



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
30 AUGUST 2023**

PRESENT

Chairperson	Councillor J Driver
Vice-Chairperson	Councillor N G F Shaughnessy
Councillors	S J Burwood, K Jennings, K M H Lagan, N R Miller, N D Spenceley, P L Spenceley, J C Stilts and N J Swindle

213. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone in attendance and went through some general housekeeping arrangements for the meeting.

214. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor A M Lay.

215. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 5 July 2023 be approved and confirmed.

216. DISCLOSURE OF INTEREST

Councillors K Jennings, N G F Shaughnessy and J C Stilts declared a non-pecuniary interest as they knew the applicant.

Councillor P L Spenceley also declared a non-pecuniary interest as she knew the applicant as a fellow trustee of the Maldon Festival.

217. 23/00490/FUL - THE KINGS HEAD CENTRE, 38 HIGH STREET, MALDON, ESSEX

Application Number	23/00490/FUL
Location	The Kings Head Centre, 38 High Street, Maldon, Essex
Proposal	Proposed change of use from (Class E(e)) Osteopath treatment rooms to (Sui Generis) short term holiday let accommodation
Applicant	Mr James Mann
Agent	Tim Farley – Copesticks Ltd.
Target Decision Date	07.07.2023
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member call-in request by Councillor N R Miller for the following reasons: S1, D3, E5, E3,T2 and D1 of the Local Development Plan (LDP).

Following the Officer's presentation the Agent, Mr Tim Farley addressed the Committee. The Chairperson then opened the discussion inviting any questions or comments on the report.

A debate ensued around the positive impact on tourism, the generation of employment, that marketing was sufficient given the constraints of COVID and that there were eight other osteopaths within a five mile radius, therefore, change of use was not an issue. Officers advised that the reason for refusal related to Policy E3, namely the former osteopath was a community use. There was no objection to the proposed holiday let per se, however, the loss of the existing community use was why the Officer recommendation was for refusal as this was not policy compliant. Specifically, it was felt that the marketing carried-out was insufficient.

At this point Councillor N R Miller proposed that the application be approved contrary to the Officer's recommendation and this was seconded by Councillor J C Stilts. The Chairperson clarified that the proposal was accepted based on a Unilateral Undertaking (UU) in respect of Essex Coast Recreational Avoidance and Mitigation Strategy, (Essex RAMS). This was seconded by Councillor J C Stilts.

The Chairperson then put the proposal to approve the application subject to completion of the above mentioned UU with conditions (to include a requirement that the property remains as a holiday let), delegated to Officers in consultation with the Chairperson and this was unanimously agreed.

RESOLVED that the application be **APPROVED** subject to conditions delegated to Officers in consultation with the Chairperson and completion of a Unilateral Undertaking.

218. 23/00603/FUL - THE KINGS HEAD CENTRE, 38 HIGH STREET, MALDON, ESSEX

Application Number	23/00603/FUL
Location	The Kings Head Centre, 38 High Street, Maldon, Essex
Proposal	Change of use from office use (Class E) and part of existing flat to short term holiday let accommodation (Sui Generis) and associated works to part of first floor fronting the High Street including installation of secondary glazing.
Applicant	Mr James Mann
Agent	Tim Farley – Copesticks Ltd.
Target Decision Date	05.09.2023
Case Officer	Kathryn Mathews
Parish	MALDON NORTH

Reason for Referral to the Committee / Council	<p>Member call-in request by Councillor N R Miller for the following reasons: will ensure that an important heritage building in the Town Centre will be able to continue to be a positive influence.</p> <p>With the lack of high quality accommodation within the town and bearing in mind this building was a former Hotel this application is in compliance with S1 and D3 of the LDP and keeps an historic (and very high maintenance) building at the heart of our community. Parking is readily available nearby which complies with Policies T2 and D2 of the LDP. There is currently no interest on a commercial basis and with the excess of empty office space available within the Town there would appear to be little hope securing a viable rent for the property. Policy E5 states we should support and encourage positive developments to aid the growth of the local economy.</p>
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Following the Officer's presentation, the Agent, Mr Tim Farley addressed the Committee. The Chairperson then opened the discussion.

Councillor J C Stills proposed that the application be approved contrary to the Officer's recommendation to include conditions requiring details of noise mitigation measures together with a Unilateral Undertaking in respect of Essex RAMS. This was seconded by Councillor K Jennings. Officers advised that the delegated conditions would include a requirement that the property remains as a holiday let.

The Chairperson put the proposal to approve, subject to the above mentioned condition and other delegated conditions agreed in consultation with the Chairperson, together with completion of a Unilateral Undertaking in respect of RAMS and it was unanimously agreed.

RESOLVED that the application be **APPROVED** subject to conditions delegated to Officers in consultation with the Chairperson and completion of a Unilateral Undertaking.

219. 23/00604/LBC - THE KINGS HEAD CENTRE, 38 HIGH STREET, MALDON, ESSEX

Application Number	23/00604/LBC
Location	The Kings Head Centre, 38 High Street, Maldon, Essex
Proposal	Works associated with change of use from office use (Class E) and part of existing flat to short term holiday let accommodation (Sui Generis) to part of first floor fronting the High Street including installation of secondary glazing.
Applicant	Mr James Mann
Agent	Tim Farley – Copesticks Ltd.
Target Decision Date	05.09.2023
Case Officer	Kathryn Mathews
Parish	MALDON NORTH

<p>Reason for Referral to the Committee / Council</p>	<p>Member call-in request by Councillor N R Miller for the following reasons: will ensure that an important heritage building in the Town Centre will be able to continue to be a positive influence.</p> <p>With the lack of high quality accommodation within the town and bearing in mind this building was a former Hotel this application is in compliance with S1 and D3 of the LDP and keeps an historic (and very high maintenance) building at the heart of our community. Parking is readily available nearby which complies with Policies T2 and D2 of the LDP. There is currently no interest on a commercial basis and with the excess of empty office space available within the Town there would appear to be little hope securing a viable rent for the property. Policy E5 states we should support and encourage positive developments to aid the growth of the local economy.</p>
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Following the Officer's presentation the Agent, Mr Tim Farley addressed the Committee. The Chairperson then opened the discussion.

Councillor K M H Lagan opened the discussion by noting that the Specialist – Heritage and Conservation's concerns regarding the secondary double glazing proposed had been addressed. Officers advised that it would be necessary to impose a condition requiring details of the air conditioning units referenced in the application. Councillor K M H Lagan then proposed that listed building consent be granted contrary to Officers' recommendation with all conditions delegated to Officers in consultation with the Chairperson. This was seconded by Councillor N D Spenceley.

There being no further discussion the Chairperson put the proposal to grant building consent and this was unanimously agreed.

RESOLVED to GRANT Listed Building Consent with conditions delegated to Officers in consultation with the Chairperson.

220. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRPERSON OF THE COMMITTEE DECIDES ARE URGENT

There being no other items of business the Chairperson closed the meeting at 8.05 pm.

J DRIVER
CHAIRPERSON