



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

to
**NORTH WESTERN AREA PLANNING COMMITTEE
4 APRIL 2016**

Application Number	HOUSE/MAL/16/00016
Location	Avon Cottage, 14 School Road, Wickham Bishops
Proposal	Rear one and a half storey extension
Applicant	Mr Steve Hookings
Agent	N/A
Target Decision Date	08.04.2016
Case Officer	Kara Elliott
Parish	Wickham Bishops
Reason for Referral to the Committee / Council	Parish Trigger

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	NW Committee 16/00016
	Date:	22/03/2016
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 Planning permission is sought for a rear, double hip-to-gable two storey rear extension projecting 4 metres from the rear elevation of the existing property (roof will project 7.7 metres from existing ridge to new rear gable). The extension would feature 2 no. Juliet balconies at first floor serving 2 no. bedrooms and would feature bi-fold doors at ground floor serving the kitchen/diner. As a result of the proposed development, the property would go from a three bedroom dwelling to a four bedroom dwelling.
- 3.1.2 The application is submitted following refusal of a previous application which sought extensive, unresolved, incongruous alterations and extensions to the existing dwelling resulting in an unacceptably large and dominant development not in keeping with the streetscene (15/00169/HOUSE). The applicant entered into post-refusal discussions to overcome concerns.

3.2 Conclusion

- 3.2.1 The proposed two storey rear extension is considered to result in development which would not result in a demonstrable impact upon the character and appearance of the dwelling as well as its surroundings. Furthermore, the development does not result in a detrimental effect upon the amenities of the neighbouring occupiers in relation to overlooking, dominant impact or privacy. The dwelling will also continue to provide a level of private amenity space in excess of the recommended size as per the Essex Design Guide) in order to meet the needs of the occupiers. Furthermore, adequate off-street vehicular parking space is provided at the front of the property.

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, 30

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- **BE1** Design of New Development and Landscaping
- **BE6** Extensions to Dwellings
- **T8** Vehicle Parking Standards

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- **D1** Design Quality and Built Environment
- **T2** Accessibility

4.4 Relevant Planning Guidance / Documents:

- Car Parking Standards

- Essex Design Guide
- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Wickham Bishops Village Design Statement

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of extending the dwelling in association with residential accommodation is considered acceptable. Other material planning considerations are discussed below.

5.2 Design and Impact on the Character 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 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The basis of emerging policy D1 of the Local Plan ensures that all development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.
- 5.2.3 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details 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.
- 5.2.4 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”, and “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.”
- 5.2.5 The successful integration of any new development, including extensions, is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Developments that are over scaled will appear dominant; the easiest option is to draw reference from the surrounding buildings and the original dwelling.
- 5.2.6 A recent appeal decision for land next to the application site described this part of School Road as having an;

“...established and verdant character. The properties (on the south side of the road) are set well back from the street on wide plots with relatively long rear gardens. The dwellings are bungalows, some with accommodation in the roof space. Although development extends quite close to plot boundaries, it appears spacious and has a distinctive pattern of development. Dwellings opposite the site are more recent two storey dwellings.”

- 5.2.7 The proposed development is of limited architectural merit but is located to the rear of the site where limited public views are available and is of style associated with residential extension or addition. On balance it is then considered that the design of the development is acceptable. The proposed development, due to its size and scale, is on balance considered to not have a demonstrable impact on the character of the main dwelling or the wider area. Furthermore, the development does not introduce unfamiliar features which would be to the detriment to the property.
- 5.2.8 The overall height, coupled with the scale and bulk of the property as a result of the proposed extensions and alterations, would not result in an incongruous addition which would be at odds with properties on the side of School Road. Additionally, the front elevation will remain unchanged and no part of the proposed extension will extend higher than the existing ridge height of the property.
- 5.2.9 In relation to proposed materials, it is considered that the render finish of the proposed extension would not be compatible with the existing brick finish of the property.
- 5.2.10 It is therefore considered that the development would not harmfully diminish the visual relationship of built form to the detriment of the streetscene and is therefore in accordance with adopted policy BE1 of the Local Plan which permits development which is compatible with its surroundings in terms of architectural style, scale/ bulk/ height and visual impact.

