



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

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

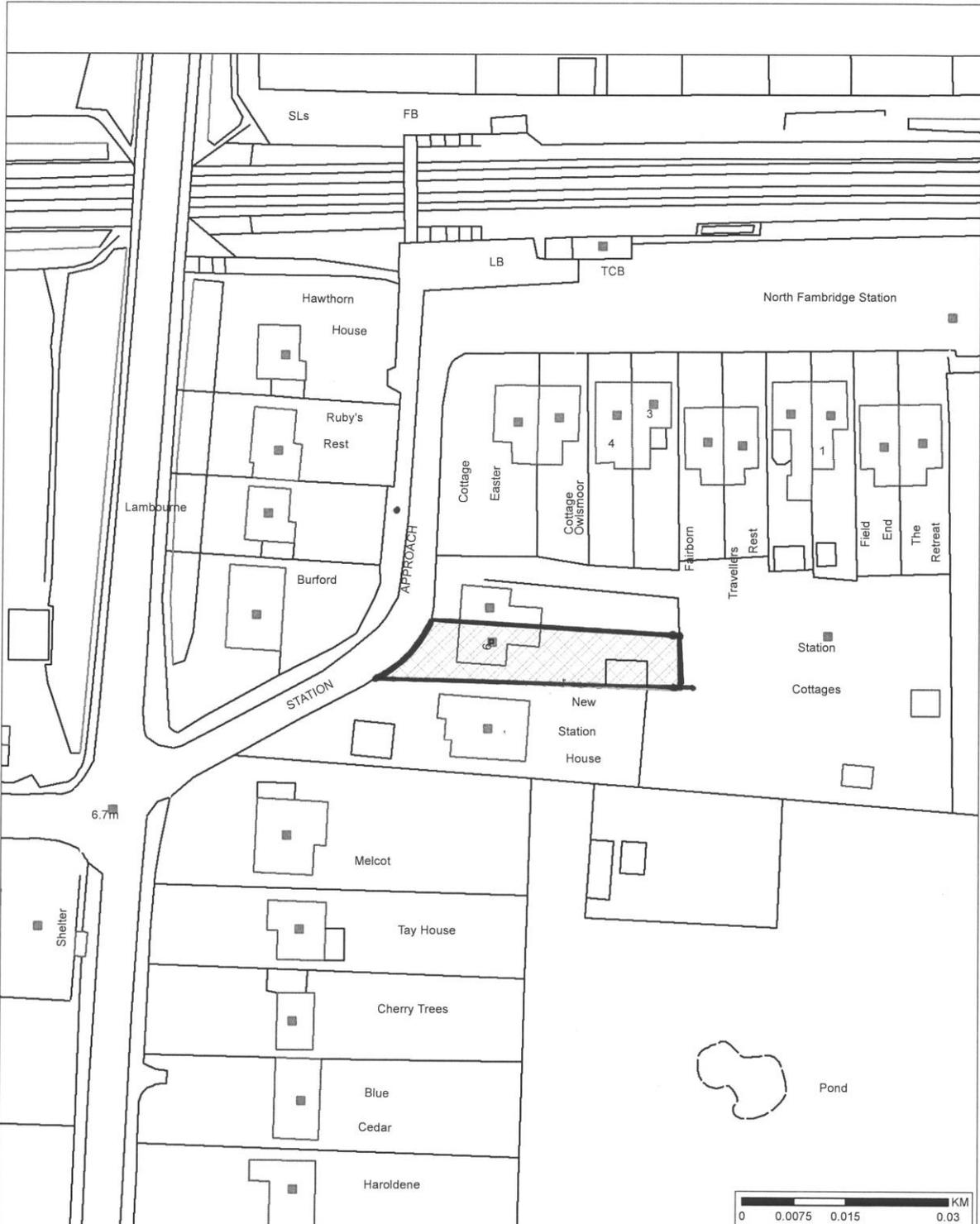
Application Number	HOUSE/MAL/16/00019
Location	6 Station Cottages, Station Approach, North Fambridge
Proposal	Side and rear single storey extensions.
Applicant	Mr & Mrs R Morris
Agent	Mr Ashley Robinson
Target Decision Date	07.03.16
Case Officer	Emily Hall
Parish	North Fambridge
Reason for Referral to the Committee / Council	Previous Committee Decision

1. RECOMMENDATION

REFUSE for the reason 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 16/00019
	Date:	22/03/2016
	MSA Number:	100018588

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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 Planning permission is sought for the erection of a single storey side and rear extension with an overall ridge height of 4.2m and eaves height measuring 2.3m. The extension would measure 6.4m wide at the rear, with a maximum depth of 8.5m and projection beyond the rear elevation by 2.8m.
- 3.1.2 Materials are to match the existing dwelling. No openings are proposed on the flank elevations and patio doors with glass panels to the side and above are proposed in the rear elevation.
- 3.1.3 The application site is located within the settlement of North Fambridge on the east side of Station Approach and is within a residential area. The site is occupied by a two-storey semi-detached property with a detached garage at the rear/side of the property. The frontage is open and block-paved with an access gate leading to the garage.
- 3.1.4 The current scheme has been submitted following two previous applications which have both been refused by the Council.

