



Appeal Decisions

Hearing Held on 9 and 10 December 2020

Site visit made on 11 December 2020

by C Jack BSc MA MA(TP) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 April 2021

Appeal A - Ref: APP/X1545/W/19/3236693

Friary East, Carmelite Way, Maldon CM9 5FJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Derek Ford for Essex Housing, Essex County Council against the decision of Maldon District Council.
 - The application Ref FUL/MAL/17/00763, dated 7 July 2017, was refused by notice dated 8 March 2019.
 - The development proposed is residential redevelopment for 30 dwellings comprising conversion of listed building to 9 apartments, demolition of unsympathetic 1960s extension and replacement with 2 townhouses, construction of new build development within the grounds to the south comprising 21 apartments, hard and soft landscaping and associated parking and infrastructure.
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Appeal B - Ref: APP/X1545/Y/19/3236694

Friary East, Carmelite Way, Maldon CM9 5FJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Derek Ford for Essex Housing, Essex County Council against the decision of Maldon District Council.
 - The application Ref LBC/MAL/17/00764, dated 7 July 2017, was refused by notice dated 8 March 2019.
 - The works proposed are residential redevelopment for 30 dwellings comprising conversion of listed building to 9 apartments, demolition of unsympathetic 1960s extension and replacement with 2 townhouses, construction of new build development within the grounds to the south comprising 21 apartments, hard and soft landscaping and associated parking and infrastructure.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is allowed and listed building consent is granted for conversion of the listed building to 7 apartments and demolition of the 1960s extension at Friary East, Carmelite Way, Maldon CM9 5FJ in accordance with the terms of the application Ref LBC/MAL/17/00764 dated 7 July 2017 and the plans submitted with it, subject to the conditions in the attached Schedule.

Preliminary Matters

3. As the appeal site is in a conservation area and the proposal relates to a listed building and its setting, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The applications were revised in April 2018 to proposals described as, "residential redevelopment for 28 dwellings comprising conversion of listed building to 7 apartments, demolition of unsympathetic 1960s extension and replacement with 2 townhouses, construction of new build development within the grounds to the south comprising 19 apartments, hard and soft landscaping and associated parking and infrastructure". At that time, a revised combined application form was provided to the Council, but the original application date of 7 July 2017 was used again. With agreement from the parties at the hearing and being satisfied that interested parties were consulted on the revised proposals, I have considered the appeals on the basis of the revised description and associated plans upon which the Council determined the applications.
5. Notwithstanding the wider scope of the description, I have determined Appeal B only on the basis of the proposed works to the listed building and within the scope of the appeal made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In effect, this is confined to the proposed conversion of Friary East to 7 apartments and demolition of the 1960s extension.

Main Issues

6. The main issues are:
 - a. Whether the proposal would preserve or enhance the character or appearance of the Maldon Conservation Area.
 - b. Whether the proposal would preserve the Grade II listed building, Friary East, and its setting.
 - c. Whether the proposal would provide suitable living conditions for future occupiers, with regards to outdoor space provision.
 - d. Whether the proposal would make adequate and safe provision for parking.
 - e. Whether the proposal should make provision for affordable housing, including with regards to development viability.
 - f. If there would be harm in relation to the significance of the conservation area or the listed building, whether any public benefits of the proposal would outweigh that harm.

Reasons

Maldon Conservation Area

7. The appeal site lies within Maldon Conservation Area (MCA). The significance of the MCA lies in its high concentration of historic buildings and its demonstration of how the town's history shaped its development. Within this context, the evidence indicates that the appeal site has strong historic significance and contributes to the heritage importance of the MCA as the site of a Carmelite Friary, dating from the 13th century and later dismantled and replaced by a Tudor mansion. This remained until the late 18th century, when

it was last used as alms houses for the elderly poor of Maldon, until a wealthy farmer and magistrate purchased the site in the very early 19th century and built a fine Georgian mansion now known as Friary East. The mansion was a private residence until its purchase by Essex County Council in 1946 and subsequent use for various public services including adult education. A substantial and unattractive 1960s flat-roofed extension to the side is in a state of significant disrepair and detracts demonstrably from the appearance of the site, the listed building, and the MCA. The site has been disused since 2014.

