



**REPORT of  
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to  
**PLANNING AND LICENSING COMMITTEE**  
**25 JANUARY 2018**

<b>Application Number</b>	<b>FUL/MAL/17/01192</b>
<b>Location</b>	Vaulty Manor Goldhanger Road Heybridge Essex
<b>Proposal</b>	Alterations to openings and internal partitioning of stable ranges to provide new reception/WC areas in place of existing ancillary guest/staff accommodation.
<b>Applicant</b>	Mr Christopher Powdrill
<b>Agent</b>	Mr Robert Pomery - Pomery Planning Consultants Ltd
<b>Target Decision Date</b>	26 January 2018
<b>Case Officer</b>	Kathryn Mathews, TEL: 01621 875805
<b>Parish</b>	<b>GOLDHANGER AND HEYBRIDGE</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application

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**1. RECOMMENDATION**

**FUL/MAL/17/01191:**

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

**LBC/MAL/17/01192:**


**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/17/01192**



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	P & L Committee
	Date:	11/01/2018
<a href="http://www.maldon.gov.uk">www.maldon.gov.uk</a>	MSA Number:	100018588

### **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 (which are located within the Parish of Goldhanger) 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 three grade II listed buildings: the former farmhouse, the former threshing barn, and a former range of stables. Planning permission was granted to change the use of the former six bedroom ‘Vaulty Manor’ to a hotel in association with the pre-existing wedding venue (reference: FUL/MAL/16/00026) in 2016.
- 3.1.2 The proposal is described as alterations to openings and internal partitioning of stable ranges to provide new reception / WC areas in place of existing ancillary guest / staff accommodation. The proposal would involve works including the introduction of contemporary glazing to the front and rear elevations of the new reception room and an existing lobby with new doors being introduced. Internal alterations would see the creation of a new ‘assembly area’ through the removal of existing internal partitions and the creation of new toilets and a cloak room / lobby area.
- 3.1.3 A covered walkway and glass entrance dome to the main ceremony room formed part of the proposal as originally submitted, but has been removed from the proposal following objections having been raised to this element of the proposal by the Conservation Officer.
- 3.1.4 The applications are accompanied by a document entitled Flood Risk Assessment, a Heritage Statement and a Planning Statement.
- 3.1.5 The Flood Risk Assessment concludes that the proposal would not increase flood risk.
- 3.1.6 The Heritage Statement concludes that the proposed works would not be inappropriate.
- 3.1.7 The Planning Statement includes the following information in support of the proposal:
- Vaulty Manor has been a wedding venue since 2002; the current proposals would continue the programme of improvement of facilities
  - Would make better use of existing bedrooms to be used as a new reception area and WCs (including accessible facilities)
  - Proposals do not involve the creation of any new floorspace and so would not materially impact on the current flood risk condition of the site.

#### **3.2 Conclusion**

- 3.2.1 Having assessed the proposal, it is considered that the proposed development would be acceptable and comply with the National Planning Policy Framework (NPPF),

National Planning Policy Guidance (NPPG) and Policies S1, D8, D1, D3 and D5 of the Maldon District Approved Local Development Plan (LDP).

#### **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:**

- Core Planning Principles
- Section 1 Building a strong, competitive economy
- Section 3 Supporting a prosperous rural economy
- Section 7 Requiring Good Design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

##### **4.2 Maldon District Approved Local Development Plan 2017:**

- Policy S1 – Sustainable Development
- Policy S8 – Settlement Boundaries and the Countryside
- Policy D1 - Design Quality and the Built Environment
- Policy D3 – Conservation and Heritage Assets
- Policy D5 – Flood Risk and Coastal Management
- Policy E1 - Employment
- Policy T2 – Accessibility

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

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide

#### **5. MAIN CONSIDERATIONS**

5.1 The main issues which require consideration as part of the determination of the planning application are the principle, the impact of the proposal on the character and appearance of the area, the impact on the Grade II listed building, any impact on local residents, flood risk and drainage. The only issue which requires consideration as part of the determination of the application for listed building consent is the impact of the proposed works on the Grade II listed building.

##### **5.2 Principle**

5.2.1 The NPPF supports economic growth in rural areas (paragraph 28) including the sustainable growth and expansion of all types of business and enterprise in rural areas

both through conversion of existing buildings and well designed new buildings. One of the aims of Policy S1 is to ensure a healthy and competitive economy.

