



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
31 JULY 2024**

PRESENT

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

241. CHAIRPERSON'S NOTICES

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

242. APOLOGIES FOR ABSENCE

There were none.

243. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 29 May 2024 be approved and confirmed.

244. DISCLOSURE OF INTEREST

There were none.

245. 24/00089/FUL - LAND REAR OF 47 HIGH STREET, MALDON, ESSEX

Application Number	24/00089/FUL
Location	Land rear of 47 High Street, Maldon, Essex.
Proposal	Demolition of an existing outbuilding and construction of a 1 and ½ storey 1 bedroom dwelling.
Applicant	Bowkett – Ribow Properties Ltd.
Agent	Ms Annabel Brown – Annabel Brown Architect
Target Decision Date	02.08.2024
Case Officer	Juliet Kirkaldy
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In by Councillor K Jennings – Policies D1 and H4.

Following the Officer's presentation, the Chairperson opened the floor for debate.

There followed a brief discussion by Members regarding the lack of sufficient amenity space and the impact the proposed development would have on privacy for neighbouring residential flats and businesses.

Councillor J C Stilts proposed to refuse the application in accordance with the Officer's recommendation, which was duly seconded.

There being no further discussion, the Chairperson put the proposal to the Committee and upon a vote being taken this was agreed.

RESOLVED That the application is **REFUSED** for the following reasons:

- 1 The proposed development, as a result of the size and shape of the application site and the 'backland' context of the site, would appear cramped and contrived and out of keeping with its surroundings to the detriment of the character and appearance of the area, contrary to Policies S1, D1 and H4 of the Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.
- 2 The proposed development would not provide an adequate quality of life for the occupiers of the proposed dwelling as a result of a lack of sufficient amenity space of an adequate quality, poor outlook and natural light. This would be contrary to Policies S1, D1 and H4 of the approved Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.
- 3 The proposed development would result in a loss of privacy for neighbouring residential flats as a result of the design, layout and proximity of the proposed dwelling. This would be contrary to Policies S1, D1 and H4 of the approved Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.
- 4 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy has not been secured. As a result, the development would have an adverse impact on the European designated nature conservation sites, contrary to Policies S1, D1, N1 and N2 of the approved Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.

246. 24/00091/FULM AND 24/00092/LBC - EAST ESSEX ADULT COMMUNITY COLLEGE, THE FRIARY, CARMELITE WAY, MALDON

Application Number	24/00091/FULM AND 24/00092/LBC
Location	East Essex Adult Community College, The Friary, Carmelite Way, Maldon
Proposal	Residential redevelopment for 22 dwellings comprising conversion of listed building to 7 apartments, demolition of unsympathetic 1960s extension and replacement with 2 townhouses, demolition of the outbuilding along the western boundary wall, construction of two new buildings within the grounds to the south, comprising 7 specialist needs apartments and 6 market sale apartments, hard and soft landscaping and associated parking and infrastructure.
Applicant	Mr Nic Malby - Essex Housing Developments LLP
Agent	Mr Steven Butler - Bidwells
Target Decision Date	02.08.2024
Case Officer	Fiona Bradley
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In – Councillors J C Stilts and K Jennings. Reasons D1, D3 and H4. Due to size and scale of the development and that it is in a conservation area and is a heritage asset. Loss of land on a historic site. This site has had a planning application refused before and that was also refused by the inspectorate. We do have a 5 Year land supply. Major Application

It was noted from the Members' Update that since the agenda had been published, inconsistent numbering of paragraphs between pages 48 – 49 had been discovered and corrected within the Update. Further responses had been received from the Lead Local Flood Authority (LLFA,) and additional information considered regarding trees. Having regard to these further considerations, reasons for refusal 3 and 4 fall away and no longer form part of the Officer's recommendation. Additional. representations objecting to the scheme were also received from interested parties.

