



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

---

**to  
CENTRAL AREA PLANNING COMMITTEE  
28 JULY 2021**

<b>Application Number</b>	<b>21/00297/HOUSE &amp; 21/00298/LBC</b>
<b>Location</b>	Josua, 4 Silver Street, Maldon, Essex, CM9 4QE
<b>Proposal</b>	Restoration and alterations to exterior and interior of the existing house.
<b>Applicant</b>	Mr & Mrs Bresler - Eleven Cromwell Hill Ltd
<b>Agent</b>	Mr Simon Plater - Plater Claiborne Architecture And Design
<b>Target Decision Date</b>	30.07.2021
<b>Case Officer</b>	Louise Staplehurst
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In by Councillor C Mayes Reason: D1, D2, D3, H4, I2, S12

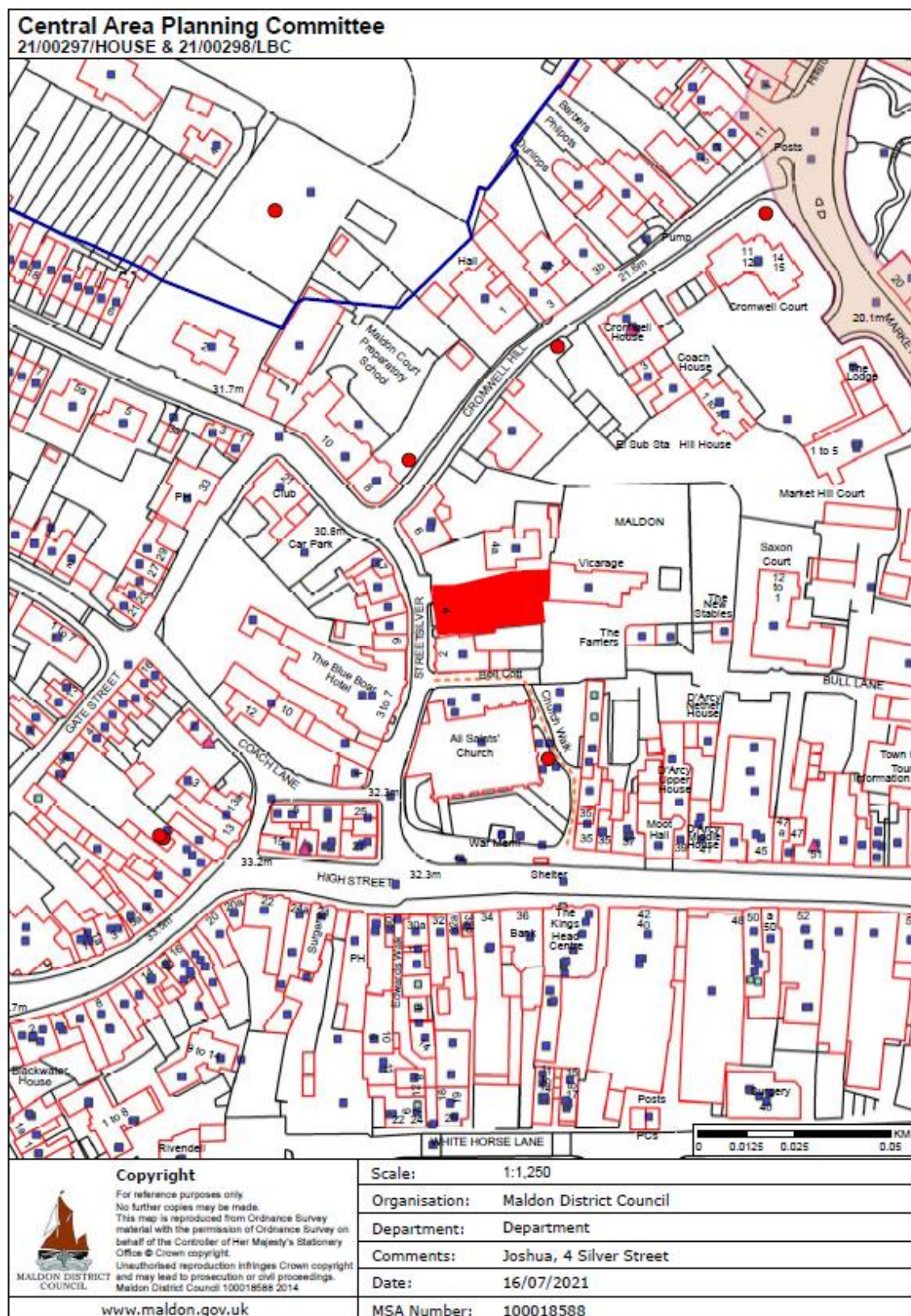
**1. RECOMMENDATION**

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

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

**2. SITE MAP**

Please see below.



### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

3.1.1 The site is located on the eastern side of Silver Street which is accessed north from the High Street. No. 4 Silver Street is a grade II\* listed building, situated in the Maldon Conservation Area. Most of the neighbouring properties are also listed buildings.

3.1.2 Silver Street is one of the most historic and best-preserved parts of the Maldon Conservation Area. It is a relatively narrow and delicately curved road, sloping downhill to the north, and lined by handsome vernacular houses. The views from the northern end of Silver Street, looking south, are among Maldon's most memorable; a picturesque jumble of old roofs and chimneys culminating in the soaring 13th-century spire of All Saints' Church. The Maldon Conservation Area Review and Management Plan (2006) observes that Silver Street 'is in many ways close to perfection in appearance' (p. 40). But the significance of the listed buildings on Silver Street, and the reason they are listed, goes deeper than their aesthetically attractive qualities. Study of the houses in the street has shown how they have developed organically – although at times quite dramatically – over many centuries. These historic houses embody so much evidence of the lives and changing tastes of successive generations of the town's inhabitants.

