



**REPORT of  
CHIEF EXECUTIVE**

---

**to  
CENTRAL AREA PLANNING COMMITTEE  
28 JUNE 2017**

<b>Application Number</b>	<b>FUL/MAL/17/00465</b>
<b>Location</b>	Maldon Saints Clubhouse, The Promenade Park, Park Drive, Maldon
<b>Proposal</b>	Extension to existing clubhouse forming function room and office.
<b>Applicant</b>	Mr Henry Thompson - Maldon Saints FC
<b>Agent</b>	Chris Cumbers - CBS Cumbers MCIAT
<b>Target Decision Date</b>	28 June 2017
<b>Case Officer</b>	Hilary Baldwin, TEL: 01621 875730
<b>Parish</b>	<b>MALDON EAST</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land

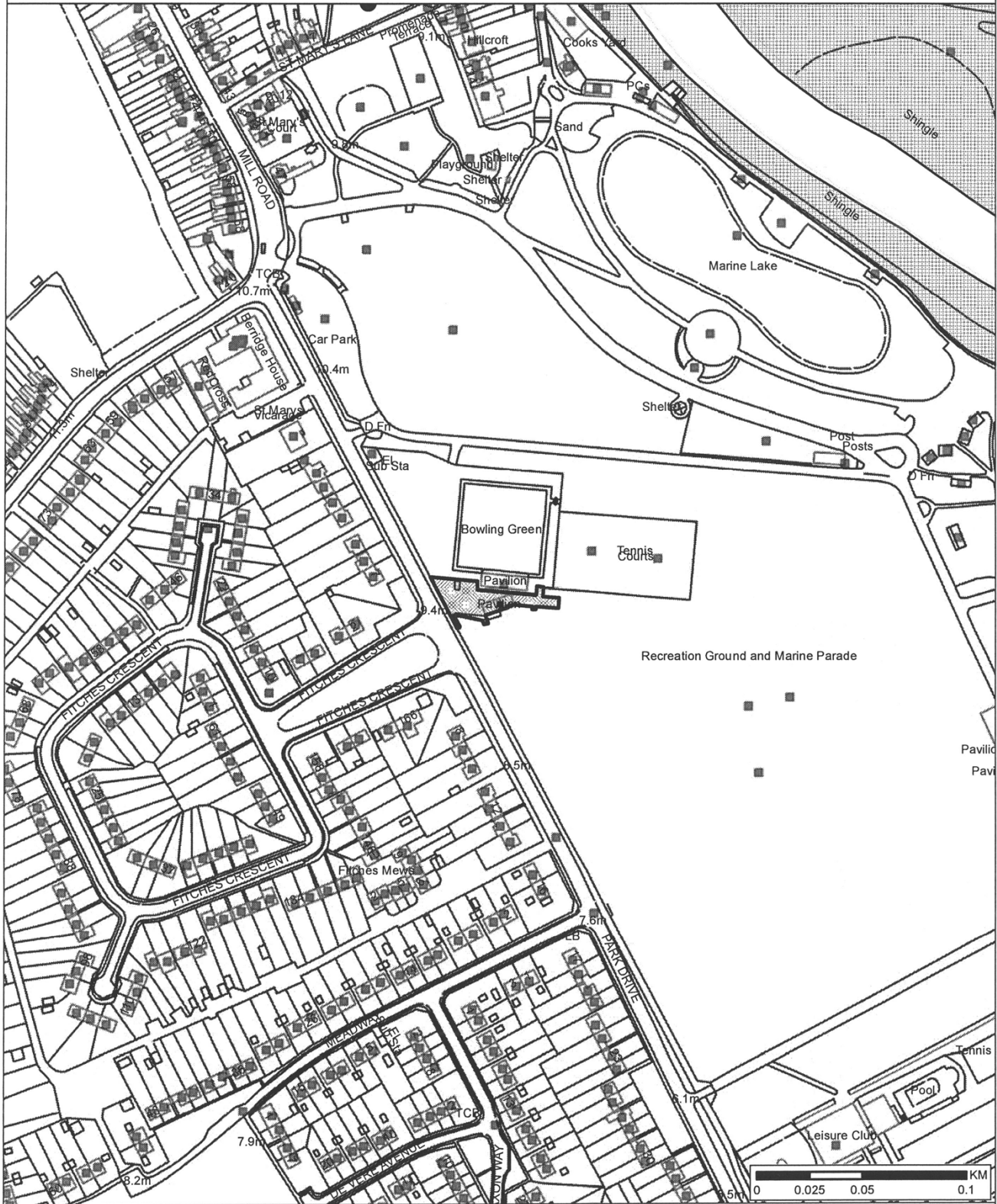
**1. RECOMMENDATION**

**REFUSE** subject to the reason as detailed within Section 8 of this report.

**2. SITE MAP**

Please see overleaf.

