



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

---

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

<b>Application Number</b>	<b>HOUSE/MAL/16/00215</b>
<b>Location</b>	12 Goat Lodge Road Great Totham Essex CM9 8BT
<b>Proposal</b>	Two storey extension to the rear
<b>Applicant</b>	Mr M Crisell
<b>Agent</b>	W.G Goodall
<b>Target Decision Date</b>	22.04.2016
<b>Case Officer</b>	Spyros Mouratidis
<b>Parish</b>	Great Totham
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

**1. RECOMMENDATION**

**REFUSE** for the reason as detailed in Section 8 of this report.

**2. SITE MAP**

Please see overleaf.



 <p><b>Copyright</b>          For reference purposes only.          No further copies may be made.          This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.          Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.          Maldon District Council 100018588 2014</p> <p>www.maldon.gov.uk</p>	Scale:	1:625
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	NW Committee 16/00215
	Date:	22/03/2016
	MSA Number:	100018588

### **3. SUMMARY**

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

3.1.1 The application site is located within the settlement boundary of Great Totham, on the east side of Goat Lodge Road, in a semi-rural residential setting and is currently occupied by a semi-detached, two-storey dwelling. Pedestrian and vehicular access is via Goat Lodge Road. The site is benefited from one off-street parking space to the front of the dwelling. Other development in the vicinity comprises of an eclectic mixture of style and design.

3.1.2 Planning permission is sought for the erection of a two-storey extension to the rear of the dwelling with a hipped roof 6.8m high. The proposed extension would measure 6.5m wide by 3.3m deep. Proposed materials would match those of the existing dwelling. The proposal would accommodate a larger kitchen area and a utility room at ground floor level and one additional bedroom and an en-suite bathroom at first floor level. An existing single-storey conservatory to the rear would be demolished to facilitate the proposed development.

#### **3.2 Conclusion**

3.2.1 The proposed development, by reason of its scale, bulk and close proximity to the neighbouring property, would result in an overbearing and unneighbourly form of development, which would have an overpowering and overshadowing effect and would have an adverse and significant impact upon the amenity of the occupiers of No.14 Goat Lodge Road, the neighbouring dwelling to the north. Therefore, the proposal would be contrary to saved policies BE1 and BE6 of the RLP and policy D1 of the submission LDP and guidance contained within the NPPF.

### **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:**

- 14 Presumption in favour of sustainable development
- 17 Core Planning Principles
- 56-68 Requiring Good Design

#### **4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:**

- BE1 Design of Development and Landscaping
- BE6 Extensions to Dwellings

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

- H4 Effective Use of Land
- D1 Design Quality and Built Environment

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

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

### **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 policy BE6 of the RLP and policy H4 of the submission 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 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 saved 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 submitted 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 The proposed development is of typical style and design for a householder extension. In terms of its proportions, namely its scale, bulk and appearance, it is considered that the proposed rear extension would appear as a bulky addition to the existing dwelling. The hipped roof, whilst it would be different in style from the gabled-roof dwelling, it would respect the visual cues of the property. Overall, the proposal would not be visible from any vantage points within the public realm and as such it would not be detrimental to the character and appearance of the area or the dwelling. As the proposed materials would match those of the existing dwelling, the proposed extension would not look out of place given its context.

5.2.4 Therefore, it is considered that in terms of style and design, including the proposed materials, the proposed development would, on balance, be acceptable as it would not detract from the character and appearance of the area and it would not be materially harmful to the existing dwelling in accordance with saved policies BE1 and BE6 of the RLP and policy D1 of the submission LDP.

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

- 5.3.1 Policies BE1 and BE6 of the RLP protect 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 their property. Similarly, the basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.
- 5.3.2 The proposed rear extension would abut the boundary of the site with No.14 Goat Lodge Road and would project by 3.3m from the rear elevation of the existing building. There are no windows proposed on the northern flank elevation to give rise to issues regarding overlooking. However, the proposal, due to its siting, scale and bulk, would result in an unneighbourly and dominant addition to the detriment of the neighbouring occupiers. This would be exacerbated by the small depth of the rear garden of the neighbouring property.
- 5.3.3 Furthermore, the proposed extension, due to its scale, siting and relationship with the neighbouring property to the north, would fail the 45° daylight assessment rule as per the Essex Design Guide SPD, resulting in a loss of outlook, overhadowing and daylight received by windows on the rear elevation at ground and first floor level on the neighbouring property No.14 Goat Lodge Road.
- 5.3.4 The neighbouring property to the south, No.10 Goat Lodge Road, would not be affected detrimentally by the proposed development in terms of overpowering, overshadowing or overlooking.
- 5.3.5 Overall, it is considered that the proposed development would have an adverse and significant impact upon the amenity of the occupiers of the neighbouring dwelling to the north in terms of overpowering and overshadowing and as such the proposal would be contrary the stipulations of policies BE1 and BE6 of the RLP and D1 of the submission LDP.

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

- 5.4.1 Policy BE6 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with alterations and/or additions to dwellings. Likewise, policy D1 of the submission LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards. The Parking Standards are expressed as maximum standards taking into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.4.2 The existing access arrangements would not be altered as a result of this proposal. The proposed development would not impact the available parking spaces on site but it would result in the creation of one additional bedroom, creating a four-bedroom property. For a dwelling with four or more bedrooms the Council's adopted parking standards sets out that a maximum of three spaces for the parking of vehicles should be provided within the site. Whilst only one space would be available on site, the application site is considered to be a sustainable location, within the settlement boundary of Great Totham where services are available within a walkable distance.

5.4.3 Considering that the requirement is set out a maximum, the sustainability of the location and the government guidance a relaxation of on-site car parking is reasonable. Moreover the shortfall of two car parking spaces from the maximum requirement is not considered to result in any demonstrable or detrimental harm to the local highway network or the free flow of traffic. On this basis, the proposal is not considered acceptable in terms of highway safety and vehicle parking provision.

## 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. In addition, the Essex Design Guide advises a suitable garden size for dwellings with three or more bedrooms is 100sq m.

5.5.2 The existing garden on the site is in excess of the standard contained within the Essex Design Guide, and the proposed development would result in a negligible loss of part of the garden. The remaining amenity space would still be significantly larger than the standard. Therefore, there is no objection to the proposal in relation to amenity space.

## 6. ANY RELEVANT SITE HISTORY

- No relevant planning history.

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Great Totham	Support	Comment noted. Please see section 5 of the report.

## 8. PROPOSED REASONS FOR REFUSAL

- 1 The proposed development, by reason of its scale, bulk, height, depth and close proximity to the neighbouring property, would result in an overbearing, dominant and unneighbourly form of development, which would have an overpowering and overshadowing effect upon the property at No.14 Goat Lodge Road and would therefore have an adverse and significant impact upon the amenity of the neighbouring occupiers contrary to saved policies BE1 and BE6 of the adopted Maldon District Replacement Local Plan, emerging policy D1 of the Submitted 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

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.