3.1.3 No. 4 Silver Street is a timber-framed property with a rendered frontage that disguises the building's true antiquity. Until recently, it was thought that the house dated from no earlier than the late-16th century. Research over the past year has established that the house is in fact medieval in origin; the earliest parts dating from c.1400. It was originally developed as a substantial hall house, comprising a single-storey open hall flanked at either end by jettied cross-wings. The hall had unglazed mullion windows with internal shutters and was heated by an open hearth, akin to having a bonfire in the middle of the room. Incredibly, part of the base for the open hearth, consisting of roof tiles bedded on-edge into clay has been discovered by the archaeologist Barry Hilman-Crouch beneath the 20th-century floor. The building's medieval structure includes impressive timber framing, sweeping braces, some decoratively moulded beams, and wattle-and-daub infill. Fixings have been found for a painted cloth which hung at the dais end of the hall. These fixings and the open hearth are extremely rare survivals.

3.1.4 The proposal relates to the following works:

Internal works:

- A new heating system will be implemented to provide a modern gas boiler
- Rooms on the second floor to be re-organised to incorporate a separate en-suite to each bedroom
- Rooms next to the kitchen will be re-arranged to allow for an additional staircase

- Throughout the ground floor, new limecrete floor will be installed
- Dampness in the cellar will be addressed by replacing the flooring and installing a new mechanical ventilation unit with heat recovery
- Construct a second staircase leading to a protected corridor

External works:

- Car port removed on the northern elevation and render repaired where the car port is removed
- Single storey northern projection removed
- Tiles to be removed, felt replaced, old tiles reinstated
- New heritage guttering
- New meter box
- Gates retained and renovated
- Bay windows and front door on the west elevation refurbished
- Remove rear conservatory and replace with glass and aluminium canopy
- Fenestration alterations to all elevations including replacing all modern windows to south, east and north elevations with more sympathetic windows.
  - South – add one window, remove a door
  - East – remove a window and install one window
  - West – refurbish front bay windows
  - North – alter an external doorway to a single door, rearrange ground floor windows

