



**REPORT of
CHIEF EXECUTIVE**

to
CENTRAL AREA PLANNING COMMITTEE
23 August 2017

Application Number	LBC/MAL/17/00464
Location	Edwards Walk, Maldon
Proposal	New street surface in covered pedestrian walkway and render to be applied to existing red brick walls.
Applicant	Mr Giles Ford
Agent	Annabel Brown - Annabel Brown Architect
Target Decision Date	28August 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Parish Trigger

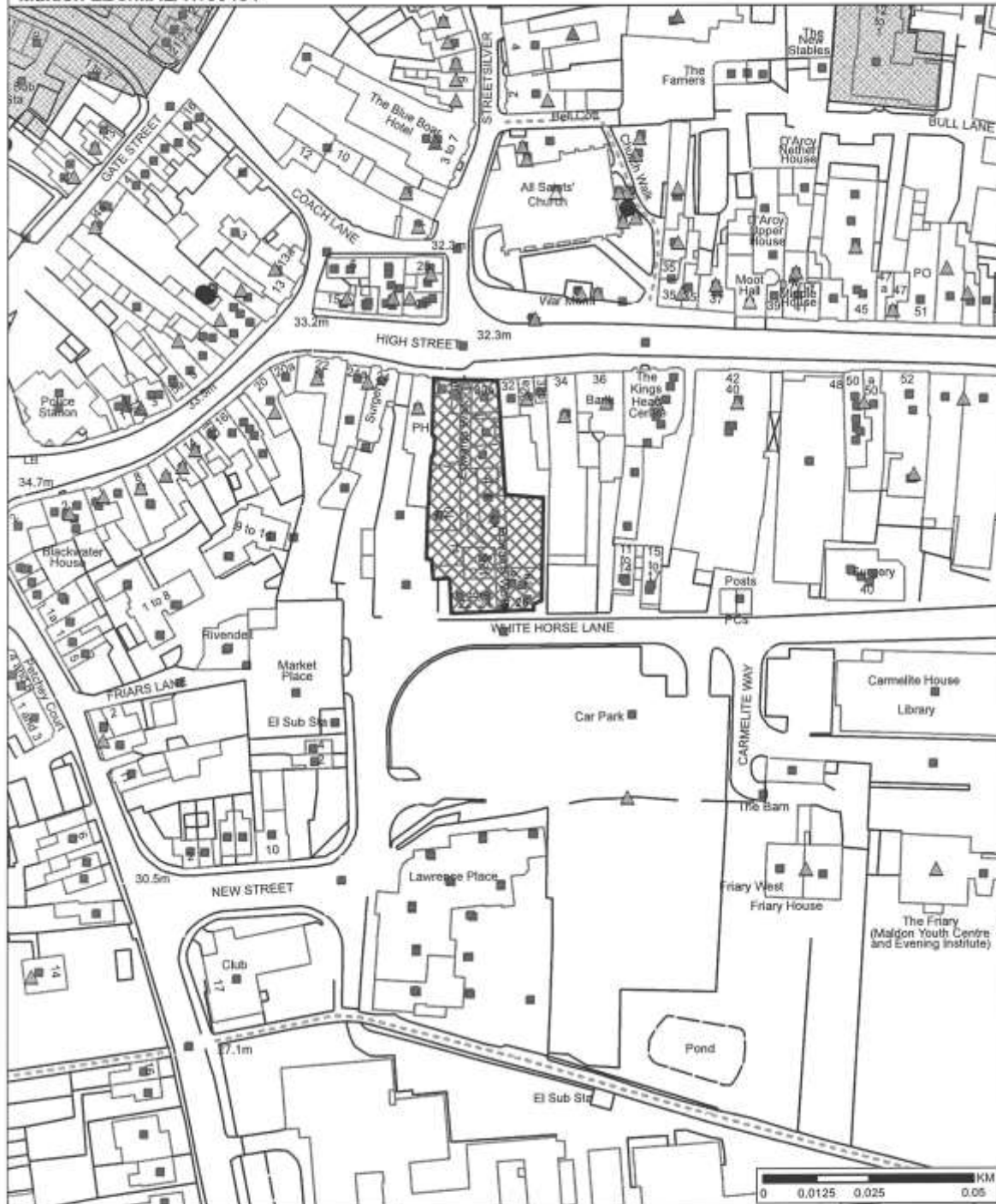
1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

