



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
25 AUGUST 2021**

PRESENT

Chairman	Councillor M R Edwards
Vice-Chairman	Councillor Mrs J C Stilts
Councillors	Miss A M Beale, B B Heubner, N G F Shaughnessy and C Swain

221. CHAIRMAN'S NOTICES

The Chairman welcomed everyone present and went through some general housekeeping arrangements for the meeting.

222. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M S Heard, K M H Lagan, C Mayes and S P Nunn.

223. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 28 July 2021 be approved and confirmed.

224. DISCLOSURE OF INTEREST

There were none.

225. 21/00297/HOUSE & 21/00298/LBC - JOSUA, 4 SILVER STREET, MALDON, ESSEX, CM9 4QE

Application Number	21/00297/HOUSE & 21/00298/LBC
Location	Josua, 4 Silver Street, Maldon, Essex, CM9 4QE
Proposal	Restoration and alterations to exterior and interior of the existing house.
Applicant	Mr & Mrs Bresler - Eleven Cromwell Hill Ltd
Agent	Mr Simon Plater - Plater Claiborne Architecture And Design
Target Decision Date	27.08.2021
Case Officer	Louise Staplehurst
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In by Councillor C Mayes Reason: D1, D2, D3, H4, I2, S12

This application had been deferred by the Committee at its meeting on 28 July 2021 pending a site visit which had taken place on 16 August 2021. The full Committee report was attached as Appendix 1 to the report.

Following the Officers' presentation of the application, an objector, Mr Windsor addressed the Committee.

During the discussion that ensued Members raised concerns regarding the proposal including changes to the fenestration, parking provision, the staircase into the cellar, the steel door into the cellar, brick work relating to the car port, the reasons behind removal of the roof and the proposed windows. In response to a number of questions the following information was provided by Officers:

- The proposed development did not result in an increase in demand for parking which would be material to the application.
- Sub-division of the site was not part of the application before the Committee;
- The property currently had provision for two parking spaces which was a shortfall to that required in accordance with the Council's policy, however Member were informed that it was not possible to enforce creation of an additional space;
- In respect of the structure, no objections had been received and Members were informed structural matters would be down to building regulations. A condition requiring submission of a structural report could be imposed should Members be mindful to grant permission.
- No objections to the proposed steel door and stairway to the cellar had been received from either Historic England or the Conservation Officer. A condition requiring additional details / alternative materials could be imposed if Members were mindful to grant permission.

The Chairman moved the Officers recommendation of approval. This was not supported.

Councillor Mrs J C Stilts proposed refusal for reasons relating to the harm being done to the building, that going through the cellar outweighed the good of the work that would be done to the rest of the building. In response to a request for a further reason, she amended her proposal adding the extensive and unnecessary works to the fabric and structure of the building which undermined the historical nature. The amended proposal was duly seconded.

The Chairman advised Members of those who, having attended the site visit, were able to vote in respect of this application. As a point of clarification, the Lead Specialist Place explained that in accordance with the Council's procedures the site visit was delivered through deferral from the Area Planning Committee and therefore became part of the formal Committee. If a Member was not present for the entirety of the site visit, then they would not be able to vote on the application.

The Chairman put the proposal in the name of Councillor Mrs Stilts to the Committee and upon a vote being taken this was agreed.

Please note: the reasons for refusal are detailed under a separate item on these Minutes, following a point of clarification raised by the Lead Specialist Place.

226. 21/00588/FUL - 9 ACACIA DRIVE, MALDON, CM9 6AW

Application Number	21/00588/FUL
Location	9 Acacia Drive, Maldon, CM9 6AW
Proposal	Replacement dwelling.
Applicant	Ms Kay Broadway
Agent	Ms Annabel Brown – Annabel Brown Architect
Target Decision Date	16 August 2021
Case Officer	Hannah Dungate
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Member Call In by Councillor Heard because the Town Council objects to this application on the basis that its bulk, scale and design is out of keeping with the character of the street scene, in contravention of Policy D1.