### 3.2 Conclusion

- 3.2.1 The proposal is supported by both English Heritage and the Council's Conservation and Listed building officer, as being an exemplary proposal for this listed building, being comprehensive and sensitive in its approach to the proposed restoration works. It is consequently considered that the proposal will not result in detrimental harm to the residential amenity of neighbouring occupiers, the parking provision at the site or the provision of private amenity space. The proposal will also not harm the character and appearance of the site or surrounding conservation area, nor would it harm the setting of the listed building on the site. Therefore, the proposal is considered to be in accordance with policies H4, D1, D3 and T2 of the Maldon District Local Development Plan (MDLDP) and the guidance contained within the National Planning Policy Framework (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 2021 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
- 55-58 Planning conditions and obligations
- 119-125 Making effective use of land
- 126-136 Achieving well-designed places
- 189-208 Conserving and enhancing the historic environment

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

- S1 Sustainable Development
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- H4 Effective Use of Land
- T2 Accessibility

#### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Maldon District Design Guide (MDDG)
- Maldon District Vehicle Parking Standards
- Maldon Conservation Area Review and Character Appraisal

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

- 5.1.1 The principle of altering and extending a dwellinghouse and providing facilities in association with residential accommodation is considered acceptable in line with policies S1 and H4 of the approved Local Development Plan (LDP).

#### **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;
  - f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
  - g) 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 Maldon District Design Guide (MDDG) (2017).
- 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 MDLDP and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 Policy D1 and the MDDG both provides guidance on the criteria for all development to respect and enhance the character and local context of the development and made a positive contribution in terms of landscape setting, the historic environment and scale, form, massing and proportion.
- 5.2.7 The application site is surrounded by listed buildings; however due to the nature of the works and the fact they are considered to enhance the character of the listed building on the application site, it is considered that the proposal would preserve the character of the listed buildings within the surrounding area.

- 5.2.8 In relation to the internal works to the cellar, leaving the brickwork exposed will preserve the appearance of the walls including the painted numbering on the stub partitions. Laying a floor of pavements on sand would preserve the character of the interior and would not impede the natural movement of moisture. The free-standing ventilation units will be relatively discreet and would not harm the character of the building however no details of the external extracts for these ventilation units have been provided and therefore a suitably worded condition has been imposed to ensure they are of a sympathetic appearance. One partition would be removed; this has been altered several times and is not bonded into the original walls of the cellar, indicating it is a later addition. Its removal would cause minimal harm to the character of the listed building. The introduction of a secondary flight of stairs would have a minor impact on the character of the listed building however it would only affect a small part of the cellar complex. It is considered that a flight of stairs could be designed so that it would not harm the character of the building; this will be ensured via condition.
- 5.2.9 The mid-18th-century rear range is the least-well preserved part of the house, having been altered in several ways in the 20th century. Several changes are proposed to improve the character and convenience of this part of the building. The northern side-porch is an unsympathetic late-20th century addition and its removal would enhance the character of the listed building. The existing unsympathetic modern windows would be replaced with new windows more in keeping with the age and character of the property. The fenestration alterations would involve the removal of some small areas of 18th-century wall structure, but the degree of loss would be kept to a minimum and this would be justified by the positive aesthetic enhancement it would achieve. The secondary staircase proposed in the rear range between ground-floor and first-floor levels would be positioned where the existing common joists are later replacements, so would involve limited loss of historic structure. Alterations to the internal layout of the rear range would involve the removal of some late-20th century partitions (including two breeze block walls at ground floor) which possess no significance.
- 5.2.10 The lean-to roof/cart lodge at the northern end of the frontage would be removed. This consists of machine-sawn pine rafters with a natural slate covering and is part of the 1919 refurbishment. The Specialist in Conservation and Heritage Assets does not consider this to necessarily detract from the appearance of the listed building, however, it is not an historically or architecturally important addition. The removal of the lean-to roof would not harm the significance of the house or the conservation area. It would open up views of some of the older parts of the house and the 15th-century vicarage to the east. It is noted that Historic England consider its removal to be an enhancement. The existing gates would be retained, preserving some degree of enclosure to the street.
- 5.2.11 At the back of the house is a dilapidated late-20th-century conservatory. The replacement of this with a new open-sided canopy would represent a positive enhancement.