5.3 Impact on Residential Amenity

- 5.3.1 Adopted policy BE6 seeks to protect neighbouring occupiers from development which would be detrimental to their amenities by reason of overlooking, overpowering and loss of light.
- 5.3.2 With a distance of over 7 metres between the north elevation of no.12 and the south side elevation of the proposed development, the development, with consideration of the slight increase in levels sloping upwards from south to north, is not considered to result in any undue impact on the amenity of the adjoining residents due to overshadowing, dominance or loss of light.
- 5.3.3 No.16 School Road is approximately 17 metres away from the application site. Therefore, the impact of the development to these neighbouring occupiers is considered negligible. Furthermore, no windows are proposed to the first floor side elevations which would result in overlooking or loss of privacy and no part of the proposed development would extend further to the boundaries of the property.
- 5.3.4 Due to the extensive length of the rear amenity space of the property measuring over 35 metres, the proposed development, in particular the proposed Juliet balconies,

would not result in a detrimental impact upon neighbouring occupiers to the south due to overlooking or loss of privacy.

- 5.3.5 Due to the abovementioned reasons, it is considered that there are no issues in relation to detrimental impact upon the amenities of neighbouring occupiers, complying with adopted policy BE6. The proposed development is a sympathetic and well-proportioned design in accordance with key policies BE1 and BE6 which protect neighbouring occupiers from demonstrable harm as well as D1 of the emerging plan and the NPPF.

5.4 Access, Parking and Highway Safety

- 5.4.1 The site takes access from the east off the site frontage at School Road. There are no changes proposed in relation to access to the property.
- 5.4.2 Due to the increase in bedrooms from 3 to 4 it is necessary to assess the impact the off-street parking provision of the site.
- 5.4.3 Adopted policy T8 states that new developments will only be permitted if it makes provision for off-street parking in accordance with the District's adopted vehicle parking standards.
- 5.4.4 The adopted parking standards for a four bedroom property are a maximum of three spaces. The Parking Standards are expressed as maximum standards and Government guidance encourages the reduction in the reliance on the car and promoted methods of sustainable transport. In line with the National Planning Policy Framework, the promotion of the use of sustainable transport is supported in residential locations in settlement boundaries such as these.
- 5.4.5 The provision of on-site vehicle parking spaces will remain unaltered. The graveled area to the front of the dwelling could facilitate off-street parking for three or more vehicles. Therefore, there are no concerns raised in relation to parking provision.

5.5 Private Amenity Space and Landscaping

- 5.5.1 The Essex Design Guide advises a suitable garden size is commonly recognised as 100m². The property benefits from a large rear amenity area which would exceed this suggested threshold. The proposals would not reduce any part of the amenity space capable of meeting the outdoor requirements of the occupiers of the site and therefore there is no objection to the proposal in relation to amenity space.

6. ANY RELEVANT SITE HISTORY

- **15/00169/HOUSE** - Extensions to rear of property, partial re-roof. Conversion of existing garage into lounge and re-roof. New detached garage. REFUSED 23.06.2015 (e.g. FUL/MAL/15/00012) – description, details of decision and decision date.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Wickham Bishops	Recommends Refusal. (The scale and bulk of the proposed two-storey extension in combination with the difference in ground levels would result in an overbearing property when viewed from number 12. Contrary to D1 of LDP.)	Please see paragraph 5.3

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex Highways	De minimis	Please see paragraph 5.4

7.3 Representations received from Interested Parties

7.3.1 Letters were received **objecting** to the application from the following and the reasons for objection are summarised as set out in the table below:

- Richard & Mary Cowen, 12 School Road, Wickham Bishops

Objection Comment	Officer Response
Overlooking and loss of privacy to bedroom of No.12; Loss of daylight as will need to close curtains when bedroom in use in daytime; Overlooking of amenity space; Property will appear dominant due to land levels;	Please see paragraph no.5.3

7.3.2 Letters were received **in support** of the application from the following and the reasons for support are summarised as set out in the table below:

- P D Layley, Brockhurst, 2 School Road, Wickham Bishops

Supporting Comment	Officer Response
Previous reasons for refusal have been overcome;	N/A

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 & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings 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 in accordance with adopted policy BE1 of the Maldon District Replacement Local Plan, National Planning Policy Framework and policy D1 of the Submitted Local Development Plan.
- 3 The external surfaces of the development hereby approved shall be constructed of materials and of a finish which match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that the development is carried out in accordance with the details as approved to comply with policy BE1 of the Maldon District Replacement Local Plan, D1 of the Maldon District Submitted Local Development Plan and guidance within the National Planning Policy Framework

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.