



**REPORT of  
INTERIM HEAD OF PLANNING SERVICES**

to  
**PLANNING AND LICENSING COMMITTEE  
2 MARCH 2017**

*(TO BE CONSIDERED BY THE NORTH WESTERN AREA PLANNING COMMITTEE ON 6  
FEBRUARY 2017 AND CENTRAL AREA PLANNING COMMITTEE ON 22 FEBRUARY 2017)*

<b>Application Number</b>	<b>FUL/MAL/16/01419</b>
<b>Location</b>	Vaulty Manor Goldhanger Road Heybridge Essex
<b>Proposal</b>	Wedding gazebo within the enclosed garden of Vaulty Manor
<b>Applicant</b>	Mr Colin Downie - Osea Leisure Park
<b>Agent</b>	Geoffrey Vale - Geoffrey Vale Chartered Architect
<b>Date Valid</b>	6 December 2016
<b>Target Decision Date</b>	7 March 2017
<b>Case Officer</b>	Yee Cheung, TEL: 01621 876220
<b>Parish</b>	<b>GOLDHANGER</b>
<b>Reason for Referral to the Committee / Council</b>	The planning application and Listed Building Consent both fall under the parishes of Goldhanger and Heybridge and therefore would need to be considered by Members at the North Western Area Planning Committee and Central Area Planning Committee.
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<b>Reason for Referral to the Committee / Council</b>	The planning application and Listed Building Consent both fall under the parishes of Goldhanger and Heybridge and therefore would need to be considered by Members at the North Western Area Planning Committee and Central Area Planning Committee.

**1. RECOMMENDATION**

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


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

**2. SITE MAP**

Please see overleaf.

**Vaulty Manor, Goldhanger Road, Heybridge**  
**FUL/MAL/16/01419**



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	C Committee 16/01419/FUL
	Date:	09/02/2017
	MSA Number:	100018588
<a href="http://www.maldon.gov.uk">www.maldon.gov.uk</a>		

### **3. SUMMARY**

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

- 3.1.1 The application site is located in the rural area beyond the settlement boundaries for both Goldhanger and Heybridge. The site is located on the north side of Maldon Road/Goldhanger Road with the buildings set back approximately 140 metres from the highway. To the front / southern boundary of the application site there is an established hedge and some trees have been planted along the private driveway into the site. The site itself is occupied by a Grade II listed building and planning permission was granted to change the use of the existing six bedroom 'Vaulty Manor' to be used as a hotel in association with the existing wedding venue (reference: FUL/MAL/16/00026).
- 3.1.2 Planning permission is sought for the erection of a gazebo to be used in conjunction with the existing wedding venue. The gazebo would be octagon in shape and measure approximately 4 metres wide and 4 metres deep with a height of 3.9 metres to ridge level. It would be positioned approximately 12 metres further forward and 32 metres away to west from the main house.

#### **3.2 Conclusion**

- 3.2.1 The gazebo, to be used in conjunction with the existing wedding venue at Vaulty Manor is considered acceptable in principle and would not cause demonstrable harm to the character and appearance of the rural area, the residential amenity of neighbouring properties and the setting of the Grade II listed building. In this respect, the proposal would accord with policies BE1, BE16 and CC6 of the adopted local plan, policies S1, S8, D1, D3 and H4 of the Local Development Plan, and Government advice contained within the National Planning Policy Framework.

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

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

#### **4.1 National Planning Policy Framework 2012 including paragraphs:**

- 7, 14, 17, 56, 57

#### **4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:**

- BE1, BE16, CC6

#### **4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:**

- S1, S8, D1, D3, H4

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

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (NPPF)

## **5. MAIN CONSIDERATIONS**

### **5.1 Principle of Development**

- 5.1.1 The principle of erecting a gazebo to be used in conjunction with the established wedding venue within the house and ground is considered acceptable. There is no objection to the development proposal in principle subject to other planning considerations which will be discussed below:-

### **5.2 Design and Impact on the Character of the Area and the setting of the Listed Building**

- 5.2.1 Policy BE1 of the adopted local plan states that development proposals will only be permitted if they are compatible with their surroundings in terms of layout, scale, bulk, height and visual impact. The gazebo would be set within the grounds of a listed building and as such policy BE16 would also apply to this case. Further, policy D3 of the Local Development Plan and the National Planning Policy Framework both provide guidance on heritage assets. Policy BE16 states that ‘extensions, alterations to, and additional buildings in the curtilage of listed buildings’ will only be permitted if the proposal would not harm the building, its setting and any features that contribute to its special architectural or historic interest.
- 5.2.2 The development proposes to construct a gazebo to be used for wedding purposes in conjunction with the main house. The gazebo would be octagon in shape and of a simple design. It is modest in scale, featuring external materials such as wood composite for the decking and painted timber posts supporting the cedar shingles to form the roof. The gazebo would be positioned approximately 35 metres away from west of the main house and therefore would not have material impact on the principle building which is Grade II listed. Whilst it is noted that the gazebo would be set 12 metres further forward than the house, it would still be screened by existing line of trees and therefore cannot be seen from the public domain. The structure is considered to be appropriate and sympathetic to the rural setting in accordance with Policies BE1, BE16 and CC6 of the adopted local plan and Policies S1, S8, D1 and D3 of the Local Development Plan. The Conservation Officer has raised no objection to the proposal.