5.2.12 Internally, elements of the 15th and 16th-century timber-framed structure would be exposed, repaired and partially restored. The changes would not involve any loss of important historic fabric. The work will enhance the character of the interior, revealing the building's historic character. The new, breathable limecrete floor will manage moisture much more effectively, reducing the risk of future damp or decay. The limecrete floor in the position of the medieval open hall will preserve the remains of the open hearth which will be viewable under a hatch. Parts of the building require significant repair work, particularly the medieval timber-framed wall below a gutter which has leaked unnoticed over many years. The repair work will ensure the character of the listed building will be enhanced.

5.2.13 It is noted that the Council's Specialist in Conservation and Heritage Assets supports the proposal. A consultation response from Historic England states that the impact of the proposed works will be an enhancement on the existing situation, particularly replacing modern windows with windows comprising contextually appropriate design feature, and as a result of the removal of the 20th century lean-to and conservatory. They consider that the sensitive approach that has been adopted towards the proposed works will undoubtedly enhance this extraordinary building and appropriately safeguard the future of its historic fabric.

5.2.14 There are elements of the proposal that will cause a low level of "less than substantial harm" to the significance of the grade II listed building due to the removal of some localised areas of historic fabric. However, this harm is limited and decisively outweighed by the conservation benefits of the scheme (which are also public benefits for the purposes of paragraphs 196 of the NPPF), including enhancements of its external character, the exposure and restoration of important internal elements of its historic design, and sympathetic repair work which will secure the building's long-term preservation. The proposed replacement windows to the rear range would represent a modest enhancement of this part of the conservation area, insofar as there are glimpsed views of some of these windows from the street. Having regard to this, and the comments received from Historic England, it is considered that the proposal would enhance the historic character of the listed building.

5.2.15 The development therefore poses no conflict with the duties set out in section 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and complies with policy 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 MDDG (2017).



- 5.3.2 Due to the nature of the proposed internal and external alterations, it is not considered that the proposal will have a harmful impact on the residential amenity of neighbouring occupiers by way of a loss of light or privacy.
- 5.3.3 It is noted that concerns have been raised in public comments regarding the use of the site as being rented out for large groups and the impact from the noise on the surrounding dwellings. It is firstly noted that the application submitted and being assessed within this report is for the physical alterations to the dwelling only and not for any change of use of the site. No reference has been made in the submission documents to any change of use. It is important to note that it may be possible to rent the dwelling out, as is the case with any other dwelling, without planning permission being required for a change of use, depending on the nature/scale of the use. In addition, renting a property is not tantamount to a change of use. However, if a change of use were to occur, this would require planning permission through a further application. However, as that is outside the scope of this application, it is not necessary to discuss this matter further and this cannot be a consideration under this application. Due consideration to such a matter would be ultra vires.

#### **5.4 Access, Parking and Highway Safety**

- 5.4.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide 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.
- 5.4.2 There are currently 7 bedrooms in the dwelling. The layout will be amended so that there will be 5 bedrooms. A dwelling with 4 bedrooms or more should provide 3 parking spaces. There are currently two parking spaces to the north of the dwelling, one under the existing car port and one on an area of hardstanding and therefore there is a shortfall of one parking space. The car port will be removed however two parking spaces will remain on the area of hardstanding. The shortfall of one parking space will remain; there will be no reduction in the provision of parking at the site and therefore there are no objections to the proposal in terms of parking provision.
- 5.4.3 The proposed external and internal alterations are not considered to have any impact on highway safety.
- 5.4.4 Overall, given the above, it is considered that there are no objections to the proposal in terms of highway safety or parking provision and therefore the proposal complies with policy T2 of the LDP.

#### **5.5 Private Amenity Space and Landscaping**

- 5.5.1 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 dwellinghouse, namely 100 square metres of private amenity space for dwellings with three or more bedrooms, 50 square metres for smaller dwellings and 25 square metres for flats.

- 5.5.2 The garden at the site will remain in excess of 100sqm and therefore there are no objections in relation to private amenity space.

## 6. **ANY RELEVANT SITE HISTORY**

- **09/00914/LBC** - Retro-fit two solar panels to south inner gable – Refused

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Maldon Town Council	Recommend refusal: The Town Council recommends refusal of these applications due to lack of direction and clarity from the Conservation Officer as the proposals represent several major changes to the property which would have a detrimental impact and cause harm to the historical characteristics of the Grade 2* Listed Building and historic street scene in the Conservation Area, contrary to Policies D1 and D3 of the Maldon District Local Development Plan.	Comments noted. The response from the Specialist in Conservation and Heritage Assets has been received and is set out below in section 7.3.

