



**ADV/MAL/17/01378REPORT of  
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
24 JANUARY 2018**

<b>Application Number</b>	<b>FUL/MAL/17/01355</b>
<b>Location</b>	Maldon District Council Council Offices Princes Road Maldon
<b>Proposal</b>	Installation of security container.
<b>Applicant</b>	Mr David Lester - Essex Police
<b>Agent</b>	N/A
<b>Target Decision Date</b>	1 February 2018
<b>Case Officer</b>	Louise Staplehurst, TEL: 01621 875706
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land

**1. RECOMMENDATION**


**APPROVE** for the reasons as detailed in Section 8 of this report.

**2. SITE MAP**

Please see overleaf.

**Maldon District Council - Council Offices - Princes Road**  
**Maldon FUL/MAL/17/01355**



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	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	Central Area Committee
	Date:	12/01/2018
	MSA Number:	100018588

### **3. SUMMARY**

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

3.1.1 The application site is located east of Princes Road. The site lies within the settlement boundary of Maldon, within the Maldon Central Area.

3.1.2 The site includes the Maldon District Council Offices which are shared with Essex Police, car parking areas and amenity space. The properties to the north, east and south of the site are primarily in residential use and to the west is a playing field and amenity space.

3.1.3 Adjacent to the east boundary of the site is an area of hardstanding that measures approximately 3.4 metres by 3.5 metres. This area of hardstanding is located under the crown of an oak tree that is the subject of a provisional Tree Preservation Order (TPO 14/17).

3.1.4 The proposal seeks planning permission for the installation of a steel security container on the existing area of hardstanding that would measure 3 metres tall, 2.5 metres wide and 3.1 metres deep.

#### **3.2 Conclusion**

3.2.1 The proposed storage container would be visible from within the public domain and have an impact on the character and appearance of the site. However, due to its small scale and relatively discreet positioning, it is considered that the proposal would not cause sufficient harm to warrant the refusal of the application. However, due to its form and materials, it is considered that the building should only be supported on a temporary basis and not as a permanent addition to the site. The proposed development will not result in a harmful impact on neighbouring occupiers, will not impact on car park provision and would be able to be provided without harmfully impacting on the adjacent tree which is the subject of a provisional Tree Preservation Order. The proposal is therefore considered to be in accordance with the policies of the Local Development Plan and the guidance 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:**

- 56-68 Requiring Good Design

#### **4.2 Maldon District Local Development Plan approved by the Secretary of State:**

- S1 Sustainable Development
- S5 The Maldon And Heybridge Central Area
- D1 Design Quality and Built Environment
- E3 Community Services and Facilities
- N1 Green Infrastructure

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

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

### **5. MAIN CONSIDERATIONS**

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

5.1.1 Essex Police are considered to be a community service in terms of policy E3 of the Maldon District Local Development Plan and therefore the principle of undertaking works to aid such services within the defined settlement boundary of Maldon is considered to be in compliance with the policies of the Maldon District Local Development Plan subject to the following detailed considerations.

#### **5.2 Design and impact on the character and appearance of the area**

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design should be sought to create a high quality built environment for all types of development.

5.2.2 The proposal involves the installation a security container in the eastern side of the car park, located on an existing concrete hardstanding. The proposed steel container will measure 3 metres high, 2.5 metres wide and 3.1 metres deep.

5.2.3 The container will be visible from the public domain from within the car park, and it is therefore inevitable that the structure will have an impact on the visual amenity of the area. However, the siting of the proposed structure along the eastern boundary of the site where it would be partially shielded by trees and viewed against a backdrop of fencing and landscaping means that it will not become a prominent addition to the site or the area in general. Moreover, it is considered that the structure would not be of a size that would cause material harm and the limited impact of the building would be partially mitigated by its discreet positioning.

5.2.4 However, it is considered that the materials and form of the container are not of the highest quality and would not be in-keeping with any nearby structures, thereby not being harmonious with the character and appearance of the site and the surrounding area. It is however understood that there is an operational requirement for the building that is to be met through the structure. On balance, it is considered that it is appropriate to grant planning permission for a limited period to enable the use of the site to become established and provide the applicant with the opportunity to provide a structure of enhanced materials and form in due course.

5.2.5 From this basis, subject to the stated condition, it is considered that the proposal can be found to be acceptable.

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

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas. There are residential dwellings located to the east of the proposed site.
- 5.3.2 The top of the container would be visible over the fence of the neighbouring dwellings however it will not impact in the way of overshadowing or loss of privacy. The proposal is not considered to have an adverse impact on residential amenity and therefore the proposal is in accordance with Policy D1 of the LDP and is considered acceptable in this respect.

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

- 5.4.1 The container will not result in the loss of any car parking and will not affect the means of accessing the site.

### **5.5 Other Material Considerations**

- 5.6.1 A provisional Tree Protection Order has been served on the Oak tree adjacent to the proposed storage container. The container will be located on an existing concrete hardstanding so the roots of the Oak tree will not be damaged. However, a condition should be included on any permission to ensure that details of tree protection during the installation of the storage container are submitted and agreed.

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

- FUL/MAL/16/01513 - Installation of external lighting to newly formed car park. Approved.
- FUL/MAL/16/00235 - Demolition of existing prefabricated office building, and redevelopment of land for car parking. Approved.
- FUL/MAL/15/01378 - Demolition of existing prefabricated office building and redevelopment of land for car parking. Formation of new vehicle access for America Street. Withdrawn.

## **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	Recommend refusal as the proposal would be detrimental to the aesthetic value of the existing building and constitutes an unneighbourly form of development, contrary to Policy D1 of the LDP.	See section 5.2

## 7.2 Representations received from Interested Parties

7.2.1 No letters of representation have been received at the time of writing this report.

## 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 complete accordance with the approved drawings and information in the application form.  
REASON: To ensure that the development is carried out in accordance with the details as approved, in accordance with National Planning Policy Framework and policy D1 of the Maldon District Local Development Plan.
3. The container shall be removed from the land in its entirety and the land shall be restored to its former condition on or before 28<sup>th</sup> February 2021.  
REASON: The materials and form of the container are not considered to be of sufficient design quality to support the long-term retention of the structure. In accordance with policy D1 of the Maldon District Local Development Plan.
4. No works shall take place until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority to clarify the means of protecting the tree during the installation of the container hereby approved.  
REASON: In order to protect the Oak tree that is located immediately adjacent to the proposed structure, in accordance with policies D1 and N1 of the Maldon District Local Development Plan.
5. The use of the container hereby permitted shall only be used for storage purposes only, ancillary and incidental to the operations of Essex Police.  
REASON: In order to ensure the appropriate use of the site in accordance with policy D1 of the Maldon District Local Development Plan.