### **5.3 Impact on Residential Amenity**

- 5.3.1 Policy BE1 of the adopted local plan seeks to protect neighbouring occupiers from development which would be detrimental to their amenities by reason of overlooking, overpowering and loss of light. The nearest dwellings are No. 1 and 2 Vaulty Manor Cottages located approximately 190 metres away to the south east of the site with the Barrow Marsh Caravan Park located some 170 metres to the south west. Having considered the scale and nature of work proposed, it is not considered the gazebo would have an adverse impact on the amenity of the occupiers at the named cottages or the occupiers at the caravan park to warrant refusal.
- 5.3.2 Whilst it is acknowledged that the gazebo, to be used for wedding purposes, may result in some noise and disturbance i.e. with music being played from the structure, it is important to note that there is currently no restriction within the grounds of the house to erect a temporary structure such as a tent for a day with music being played

within. As such, it is considered the gazebo would not significantly harm the residential amenity of the above residential properties to justify refusal of this application.

- 5.3.4 Having checked the planning history for the site, it appears that no restriction has been placed on the house and grounds to facilitate functions, parties and weddings, it is therefore considered to impose a condition restricting music being played during wedding ceremonies within the gazebo would be unreasonable.

#### **5.4 Access, Parking and Highway Safety**

- 5.4.1 The construction of a gazebo would not reduce the level of car parking spaces that are currently available within the grounds of Vaulty Manor. The proposed gazebo would not result in additional visitors on top of the existing facility to such a degree as to result in any demonstrable increase in on-site parking. In this respect, the proposal would accord with policy T8 of the adopted local plan and policy T2 of the Local Development Plan.

#### **5.5 Landscaping**

- 5.5.1 The proposed gazebo positioned on a lawn area and would be screened by existing soft landscaping. In preparation for wedding ceremonies, temporary decorations such as flower displays, mats and seats would be laid out for the people attending the wedding. As these features would be temporary, it is considered that it would not harm the character and appearance of the area and the setting of the listed building.

#### **5.6 Other Material Considerations**

- 5.6.1 The application site is located on the boarder of Flood Zones 2 and 3. The site area is approximately 2.6 hectares and as such the Environment Agency, Essex County Council Sustainable Urban Drainage (ECC SUDs) Team and the Emergency Planner were consulted regarding the development proposal. No objection has been raised by the Environment Agency and the ECC SUDs Team. The Emergency Planner has raised no objection to the proposal subject to a condition to be imposed for a flood water evacuation plan to be presented on site. This can be dealt with by a planning condition.

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

- 01/00105/FUL - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall. Approved 28.03.2001
- 01/00106/LBC - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall.
- 02/00201/FUL - Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002
- 02/00202/LBC - Application for listed building consent to Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002

- 02/00849/FUL - Erection of guest accommodation rooms. Approved 12.11.2002
- 03/01220/FUL - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004
- 03/01221/LBC - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004
- 05/00666/FUL - Extension to Banqueting Hall. Approved 07.02.2006
- 16/00026/FUL - Change of use (of the house on the estate site) from (C3) private dwelling house to (C1) hotel/guest house. Approved: 10.05.2016
- 16/00027/LBC - Minor alterations to first floor interior bedroom and en-suite arrangements. Granted Listed Building Consent: 08.03.2016.

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

### 7.1 **Representations received from Parish / Town Councils**

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Goldhanger Parish Council	Supports the FUL and LBC applications	Acknowledged
Heybridge Parish Council	To grant planning permission and Listed Building Consent	Acknowledged

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

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Environment Agency	The site is in an area of flood risk. EA has advised that in managing flood risk, is for the Council to consult the Emergency Planner when making decisions.	Noted
Emergency Planner	No objection subject to a condition for a flood water evacuation plan to be presented on site	Noted
SUDs Team	The scheme is unlikely to have much of an impact on surface water drainage.	Noted
ECC Highways	No objection	Noted

### 7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objection to the proposed gazebo. It will cause no harm to the setting or significance of the Grade II listed Vaulty Manor.	This has been addressed in Paragraph 5.2.2.

### 7.4 Representations received from Interested Parties (*summarised*)

7.4.1 No letters of representation at the time of writing this report.

## 8. **PROPOSED CONDITIONS**

### **FUL/MAL/16/01419:-**

- 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 & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.  
**REASON** To ensure that the development is carried out in accordance with the details as approved.
- 3 No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.  
**REASON** To ensure that external materials for the construction of the development is appropriate to the rural area in accordance with policies BE1 and CC6 of the Maldon District Replacement Local Plan, policies S1, S8 and D1 of the Maldon District Local Development Plan, and Government guidance contained within the National Planning Policy Framework.
- 4 Prior to first use of the gazebo hereby permitted, weatherproof signs shall be displayed within the gazebo, which comprehensively describe the site evacuation procedures in the event of a flood. The signage shall thereafter be retained.  
**REASON:** To ensure that all users of the development are aware that the site is at risk of flooding in accordance with policy D5 of the Maldon District Local Development Plan, and government advice contained within the National Planning Policy Framework and Planning Practice Guidance.

**LBC/MAL/16/01420:**

- 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).
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.  
REASON To ensure that the development is carried out in accordance with the details as approved.