety/parking. A financial contribution towards RAMS would be required to mitigate the impact of the development on the European nature conservation sites.

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
- 11 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 59-79 Delivering a sufficient supply of homes
- 80-82 Building a strong, competitive economy
- 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
- S5 Maldon and Heybridge Central Area
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- H2 Housing Mix
- H4 Effective Use of Land
- E5 Tourism
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

- 5.1 The main issues which require consideration as part of the determination of this application are the principle of the development, the impact of the development on the character and appearance of the area (which is a Conservation Area), any impact on the occupiers of neighbouring residential properties, the quality of life for the occupiers of the proposed residential accommodation, highway safety/parking and nature conservation.

5.2 Principle of Development

- 5.2.1 Policy S1 refers to the NPPF's presumption in favour of sustainable development and makes specific reference to the local economy, housing growth, effective use of land, prioritising development on previously developed land, design, the environment, sustainable communities, the effects of climate change, avoiding flood risk area, the historic environment, local infrastructure and services, character and appearance, minimising need to travel.
- 5.2.2 Policy S5 states that proposals for retail, office, housing, community, leisure uses and other town centre uses will be supported where they contribute to the regeneration and diversification of Maldon Town Centre.
- 5.2.3 One of the aims of Policy E5 is to protect existing tourism provision and states that the change of use from tourism uses will only be considered if a) There will be no significant loss of tourism facilities as a result, or an alternative provision in the locality can meet the needs b) the existing business/service is not and cannot be made viable; and c) there is no known demand for existing and alternative tourism use, and the site has been marketed effectively for all alternative tourism related uses.
- 5.2.4 With respect to criterion a), the proposal would result in the loss of the existing guest house. There is the Limes Guesthouse on Market Hill, Maldon as well as a number of bed and breakfast options in the Town (The Bell, The Star House, 32 The Hythe and the White House) and a Travelodge is under construction adjacent to the Blackwater Retail Park. However, the application has not been supported by any information for the local planning authority to be able to come to the conclusion that alternative provision in the locality can meet the needs for tourism accommodation. Therefore, the requirements of this criterion have not been met.

- 5.2.5 With respect to criterion b), the applicants agent makes reference to the existing guest house use not being viable. They also consider that the quality of the accommodation in the guest house is very poor by modern standards and ‘the size and configuration of the building means that it is poorly suited to the provision of modern and economically sustainable tourist facilities’. However, there is no information accompanying the application to support these claims. Therefore, the requirements of this criterion have not been met.
- 5.2.6 The last criterion c) relates to criterion b). There is no information accompanying the application for the local planning authority to be able to conclude that there is no known demand for the existing or alternative tourism use, and that the site has been marketed effectively for all alternative tourism related uses. Therefore, the requirements of this criterion have not been met.
- 5.2.7 Whilst there is no objection to the provision of additional residential accommodation in Maldon town centre, the loss of the existing use of the property as a guest house has the potential to be detrimental to tourism provision, thereby harming the economy of the District, contrary to Policies S1, S5 and E5 of the LDP.
- 5.2.8 There is no specific Policy in the LDP relating to proposals for HMOs but the Council can demonstrate a 5-year supply of deliverable land for housing. In addition, the Council encourages, in policy H2, the provision of a greater proportion of smaller units to meet the identified needs and demands. The Council’s updated Strategic Housing Market Assessment (SHMA), published in June 2014, identifies the same need requirements for 60% of new housing to be for one or two-bedroom units and 40% for three-bedroom plus units. It is considered the proposal, which would result in the creation of a two-bedroom, two storey dwelling, a first floor flat (which is currently the guest house manager’s flat) and a five-bedroom HMO at ground floor level at the site, would contribute positively to the identified housing need and be responsive to local circumstances which does weigh in favour of the proposal. However, the weight which can be afforded is very limited due to the small number of residential units proposed.

5.3 Design and Impact on the Character of the Area

- 5.3.1 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.
- 5.3.2 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”.

5.3.3 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;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

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

5.3.5 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. 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 MDLDP states that development proposals that affect 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.

