



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

---

to  
**CENTRAL AREA PLANNING COMMITTEE  
22 NOVEMBER 2023**

<b>Application Number</b>	<b>23/00947/LBC</b>
<b>Location</b>	43-45 High Street, Maldon, CM9 5PF
<b>Proposal</b>	Installation of signage, changes to external materials including the repainting of doors and windows and glazing alterations.
<b>Applicant</b>	Mr Jon Birtles - Loungers UK Limited
<b>Agent</b>	Ms Ali Maskell - Richard Pedlar Architects
<b>Target Decision Date</b>	27 November 2023
<b>Case Officer</b>	Hayley Sadler
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In Councillor N R Miller has called in the application for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) and D3 (Conservation and Heritage Assets)

**1. RECOMMENDATION**

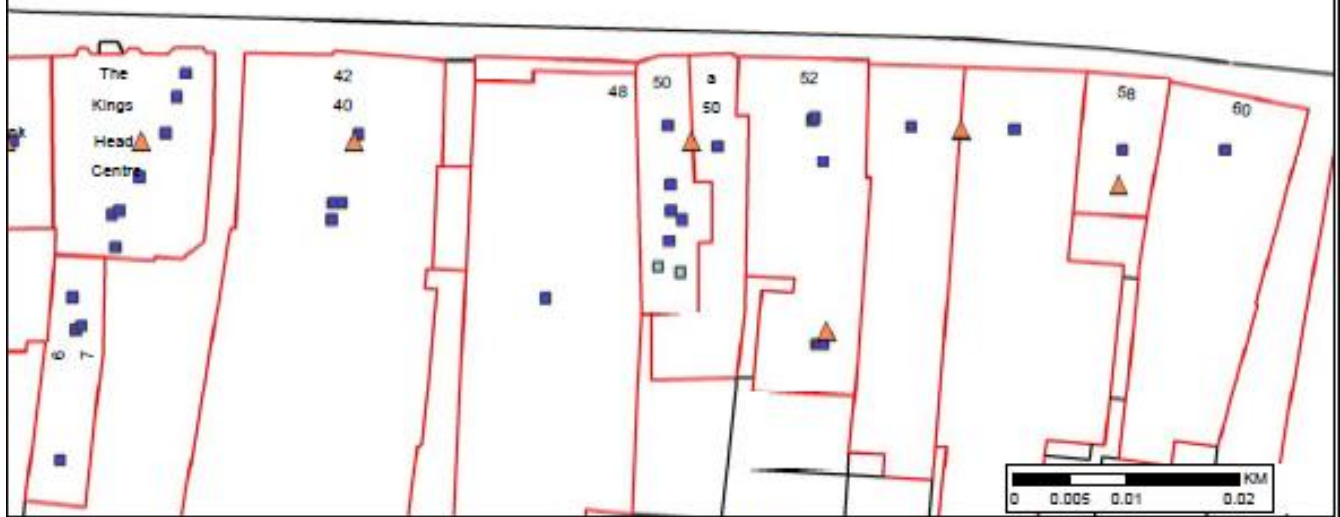
**GRANT LISTED BUILDING CONSENT** subject to the conditions as detailed in Section 8 of this report.


**2. SITE MAP**

Please see below.

# 43-45 High Street - Maldon

23/00947/LBC



 <p><b>Copyright</b> For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014</p> <p>www.maldon.gov.uk</p>	Scale:	1:625
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Area Committee
	Date:	03/11/2023
	MSA Number:	100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is located on the northern side of the High Street within the settlement boundary of Maldon and within the Maldon Conservation Area. The site is occupied by a three-storey mid terrace Grade II Listed Building, with a mixed use of commercial at ground floor level and residential at first and second floor level.
- 3.1.2 Listed building consent is sought for the installation of signage, changes to external materials including the repainting of doors and windows and glazing alterations.
- 3.1.3 The signage comprises of one externally illuminated fascia sign which would be located above the main entrance door on the front (south) elevation of the property, one externally illuminated hanging sign and one internally illuminated menu board which would both also be located on the front elevation. The fascia sign would measure 3.4 metres in width, 0.20 metres in height and 0.05 metres in depth and would be sited at its lowest point of 4.1 metres above ground level. The projecting sign would measure 0.70 metres in width, 0.80 metres in height and 0.09 metres in depth and would be sited at its lowest point 3.2 metres above ground level. The menu board would measure 0.60 metres in width, 0.70 metres in height, 0.07 metres in depth and would be sited at its lowest point 1.1 metres above ground level.
- 3.1.4 The proposed fascia sign would comprise of individual metal letters spelling out 'SALERO LOUNGE' in a mixture of gold and antique pink lettering, the sign is 0.05 metres in depth and would be externally illuminated by concealed 'halo' illumination in soft warm white. The proposed projecting sign would comprise of a timber hanging sign with timber cornicing and be painted olive green 'SALERO LOUNGE' and 'CAFÉ BAR' hand painted in gold, the sign is 0.09 metres in depth and would be externally illuminated by trough lights, the sign would project 1 metre from the front elevation on a paint finished steel gallows bracket. The menu board would comprise of a brass finished frame with laminated glass, with an openable side hinged door to the front and would be internally illuminated by a LED light strip to the upper section.
- 3.1.5 The existing lantern over the front entrance is to be re-instated as a light, it would have 'CAFÉ BAR' hand gilded to three sides with a painted black outline.
- 3.1.6 It is also proposed to refurbish the two main doors and re-paint them an olive colour and reglaze the arched fanlights over both doors with a combination of purple and light olive green segments. The frames of the windows on the ground floor level windows would be painted olive green.

