



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**CENTRAL AREA PLANNING COMMITTEE
19 FEBRUARY 2020**

Application Number	19/01226/LBC
Location	The Old Cutting Rooms Church Walk Maldon
Proposal	Works required as part conversion of commercial premises to 1No. live/work unit and 2No. self-contained maisonettes.
Applicant	Mr Mark Salisbury – Bright Ideas
Agent	Mr Ashley Robinson – A R Property Designs
Target Decision Date	31.01.2020
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member call-in: Councillor C Mayes - Policy reason: D1 (3), H4, SDP

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

The Old Cutting Rooms, Church Walk, Maldon 19/01225/FUL



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Area Committee
	Date:	17/01/2020
	MSA Number:	100018588

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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The site is located on the northern side of the High Street within a predominantly commercial area. The property faces All Saints Church to the west and there is understood to be access to the site from the rear via Bull Lane but for limited purposes. Along the majority of the eastern boundary of the site is land which appears to be in use as residential garden associated with a neighbouring property.
- 3.1.2 The site is located within the Maldon Conservation Area and within the area covered by the Maldon and Heybridge Central Area Masterplan. The property is also a Grade II listed building.
- 3.1.3 The building is currently vacant but, it is understood that the ground floor of the building was last used as a hairdresser and that the first floor was used as offices unrelated to the hairdressing use at ground floor level.
- 3.1.4 The proposal is for works to the building associated with the proposed part conversion of the commercial premises (stated as extending to 191.9sq.m.) to 1no. live/work unit and 2no. self-contained maisonettes (which is the subject of planning application reference 19/01225/FUL).
- 3.1.5 The works required to the building would be largely internal and include the removal of existing partitions, the blocking of existing doorways and new partitions. Bathrooms and kitchens will also need to be installed. Externally, the alterations would be limited to a new doorway on the eastern elevation and alterations to some external doors and windows.
- 3.1.6 The application is accompanied by a 'Design and Access Statement Incorporating General Heritage Asset Statement'.

3.2 Conclusion

- 3.2.1 The proposal would not harm the historic character and integrity 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 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
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places

- 184-202 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
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

- 5.1 The main issue which would require consideration as part of any application for listed building consent for the works to the building required to accommodate the uses proposed would be the impact of the works on the historic character and architectural appearance of the historic building.

5.2 Impact on the Listed Building

- 5.2.1 The NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.2.2 The basis of policy D1 of the approved Local Development Plan (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.

- 5.2.3 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.2.4 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. 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.
- 5.2.5 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 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.
- 5.2.6 The Conservation Officer has provided the following specialist advice with respect to the development proposed:

This is a grade II listed building in the Maldon Conservation Area. It adjoins the eastern side the churchyard to All Saints' Church (which is a grade I listed building). It is a long 1 ½ storey range with (mainly) rendered walls and a gambrel roof clad in clay tiles. It is primarily of two phases; the timber-framed southern end which dates from the late-18th or early-19th century, and the rendered brick northern end which dates from the early-20th century. While from the outside the building is domestic in character, neither part appears to have been built for residential use. There is no evidence for original fireplaces, and the earlier part had no windows looking onto All Saint's Churchyard. It is possible that the Georgian timber-framed range may have been built as stables. The first-floor structure of this part of the building is supported by a very large pine spine beam, suggesting that the upper floor may have been intended to store considerable weight. The primary architectural features of interest are the Georgian timber-framed structure and a Georgian ground-floor window on the east elevation. The whole building is an attractive example of Vernacular architecture, making an important contribution to a very attractive part of the Maldon Conservation Area.

I raise no objection to the change of use to part residential and part 'live-work'. The range already has the appearance of a typical row of Georgian cottages. The submitted drawings indicate no loss of valuable historic structure or character. The reinstatement of missing sections of lead-glazing would achieve a modest improvement.

I advise that this proposal will cause no harm to the significance of the listed building or that of the conservation area. It is therefore compliant with the policies set out in Chapter 16 of the NPPF, Policy D3 of the Maldon LDP and the requirements of section 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

For these reasons, I raise no objection to these applications subject to the following condition being attached to the listed building consent:

- *Large-scale drawings of new external doors - illustrating elevations at 1:20 and section details at 1:2 - shall be submitted for approval prior to their installation.*

5.2.7 Based on this advice and as the development would result in limited physical alterations to the building, it is concluded that the proposal would not have an adverse impact on the historic character and architectural appearance of the historic building.

6. ANY RELEVANT SITE HISTORY

- **19/01225/FUL**– Conversion of commercial premises to 1No. live/work unit and 2No. self-contained maisonettes – 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	Recommends refusal due to the harm caused by the loss of a commercial asset in the town. No amenity space would be provided as part of the development which would be materially harmful to the amenity of future occupiers contrary to policies D1 & H4 of the Maldon District Local Development Plan. There is no parking provided and due to the very limited access to the property.	Noted but these are not relevant consideration to the determination of an application for listed building consent.

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objections subject to the imposition of a condition requiring further details to be	Noted – refer to section 5.3 of report

Name of Internal Consultee	Comment	Officer Response
	submitted.	

7.3 Representations received from Interested Parties

7.3.1 No letters of representation were 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: 01 rev.A, 02, 03
REASON To ensure that the development is carried out in accordance with the details as approved.
3. No development shall take place until large-scale drawings of all new external doors – illustrating elevations at 1:20 and section details at 1:2 - have been submitted to the Local Planning Authority for approval in writing. All external joinery shall be of painted timber only. The development shall be carried out in accordance with the approved materials.
REASON In the interest of the character and appearance of the listed buildings and their setting