### 7.2 **Statutory Consultees and Other Organisations**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Historic England	<b>The significance of the historic environment</b>  This late 16th and 17th century house is timber-framed and rendered with gabled plain tile roofs and has a long two storey 17th rear extension with a gabled plain tile roof and black	Comments noted.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>weatherboarded first floor. House is of two unequal but parallel wings at right-angles to street and is of two storeys with an extensive 19th century cellar.</p> <p>The front has two gables with 19th century barge-boards with semi-circular lobes, linked by short length of timber-framed parapet. Each has a two-storey cant-sided bay window with sashes with central vertical glazing bars. The bays are panelled between each storey and at the head, where consoles support flat hoods.</p> <p>There is a rebuilt 17th century stack through the rear of the ridgeline of the northern wing that has two diagonal shafts and a large 19th century stack in a similar position on the southern wing.</p> <p>There is a long rear range with a black weatherboarded first floor and rendered ground floor. First floor has two sash windows with moulded surround and single vertical glazing bar and mixture of 20th century windows. The ground floor has a 20th century glazed lean-to bay, bow and other modern windows.</p> <p>Internally there is a very high quality 16th century timber-frame that provides a condensed plan form. The rear staircase tower has jowled posts in reversed assembly with a curved wall brace, now with an 18th century splat-baluster winding stair. The wall between the wings has a mid-rail, a feature of brick houses of the period. The roof has A-frames with arched bracing to collars.</p> <p>The first floor a stone fireplace with a frieze of roses either side of a</p>	

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>cartouche; an arched fire opening of four straight cants, carved spandrels with blank shields and quadrant-moulded jambs with vase stops.</p> <p>A smaller fireplace in the south wing has a semi-circular hearth. On the ground floor is the surviving jamb of a late 16th door opening and, above a fireplace, an early painted harvest scene.</p> <p>The rear extension range is part 17th century with much reused timber and a stack with a hole in the flank for a smoking chamber. There are very extensive late 19th cellars with a brick barrel-vault. Josua is listed at grade II* in recognition of its architectural and historic importance.</p> <p><b>The proposals and their impact on the historic environment</b></p> <p>Consent is sought for restoration and alterations to the exterior and interior of the existing house. The stated aim of the proposals is to improve its appearance by removing some of the 20th century additions to the exterior of the building, reconfiguring the internal layout and improve its thermal performance.</p> <p>Externally the works will involve repairing older features of the building, removing the modern lean-to and conservatory and replacing modern windows with windows comprising contextually appropriate historic design details.</p> <p>The impact of the proposed works will be an enhancement on the existing situation, particularly as a result of the</p>	

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>removal of the 20th century lean-to and conservatory.</p> <p><b>Historic England's position</b></p> <p>Having considered the comprehensive, high quality documentation submitted with the application, including the <i>Design and Access Statement</i> and <i>Heritage Statement</i> produced by Plater Claiborne Architecture and Design and the <i>Analysis of Early Phases of the House</i> by Tim Howson we are of the view that the proposed restoration and alterations to this grade II* house have been approached in an exemplary manner.</p> <p>The sensitive approach that has been adopted towards the proposed works will undoubtedly enhance this extraordinary building and appropriately safeguard the future of its historic fabric.</p> <p><b>Recommendation</b></p> <p>Historic England supports the application on heritage grounds. The application meets the requirements of the NPPF, in particular paragraph numbers 184, 192 and 193.</p>	
The National Amenities Society	The National Amenities Society have decided to make no comment on the proposal that was submitted.	Comments noted.

### 7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Specialist in Conservation and Heritage Assets	No. 4 Silver Street is a grade II* listed building, situated in the Maldon Conservation Area. Most of the neighbouring properties are also listed buildings.	Comments noted. The conditions proposed have been imposed.