#### **3.2 Conclusion**

- 3.2.1 It is considered that the 1No. externally illuminated fascia, 1No. externally illuminated hanging sign, 1No. illuminated menu board, re-instatement of the lantern light and the repainting of windows and doors including the re-glazing of the arched fanlights, would be of an appropriate scale and positioning and would not cause harm to the significance of the listed building. Therefore, the signage is considered to be in accordance with policies D3 and D6 of the Maldon District Local Development Plan (LDP) and 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 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 – 123 Making effective use of land
- 126 – 136 Achieving well-designed places
- 174 – 193 Conserving and enhancing the historic environment

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

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- D6 Advertisements
- H4 Effective Use of Land

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

- National Planning Policy Framework (NPPF) (2021)
- Maldon District Design Guide (MDDG) (2017)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD)

#### **5. MAIN CONSIDERATIONS**

##### **5.1 Design and Impact on the Character, Setting and Fabric of the Listed Building**

5.1.1 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. 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 LDP 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.

5.1.2 Nos. 43-45 High Street is a grade II listed building within the Maldon Conservation Area. It was originally built as the Literary and Mechanic's Institute with Corn

Exchange to the rear. The building was designed by T. Roger Smith in 1859-60. The Institute occupied the building until 1886 where it held a library of 2,000 volumes. The Corn Exchange later became the All Saints Parish Hall and has had various uses since, including the Post Office and, most recently, Morrisons Local. The front elevation is a striking composition in stock brick. It has three storeys of round-arched windows and incorporates short stone columns with carved Corinthian capitals. The centre breaks forward and is topped by a pediment. The building is listed for its architectural and historic interest as a high-quality architect-designed example of a Victorian Literary and Mechanics Institute. It makes a very positive contribution to the special character of the conservation area.

- 5.1.3 As such, the Conservation and Heritage Specialist was consulted to advise on the potential impact of the adverts on the building and surrounding area. The Specialist has advised that the proposed signage, including modestly scaled halo lit individual metal lettering and a trough lit painted timber hanging sign, and an internally illuminated menu board would be sympathetic to the character of the listed building and the area. A degree of illumination seems justified due to the intended restaurant use. 'Halo illumination' is where the light source is concealed behind lettering that stands proud of the surface and light is shone back onto that surface, creating a glow or 'halo' immediately around the letters. It is a more subtle form of illumination than internally illuminated lettering. The use of halo illumination would seem acceptable in this situation due to the small scale and sympathetic design of the proposed lettering. The lettering would nestle neatly within the architectural mouldings of the building's façade. The reuse and gilding of the existing lantern would be a nice touch, making use of and drawing attention to a traditional feature (incidentally the lantern is a modern replacement of a larger lantern shown on historic photographs). No objection is raised to the proposed colour scheme for the windows and doors, which would reference the greens currently used on nearby buildings. The reglazing of the fanlights over the front doors using coloured glass would be a minor alteration that would cause no harm. The Council's Conservation and Heritage Specialist has raised no objections to the proposed development or recommended any conditions.
- 5.1.4 The proposed advertisements are considered to be appropriate for the area. Due to the location of the adverts, they would not harm the character and appearance of the building, in accordance with policies D1 and D3 of the LDP.