- 5.2.2 The application site is located outside the defined development boundaries within the District of Maldon and within the countryside. Policy S8 states that outside the defined settlement boundaries and other defined areas, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for development within a list set out in the Policy which includes employment generating proposals (in accordance with Policy E1). Policy E1 encourages employment generating proposals.
- 5.2.3 From this basis and noting that the proposal is to support an existing use rather than create a new use at the site, it is considered that the principle of development can be found acceptable.

### 5.3 **Character and Appearance**

- 5.3.1 Policy D1 of the LDP is applicable to the consideration of design. This policy, coupled with the NPPF, aims to ensure good design taking into account matters including architectural style, layout, materials, visual impact and height, scale and bulk. The NPPF is clear that good design is indivisible from good planning and development of a poor design should be refused.
- 5.3.2 Policy S8 states that outside the defined settlement boundaries and other defined areas, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.
- 5.3.3. The application site is located within the rural area. However, the proposal is for alterations to an existing building located within the existing group of buildings. Therefore, it is considered that the proposal would not have an adverse impact on the character or beauty of the wider countryside within which Vaulty Manor is located, in compliance with Policy S8 of the LDP. With respect to Policy D1, the Conservation Officer has not raised concerns regarding the proposal in relation to heritage assets (see below).

### 5.4 **Impact on the Listed Building**

- 5.4.1 Policy S1 of the LDP states that Council will take a positive approach that reflects the presumption in favour of sustainable development and will apply key principles including conserving and enhancing the historic environment.
- 5.4.2 Policy D1 of the LDP sets out a number of criteria which new development is required to meet which include respecting and enhancing the character and local context; and making a positive contribution to the historic environment.
- 5.4.3 Policy D3 of the LDP states that the Council will give great weight to the heritage asset's conservation and that any harm or loss will require clear and convincing justification. Development that affects a heritage asset will be required to '*preserve or enhance its special character, appearance, setting ... and any features and fabric of architectural or historic interest*'.

5.4.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council must have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

5.4.5 The Conservation Officer raises no objection to the proposal as follows:-

*‘There are three grade II listed buildings on this site; the former farmhouse, the former threshing barn, and a former range of stables. Externally, the character of the house is late Georgian, during which period it was substantially rebuilt, but it does incorporate a late-medieval timber-framed crosswing. Both the barn and the stables date from the first half of the 19th century. These three buildings share value as part of an historic farmyard group. As part of the use of the site as a wedding venue, both of the former agricultural buildings have been thoroughly modernised to an extent which has eroded their architectural and historic interest. However, the external visual relationship between house and the farm buildings has been preserved and remains important.*

*The supposed former stable range retains very few features of interest beside its basic form. It is proposed to remove modern internal partitions and to introduce more extensive areas of glazing to the front and rear elevations. There are already windows on the front and rear elevations. Some of the windows are crude plastic examples which are not appropriate to an historic listed building such as this. On balance, I consider that the proposed internal remodelling and refenestration will cause no harm to the significance of this building.’*

5.4.6 On the basis of this specialist advice, it is considered that the proposal would ‘preserve or enhance [the] special character, appearance, setting’ of the Grade II listed building and ‘features and fabric of architectural or historic interest’, in compliance with the NPPF, NPPG and Policies S1, D1 and D3 of the LDP.

## 5.5 Residential Amenity

5.5.1 Policy D1 of the LDP requires that all development must protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.

5.5.2 The nearest dwellings are No. 1 and 2 Vaulty Manor Cottages located approximately 190 metres 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 development would have an adverse impact on the amenity of the occupiers of the Cottages or the Caravan Park, in compliance with Policy D1 of the LDP. Although an additional assembly area would be created, it is noted that no objection has been raised to this by the Environmental Health Team and due to the substantial distance to the nearest properties it is expected that the additional assembly within this area would not cause additional noise to an extent that would justify the refusal of the application.

## 5.6 **Flood Risk and Drainage**

- 5.6.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.
- 5.6.2 The site lies within defended tidal Flood Zone 3a, the high probability zone. Consultation responses from the Environment Agency and Sustainable Urban Drainage Systems (SUDS) are awaited but, given the nature and scale of the development proposed, it is not considered that the proposal would result in an increased flood risk on or off site, in compliance with Policies S1 and D5.
- 5.6.3 Foul drainage can be dealt with by condition as recommended by the EHT.