Name of Internal Consultee	Comment	Officer Response
	<p>The applications seek permission to make several alterations to the property with the aims of improving its external appearance, creating a more convenient internal layout and internally exposing and restoring elements of its historic design. The following paragraphs consider in turn the impact of the various proposals.</p> <p>The cellars beneath the property represent a very large but unused space. It is understandable that the owner should want to find some use for at least part of the complex. Only the cellar under the rear range of the house would be adapted and put into use. The plans show that a table and chairs would be introduced, so the space could be used as an unusual and atmospheric dining space. The applicant recognises that tanking or lining the walls of the cellar would severely compromise the character of the cellar, so such alterations are not proposed. Leaving all the brickwork exposed will preserve the appearance of the walls including the painted numbering on the stub partitions. Laying a floor of pavements on sand would preserve the character of the interior and would not impede the natural movement of moisture. The free-standing ventilation units will be quite discreet and should not harm the character of the space. I note that the external extracts for these ventilation units are not illustrated on the proposed elevations, but a suitably worded condition could be used to ensure they are of a sympathetic appearance.</p> <p>One partition would be removed to make this part of the cellar a more useable space. The partition in</p>	

Name of Internal Consultee	Comment	Officer Response
	<p>question has been altered several times and is not bonded into the original walls of the cellar, indicating it is a later addition. Its removal would cause minimal harm. Most of the cellars – including many examples of stub partitions – would remain unchanged. The introduction of a secondary flight of stairs would be a more notable intervention. It would, however, affect only a small part of the cellar complex. There were steps down to this end of the cellar originally, albeit from outside the building. A narrow, high-quality, architect-designed flight of stairs – the detailing of which could be managed by condition – would in my view be an acceptable intervention. Overall, the proposed adaptation of the cellar would make it a space that could be more easily used and appreciated without compromising its special interest.</p> <p>The mid-18th-century rear range is the least-well preserved part of the house, having been altered in several ways in the third quarter of the 20th century. Several changes are proposed to improve the character and convenience of this part of the building. The northern side-porch was an unsympathetic and ramshackle late-20th century addition and I welcome its removal. The existing unsympathetic modern windows would be replaced with new windows more in keeping with the age and character of the property. The re-fenestration will involve the removal of some small areas of 18th-century wall structure, but the degree of loss would be kept to a minimum and seems justified by the positive aesthetic enhancement it will achieve. The secondary stair case proposed in the rear range between ground-floor and first-floor levels would</p>	



Name of Internal Consultee	Comment	Officer Response
	<p>be positioned where the existing common joists are later replacements, so would involve limited loss of historic structure. Alterations to the internal layout of the rear range would involve the removal of some late-20th century partitions (including two breeze block walls at ground floor) which possess no significance, and this reorganisation seems justified by the creation of a more convenient layout.</p> <p>The most notable external alteration to the front part of the house would be the removal of the lean-to roof at the northern end of the frontage. This consists of machine-sawn pine rafters with a natural slate covering and is part of the 1919 refurbishment. The car port is an established element of the house and the street-scene and does not, in my view, detract from the special character of either. However, it is not an historically or architecturally important addition. I consider that removal of the lean-to roof would not harm the significance of the house or the conservation area. It would open up views of some of the older parts of the house and the 15th-century vicarage to the east. The existing gates would be retained, preserving some degree of enclosure to the street. At the back of the house is a dilapidated late-20th-century conservatory. The replacement of this with a new open-sided canopy would a positive improvement.</p> <p>Internally, elements of the 15th and 16th-century timber-framed structure would be exposed, repaired and partially restored where appropriate. The changes are based on an understanding of what was meant to be seen and would involve the loss of no important historic fabric. The work</p>	