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

- **MAL/746/79 and LB/MAL/46/79** – Post office, Approved – 8 October 1979
- **MAL/276/80 and LB/MAL/13/80** – Enlargement to car park at rear, Approved – 6 May 1980
- **MAL/526/82** – Alterations to windows, Approved – 26 August 1982
- **93/00331/FULF** - Small first floor extension and minor elevation alterations, Approved – 26 August 1993
- **93/00722/FUL** - Installation of ATM cash dispenser through existing glazed window reduced in height. New security panel surround, Approved – 10 February 1994
- **93/00723/ADV** - Flat internally illuminated machine sign within cash dispenser surround, Approved – 10 February 1994
- **94/00051/LBC** - Installation of ATM cash dispenser through existing glazed window reduced in height. Security panel infill, Grant Listed Building Consent – 10 March 1994

- **07/00426/FUL** - Retail development including rear extension and internal re-organisation/alterations to include new rear first floor and new front doors, Approved – 19 June 2007
- **07/00427/LBC** - Retail development conversion with rear extension and internal alterations including new rear first floor and new front doors, Grant Listed Building Consent – 19 June 2007
- **08/01038/FUL** - Proposed alterations to existing retail area and conversion of ground floor and upper floor to 5 flats, Refused – 13 November 2008
- **08/01061/LBC** - Proposed alterations to existing retail area and conversion of ground and upper floors to 5 flats, Refused – 13 November 2008
- **09/00549/LBC** - Alterations to ground floor retail area, conversion of first and second floors to form 3 flats and small single storey extension to rear, Grant Listed Building Consent – Grant Listed Building Consent – 21 August 2009
- **09/00550/FUL** - Alterations to ground floor retail area, conversion of first and second floors to form 3 flats and small single storey extension to rear, Approved – 21 August 2009
- **12/00609/FUL** - Change of use of premises from retail use (A1) into a public house (A4). Alterations to existing building, including formation of an internal mezzanine floor to accommodate kitchen; provision of mechanical equipment; new hoist in brick shaft to rear elevation; erection of 2m high fence, application of film to windows as indicated on drawings; infill of 2 no. existing windows to rear elevation; re-opening of arched doorway to front elevation and insertion of timber door in same and various internal alterations as indicated on the drawings, Approved – 3 June 2013
- **12/00610/LBC** - Alterations to existing building, including formation of an internal mezzanine floor to accommodate kitchen; provision of mechanical equipment; new hoist in brick shaft to rear elevation; erection of 2m high fence, application of film to windows as indicated on drawings; infill of 2 no. existing windows to rear elevation; re-opening of arched doorway to front elevation and insertion of timber door in same and various internal alterations as indicated on the drawings, Grant Listed Building Consent
- **14/00103/FUL** - Alterations to existing doorways and windows, the removal of the canopy to the rear elevation, insertion of new louvres to rear elevation, and internal alterations, Approved – 17 April 2014
- **14/00104/LBC** - Alterations to existing doorways and windows, the removal of the canopy to the rear elevation, insertion of new louvres to rear elevation, and internal alterations, Grant Listed Building Consent – 17 April 2014
- **14/00468/FUL** - Minor amendments to approved planning application FUL/MAL/14/00103 (Alterations to existing doorways and windows, the removal of the canopy to the rear elevation, insertion of new louvres to rear elevation, and internal alterations), Approved – 3 July 2014
- **14/00469/LBC** - Minor amendments to approved planning application LBC/MAL/14/00104 (Alterations to existing doorways and windows, the removal of the canopy to the rear elevation, insertion of new louvres to rear elevation, and internal alterations), Grant Listed Building Consent – 3 July 2014
- **14/00492/ADV** - Formed individual lettering fixed to runner bar, internally illuminated. Formed aluminium projection sign with steel gibbet, externally illuminated. Formed aluminium hung sign with steel support bars, non-illuminated. Various internally applied vinyl window graphics, Approved – 21 August 2014

- **14/00822/LBC** - Formed individual lettering fixed to runner bar, internally illuminated. Formed aluminium projection sign with steel gibbet, externally illuminated. Formed aluminium hung sign with steel support bars, non-illuminated. Various internally applied vinyl window graphics, Grant Listed Building Consent – 23 January 2015
- **23/00943/FUL & 23/00944/LBC (Undetermined)** - Installation of condenser units and full internal alterations/refurbishment. (For consideration on this committee agenda)
- **23/00946/ADV (Undetermined)** - Advertisement consent for 1No. externally illuminated fascia sign, 1No. externally illuminated hanging sign, 1No. internally illuminated menu board and lighting. (For consideration on this committee agenda)

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	The Town Council recommends refusal of this application due to no information received from the Conservation Officer and, as the work has already started, this should therefore be a retrospective application.	Noted – please refer to section 5.1 of report

### 7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Conservation and Heritage Specialist	No objection and no recommended conditions	Noted

### 7.3 Representations received from Interested Parties

- 7.3.1 **Four** 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
Increase in noise	This application is solely for the addition of signage to the building and changes to the external materials
Traffic and parking issues	
Unnecessary development	

## 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 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: Location Plan, LNG4165.BP, LNG4165.02, LNG4165.06D.

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

- 3 The materials used in the construction of the advertisements hereby approved shall be as set out within the plans hereby approved.

REASON To protect the established character of the site and to comply with the policies set out in Chapter 16 of the National Planning Policy Framework and D3 (Conservation and Heritage Assets) of the Local Development Plan.