3.2 Conclusion

- 3.2.1 The proposed development, due to its scale, bulk and design, is considered to result in a contrived development to the detriment of the character and appearance of the existing dwelling and local area, contrary to policies BE1 of the Replacement Local Plan (RLP) and policy D1 of the submitted local plan and guidance contained within the National Planning Policy Framework (NPPF). It is not considered that the proposed alterations have overcome the harm identified at the time of the last application.

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:

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4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE1 Design of new development and landscaping
- BE6 Extensions to dwellings
- CC6 Landscape protection
- CC7 Special Landscape Areas

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
- H4 Effective use of land

4.4 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of altering and extending the dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with BE6 of the RLP and H4 of the submitted Local Development Plan (LDP). 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. In order to comply with Policy BE1 of the RLP, the proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials. Similarly, the basis of policy D1 of the emerging LDP ensures that 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”

5.2.5 Policy BE1 states that development proposals will be permitted if they are a) compatible with their surroundings in terms of (iv) scale/bulk/height, (v) external materials, (vi) visual impact, (vii) effect on amenity of neighbouring properties or occupiers therein (ix) relationship to important landscape or open spaces and b) harmonise with the general character of the area in which they are set. Similarly, policy BE6 states that development proposals will be permitted if the development would not result in either the building appearing cramped or the proposal would be detrimental to the general character and appearance of the area.

5.2.6 Planning permission is sought to erect a single storey side and rear extension which will wrap-around the south and east elevations of the existing dwelling. The extension will project from the south elevation by 1.5 metres and the east elevation by 2.8 metres. The extension will have an overall depth of 8.5 metres. The extension is sited 0.9 metres from the northern and southern shared boundaries.

5.2.7 There have been two previous applications for proposals of a comparable nature which have both been refused. The difference between the proposed schemes, in terms of dimensions has been set out in the table below:

	15/00761/HOUSE	15/01060/HOUSE	16/00019/HOUSE
Height			
Overall	4.0 metres	4.2 metres	4.0 metres
Eaves	2.3 metres	2.3 metres	2.3 metres
Depth			
Overall	9.1 metres	8.9 metres	8.5 metres
From the rear elevation	3.1 metres	3.1 metres	2.8 metres
Width			
Overall	5.6 metres	6.4 metres	6.4 metres
From the side elevation	1.5 metres	1.5 metres	1.5 metres

5.2.8 It is evident from the above table that in response to the first refusal that scheme was reduced in depth but increased in width and then in response to the second refusal was reduced in depth and no changes were made to the width. Overall, the depth of the proposal has been reduced by 0.4 metres but remains essentially the same in respect of all of the other dimensions. The roof profile previously feature a decrease in height to avoid interfering with the existing windows at first floor level on the rear elevation, this has been amended so that the ridge of the rear extension is continuous and two smaller windows are located at first floor level on the rear elevation. The front elevation of the side extension has a hipped roof profile.

5.2.9 Previously the scheme was refused on design grounds, notably due to the scale, bulk and design which were considered to result in a contrived development to the detriment of the character and appearance of the area.

5.2.10 The overall design of the scheme remains the same. Concerns were previously raised in relation to the height and width of the extension relating poorly to the proportions

of the existing dwelling and resulting in a contrived appearance to the detriment of the appearance of the existing dwelling. This is particularly noticeable given that the extension is wider than the original dwelling. The reduction in the depth of the extension has not overcome the previous concerns raised.

- 5.2.11 In addition, the proportions of the proposed extension and the resultant roof form appear squat when viewed against the gable end details on the existing dwellings.
- 5.2.12 In addition, concern has previously been raised in relation to the introduction of the hipped roof on the principal elevation of the side extension. This element is visible within the streetscene and considered to appear contrived when viewed against the remainder of the dwelling. This element has not been amended and there are no new material considerations which would alter this stance.
- 5.2.13 Overall, the proposal is considered to result in a contrived and disproportionate form of development to the detriment of the character and appearance of the dwelling and locality and is therefore contrary to adopted policy BE1 of the RLP and D1 of the LDP as well as guidance as set out in the NPPF.