5.3.6 The Conservation Officer has provided the following specialist advice:

Heritage assets affected by this proposal:

This property falls within the Maldon Conservation Area. The street is covered by an Article 4 direction which restricts the replacement of front windows and doors to ensure the retention of traditional architectural detailing and, where appropriate, encourage its reinstatement.

Description of heritage significance:

The building which is now the Anchor Guest House was first built as a terrace of three cottages in the mid-19th century. The old photographs ...show that it is a timber-framed building which was clad in timber weatherboarding and had a slate-clad roof. The front elevation was originally composed of vertically-sliding margin-

glazed sash windows, panelled timber doors framed by simple classical surrounds, and a shopfront at the left-hand end.

Weatherboarded cottages are not very common in Maldon. It is regrettable that this terrace was altered in such an unsympathetic manner in the third quarter of the 20th century, particularly because of its prominent position at the entrance to Church Street. The form and design of all front windows and doors were altered, the walls were rendered in cement, and the roof was re-covered using brown concrete tiles.

The Maldon Conservation Area derives much of its special character and appearance from the high survival of traditional historic buildings within the town centre. In its original form, this property reflected the town's special architectural qualities but in its current state it is an eyesore.

Identification and assessment of the proposal's impact on the special character and appearance of the conservation area:

Two planning applications have been submitted, which would create different types of residential accommodation internally, but the external alterations involved would be essentially the same. As it is the external alterations which would impact the character of the conservation area, the following comments respond to both applications.

It is a shame that what is being proposed is not a meaningful restoration of the building's historic appearance, which would be a great enhancement. Instead, the proposal is a dressing-up of the modern alterations to make them look more 'traditional'. Nonetheless, if painted timber is used for the windows and the cladding, and the detailing is of an appropriate quality, the alterations would improve the appearance of the building and the contribution it makes to the character of the area.

The weatherboards illustrated on the drawings 'as proposed' appear a bit too wide, but a more appropriate width of boarding could be ensured through a condition.

*Identification of the degree of harm to the significance of the heritage asset:
I advise that this proposal will cause no harm to the significance of the conservation area. It is therefore compliant with the policies set out in Chapter 16 of the NPPF and Policy D3 of the Maldon LDP.*

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. For the reasons outlined above, I advise that the proposal would achieve a modest enhancement to this part of the conservation area.

Recommended decision:

For the reasons outlined above I do not object to these applications subject to the following conditions:

- All new windows, doors, cladding and any other new external joinery shall be of hand-painted timber only*
- Samples of the weatherboarding shall be submitted for approval prior to its installation*

• *Large-scale drawings of new windows and doors – illustrating elevations at 1:20 and section details of glazing bars, head, cills jambs etc – shall be submitted for approval prior to their installation*

- 5.3.7 Based on this advice and the nature and extent of the external changes proposed to the building, it is considered that the development would not cause harm to the character or appearance of the area and would result in a modest enhancement to this part of the Conservation Area, subject to the imposition of conditions, as recommended by the Conservation Officer. The proposal would, therefore, preserve the character and appearance of the Conservation Area and would comply with Policies D1, D3 and H4 of the LDP.

5.4 Impact on Residential Amenity

- 5.4.1 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 MDDG (2017).
- 5.4.2 The proposal would result in the creation of a two-bedroom, two storey dwelling, a first floor flat (which is currently the guest house manager's flat) and a five-bedroom HMO at ground floor level.
- 5.4.3 The existing first floor windows would continue to serve the rooms they currently serve and no additional windows or doors are proposed. Therefore, the proposal would not result in a loss of privacy for the occupiers of any neighbouring residential property. The existing building would not be increased in size and, therefore, the development would not cause harm to neighbouring occupiers by reason of loss of outlook, light, daylight or sunlight and would not have an adverse visual impact. As a result of the nature and extent of the development proposed, and the existing use of the site, it is considered that the proposal would not have adverse impacts in terms of noise, smell or pollution.
- 5.4.4 Based on the above and as the new development only relates to part of the ground floor of the property, it is not considered that the proposal would cause material harm to the occupiers of either of the existing, neighbouring dwellings by reason of privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.

- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.5.3 There would be no change to the existing vehicular access to the site. Four parking spaces are shown to be provided along the northern boundary of the site.
- 5.5.4 The Highways Authority has not commented on the proposal but, as a result of the nature and extent of the development proposed, and the existing use of the site, it is not considered that the development proposed would cause adverse highway safety issues.
- 5.5.5 There is no parking standard specifically for HMOs in the adopted vehicle parking standards. However, the adopted parking standard for dwellings is one space for one-bedroom dwellings, two spaces for dwellings with two or three bedrooms and three spaces where there are four or more bedrooms. The adopted parking standards would require the provision of two off-street parking spaces for the two-bedroom dwelling and one parking space for the one-bedroom flat. A five-bedroom dwelling would require the provision of three off-street parking spaces. Based on the above, it is considered that a total of six off-street parking spaces would be required to comply with the adopted parking standard. The proposed provision of four off-street parking spaces would not comply with this requirement.
- 5.5.6 However, the agent has stated that there is no off-street parking provision for the existing guest house and the attached dwelling. Account also needs to be taken of the type of residential use proposed, the town centre location of the site and the fact that the proposal would not increase the demand for off-street parking compared to the existing use of the building as a guest house (the parking standard for hotels is 1 staff space per 5 bedrooms and a space per bedroom). As a result, no objection is raised to the development proposed on parking grounds.

5.6 Quality of Life for the Occupiers of the Proposed Residential Accommodation

- 5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon Design Guide SPD advises a suitable garden size for each type of dwelling house, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25 m² for flats.
- 5.6.2 No provision for private amenity space would be made as part of the development proposed. However, there is no amenity space provision currently for the existing residential units (although it is acknowledged that the existing first floor unit is a flat used by the guest house manager i.e. a live/work unit which could justify provision below the recommended minimum). Furthermore, only a small number of bedrooms are proposed as part of the HMO and the site is in close proximity to extensive public open space at Promenade Park. The Environmental Health Officer has yet to comment on the proposal but it is not anticipated that a refusal of planning permission based on the quality of life of the occupiers of the proposed HMO could be sustained in this case.

5.7 Nature Conservation

- 5.7.1 Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.
- 5.7.2 Policy D1 requires that, amongst other things, all development must respect and enhance the character and local context and make a positive contribution in terms of the natural environment particularly in relation to designated and non-designated sites of biodiversity/geodiversity value (criterion f).
- 5.7.3 Policy N1 states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure.
- 5.7.4 Policy N2 states that, any development which could have an adverse impact on sites with designated features, priority habitats and/or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.
- 5.7.5 The site is near to the Blackwater Estuary and the associated nationally and internationally designated sites for nature conservation.
- 5.7.6 Natural England have advised that this development falls within the 'Zone of Influence' (ZoI) for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). It is anticipated that, without mitigation, new residential development in this area and of this scale is likely to have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure when considered 'in combination' with other plans and projects. The Essex Coast RAMS is a large-scale strategic project which involves a number of Essex authorities, including Maldon District Council (MDC), working together to mitigate the effects arising from new residential development. Once adopted, the RAMS will comprise a package of strategic measures to address such effects, which will be costed and funded through developer contributions. Natural England advise that MDC must undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation.
- 5.7.7 Natural England has produced interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations. The European designated sites within MDC are as follows: Essex Estuaries Special Area of Conservation (SAC), Blackwater Estuary SPA and Ramsar site, Dengie SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site. The combined recreational 'zones of influence' of these sites cover the whole of the Maldon District.
- 5.7.8 Natural England anticipate that, in the context of the local planning authority's duty as competent authority under the provisions of the Habitat Regulations, new residential

development within these zones of influence constitute a likely significant effect on the sensitive interest features of these designated sites through increased recreational pressure, either when considered ‘alone’ or ‘in combination’. Residential development includes all new dwellings (except for replacement dwellings), Houses in Multiple Occupation (HMOs), student accommodation, residential care homes and residential institutions (excluding nursing homes), residential caravan sites (excluding holiday caravans and campsites) and gypsies, travellers and travelling show people plots.