**Maldon Saints Club House, The Promenade Park, Park Drive, Maldon**  
**FUL/MAL/17/00465**



**Copyright**



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 Stationary Office © Crown copyright.  
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 Maldon District Council 100018588 2014

[www.maldon.gov.uk](http://www.maldon.gov.uk)

Scale: 1:2,500

Organisation: Maldon District Council

Department: Department

Comments: C Committee 17/00465/FUL

Date: 15/06/2017

MSA Number: 100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is within the wider area of public land adjacent to the west side of Promenade Park and immediately adjacent to the Maldon bowling green and its clubhouse and the tennis courts. To the west is Park Drive and the residential area of south Maldon. The current site comprises a small pavilion with timber weatherboard elevation. Internally there is a hall area, kitchen and office and externally there is a small informal parking area with direct access from the highway. The site lies outside of the settlement boundary of Maldon.
- 3.1.2 Planning permission is sought for an extension to the existing facility for the benefit of a function room, server and office projection to the rear (north). Separate access is proposed as well as a link to the existing facility.
- 3.1.3 The structure would measure 18.4m wide, 5m deep with the rear office projection measuring 3.3m by 4.6m. A small entrance porch would project 1.5m with a width of 3.4m. The link between the existing and proposed structures would be set at an angle as the proposed building would be set parallel with the bowls club and tennis clubs to the rear.
- 3.1.4 The building would have a brick plinth and black timber weatherboard elevations. Black aluminium fenestration is proposed together with black rainwater goods. The roof would comprise profile metal sheeting. All materials would match the existing structure.
- 3.1.5 The submission states that the site would be for the benefit of training meetings for the football clubs and functions and social events associated with the club. Hours of opening are stated as being from 09:00 to 20:00 seven days a week.

#### **3.2 Conclusion**

- 3.2.1 The proposed development would not result in a detrimental impact upon the parkland setting or adjacent neighbouring residential occupiers subject to appropriate conditions for materials, hours of opening and noise insulation. However, due to the lack of formal parking provision within the site and lack of information with regard to the level of proposed parking, it cannot demonstrate that it would meet the policy and Vehicle Parking Standard requirements and may result in on-street parking and danger to both pedestrians and vehicle users of the site and adjacent highway.

### **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, 56, 69

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

- S1 Development Boundaries and New Development
- S2 Development outside Defined Settlement Boundaries
- BE1 Design of New Development and Landscaping
- BE8 Lighting
- CC6 Landscape Protection
- CC11 Coastal Zone
- REC7 Protection of Existing Public and Private Open Space
- T1 Sustainable Transport and Location of New Development
- T2 Transport Infrastructure in New Developments
- T8 Vehicle Parking Standards

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

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

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

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Essex Design Guide
- Car Parking Standards

### **5. MAIN CONSIDERATIONS**

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

- 5.1.1 The site located outside of the settlement boundary of Maldon. However, the application proposes an extension to the existing clubhouse whereby the principle of development is acceptable. Other material planning considerations are discussed below.

#### **5.2 Relevant Planning History**

- 5.2.1 The site has been subject to two previous applications (referenced in a subsequent section of this report) for the development of the site and for a very similar structure. However, whilst the external shell was the same as that proposed in this submission, the internal space was for shower and changing facilities of the football and sports teams. Whilst the original permission for the building and changing facilities was

renewed in 2013, the structure was never constructed as the provision of public shower and changing facilities for minors is not now considered necessary.

### **5.3 Design and Impact on the Character of the Area**

5.3.1 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. In order to comply with Policy BE1 of the RLP, the proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials. Similarly, the basis of policy D1 of the emerging LDP ensures that development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.

5.3.2 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

5.3.3 The NPPF states that:

*‘The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’*

*‘That permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.’*

5.3.4 Planning permission is sought for an extension to the existing clubhouse building. Whilst the proposed structure would double the size of the existing facility, the overall footprint of the building only extends to 111m<sup>2</sup>, resulting in a gross internal floor area of 206m<sup>2</sup> with the ridge set at 0.2m than the existing building.

5.3.5 The design of the building is commensurate with the existing building and whilst it would result in an elongated structure, it would be seen against the backdrop of the long low building of the bowls club to the rear and the tennis courts with their high perimeter fences. In the wider parkland, the combined structures would still appear as a small subservient facility in this corner of the public space.

5.3.6 Furthermore, the design of the building closely resembles the design of the previous grant of permission for the changing room and shower facility. The footprint and external envelope is the same as that permission with the exception of the addition of a separate front projection for the benefit of the separate access.

5.3.7 In terms of the design, the proposal is considered acceptable and policy compliant. Conditions for the external materials to be can be appended to any grant of permission.