5.3 Impact on Residential Amenity

- 5.3.1 Policy BE6 of the RLP protects neighbouring occupiers from unacceptable development which results in a loss of amenity in relation to overlooking, overpowering or undue reduction of light to the main windows of the adjacent property. Policy D1 of the submitted LDP seeks to protect the amenity of surrounding areas and local context.
- 5.3.2 The proposed development is single storey and is not considered to give rise to issues of overlooking or loss of privacy to the neighbouring properties in accordance with the stipulations of BE1 of the RLP and D1 of the submitted LDP.
- 5.3.3 At the time of the previous application concern was raised in relation to the siting and bulk of the development, and its impact upon the neighbouring occupiers. The depth of the extension projecting beyond the rear elevation measures 2.8 metres, which has been reduced from 3.1 metres at the time of the previous application. Semi-detached dwellings can be extended by up to 3 metres without formal planning permission, subject to meeting the requirements of the rest of the legislation. However, it should be noted that the extension extends nearer to the boundary than the existing dwelling. Whilst the width of the development and distance from the north and south boundaries remains the same the depth has been reduced to such a degree that the proposal, on balance, is not considered to result in an overbearing and unneighbourly form of development in compliance with policy BE6 of the RLP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T8 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with new development. Likewise, policy D1 of the submitted LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards.

- 5.4.2 The proposed development will not result in the creation of any additional bedrooms but will reduce the number of car parking spaces that the site provides through the loss of the use of the garage for the purposes of car parking and through the loss of an area of hardstanding to the side of the dwelling. The proposed development will reduce the level of car parking on site by two spaces.
- 5.4.3 The frontage of the site is block-paved and provides off-street parking for three vehicles. The maximum number of parking spaces the Council's adopted Vehicle Parking Standards SDP requires is three spaces. The site will provide space to park three cars and the car parking spaces meet the recommended bay size in accordance with the Council's adopted Vehicle Parking Standards SDP.
- 5.4.4 Therefore, the proposed development will not have a detrimental impact on the provision of vehicle parking on the site and the development is in accordance with the stipulations of Policy T8 of the RLP.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy BE1 of the RLP requires that amenity space is provided that is appropriate to the type of development. The Essex Design Guide advises a suitable garden size for dwellings with three or more bedrooms is 100m².
- 5.5.2 The existing garden on the site measures approximately 160m² and is in excess of the standard contained within the Essex Design Guide. The proposed development will result in a loss of some of the garden by 55m² but the resultant garden will still be in excess of the guidance contained within the Essex Design Guide, measuring 105m² and therefore, there is no objection to the proposal in relation to amenity space.

6. ANY RELEVANT SITE HISTORY

- **15/00761/HOUSE** – Side and rear single storey extensions. Refused 14 September 2015.
 - 1 The proposed development due to scale, bulk and contrived design is considered to result in an overbearing and unneighbourly development, contrary to policies BE1 and BE6 of the replacement local plan and policy D1 of the emerging local plan and guidance contained within the National Planning Policy Framework. In addition, due to the loss of off-street parking facilities the proposed development does not accord with policy T8 of the replacement local plan.
 - 2 The proposed development due to scale, bulk and design is considered to result in a contrived development to the detriment of the character and appearance of the area, contrary to policies BE1 and BE6 of the replacement local plan and policy D1 of the emerging local plan and guidance contained within the National Planning Policy Framework. In addition, due to the loss of off-street parking facilities the proposed development does not accord with policy T8 of the replacement local plan
- **15/01060/HOUSE** - Side and rear single storey extensions. Refused 22 December 2015

- 1 The proposed development, due to its scale, bulk, siting and contrived design, is considered to result in an overbearing and unneighbourly development, contrary to policies BE1 and BE6 of the Maldon District Replacement Local Plan and policy D1 of the submitted Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework. It is not considered that the proposed alterations have overcome the harm identified at the time of the last application.

- 2 The proposed development, due to its scale, bulk and design, is considered to result in a contrived development to the detriment of the character and appearance of the area, contrary to policies BE1 and BE6 of the Maldon District Replacement Local Plan and policy D1 of the submitted Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework. It is not considered that the proposed alterations have overcome the harm identified at the time of the last application.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
North Fambridge Parish Council	Awaited	

7.2 Representations received from Interested Parties

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

- A. Stockford, Burford, Station Approach, North Fambridge

Objection Comment	Officer Response
Not enough parking provision	Please see section 5.4 of this report

8. REASON FOR REFUSAL

- 1 The proposed development, due to its scale, bulk and design, is considered to result in a contrived development to the detriment of the character and appearance of the existing dwelling and local area, contrary to policies BE1 of the Maldon District Replacement Local Plan and policy D1 of the submitted Maldon District Local Development Plan and guidance contained 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.