



**REPORT of  
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
23 OCTOBER 2024**

<b>Application Number</b>	<b>24/00495/FUL</b>
<b>Location</b>	Stephens House, Everest Way, Heybridge, Essex
<b>Proposal</b>	Conversion of communal lounge / kitchen to provide single bedsit unit for interim and temporary accommodation
<b>Applicant</b>	Mr John Swords - Maldon District Council
<b>Agent</b>	Mr Danny Townsend - Townsend Bowen Ltd
<b>Target Decision Date</b>	22.11.2024
<b>Case Officer</b>	Fiona Bradley
<b>Parish</b>	<b>HEYBRIDGE WEST</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land

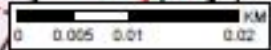
**1. RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see below.

**Stephens House, Everest Way, Heybridge  
Central Area**



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Scale:	1:625
Organisation:	Maldon District Council
Department:	Department
Comments:	Not Set
Date:	08/10/2024
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 southern side of Everest Way, to the rear of no's 5-9 Everest Way. There is an existing pedestrian access serving the site from Everest Way, which also provides access to the adjacent public open space. The site comprises a two storey detached building which includes four 2-bed flats used to provide emergency temporary accommodation.
- 3.1.2 The proposal includes the conversion of an existing communal office/lounge and kitchen area at ground floor level to a bedsit unit to provide an additional unit of accommodation for emergency short term use. The unit measures approximately 22sqm in area and provides a lounge/kitchen/bedroom area with separate bathroom. The bathroom provides a level access shower which could accommodate someone with a disability. No external changes are proposed.
- 3.1.3 The site is within the settlement boundary of Heybridge. It is surrounded by existing residential development comprising mainly two storey terraced and semi-detached dwellings with an area of public open space to the west.

#### **3.2 Conclusion**

- 3.2.1 The site is within a location where sustainable development is supported. The proposal would provide an additional unit for much needed temporary emergency accommodation within the District, in accordance with the Council's statutory duties. It accords with Policy H3 of the Maldon District Approved Local Development Plan (LDP) 2017 which provides for accommodation for specialist needs and the Council's Specialist Needs Housing Supplementary Planning Document (SPD).
- 3.2.2 No external changes to the building are proposed. Due to this, and the small-scale nature of the application, there would be no impact on neighbouring properties.
- 3.2.3 There are no material planning considerations that would justify refusal of the application. Given the need in the District for this type of accommodation, it is recommended that planning permission is granted.

### **4. MAIN RELEVANT POLICIES**

Members' attention is drawn to the list of background papers attached to the agenda.

#### **4.1 National Planning Policy Framework (NPPF) 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- 59 Planning conditions and obligations
- 96 -107 Promoting healthy and safe communities
- 108-117 Promoting sustainable transport
- 123-130 Making effective use of land
- 131-141 Achieving well-designed and beautiful places
- 157-179 Meeting the challenge of climate change, flooding and coastal change

#### 4.2 **Maldon District Approved Local Development Plan 2017 (LDP):**

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- H2 Housing Mix
- H3 Accommodation for 'Specialist' Needs
- H4 Effective Use of Land
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

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

- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD)
- Planning Practice Guidance (PPG)
- Essex coast Recreational Avoidance and Mitigation Strategy (RAMS) SPD
- Specialist Needs Housing SPD

### 5. **MAIN CONSIDERATIONS**

#### 5.1 **Principle of Development**

##### The Development Plan

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990), and paragraph 47 of the NPPF require that planning decisions are to be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises of the approved Maldon District LDP.
- 5.1.2 LDP Policy S1 states that "*When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF*" and applies 14 key principles in policy and decision making set out in the Policy. This includes principle 2 "*Delivering a sustainable level of housing growth that will meet local needs and deliver a wide choice of high quality homes in the most sustainable locations*".
- 5.1.3 To deliver the economic and residential growth in the District whilst protecting and enhancing the area's natural, built and historic environment, LDP Policy S2 seeks to focus development on existing settlements subject to their role, accessibility and constraints.
- 5.1.4 LDP Policy S8 flows from Policy S2 and steers new development towards the existing urban areas. The site is in Heybridge, which is identified as a main settlement in Policy S8, where the principle of the proposed development is supported.
- 5.1.5 LDP Policy H3 provides for accommodation for specialist needs and states that Council "*will support and enable the provision of housing to meet specialised needs in the District where this is consistent with the Council's current strategic requirements*". Policy H3 is supplemented by the Specialist Needs Housing SPD,

which provides further information on how the relevant criteria within Policy H3 should be met.

- 5.1.6 Policy H3 states that “proposals for specialist needs housing such as homes for... people with disabilities... will be supported” subject to 8 criteria as discussed below.

**1) There is a clearly identified need that cannot be addressed anywhere else in the District**

- 5.1.7 This criterion requires there to be a) an unmet need and b) that the need cannot be addressed anywhere else in the District.

- 5.1.8 The Council has a legal duty to provide emergency accommodation for homeless people. The applicant has confirmed that there is an unmet need for this type of accommodation that has not been met elsewhere in the District. The building is currently used for emergency temporary accommodation and there is no other building in the District which could provide this additional accommodation.

