

CIRCULATED PRIOR  
TO THE MEETING



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

to  
**CENTRAL AREA PLANNING COMMITTEE**  
15<sup>th</sup> December 2021

**MEMBERS' UPDATE**

**AGENDA ITEM NO.5**

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|---|---|
| <b>Application Number</b>                             | <b>21/01020/HOUSE &amp; 21/01021/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 N Bresler - Eleven Cromwell Hill Ltd                                     |
| <b>Agent</b>  | Mr Simon Plater - Plater Claiborne Architecture And Design                  |
| <b>Target Decision Date</b>                           | 17.12.2021  |
| <b>Case Officer</b>                                   | Hannah Dungate  |
| <b>Parish</b>   | <b>MALDON NORTH</b>   |
| <b>Reason for Referral to the Committee / Council</b> | Previous Committee Decision   |

**7.2 Statutory Consultees and Other Organisations** *(summarised)*

| <b>Name of Statutory Consultee / Other Organisation</b> | <b>Comment</b>   | <b>Officer Response</b>  |
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| Historic England  | <p><b>The significance of the historic environment</b></p> <p>This late 16th and 17th century house is timber-framed and rendered with gabled plain tile roofs and has a long two-storey 17th century rear extension with a gabled plain tile roof and black weatherboarded first floor. The house is of two unequal but parallel wings at right-angles to the 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 semicircular lobes, linked by short length of timber-framed parapet. Each has a two storey cant-sided bay window with sashes with</p> | <p>Comments noted. It is acknowledged that the comments have been amended so that there is no longer any reference to the cellar doors as they have now been removed from the plans.</p> |

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|  | <p>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. The 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 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 semicircular 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 special 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 primary aim of the proposals is to improve its</p> |  |
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|  | <p>thermal performance by reconfiguring the internal layout.</p> <p>Historic England were consulted in October 2021 on proposals for this dwelling and we stated our support for those proposals in our response of 25 October 2021.</p> <p>These amended proposals are very similar to those previously submitted, with the exception of the elimination of one element.</p> <p>The existing cellar complex is now to be retained with no alterations or renovation, as shown on drawing 2017/05 Rev C: Basement as proposed.</p> <p>The overall impact of the proposed works to Joshua will be a significant enhancement on the existing situation.</p> <p><b>The Policy context</b></p> <p>The NPPF clearly sets out the requirement to conserve the significance of heritage assets, and emphasises that great weight should be given to this (and the more important the asset the greater that weight should be), paragraphs 189, 197 and 199. For this reason any harm requires clear and convincing justification. Less than substantial harm should be weighed against the benefits of the proposals (paragraphs 200 and 202).</p> <p><b>Historic England's position</b></p> <p>Having considered the comprehensive documentation submitted with the amended application, including the revised <i>Design and Access Statement Rev C and Heritage Statement Rev B</i>, produced by Plater Claiborne Architecture and Design, together with the <i>Analysis of Early Phases of the House</i> by Tim Howson, we maintain our 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> |  |
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|                          | <p><b>Recommendation</b></p> <p>Historic England supports the amended application on heritage grounds.</p> <p>We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 189, 197 and 199.</p>  |                 |
| National Amenity Society | <p>Please note that this response is on behalf of the Society for the Protection of Ancient Buildings, rather than the JCNAS as a whole.</p> <p>You will be aware that the Society was consulted on a previous, and broadly similar, listed building application 21/00298/LBC relating to this property. We did not provide a response in that instance as we did not consider that the application raised any issues of note and unfortunately, given our extremely limited resources, we are generally only able to respond to notifications when these are of concern. We were somewhat surprised to learn that that application had been refused.</p> <p>It has now come to our attention that Maldon Town Council has recommended the current LBC application for refusal and so we felt we must write to underline the vital importance of securing a sustainable future for this exceptional Grade II* listed building. We understand that the building has suffered from a lack of maintenance for some time which has resulted in damage to the historic fabric. In our experience, it can be very difficult to find new owners for highly listed buildings in need of repair as the cost and complexities involved in achieving their sympathetic repair can be daunting.</p> <p>In this instance, the applicant has clearly risen to the challenge, employing a range of respected conservation professionals and seeking extensive pre-application advice. The resulting proposals are sympathetic and conservation led. We can see no evidence of 'excessive and unnecessary alterations': the repairs appear to us to be an appropriate response to the current condition of the building and previous unsympathetic interventions, and, where new facilities have been introduced, this has been done in a way that respects the character of the building, with the internal volumes and ground plan largely retained. We would urge that consent is granted on this occasion in order to ensure a sustainable future for the building.</p> | Comments noted. |

## 7.5 Representations received from Interested Parties (summarised)

7.5.1 2 letters received **in support** of the application (including an additional letter of support received since the publication of the committee report) and the reasons for support are summarised as set out in the table below:

| Supporting Comment   | Officer Response |
|--|------------------|
| The applicant is committed to restoring the house after years of neglect and intentions should be encouraged.            | Comments noted.  |
| The proposal would bring a derelict grade 11* listed building back into positive use which would benefit the area.       | Comments noted.  |
| It will improve the visual appearance of a very historic street as the building as it stands is in significant disrepair | Comments noted.  |
| This building is of great historical importance to Maldon and this application will ensure it is saved.                  | Comments noted.  |

## 8. PROPOSED CONDITIONS

*Substitute Condition 2 for 21/01020/HOUSE & 21/01021/LBC with Amended Condition 2 below (reasons to remain the same):*

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- 2017/Loc01 rev A
- 2017/02 Rev B
- 2017/03 Rev B
- 2017/04 Rev B
- 2017/05 Rev C
- 2017/06 Rev B
- 2017 07 Rev B
- 2017/08 Rev B
- 2017/09 Rev B
- 2017/10 Rev B
- 2017/11 Rev B
- 2017/12 Rev C
- 2017/13 Rev C
- 2017/14 Rev C
- 2017/15 Rev B
- 2017/16 Rev B
- 2017/17 Rev B
- 2017/18 Rev C
- 2017/19 Rev B

- 2017 Design and Access Statement Rev C
- Heritage Statement Rev B
- 4 Silver Street notes by Tim Howson
- BJHC Excavation Report 4 Silver Street
- 4 Silver St Report on the Interior Decoration Feb 2021

## **9. INFORMATIVE**

The applicant is advised that full planning permission would be required if the proposed use of the dwelling house would be changed to a permanent holiday let premises. For the avoidance of doubt, it is further advised that the permission and Listed Building Consent hereby granted does not authorise a material change of use at this dwellinghouse called Josua, 4 Silver Street, Maldon, Essex, CM9 4QE.