- 5.7.9 Prior to the RAMS being adopted, Natural England advise that these recreational impacts should be considered through a project-level Habitats Regulations Assessment (HRA) – Natural England has provided a HRA record template for use where recreational disturbance is the only HRA issue.
- 5.7.10 As the proposal is for less than 100 houses (or equivalent) and not within or directly adjacent to one of the designated European sites, Natural England does not provide bespoke advice. However, Natural England’s general advice is that a Habitats Regulations Assessment (HRA) should be undertaken and a ‘proportionate financial contribution should be secured’ from the developer for it to be concluded that the development proposed would not have an adverse effect on the integrity of the European sites from recreational disturbance. The financial contribution is expected to be in line with the Essex Coast RAMS requirements to help fund strategic ‘off site’ measures (i.e. in and around the relevant European designated site(s)) targeted towards increasing the site’s resilience to recreational pressure and in line with the aspirations of emerging RAMS and has currently been set at £122.30 per dwelling.
- 5.7.11 To accord with Natural England’s requirements, a Essex Coast RAMS HRA Record has been completed to assess if the development would constitute a ‘Likely Significant Effect’ (LSE) to a European site in terms of increased recreational disturbance, as follows:

HRA Stage 1: Screening Assessment – Test 1 - the significance test

Is the development within the zone of influence (ZoI) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the specified development types? Yes

HRA Stage 2: Appropriate Assessment- Test 2 – the integrity test

Is the proposal for 100 houses + (or equivalent)? No

Is the proposal within or directly adjacent to one of the above European designated sites? No.

Summary of Appropriate Assessment – as a competent authority, the local planning authority concludes that the project will have a likely significant effect on the sensitive interest features of the European designated sites due to the scale and location of the development proposed. Based on this and taking into account that Natural England’s interim advice is guidance only, it is considered that mitigation, in the form of a financial contribution of £122.30 for the single HMO proposed, is necessary, in this case.

- 5.7.12 Taking into account the guidance of Natural England, it is considered that the likely impact of the development of the scale proposed, in this location, without mitigation,

would be sufficiently harmful as a result of additional residential activity to justify a refusal of planning permission.

- 5.7.13 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy has not been secured. It is recommended below that planning permission is refused for this reason.

6. **ANY RELEVANT SITE HISTORY**

- **FUL/MAL/19/01060** - Alteration of existing property and conversion of ground floor guest house accommodation to form one two bedroom flat and one studio flat. Existing first floor flat and existing attached cottage to be retained as independent dwellings - Undetermined

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	No response	

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Highways Officer	No response	Refer to section 5.5 of report

7.3 **Internal Consultees**

Name of Internal Consultee	Comment	Officer Response
Environmental Health Officer	No response	Refer to section 5.6 of report
Conservation Officer	No objection, subject to the imposition of conditions	Refer to section 5.3 of report

7.4 **Representations received from Interested Parties**

- 7.4.1 One letter was received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
A House in Multiple Occupation is not appropriate to a Conservation Area and High Street. Conversion to two residential flats is more appropriate.	Noted but the proposed use would not cause harm to the character or appearance of the Conservation Area and is not use which is inappropriate in a town centre

Objection Comment	Officer Response
	location. A more preferable use is not a justifiable reason for refusal.

8. PROPOSED REASONS FOR REFUSAL.

- 1 The proposal would result in the unjustified loss of tourist accommodation which Policy E5 of the Maldon District Approved Local Development Plan seeks to retain in the interests of the economy of the District. The proposal is, therefore, contrary to Policies S1, S5 and E5 of the Maldon District Approved Local Development Plan, and the NPPF.

- 2 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy has not been secured. As a result, the development would have an adverse impact on the European designated nature conservation sites, contrary to Policies S1, D1, N1 and N2 of the Maldon District Local Development Plan and the NPPF.