**2) The development is located in an area that is sustainable to meet the social as well as housing needs of the intended residents.**

- 5.1.9 The site is located within a sustainable location, within walking distance from a range of facilities and services, including public transport.

**3) It will not lead to a concentration of similar uses that would be detrimental to the character and function of an area and/or residential amenity**

- 5.1.10 There is no other residential accommodation of this type in Heybridge, therefore there would be no concentration of similar uses.

**4) It would not detrimentally impact on the capacity of public services, including health and social care**

- 5.1.11 The proposal would provide emergency temporary accommodation for people who currently reside in the District, therefore resulting in no increased impact on the capacity of public services.

**5) It is in close proximity to everyday services, preferably connected by safe and suitable walking / cycling routes or public transport appropriate for the intended occupier**

- 5.1.12 As above, the site is within a short walk of services and facilities including public transport.

**6) It can be demonstrated that the development is designed and managed to provide the most appropriate types and levels of support to its target resident**

- 5.1.13 Maldon District Council, the applicant, is the statutory provider of this type of accommodation and has an excellent track record of partnership working with Registered Providers elsewhere in the District. This facility will be managed by a Registered Provider on the Council's behalf.

**7) It can be demonstrated that revenue funding can be secured to maintain the long-term viability of the scheme**

5.1.14 Rental income from this accommodation will maintain the long-term viability of the scheme.

**8) The scheme is supported by the relevant statutory agencies**

5.1.15 In this case, the applicant is the relevant statutory agency.

5.1.16 In summary, the information provided in support of the application demonstrates accordance with Policy H3 and the Specialist Needs Housing SPD.

**5.2 Design and Impact on the Character of the Area**

5.2.1 No external alterations are proposed therefore there is no impact on the character of the area.

**5.3 Impact on Residential Amenity**

5.3.1 The basis of Policy D1 (4) of the LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlooks, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by Section C07 of the Maldon District Design Guide (2017) (MDDG). Policy H4 (density (7)) requires consideration of the impacts of development on neighbouring amenity.

5.3.2 No additional windows are proposed. The addition of a single bedsit unit within the existing residential building is not expected to result in any harmful impact to the amenities of surrounding neighbours.

5.3.3 The proposed bedsit measures approximately 22sqm in area and does not meet the nationally described space standards. However, as the type of accommodation proposed is for emergency short term occupancy only, for periods of up to a week, it is considered that this is more akin to hotel accommodation for which the space standards do not apply. Accordingly, non-compliance with the space standards is acceptable in this instance and would not justify a reason for refusal on the grounds of quality of accommodation.

**5.4 Access, Parking and Highway Safety**

5.4.1 Two car parking spaces are provided off site, adjacent to Colne House on Hunt Avenue, for the existing flats, as previously approved. It was considered by Officers in the Committee reports for applications ref. 06/00838/FUL and 06/1176/FUL (which granted permission for the building and a subsequent revision of parking provision) that this level of parking provision was sufficient as *“the residents of the proposed flats are unlikely to be car owners themselves and local shops, medical services and public transport are within walking distance of the site”*. Although the proposal would increase the number of residents on site by one, it is considered that given the type of accommodation proposed it would not be necessary to require additional parking in this instance, in accordance with the previous decisions.

## 5.5 Private Amenity Space and Landscaping

- 5.5.1 No additional amenity space is proposed as part of this application. However, there is existing private amenity space of the site for residents to use and immediately adjacent to the west of the site is an area of public open space.

## 5.6 Ecology

- 5.6.1 In terms of the Essex Coast RAMS and the Habitat Regulations Assessment (HRA), whilst the site falls within the 'Zone of Influence' (Zol) for one or more of the European designated sites scoped into the RAMS as set out in the SPD, the proposal is for temporary accommodation only, therefore it does not trigger the requirement for a financial contribution towards mitigating impacts upon the Essex Coast.

## 6. ANY RELEVANT SITE HISTORY

- **06/00445/FUL** - 4 x 2 Bed Flats for single mother's and baby, communal lounge and ancillary external works. Refused 2 June 2006.
- **06/00838/FUL** - 4 x 2 bed flats for young families, communal lounge, ancillary external works and enhancement to open space. Approved 1 September 2006.
- **06/01176/FUL** - Provision of 2 parking spaces at Colne House, Hunt Way in substitution for those required under condition 7 of planning permission FUL/MAL/06/00838 at 48 Hunt Avenue, Heybridge in relation to development of 4 flats for young families. Approved 17 November 2006.

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Support – the application provides safeguarding accommodation.	Noted

### 7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection. The bathroom door opening out into the kitchen area may contribute to the risk of burns and scalds. Cookers and worktops must be safely sited away from doorways to reduce the risk of incidents.	Noted, this can be added as an informative.

### **7.3 Representations received from Interested Parties**

7.3.1 No letters of representation were received.

### **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 91(1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents as detailed on the decision notice.

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

#### **INFORMATIVE**

The bathroom door opens out into the kitchen area which may contribute to the risk of burns and scalds. Cookers and worktops must be safely sited away from doorways to reduce the risk of incidents.

#### **Submitted Plans:**

Location plan

Block plan

TB/01

TB/02

TB/07

Stephens House and Parking Bays - Plan (003)