Following the Officers' presentation, the Agent Ms Brown addressed the Committee.

In response to questions raised, the Specialist: Local Plans advised that there was no overlooking into the garden from adjacent residential properties and the Council could condition for electric charging points and any other green infrastructure to be put in place.

Councillor Miss A M Beale proposed that the Officers' recommendation of approval be agreed with the addition of a condition regarding electric charging points and green infrastructure. This proposal was duly seconded and upon a vote being taken was agreed.

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: A14390/Loc00; A14390/PP01; A20390A/PP02 Rev B; A20390A/PP01 Rev B; VMZinc Standing Seam Design and Specification Requirement February 2015.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved and shall be retained as such thereafter.
- 4 Full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to any works occurring above ground level at the application site. These details shall include, for example:
 - (i) Proposes finished levels contours;
 - (ii) Means of enclosure;
 - (iii) Car parking layout;
 - (iv) Hard surfacing materials;
 - (v) Minor artefacts and structures (e.g. furniture, refuse or other storage units, lighting);

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in

the same place, unless the Local Planning Authority gives its written consent to any variation.

The hard landscape works shall be carried out as approved prior to the first occupation of the development hereby approved and retained and maintained as such thereafter.

- 5 Prior to any works above ground level, details of the surface water and foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.
- 6 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or opening shall be constructed in the roof or flank elevations of the building hereby permitted, nor shall any extensions be erected within the site, without planning permission having been obtained from the local planning authority.
- 7 Prior to first occupation of the development, the onsite vehicle parking of two off-street parking spaces shall be provided as shown in principle on planning drawing No.A20390A/PP02 Rev A. Furthermore, a fast charging point shall be provided adjacent to at least one parking space. The vehicle parking areas shall be retained in the agreed form in perpetuity.
- 8 Prior to the first occupation of the building hereby permitted, the first-floor window(s) in the north west and south east elevations as shown on drawing no. A20390A/PP01 Rev B shall be glazed with opaque glass and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.

227. 21/00297/HOUSE & 21/00298/LBC - JOSUA, 4 SILVER STREET, MALDON, ESSEX, CM9 4QE CONTINUED

The Chairman advised that the Lead Specialist Place had a point of clarification he wished to raise in relation to the planning and listed building consent applications for Josua, 4 Silver Street, Maldon, which had been considered by the Committee at an earlier point on the Agenda.

The Lead Specialist Place sought clarification from the Committee in terms of the refusal agreed, advising that Members had not been specific when agreeing refusal if this related to both applications. He explained that whilst Members had discussed the change to the fabric of the building the reasons for refusal related only to internal works. Internal works would only relate to the Listed Building Application and therefore clarification was required in respect of the planning application. He advised that if Members' concerns were in relation to the historic fabric of the building they should look to grant the planning application but if their concerns related to changes outside the refusal could stand.

Councillors Mrs J C Stilts proposed that the Committee look at the outside as well as internal works, advising that Members were not happy they had been told that the bricks relating to the car port were being removed and the reasons behind the removal of the roof.

The Lead Specialist Place thanked Members for the clarification. He commented that these matters had been discussed as part of the earlier debate and Officers needed the clarity in forming the reasons for refusal.

21/00297/HOUSE:

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

1. The proposed development would result in harm to the character and appearance of the dwelling, the site and the surrounding area which is a conservation area, contrary to policies D1 and D3 of the Maldon District Local Development Plan.

21/00298/LBC:

RESOLVED that **Listed Building Consent** be **REFUSED** for the following reason:

1. It is considered that the proposal would result in extensive and unnecessary works to the listed building, including the works to cellar, the removal of the car port and the replacement windows which would erode the historic character of the listed building, contrary to policy D3 of the Maldon District Local Development Plan.

There being no other items of business the Chairman closed the meeting at 8:17pm.

M R EDWARDS
CHAIRMAN

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