## 5.7 **Other Matters**

- 5.7.1 The proposal may have economic benefits as referred to by Goldhanger and Heybridge Parish Councils. These have not been quantified by the applicant but would weigh in favour of the proposal.

## 5.8 **Conclusion**

- 5.8.1 The proposed works would not be unacceptable in principle; and would not have an adverse impact on the character and appearance of the area, the Grade II listed building, local residents, flood risk or drainage. The proposal is, therefore, in compliance with NPPF, NPPG and Policies D1, D3, D5, S1 and S8 of the LDP.

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

- **FUL/MAL/01/00105** - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall. Approved 28.03.2001.
- **LBC/MAL/01/00106** - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall.
- **FUL/MAL/02/00201** - Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002.
- **LBC/MAL/02/00202** - 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.
- **FUL/MAL/02/00849** - Erection of guest accommodation rooms. Approved 12.11.2002.
- **FUL/MAL/03/01220** - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004.
- **LBC/MAL/03/01221** - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004.
- **FUL/MAL/05/00666** - Extension to Banqueting Hall. Approved 07.02.2006.

- **FUL/MAL/16/00026** - Change of use (of the house on the estate site) from (C3) private dwelling house to (C1) hotel/guest house. Approved: 10.05.2016.
- **LBC/MAL/16/00027** - Minor alterations to first floor interior bedroom and en-suite arrangements. Granted Listed Building Consent: 08.03.2016.
- **FUL/MAL/16/01419** - Wedding gazebo within the enclosed garden of Vaulty Manor. Approved 07.03.2017.
- **LBC/MAL/16/01420** - Wedding gazebo within the enclosed garden of Vaulty Manor. Granted 07.03.2017.

## 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	No response to application for listed building consent.  Supports the planning application. [Comments were also made with respect to the walkway which has since been removed from the proposal].	Noted.
Heybridge Parish Council	Supports the proposal as it supports employment and economic activity in the Parish.	Noted.

### 7.2 **Statutory Consultees and Other Organisations**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Environment Agency	No response at the time of writing.	
SUDS	No response at the time of writing.	

### 7.3 **Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Conservation Officer	On balance, the proposed internal remodelling and refenestration will cause no harm to the significance of this	Noted (refer to 'Impact on the Listed Building' section of report).

Name of Internal Consultee	Comment	Officer Response
	building.	
Environmental Health	No objections subject to the imposition of a condition regarding foul drainage and informatives.	Noted (refer to 'Flood Risk and Drainage' section of report).
Emergency Planner	No comments.	Noted.

#### 7.4 Representations received from Interested Parties

7.4.1 No letters of representation have been received.

### 8. PROPOSED CONDITIONS

#### FUL/MAL/17/01192:

##### **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 County 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 details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.  
REASON: To ensure that satisfactory foul drainage is provided.

##### **Informatives:**

1. The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
  - a) No waste materials should be burnt on the site, instead being removed by licensed waste contractors;
  - b) No dust emissions should leave the boundary of the site;
  - c) Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
  - d) Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.
2. Should the existence of any contaminated ground or groundwater conditions and/or hazardous soil gases be found that were not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority,

the site or part thereof shall be re-assessed and a scheme to bring the site to a suitable condition shall be submitted to and agreed in writing with the Local Planning Authority. A "suitable condition" means one in that represents an acceptable risk to human health, the water environment, property and ecosystems and scheduled ancient monuments and cannot be determined as contaminated land under Part 2A of the Environmental Protection Act 1990 now or in the future. The work will be undertaken by a competent person in accordance with the Essex Contaminated Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and UK best-practice guidance.

**LBC/MAL/17/01193:**

**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 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 Prior to the commencement of the development hereby approved, details or samples of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Maldon District Local Development Plan.
- 4 No development shall take place until large scale drawings (1:20) of all new window frames, external doors and door frames and section details at 1:2 of the head, jamb, cill and glazing bars have been submitted to and approved in writing by the local planning authority. The drawings are to show typical section profiles and materials to be used. The development shall then be carried out in accordance with the approved details.  
REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Maldon District Local Development Plan.