## **5.4 Effect on amenity of neighbouring occupiers and users of the site**

- 5.4.1 The site is within the wider confines of the Council's public recreation area and directly adjacent to the bowls club. The nearest residential properties are to the western side of Park Drive. Whilst the extent of the building may not in itself be considered large, the use of the combined facility for functions may lead to noise and disturbance during evenings and weekends for adjacent residential occupiers. It is acknowledged that the Environmental Health Service has not raised an objection on this element, but their concerns are stated. However, as the existing facility can be open up to midnight it is considered that should permission be granted, a condition to limit the hours of use to that of the existing building is appended to any grant of permission. Furthermore, it is also considered prudent to append a condition to any grant of permission for the submission of soundproofing of the new facility.
- 5.4.2 As such the proposal is not considered to result in significant potential impact on the living conditions of the nearest residential properties or impact upon adjacent park users and subject to appropriate conditions is considered to accord with adopted policies BE1 and CON5 and emerging policies D1 and D2 of the submitted Local Development Plan and the guidance and provision of the NPPF.

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

- 5.5.1 The Maldon District Council Supplementary Planning Document (SPD), states that leisure use for indoor facilities within Use Class D2 requires a maximum of 1 space per 22m<sup>2</sup> of floor space. The proposal comprises an extension to the existing facility which has provision for some informal parking within the application site. As the combined floor space of the two structures would just exceed 200m<sup>2</sup>, parking provision should be for a minimum of 10 spaces. No formal parking provision or layout has been provided with the submission and the increased floor area of 111m<sup>2</sup> would require an additional 5 car parking spaces.
- 5.5.2 Furthermore, it must be noted that the previous application was for ancillary shower and changing facilities in conjunction with the use of the existing clubhouse and adjacent playing fields. Therefore as the current proposal is for a function suite it is materially different and must be assessed accordingly.
- 5.5.3 The Essex County Council highway authority has not raised an objection to the proposal. However, currently there is limited informal provision for the existing use and no additional provision for the proposed function suite. Whilst it is acknowledged that the Highway Authority has not objected on highway safety grounds, there is concern from the Local Planning Authority that inappropriate parking on the public highway could take place in this location, leading to impact upon the free flow of traffic or private residential parking in the vicinity of the site. It must be noted that no other car parking areas have been included within the area edged in red and therefore cannot be relied upon to meet the car parking needs for this development.
- 5.5.4 Therefore, as the proposal does not comprise formal parking arrangements and prohibits social inclusion and accessibility, the proposal is considered to be contrary to the criteria of adopted LP policy T1 and T2 and emerging policy T1 of the submitted LDP.

## **5.6 Landscaping and Boundary Treatment**

- 5.6.1 No new boundary treatments are proposed for the site. However, as the site is within the public park and its use may be restricted to that of the football club only, it is not considered that any additional landscaping or boundary treatments are necessary. The existing clubhouse is open to the public park and playing fields and whilst the structure would be elongated additional screening is not considered necessary.
- 5.6.2 The proposal is considered to accord with policies BE1, REC1, REC7 CC6 of the adopted LP and emerging policies D1, N1, N2 and N3 and the guidance and provision as contained within the NPPF.

## **5.7 Other Considerations**

- 5.7.1 As previously stated, the site has been subject to two previous submissions for very similar development, albeit the internal layout and use may be different in this current submission. The proposal is for development on a public open space which requires assessment against REC7 - Protection of Existing Public and Private Open Space. Whilst that policy states that permission will not be granted for development on such a facility unless an equivalent convenient space for the same purpose is provided, it is considered that in light of the two previous approvals and the minimal loss of this corner of the parkland (which would not impact upon any pitches or sports area), the proposal is considered acceptable in this instance. Furthermore, the restriction of the facility to that of the applicants (the football club), would ensure its retention as a sporting facility.

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

- **FUL/MAL/93/00287** – New clubhouse and football pitches, hockey pitch and netball courts including stand, car par ancillary buildings and floodlights. Approved 11 October 1993.
- **FUL/MAL/10/00542** - Extension to existing clubhouse forming changing rooms, referees room, tennis club office with associated showers and toilets. Approved 24 September 2010.
- **FUL/MAL/13/00878** - Extend time limit for implementation of approval FUL/MAL/10/00542 (Extension to existing clubhouse forming changing rooms, referees room, tennis club office with associated showers and toilets). Approved 22 January 2014.

## **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>
Maldon Town Council	Support	The comments of the Parish Council are noted.

## 7.2 External Consultees (*summarised*)

<b>Name of External Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
ECC Highway Authority	No Objection.	The comments of the Service are noted.

## 7.3 Internal Consultees (*summarised*)

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health Service	No Objection Subject to conditions for hours of use, noise insulation and doors, surface and foul drainage and floodlighting.	The comments of the Environmental Health Service are noted.

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

7.4.1 None were received at the time of writing this report

## 8. **REASON FOR REFUSAL**

1. It has not been demonstrated that the proposed development would provide an adequate level of parking within the site and that there is sufficient space for vehicles to manoeuvre and park within the site. The proposed development could lead to an obstruction to the highway network to the detriment of the free flow of traffic. This will result in an unacceptable level of danger to pedestrians and vehicles using the highway and the free flow of traffic contrary to adopted Maldon District Replacement Local Plan Policies BE1 and T8 and emerging policies D1 and T1 of the submitted Local Development Plan and the guidance and provisions as contained within the National Planning Policy Framework.