During the officer's presentation, the appeal history of the site was explained, clarifying that although the previous planning application was refused, the Listed Building Consent was approved by the Inspector. In this respect, the current Listed Building Application relates only to matters of detail that followed on from the previous appeal decision, and those matters of detail were found to be acceptable under the current application.

Following the Officer's presentation, Miss Holloway, a Supporter and Mr Metson, the Agent, addressed the Committee. The Chairperson made the Committee aware that the Principal Conservation & Heritage Officer was present in the Chamber and he was available to answers Members' questions relating to this item. The Chairperson then opened the floor for debate.

Councillor K M H Lagan and S J Burwood declared that their wives worked for adult community learning providers and supported learners came there for classes.

Councillor J C Stilts declared that she had previously worked at the Friary at one point.

A debate ensued where Members aired their disappointment with the quality of design, size and siting of the proposed development.

In response to queries raised by Members', the Principal Conservation & Heritage Officer advised that the stability of the Friary wall was raised with the previous scheme and a structural engineer was consulted and was satisfied that the development was far enough away to avoid any harm to the structure. In terms of archaeology, he couldn't comment but made Members aware that the site was of high archaeological potential, so archaeological conditions would be recommended should Members be minded to approve the application.

There being no further discussion the Chairperson moved the Officer's recommendations as set out in the report and subject also to the details in the members update, which were duly seconded and upon a vote being taken the recommendations were agreed.

RESOLVED that the Planning Application **24/00091/FULM** be **REFUSED** for the following reasons:

- 1 The proposed development, comprising the two new blocks in the south eastern corner of the site being the Learning Disabilities block and Private For Sale block, the access road within the site, and the presence of parked cars in the southern part of the site, in the grounds of the listed building, would result in a moderate degree of less than substantial harm to the Maldon Conservation Area and Friary East as designated heritage assets. The proposal is therefore contrary to Policies S1, S5, D1, D3 and H4 of the Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.
- 2 The proposed new blocks in the southeastern corner of the site being the Learning Disabilities block and Private For Sale block, due to the amount of development, its size and siting and the 'backland' context of the site, would appear cramped and contrived and out of keeping with its surroundings to the detriment of the character and appearance of the area. Furthermore, the design of the two blocks is not considered to be high quality, particularly in its context of the setting of the listed building and Maldon Conservation Area. The proposal is therefore contrary to Policies S1, D1 and H4 of the Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.
- 3 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy has not been secured. As a result, the development would have an adverse impact on the European designated nature conservation sites, contrary to Policies S1, D1, N1 and N2 of the approved Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.

RESOLVED to **GRANT 24/00092/LBC** 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.
2. The works hereby permitted shall be carried out in accordance with the approved plans and documents as shown on the decision notice.
3. The works of demolition shall not be commenced until details of the method of demolition have been submitted to and approved in writing by the Local Planning Authority. The demolition of the outbuilding shall be carried out in accordance with the approved details.

247. TPO 02/24 - LAND ADJACENT MYRTLE COTTAGE, LOCK HILL, HEYBRIDGE BASIN, ESSEX

Application Number	02/24
Location	Land adjacent Myrtle Cottage, Lock Hill, Heybridge Basin, Essex
Proposal	Confirmation of TPO 02/24
Applicant	Roy Chandler – Essex Waterways Ltd
Agent	N/A
Target Decision Date	20.08.2024
Case Officer	Juliet Kirkaldy
Parish	HEYBRIDGE BASIN
Reason for Referral to the Committee / Council	Decision on confirmation of a Tree Preservation Order as per the Council's scheme of delegation

Following the Officer's presentation, the Chairperson opened the floor for debate.

Following a brief discussion, the Chairperson moved the Officer's recommendation as set out in the report which was duly seconded and upon a vote being taken this was agreed.

RESOLVED that the Tree Preservation Order be **CONFIRMED** without any modifications.

There being no other items of business the Chairperson closed the meeting at 8.20 pm.

J DRIVER
CHAIRPERSON

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