

# **MALDON DISTRICT COUNCIL**

Princes Road, Maldon, Essex CM9 5DL

Telephone: 01621 854477

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **APPLICATION REFERENCE**

**HOUSE/MAL/19/00364**

### **PROPOSAL**

Two storey side extension, hardstanding and path.

### **LOCATION**

26 Regatta Way Maldon Essex CM9 6FH  
(UPRN - 010014000709)

### **NAME OF APPLICANT:**

### **NAME AND ADDRESS OF AGENT:**

Mr A Taylor - Blue Door Solutions Ltd  
14 Aveley Way  
Maldon  
Essex  
CM9 6YQ

**DECISION DATE**     28 May 2019

In pursuance of the powers exercised by them as Local Planning Authority this Council having considered your application to carry out the above development in accordance with the submitted plans referenced 29RW/11/18-1A, 29RW/11/18-2D, Proposed Side Elevation, do hereby give notice of their decision to:

## **GRANT PERMISSION**

for the said development subject to compliance with the conditions appended to this Notice.



PAUL DODSON  
DIRECTOR OF STRATEGY, PERFORMANCE & GOVERNANCE

**IMPORTANT: PLEASE REFER TO THE NOTES ATTACHED TO THIS DOCUMENT**

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**1     CONDITION**

The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

To comply with section 91(1) The Town and Country Planning Act 1990 (as amended).

**2     CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 29RW/11/18-1A, 29RW/11/18-2D, Proposed Side Elevation.

**REASON**

To ensure that the development is carried out in accordance with the details as approved.

**3     CONDITION**

The materials used in the development hereby approved shall be as set out within the application form/plans hereby approved.

**REASON**

In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

**4     CONDITION**

Prior to the first occupation of the extension hereby permitted, the first floor window in the southeast elevation facing No.165 Mundon Road, shall be glazed with opaque glass and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7 metres above internal floor level) and shall be retained as such thereafter.

**REASON**

To protect the residential amenity of the neighbouring occupier, No.165 Mundon Road, in accordance with policy D1 of the approved Local Development Plan.

**5     CONDITION**

No works to any tree within the property of No.165 Mundon Road that overhangs the application site or works under the crown of such a tree shall occur unless details of those works and the means of protecting the tree during the construction process have been submitted to and approved in writing by the Local Planning Authority. Subsequently any works within the prescribed area or to the affected trees shall only be undertaken in accordance with the approved details.

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**REASON**

In the interests of visual amenity in accordance with policy D1 of the approved Local Development Plan.

**INFORMATIVE**

Please note that some housebuilders sell properties with covenants that prevent developments being undertaken within a defined period after the occupation of the dwelling. It is recommended that you check that there are no such covenants in place prior to undertaking the development hereby approved.

**POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

## **NOTES:**

### **GENERAL DEVELOPMENT PROCEDURE ORDER 1995**

#### **PART 2**

#### **TOWN AND COUNTRY PLANNING ACT 1990**

##### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

##### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.