8. The removal of the 1960s extension would have a positive effect on the appearance of the MCA, as would external restoration and maintenance of Friary East which would be brought about by the residential conversion. The proposed townhouses, identified as block F1, would be situated in place of the 1960s hall and would have no significant adverse effect on the character or appearance of the MCA in this position due to their relatively modest scale and their relationship with the adjacent 20th century buildings.
9. Friary East and Friary West, the latter now divided into two houses, stand as a similar pair, prominent in various views from in and around the MCA, including from White Horse Lane and the large public parking area which serves the nearby High Street. The rear of the building abuts a further parking area which lies between the listed building and the somewhat imposing late 20th century Maldon Library building. This area adjacent to the rear of the listed building is aptly described as having a service yard character and is heavily influenced by development and alterations from the mid-20th century onwards. The principal elevations of Friary East and Friary West historically present in the opposite direction, away from this area, facing their substantial gardens to the south.
10. Whilst clear views in are limited by walls and trees, the garden at Friary East makes a very significant contribution to the character and appearance of the MCA by providing a substantial area in the town centre that is largely free of built form. The trees and the historic Grade II listed garden walls contribute positively to the appearance of this established visual breathing space amongst buildings, which is clearly visible from the Longfield public open space, the narrow and intimate pedestrian route of Chequers Lane running alongside the eastern boundary wall, and along Tenterfield Road.
11. Whilst, overall, the locality is a fairly densely developed town centre environment, historic maps in the Heritage Statement show the grounds of Friary East to have been generally free of built development, at least since around 1777. The Council has no in-principle objection to new dwellings in the town centre area and, at the hearing, the Council advised it had no specific concerns with the proposed design details or materials of the new blocks of apartments labelled F2 and F3. I also note the appellant's efforts to ensure the new blocks would be set away from the listed building and take a subservient stance in their overall scale and height. Nevertheless, the introduction of these two substantial blocks would harmfully erode the open and undeveloped nature of the grounds, reducing the scale and extent of the garden area associated with the Georgian mansion and its principal historic outlook, and running contrary to the historic pattern of development here.
12. Retained and new trees, and the historic boundary walls, would soften the appearance of the development in the MCA to some degree, and the lower ground level at blocks F2 and F3 would ensure Friary East would remain the

visually commanding building on the site. However, these factors would not mitigate the very significant harm to both the character and appearance of the MCA that would arise from the introduction of new blocks F2 and F3 due to the scale, bulk, and site coverage proposed. This would be exacerbated, in terms of the character of the site, by the further developed coverage arising from the access and parking areas. Furthermore, even with its set-down position, the three-storey flat-roofed block rising above the listed boundary wall would impose unduly upon Chequers Lane and be clearly visible in public street-level views from multiple locations nearby.

13. Overall, I conclude the proposal would fail to preserve the character of the MCA. As such it would fail to meet the expectation of section 72 of the Act, this being that special attention be paid to that purpose, and one to be apportioned considerable importance and weight as determined by the Courts. It would also conflict with paragraphs 193 and 194 of the Framework, which anticipates great weight being given to the conservation of designated heritage assets. Furthermore, there would be conflict with Policies D1, D3, H4, and S5 of the Maldon District Approval Local Development Plan 2014-2029 (the LDP) insofar as they seek to preserve Maldon's heritage assets and require new development in conservation areas to respect the local context and contribute positively by preserving or enhancing the character or appearance of the area. The harm to the significance of the MCA would be less than substantial in the context of Paragraph 196 of the Framework and so should be weighed against any public benefits, which I will consider below.