Name of Internal Consultee	Comment	Officer Response
	<p>will enhance the character of the interior, better revealing the building's true antiquity. The new, breathable limecrete floor will manage moisture much more effectively, reducing the risk of future damp or decay. The limecrete floor in the position of the medieval open hall will preserve the remains of the open hearth which will be viewable under a hatch. Parts of the building require significant repair work, particularly the medieval timber-framed wall below a valley gutter which has leaked unnoticed over many years. The repair work is being specified by specialist conservation consultants and contractors which should ensure that the work is carried out to the highest and most sympathetic standards.</p> <p>To use the terminology of the NPPF and Policy D3 of the Maldon LDP, I advise that there are elements of this proposal that will cause a low level of "less than substantial harm" to the significance of the grade II listed building due to the removal of some localised areas of historic fabric. This harm is limited and decisively outweighed by the conservation benefits of the scheme (which are also public benefits for the purposes of paragraphs 196 of the NPPF), including enhancements of its external character, the exposure and restoration of important internal elements of its historic design, and sympathetic repair work which will secure the building's long-term preservation. The proposed replacement windows to the rear range would represent a modest enhancement of this part of the conservation area, insofar as there are glimpsed views of some of these windows from the street. No harm would be caused to the setting of</p>	

Name of Internal Consultee	Comment	Officer Response
	<p>nearby listed buildings.</p> <p>For the reasons outlined above I recommend the applications are approved, subject to conditions.</p>	

#### 7.4 External Consultees

Name of External Consultee	Comment	Officer Response
The Maldon Society	The removal of the carport is seen as a positive step to removing unattractive 20 <sup>th</sup> century additions, along with the side porch, rear conservatory, and modern windows that detract from the purity of the original structure. The extensive scope of the remedial and renovation works is a credit to the owner, who has retained notable expertise in ensuring that the completed project is an honest and knowledgeable tribute to the history and construction of the property.	Comments noted.

#### 7.5 Representations received from Interested Parties

7.5.1 **20** letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Proposed changes will impact on the view of the streetscene and the enjoyment of neighbouring properties	Comments noted. See section 5.2 and 5.3.
Impact on neighbouring sites in terms of loss of privacy and the enjoyment of their gardens	Comments noted. See section 5.3. It is not considered that the works would harm the amenity of neighbouring occupiers.
Concerns over the development of the cellars in terms of loss of historic fabric	Comments noted. See section 5.2.
Impact on neighbouring cellar in terms of moisture/damp	It is not considered that the works would result in increased moisture and damp in neighbouring cellars. It is noted that ventilation is proposed.

Objection Comment	Officer Response
Development of cellar would set a precedent for other dwellings to do the same	Each application is assessed on its own merits. This would not be a reason to justify the refusal of the application.
The dwelling is grade II* listed	Comments noted.
Noise impacts from construction	This is not a material planning consideration and cannot be taken into account.
Concerns over the design and impact on the streetscene	Comments noted. See section 5.2.
Impact on the surrounding listed buildings	Comments noted. See section 5.2. It is not considered that the proposal would have a harmful impact on the character of surrounding listed buildings.
Concerns over the loss of the car port which is referenced in the listing	All parts of the building which were in place at the time it was listed, will be included in the listing. This does not restrict the ability to apply to alter the listed building, particularly when it is considered the proposal would enhance the character of the listed building and there would be benefits to the listed building which would outweigh the minor harm, as outlined in section 5.2. Please note that the Specialist in Conservation and Heritage Assets and Historic England fully support the proposal.
Impact from noise from ventilation unit	Comments noted. The ventilation unit is for residential use (no change of use has been applied for under this application) and therefore Environmental Health do not need to be consulted. If there is any noise nuisance resulting from this, this would be dealt with under legislation separate from planning.
Concerns over the use of the property as a party house, rented out	Comments noted. See section 5.3. This is not part of the proposal and is not a consideration for the application.
Works are already taking place	The application has not been submitted under section 73A of the Town and Country Planning Act 1990 in relation to retrospective applications.
Maldon should have a neighbourhood plan	Comments noted.

<b>Objection Comment</b>	<b>Officer Response</b>
Significant amount of changes proposed	Comments noted.
Concerns over the use of steel	Comments noted. The proposal is considered to enhance the appearance of the listed building.
Concerns over consistency with the conservation comments compared to other applications	This is not the forum to discuss conservation comments on other applications.
Inconsistencies with the proposed works to the cellar	The application has been assessed on the information provided.
Concerns over why like-for-like windows are not proposed.	Comments noted. See section 5.2 in relation to replacement windows.
Concerns have been raised over the content of the committee report, since it was published previously for the July committee.	The report is considered to be a correct assessment of the proposed development.