Edwards Walk Maldon LBC/MAL/17/00464



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Maldon District Council 100018588 2014

www.maldon.gov.uk

Scale: 1:1,250

Organisation: Maldon District Council

Department: Planning Services

Comments: Central Committee

Date: 11/08/2017

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site falls within the Maldon Conservation Area and comprises a covered pedestrian walkway with associated retail outlets at ground floor level. The internal space has an ordinary pavement style floor finish with some coloured detailing incorporating a diamond design. The large retail shop windows are enclosed by red brick and the roof comprises a ridge roof with opaque glazed panels and white painted collar beams.
- 3.1.2 The arcade dates from late 20th century and is accessed between two retail units on the High Street known as No's 30 and 30A High Street at the northern end, and leads through to White Horse Lane. The retail units at the High Street frontage are Grade II listed buildings.
- 3.1.3 Listed Building consent is sought for a change to the walk way flooring and for the walls to be rendered with grey paintwork to the brick plinth. The flooring would comprise a composite porcelain tile mimicking a rough floor boarding in both surface detailing, colour and layout. The render would comprise a uniform but rough finish with cream paintwork with the existing brick plinth below the large retail windows painted a soft grey.

3.2 Conclusion

- 3.2.1 The arcade is curtilage listed by way of adjoining the retail units on the High Street only and is not considered to possess heritage significance in itself. There are very limited views into the walkway from either end and, albeit a public open space, it is enclosed and represents a modern style addition to the retail offering within the town centre.
- 3.2.2 The changes to the surface materials within the existing arcade are not considered to result in harm to the significance of either the listed buildings or the wider Conservation Area. The Conservation Officer has been consulted and there are no objections to the proposal which is not considered to cause harm to the significance of either designated heritage asset.

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:

- 14, 56, 69

4.2 Maldon District Local Development Plan Approved on 21st July 2017

- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The site is located inside the settlement boundary of Maldon and the proposal relates to the internal floor and wall finish of the arcade known as Edwards Walk. The arcade is located within the designated Maldon Conservation Area and adjoins the listed buildings which front onto the High Street at the northern end. Therefore, the works must be considered on their merits in terms of design with specific regard to policy criterion of D3 of the approved LDP.

5.1.2 In determining development proposals that affect heritage assets such as listed buildings, local planning authorities are required by the NPPF to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

5.2 Design and Impact on the Character of the Area and Designated Heritage Assets

5.2.1 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 approved policies, a proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials and not have a detrimental impact on its surrounding area and local context and actively seek opportunities for enhancement in the built environment.

5.2.2 The works comprise changes to the materials used for both the floor covering and the wall treatment within the arcade only. In determining an appropriate contextual relationship with surrounding development, factors 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.

5.2.3 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.’

- 5.2.4 No structural changes are proposed and the submission would solely be for the aesthetic changes to the floor and wall materials only. The current arcade comprises standard pavement style flooring with strong red brickwork surrounding the retail windows. At present it is considered that the bold wall colour and dark flooring encloses the internal space and where there is no roof glazing at the southern end of the arcade it represents a dark and uninviting space. The lighter recessive colours of the flooring and walls are considered to open the space and provide a lighter and modern offering within this successful retail area which is considered tired and dated in appearance.
- 5.2.5 It is noted that the Maldon Town Council have raised an objection to the proposal in terms of both design and flooring safety. In terms of design and visual impact the proposal, as previously stated is considered to result in an aesthetic improvement to the internal public space. In terms of flooring safety, the proposal is for Listed Building Consent and a refusal with regard to flooring safety is beyond the remit of this type of application. However, a detailed informative can be appended to any grant of consent advising the applicant that prior to any installation to seek formal and detailed advice as to Building Regulation requirements for testing and compliance with both that Act and the Equality Act in terms of disabled and public access for such spaces.
- 5.2.6 Notwithstanding the previous paragraph, the proposal is considered policy compliant with approved policy D1 and D3 and the provision and guidance as contained within the NPPF.

5.3 Effect on amenity of neighbouring occupiers and users of the site

- 5.3.1 The proposal is within an internal space, albeit with public access and there are very limited public views from outside of the arcade. The proposal comprises changes to the material surfaces only, which are not considered to result in any detrimental impact upon neighbouring occupiers of the site. It is noted from the submission that the majority of owner/occupiers of the retail units have written to the LPA in support of the proposal and have stated that the lighter colours will be more inviting and that the investment in this arcade is very welcome and is aimed at increasing footfall.
- 5.3.2 As such the proposal is not considered to result in significant potential impact on the amenity of properties or their occupiers of any adjacent or adjoining buildings. The proposal is therefore considered to accord with approved policies D1 and D3 of the submitted Local Development Plan and the guidance and provision of the NPPF.

5.4 Other Considerations

- 5.4.1 The original proposal comprised changes to the shop frontages on the High Street. However, the applicant has been advised that these changes would require separate Advertisement Consent and these details have been withdrawn from the proposal. However, it is considered appropriate that should consent be granted, a condition is appended to the consent to this effect.

6. **ANY RELEVANT SITE HISTORY**

Whilst there is an extensive planning history on the site, there are no relevant applications in context with the application subject of this report.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Object	The comments of the Parish Council are noted

7.2 **Internal Consultees (*summarised*)**

Name of External Consultee	Comment	Officer Response
Conservation Officer	No Objection to unconditional consent	The comments of the Service are noted

7.3 **Representations received from Interested Parties (*summarised*)**

7.3.1 Letters were received supporting the application from the following and reasons for support are summarized as set out below.

- Mavis Gardiner 24 White Horse Lane Maldon Essex
- Andrew Wilson Upstairs Downstairs 9-11 Edwards Walk High Street
- Karen Sach & Jo McCulloch Aesthetics Hair 16, 17 & 18 Edwards Walk Maldon
- Ian Brett The Village Cobbler 8 & 12 Edwards Walk Maldon
- Alan & Sue Outlaw Chameleon Maldon Limited 30A High Street Maldon
- Lauren King Blueys Babywear 14 Edwards Walk Maldon CM9 5PJ
- Mrs Patrica Pavelin Ruby Rose 6 & 7 Edwards Walk Maldon
- Gill Lightfoot Cordant People Ltd Chevron House 346 Long Lane
- Helena Billing 3 & 4 Edwards Walk Maldon Essex

Supporting Comments	Officer Response
Will increase footfall. Will result in a lighter brighter offering. Good to see commercial investment in the arcade. Current arcade is dark and visually unappealing and the proposed wall covering will provide much needed lightening to the arcade and make it more appealing Will remove cheap brickwork and	The comments have been noted and addressed within the report

Supporting Comments	Officer Response
concrete slabs. Positive effect on footfall and will ultimately increase business for retail occupiers.	

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).
2. The development hereby permitted shall be carried out in complete accordance with approved drawings **A17510-ELE PROPOSED, A17510-ELE EXISTING LOCATION PLAN, A17510-DD 01, MC5414**/specifically referenced on this decision notice as well as the submitted detailed specifications.
REASON: To ensure that the development is carried out in accordance with the details as approved.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application. Specifically this comprises
Flooring: Del Conca, ceramic paving ref: HMN201 in Beige
Wall Render: K Rend, Silicon Coloured Render
REASON: To ensure that the development is carried out in accordance with the details as approved and in order to meet the requirements of policy D3 of the approved Maldon District Local Development Plan.
4. This permission approves only the development described in the application and shall not be construed as giving approval for any changes to the shop facades in High Street, Maldon or for any associated Advertisement Consent
REASON: For the avoidance of doubt as to the extent of this permission.

INFORMATIVE

- 1 The applicant and agent are advised that prior to the installation of the flooring material hereby approved, that any such flooring must conform to the appropriate Building Regulation and Equality Act requirements for non-slip flooring in a public open space and be installed accordingly.