The Grade II Listed Building and its setting

14. Friary East is a substantial, Grade II listed, brick mansion from the early 19th century, the historic significance of which is set out above. The building has elegant composition and proportions, with its rectangular plan form and many high-quality architectural details and fixtures and fittings largely surviving, despite various alterations internally and the 1960s extension. Many features of special interest are identified in the listing description, including the south and east walls of grey Gault brick indicating their higher status, an elevated Doric portico to the south, the parapet roof, detailing of windows and doors including numerous fanlights, and elaborate cornices. The quality and historic status of the building, and extent of surviving features, contribute strongly to its substantial architectural and historic significance as a designated heritage asset.
15. The sub-division of the listed building to form 7 apartments would result in some loss of historic fabric and some loss of legibility of the historic plan form, particularly where doors would be closed off, rooms would be divided, and circulation routes would be truncated to provide self-contained units. Generally, rooms would be kept as recognised by cornices and many features such as historic door surrounds, would be retained. The conversion would also facilitate restoration of the listed building, which is evidently in growing need of care, and bring it back into use. Therefore, while there would be some harm to the significance of the listed building, the extent and nature of this would be limited.
16. The parties agreed that the 1960s extension is of no special interest itself and that it clearly detracts, in style and form, from the significance of Friary East and its setting. Its removal would better reveal the east elevation of the listed

building, much of which survives, including an important side entrance which is currently entirely concealed within the extension. Remediation works to the east elevation arising from the demolition of the extension would not be extensive and could reasonably be addressed by condition.

17. The overall setting of Friary East has been altered significantly and generally eroded by nearby development, principally during the second half of the 20th century. Nevertheless, the gardens on the south side of the building remain largely open and undeveloped. It is apparent that historically the south elevation of Friary East was the primary face of the building, and that the relationship of this elevation with formal gardens to the south was, and remains, particularly important in heritage terms. While no readily discernible features of the formal Georgian gardens remain, the substantial garden area is still a principal positive element of the immediate setting of Friary East, providing breathing space for the substantial building in its otherwise relatively cramped and built-up environs, and allowing its Georgian status and character to be appreciated.
18. Although the former Georgian gardens have long grown-out, the relationship of the grounds with the mansion would be permanently and fundamentally altered by the introduction of blocks F2 and F3 and the access and parking areas. Whilst the relatively simple elevations and detailing of these blocks, and factors such as their subordinate position and height, would enable the Georgian mansion to retain a degree of superiority, the stature and pre-eminence of the listed building would be significantly undermined. This would substantially harm the setting of the listed building and thereby erode its significance. The proposed recreation of a formal garden area would be an attractive feature of the development, and reflective of the historic formal gardens to some degree. Nevertheless, in the context of the harm arising from the scale of the blocks and the degree of developed site coverage proposed, this would be only a very modest enhancement.
19. Block F1, the townhouses, would be set to the side of Friary East, in a similar position to the 1960s extension, but separated from the listed building with the access road running in between. Despite this, F1 would be taller than the 1960s extension and while being modest in scale compared to Friary East its angular form, and its scale and proximity, would relate uncomfortably to the important east elevation of the listed building.
20. In terms of Appeal B by itself, the demolition of the 1960s extension would reveal a nearby circa 1990s wall. While this backdrop may not be optimal in terms of the historic setting of the listed building, it would be significantly less harmful than the existing extension. While the intervening gap may introduce an element of uncertainty if Appeal A fails, any replacement structures or development necessary for making good in the void area that would require separate permission would be in the control of the local planning authority. Even with this uncertainty, the harm to the setting of Friary East from the creation of a gap and the exposure of the 1990s wall would be very substantially less than the harm currently caused by the 1960s extension.
21. Overall, I conclude the proposal would fail to preserve the listed building and its setting. Accordingly, it would fail to meet the expectation of sections 16 and 66 of the Act, this being the desirability of that purpose, and one to be apportioned considerable importance and weight as determined by the Courts.

It would also conflict with paragraphs 193 and 194 of the Framework, which anticipates great weight being given to the conservation of designated heritage assets, including their settings. In addition, there would be conflict with Policies D1, D3, H4, and S5 of the LDP insofar as they seek to preserve Maldon's designated heritage assets. The harm to the significance of Friary East would be less than substantial in the context of Paragraph 196 of the Framework and so should be weighed against any public benefits, which I will consider below.

Outdoor space provision

22. Policy D1 of the LDP, among other things, requires development to provide sufficient and usable private and public amenity spaces. The two townhouses, which could accommodate families, would have a modest enclosed patio garden area behind the garage and a roof terrace that would utilise much of the main flat roof area at second floor level. In total, private outdoor space provision of around 30m² would be made for each townhouse. This would fall significantly below the minimum standard of 100m² for 3-bedroom houses expected by section C07 of the Maldon District Design Guide Supplementary Planning Document 2017. However, C07 advises that useable outdoor amenity could be in the form of private or communal gardens, balconies, children's play areas, allotments, or public spaces. It is not specified that 100m² should always be wholly achieved by private gardens.
23. In this case, residents would also have access to the proposed on-site communal gardens, which would provide a significant shared outdoor space of around 1063m². However, the more formal nature of this communal space would be unlikely to be suitable for some activities identified in C07, such as having a kick around. An extensive area of public open space, including play equipment, at The Longfield is also within modest walking distance, albeit I note that the route involved would not be appropriate for unaccompanied young children and that play there could not be supervised from within the home in the way private gardens generally allow.
24. Nonetheless, while they would not entirely replicate private garden space provision in terms of usability, these other nearby outdoor spaces would provide alternative opportunities for various outdoor activities. Moreover, the private patios and roof gardens would reasonably provide for functions such as sitting out, hanging out washing, growing plants, and opportunity for some outdoor play. Therefore, whilst private garden space at the townhouses would be limited in area, the additional access to the communal gardens and proximity to The Longfield would, in this circumstance, ensure that sufficient and usable private and public amenity spaces would be available for residents of the townhouses. The main parties agree that the communal gardens would make sufficient outdoor provision for occupiers of the proposed apartments, and I find no reason to consider otherwise.
25. I therefore conclude that the proposal would provide suitable living conditions for future occupiers, with regards to outdoor space provision. It would therefore accord with Policy D1 of the LDP, the relevant requirements of which are set out above.

26. The Council has drawn my attention to appeal decisions¹ for sites elsewhere in Maldon town where outdoor space of areas less than sought in C07 were proposed. These differ significantly from the case before me including because the outdoor space in the first, situated mainly at the front, would have been overlooked by people passing by, and in the second case no private outdoor space was proposed. My conclusion on this issue is therefore unchanged.

Parking

27. At the hearing, the Council confirmed it is satisfied that the appellant's vehicle tracking and swept path drawings show that the internal shared access route would allow for satisfactory movement of pedestrians and vehicles and thus it's remaining concerns principally relate to the number, management, and size of parking spaces. A total of 28 on-site parking spaces are proposed, which the Council accepted to be sufficient subject to the spaces being provided on an unallocated basis. Given the town centre location of the site, and the proximity of public car parking for visitors, unallocated on-site parking provision on a 1 space per dwelling basis would be consistent with the minimum requirements of the Maldon District Vehicle Parking Standards Supplementary Planning Document (the VPS) 2018. However, the appellant's clear preference is for the spaces to be allocated to each apartment on a 1:1 basis. This stance concerned the Council at the hearing on the basis that the VPS would require additional provision for visitor parking if the spaces would be allocated.
28. While I understand local concerns that it can be difficult to find a space in the nearby public car parks, the site is readily located for residents to access town centre shops and facilities. Car ownership details indicate relatively low car ownership levels in this area of Maldon district, with low ownership particularly likely for flats, and I was advised that learning-disabled residents would be very unlikely to own a car. As such, I am satisfied that the minimum requirement of 1 space per dwelling in the VPS, which indicates this reduced level of provision may be acceptable in town centre locations, is acceptable here. Albeit parking spaces for visitors may generally be needed most where residents would have limited allocated parking, in this instance the site is located close to several public car parks. I am therefore satisfied that, even if the on-site spaces were allocated, overall parking provision would be adequate in terms of the number of spaces proposed.
29. The VPS sets out preferred parking bay sizes in order to accommodate most modern cars with sufficient room for door opening and pedestrian access to the side. I was advised that while the dimensions of the spaces proposed fall short of the VPS expectations, they meet or exceed the size of spaces in the public car parks nearby and those advocated in the Essex Design Guide parking standards, which I note is not adopted by the Council. I was also advised that if spaces met the VPS size standards only 24 could be provided. This would result in unsatisfactory on-site provision significantly below the minimum requirement in terms of numbers of spaces.
30. Larger parking bay sizes as supported by the VPS would no doubt provide greater flexibility for changing vehicle sizes, and greater ease of manoeuvring and ease of use including for loading and unloading cars. However, it has not been demonstrated that the moderately reduced bay sizes before me would be unsuitable, unfit for use by residents, or otherwise unsafe, in the particular

¹ APP/X1545/W/17/3191918 and APP/X1545/W/18/3209220

context of this proposal. Therefore, despite the bay sizes falling somewhat short of the VPS guidance, I am satisfied overall that the parking facilities proposed would be sufficient to provide safe and usable parking for residents including with satisfactory internal access arrangements.

31. I therefore conclude that the proposal would make adequate and safe provision for parking. It would therefore be consistent with Policies D1 and T2 of the LDP, which together and among other things seek sufficient and safe parking facilities having regard to the Council's adopted parking standards.

Affordable housing provision

32. The appellant's Financial Viability Assessment shows that it would not be feasible for the proposed development to provide any affordable housing, and the Council acknowledges this position. While the Assessment was undertaken in 2017, it was agreed at the hearing that there is no significant evidence to indicate that the viability of the development has materially improved in the interim, or that the Assessment is inconsistent with the approach set out in the Council's Affordable Housing Supplementary Planning Document 2019. The reason for refusal and the main point of disagreement in respect of affordable housing provision therefore relates to the application of Policy H1 of the LDP.
33. Policy H1, among other things, sets out a 40% affordable housing requirement for developments of more than 10 units in central Maldon. Although the Council is not bound by Policy H1 to accept a reduced level of provision, there is scope for a relaxation of the requirements to be considered on a site-by-site basis, where the expected level of affordable housing provision would render the development unviable. While the provision of block F2 as learning-disabled units was generally agreed to make the development 'more unviable', the evidence nevertheless demonstrates that the development as a whole would remain unviable for affordable housing contribution even if all the units were to be open market dwellings.
34. It was also put to me by the Council, in general terms, that a different scheme might be viable for affordable housing provision. While this may or may not be the case, it is beyond the remit of this appeal to consider all potentially viable development options. Moreover, there is no alternative scheme or alternative viability evidence before me, nor any indication of the scale and form of development that a viable scheme might entail.
35. I am therefore satisfied, on the evidence before me, that the provision of affordable housing as sought by Policy H1 of the LDP would render the proposed development unviable. Were Appeal A to be allowed, a relaxation of the requirements of Policy H1 to zero affordable housing provision would be necessary and reasonable in the particular context of the site and the proposal before me.

Public Benefits

36. The scheme would provide various public benefits including securing the optimum viable use of the listed building by way of its conversion to residential apartments. While there would be some harm arising from the loss of historic fabric, this would be limited and would be offset by securing a long-term reuse of the building and its restoration, together with a considerable enhancement to the setting of the building and its significance from the removal of the 1960s

extension. Further social and economic public benefits would arise from the construction of additional dwellings in an accessible town centre location, and their future occupation.

37. A current identified need for supported independent living accommodation for learning-disabled people to be located specifically in Maldon town centre has not been demonstrated. However, it is clear the appellant, in its statutory adult social care role, has identified a significant general demand across Essex. While this would not be consistent with Policy H3, which requires a clearly identified need for specialist housing that cannot be addressed elsewhere in the district of Maldon, new learning-disabled units would nevertheless amount to a significant wider public benefit in Paragraph 196 terms.
38. I fully acknowledge the appellant's statutory responsibilities and the stated intention to subsidise and deliver the learning-disabled units for long term lease to a housing association. However, there is no formal mechanism before me to secure the delivery of the units in block F2 for learning-disabled occupation rather than as open market housing in the event, for example, that the appellant later chose to exercise its statutory function in a different way or to dispose of the site with planning permission. This lack of certainty would be inconsistent with the Council's Specialist Needs Housing SPD 2018, which seeks a S106 agreement to ensure that relevant units would remain available in perpetuity for those in specialist housing need; and it inevitably and substantially limits the weight that can be attributed to the public benefit arising from the proposed learning disabled units.
39. In Appeal A, the considerable weight to be given to the less than substantial harm to the MCA and the setting of the listed building would not be outweighed by the various benefits, individually or cumulatively. Considerable weight is also attributable to the less than substantial harm in respect of the loss of some historic fabric. However, this harm would be limited and thus in Appeal B would be outweighed by the significant public benefits arising from the removal of the extension and the residential reuse of the listed building itself. While these benefits also apply in Appeal A, together with other benefits, they are insufficient cumulatively to outweigh the level of harm in that appeal.

Other Matters

40. The site lies within the zone of influence for several Essex Coast Habitats Sites, such as Blackwater Estuary and Dengie, which are subject to Special Protection Area, Special Area of Conservation, or Ramsar designations. A completed S106 Unilateral Undertaking (UU) dated 16 December 2020 makes provision for a contribution of £3,516.24 (£125.58 per dwelling) towards mitigation specified in the Essex Coast Recreational Disturbance Avoidance Mitigation Strategy SPD 2020. However, notwithstanding the UU, there is no need for me to consider the implications of the proposal on the protected Habitats Sites further as Appeal A is unacceptable for other reasons.
41. The parties agree that the Council can currently demonstrate 4.90 years' housing land supply, as set out in the Council's Five Year Housing Land Supply Statement dated November 2020. Given that the application of Framework policies for conserving and enhancing the environment gives a clear reason for refusing the development in respect of the harm arising to the MCA and the setting of a Grade II listed building, as designated heritage assets, the presumption in favour of sustainable development is not engaged.

42. Representations were made at the hearing that overlooking from Block F3 would result in loss of privacy at 83 Tenterfield Road. I am satisfied, on the basis of the extract plan with dimensions and from my site visit, that while it would be possible for residents of top floor flats to look out towards No 83, this would be limited to the rear garden area at that property rather than more private spaces within the house or adjacent to the rear elevation. The effect on the privacy at No 83 would therefore not amount to a significant adverse effect on the living conditions experienced there.
43. Representations were made in writing to the effect that the rights of Miss Debbie Morris of 34 Tenterfield Road, Maldon, under Article 8(1) of the Human Rights Act 1998 would be violated if the appeal were to be allowed. However, as Appeal A fails, my decision would not lead to any such violation.

Planning Balance

44. While in Appeal A there would be no significant harm in respect of outdoor space provision, parking, and affordable housing viability considerations, there would be considerable harms arising in relation to the designated heritage assets, in conflict with the development plan and the relevant requirements of the Framework. These harms would not be outweighed by the various public benefits of the scheme including securing optimum viable use. Accordingly, Appeal A would conflict with the development plan taken as a whole and there are no other material considerations of sufficient weight to indicate that planning permission should be granted.
45. In Appeal B, there would be some limited harm to the historic fabric of Friary East from its sub-division. Due to the clear public benefits to the setting and significance of the listed building that would arise from the removal of the 1960s extension and the restoration and residential reuse of the building, this harm would be outweighed. Furthermore, the relative absence of harm from the void area that would result does not amount to a reason to withhold listed building consent in this case. The necessary remediation could reasonably be controlled by conditions, and the Council would have the necessary controls for any development in the void area requiring separate approval.

Conditions

46. The Framework sets out that conditions should only be imposed where they are necessary, relevant to planning and to the development (or works) to be permitted, enforceable, precise, and reasonable in all other respects. I have considered the suggested conditions for Appeal B provided in the Statement of Common Ground on this basis and have made amendments to the wording of the conditions imposed where necessary in the interests of clarity or the tests.
47. In addition to the standard time limit for commencement of works, conditions relating to the method of demolition of the extension and restoration of the eastern elevation, scribing of new partitions, restoration of decorative mouldings, details of any replacement windows, details of internal glazed screens, and details of boundary wall reinstatement are necessary to safeguard the significance of the listed building. I have not imposed a condition which specifies the approved plans as progressing the works in accordance with the submitted plans is part of the formal decision for Appeal B.

Conclusion

48. For the reasons given, I conclude that Appeal A should be dismissed. I further conclude that Appeal B should be allowed.

Catherine Jack

INSPECTOR

Additional Documents

- i. Original application form showing description for 30 units.
- ii. FennWright sales particulars for St Francis Convent, West Chase, Maldon.
- iii. Email of 9/12/20 with digital links to the online-only 2018 Essex Design Guide – not adopted by Maldon District Council.
- iv. Plan 4197 PL12 Rev D extract with dimensions.
- v. S106 Unilateral Undertaking dated 16/12/20.
- vi. Email of 15/12/20 relating to a suggested on-site car parking condition.
- vii. A short CGI sequence relating to the CGI stills submitted previously was screen-shared to all participants by Helena Thomas.

Appearances for the appellant

Richard Harwood QC

Mike Derbyshire BA(Hons) MRTPI

Steven Butler BSc(Hons) MSc MRTPI

Dr Jon Burgess PhD, MA (Arch Con), BA (Hons), BPI, Dip Con, MRTPI, IHBC

Emma Sharp MSc PGCert BA(Hons) IHBC

Helena Thomas BA(Hons) BArch DipArch ARB

Matthew Franklin BA(Hons) MA MCIHT MRTPI

Andrew Haynes BSc(J. Hons.) MRICS

Alex Cox BA(Hons) MRICS

Derek Ford BSc(Hons) MRICS

Simon Maidment BA (Hons) CIHCM MInstLM

Appearances for the Council

Matthew Leigh BA(Hons) MA MRTPI

Tim Howson BA(Hons) Dip Bldg Cons(AA) IHBC

John Swords CIH Housing Diploma

Hannah Dungate BA(Hons) MSc

Appearances by Interested Parties

Judith Lea - The Maldon Society

David Smye - The Maldon Society

Paul Hinton – local resident

SCHEDULE OF CONDITIONS

APPEAL B - APP/X1545/Y/19/3236694

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) The works of demolition shall not be commenced until details of the method of demolition have been submitted to and approved in writing by the local planning authority. The demolition of the extension shall be carried out in accordance with the approved details.
- 3) All new partitions shall be carefully scribed around the existing decorative mouldings.
- 4) No works shall take place until a method statement for restoration of decorative mouldings has been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 5) No works shall take place until a method statement for the restoration of the eastern elevation of Friary East shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the agreed method statement.
- 6) Prior to the replacement of any windows, details of which windows are to be replaced and large-scale drawings of the new windows illustrating elevations at 1:20 and sections including heads, cills, and glazing bars at 1:20 shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 7) No works shall take place until details of the design of replacement glazed screens within the internal communal areas in the listed building have been submitted to and agreed in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 8) No works shall take place until details of the design of the reinstatement of the southern end of the boundary wall between Friary East and Friary West have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

END.