7.5.2 **3** letters were received **in support** of the application and the reasons for support are summarised as set out in the table below:

<b>Supporting Comment</b>	<b>Officer Response</b>
It is good to see a property where the historical elements are retained but the building is made suitable for modern life.	Comments noted.
<p>The plans for renovating 4 Silver Street look to be of a high quality, in sympathy with the area's history and architecture.</p> <p>It is encouraging to see one of the main buildings in Silver St being improved with such attention to its conservation needs and with a focus upon the history of the house.</p> <p>The plans do not seem to be changing any visual or heritage aspect of the overall street scene.</p>	Comments noted.
I am very keen that old buildings in Maldon are maintained and appropriately modernised while keeping or enhancing the original features.	Comments noted.

## 8. **PROPOSED CONDITIONS**

**GRANT PLANNING PERMISSION** subject to the following conditions:

1. The works 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:
  - 2017/02
  - 2017/04
  - 2017/06
  - 2017/08
  - 2017/10
  - 2017/11
  - 2017/12
  - 2017/13
  - 2017/14
  - 2017/19
  - 2017/Loc01 rev A
  - 2017 03A
  - 2017 05A
  - 2017 07A
  - 2017 09A
  - 2017 15A
  - 2017 16A
  - 2017 17A
  - 2017 18A
  - 2017 Design and Access Statement Rev A
  - Heritage Statement
  - 4 Silver Street notes by Tim Howson
  - BJHC Excavation Report 4 Silver Street
  - 4 Silver St Maldon Paint Investigation Feb 2021 low res[1]

REASON To ensure that the development is carried out in accordance with the details as approved.

3. Prior to their installation, full details including the design and specification of the ventilation units to be installed shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with these details and retained as such thereafter.

REASON To protect the amenity of neighbouring occupiers and the character of the area, in accordance with policies D1, D3 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

**GRANT LISTED BUILDING CONSENT** subject to the following conditions:

1. The works hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON To comply with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
  - 2017/02

- 2017/04
- 2017/06
- 2017/08
- 2017/10
- 2017/11
- 2017/12
- 2017/13
- 2017/14
- 2017/19
- 2017/Loc01 rev A
- 2017 03A
- 2017 05A
- 2017 07A
- 2017 09A
- 2017 15A
- 2017 16A
- 2017 17A
- 2017 18A
- 2017 Design and Access Statement Rev A
- Heritage Statement
- 4 Silver Street notes by Tim Howson
- BJHC Excavation Report 4 Silver Street
- 4 Silver St Maldon Paint Investigation Feb 2021 low res[1]

REASON To ensure that the development is carried out in accordance with the details as approved.

3. Prior to their use in the development hereby approved, the proposed materials to be used in the external surfaces of the development hereby approved shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the approved details and retained as such thereafter. All other materials shall be as set out within the application form/plans hereby approved.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

4. Large-scale drawings of all new windows and doors – showing elevations at 1:20 and sections through heads, cills, jambs, glazing bars and glazing – shall be submitted for approval by the local planning authority prior to their installation. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

5. Large-scale drawings of the new flights of stairs shall be submitted for approval by the local planning authority prior to their installation, prior to their installation. The development shall be carried out in accordance with the approved details and retained as such thereafter.



REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

6. Details of the location and external appearance of all new flues and extract vents shall be submitted for approval to the local planning authority, prior to their installation. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

7. Prior to the commencement of the development, a report by a conservation-accredited structural engineer specifying all structural repairs and alteration shall be submitted for approval to the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

8. Prior to the installation of the limecrete floor, a specification of the proposed limecrete floor – including details of its depth, extent, finish. and the manner in which the medieval hearth shall be preserved and remain viewable – shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

9. Prior to the commencement of any plastering, a specification detailing all new internal and external plaster finishes shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

10. All new rainwater goods shall be of cast metal finished black and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

11. All new external joinery shall be of painted timber and retained as such thereafter.

REASON In the interest of the character and appearance of the listed building and the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework