



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
NORTH WESTERN AREA PLANNING COMMITTEE
4 FEBRUARY 2019**

Application Number	HOUSE/MAL/18/01453
Location	38 Blacksmiths Lane, Wickham Bishops
Proposal	Single storey pitched roof outbuilding
Applicant	Mr Steve Challis
Agent	Mr Richard Bailey – RJB Architect
Target Decision Date	05.02.2019
Case Officer	Hayleigh Parker-Haines
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member Call In - Councillor H Bass – public interest

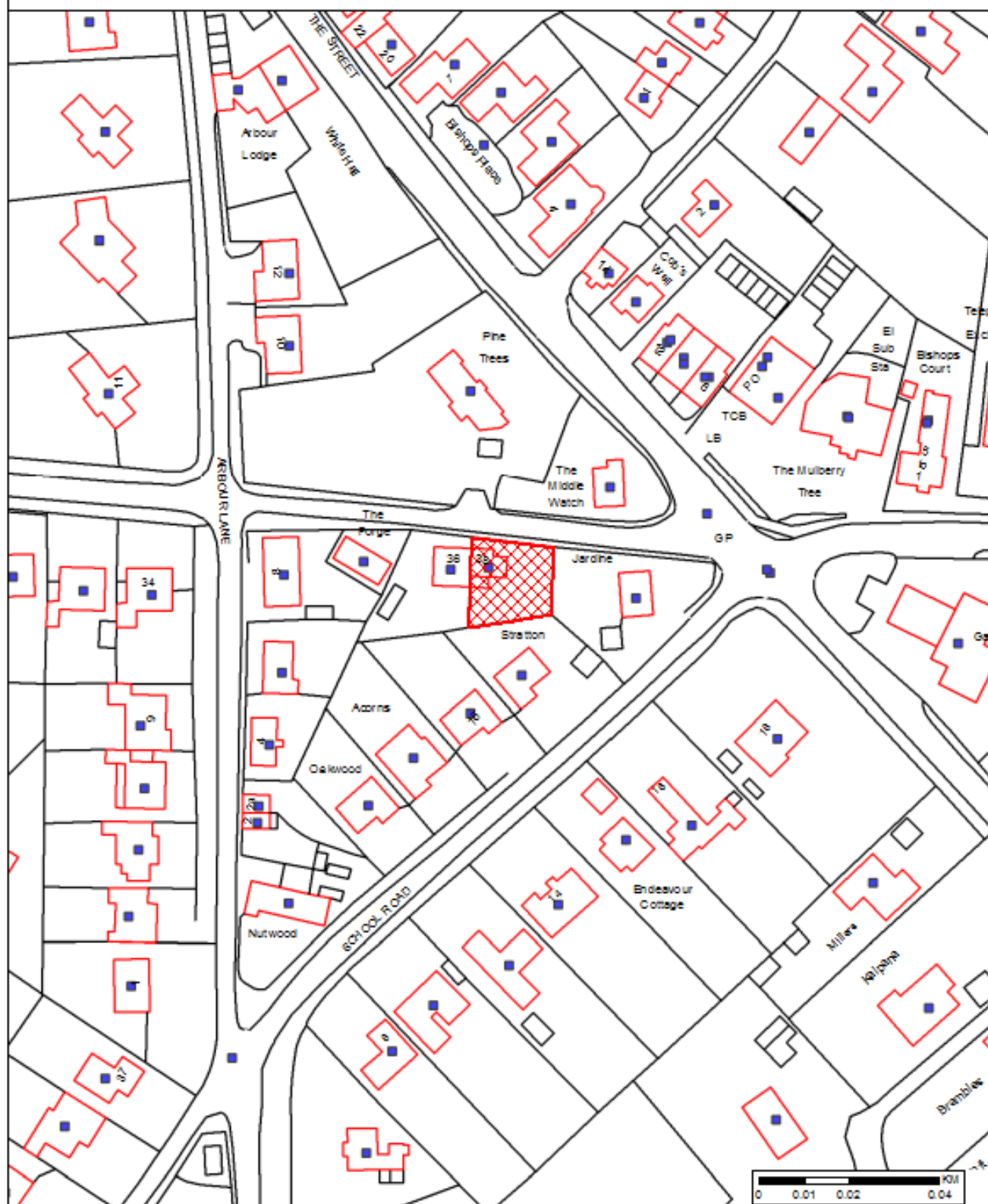
1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

18/01453/HOUSE



Copyright

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.
Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Maldon District Council 100018588 2014



www.maldon.gov.uk

Scale: 1:1,157

Organisation: Maldon District Council

Department: Department

Comments:

Date: 14/01/2019

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located to the southern side of Blacksmiths Lane and falls within the settlement boundary of Wickham Bishops. The site is occupied by a two storey semi-detached property with a shed to the south east of the dwellinghouse.
- 3.1.2 Planning permission is sought for the construction of a single storey outbuilding. This would have a depth of 6.9 metres, a width of 5.6 metres and a maximum height of 4.2 metres with an eaves height of 2.5 metres. This would replace the shed that is currently in the same location. The proposed outbuilding would be constructed of render, white wooden windows and doors and slate roof tiles.
- 3.1.3 The proposed outbuilding would have three windows and a door to the western side elevation and two roof lights over the northern end of the outbuilding. The outbuilding would accommodate a workshop and an incidental living space.

3.2 Conclusion

- 3.2.1 It is considered that the proposed outbuilding, by reason of its location and design would not harm the appearance or character of the locality to an extent that would justify the refusal of the application and, due to its relationship with the adjoining properties, the proposed development is not considered to result in undue harm by way of overlooking, loss of light or loss of amenity. In addition the proposed development does not detrimentally impact on the provision of amenity space and car parking provision. It is therefore considered that the proposed development is in accordance with policies D1, S1 and H4 of the approved Local Development Plan (LDP).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2018 including paragraphs:

- 11 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 124 – 132 Achieving well-designed places

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of extending an existing dwellinghouse and of providing facilities in association with residential accommodation is considered acceptable in line with policies S1 and H4 of the approved LDP.

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 seek 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 NPPF states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

- 5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency

- 5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the Maldon District Design Guide (MDDG) (2017).
- 5.2.5 Despite being to the rear of the dwellinghouse and set back within the application site the proposed development would be highly visible from within the public realm. However, due to the single storey nature of the development and that the outbuilding would be set back from the host dwelling, the development would be a subservient addition to the application site. It is therefore not considered to have a detrimental impact on the surrounding area.
- 5.2.6 Furthermore, the proposed outbuilding would take up a footprint of 32m². Although, this is considered to be a moderate addition, due to the size of the amenity space to the rear of the property it is not considered to result in a cramped form of development and is not considered to represent overdevelopment of the site.
- 5.2.7 The proposed materials of render and slate tiles are considered to be suitable for this type of development and would not be out-of-keeping with the surrounding area or the application site as the host dwelling is rendered.
- 5.2.8 Therefore, it is considered that the development, by reasons of its scale, design and appearance would not result in a demonstrable harm to the character and appearance of the existing dwelling and the locality in accordance with policies D1 and H4 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.3.2 The application site is bordered by three neighbouring properties. To the east is Jardine, to the south is Stratton and to the west is No.36 Blacksmiths Lane.
- 5.3.3 The proposed outbuilding would sit 0.7 metres from the shared boundary with Jardine and over 11 metres from the neighbouring dwellinghouse. There are no windows proposed on the western elevation facing this property which avoids any issues in regards to loss of privacy to the neighbouring occupiers. Furthermore, due to the single storey nature of the proposed development and the substantial degree of separation, it is not considered that the proposed development would cause an unacceptable impact in regards to loss of light or cause the outbuilding to have an overbearing impact on this neighbouring property.
- 5.3.4 The proposed outbuilding would sit a minimum of 0.2 metres from the shared boundary with Stratton and approximately 8 metres from the neighbouring dwellinghouse. It is noted that the land to the north of the application site is 1 metre lower than that of the application site and that the neighbouring dwellinghouse is angled in such a way that the dwelling faces partially away from the proposed outbuilding which would reduce the impact in regards to loss of light. There are no windows proposed on the northern elevation facing this property which avoids any issues in regards to loss of privacy to the neighbouring occupiers. Furthermore, due

to the single storey nature of the proposed development and the orientation of the properties, it is not considered that the proposed development would cause an unacceptable impact in regards to loss of light or cause the outbuilding to have an overbearing impact on this neighbouring property.

- 5.3.5 The proposed outbuilding would sit 11 metres from the shared boundary with No.36 Blacksmiths Lane. Due to this degree of separation and the single storey nature of the proposed outbuilding, it is not considered to result in a loss of light or have an overbearing impact on this neighbouring property. Although, there are 3 windows and a door with a window on the western side elevation of the proposed development, the existing boundary treatment in place and the degree of separation is considered to overcome any issues in regards to loss of privacy.
- 5.3.6 Therefore, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety, and take into account the availability of public transport and residents' reliance on the car for accessing, employment, everyday services and leisure. The key objectives of the standards is to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This will enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.
- 5.4.3 The proposed development would not alter the existing parking provision at the site or the number of bedrooms. Therefore, there is no objection in terms of car parking.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon Design Guide SPD advises a suitable garden size for

each type of dwellinghouse, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25 m² for flats.

- 5.5.2 The proposed development would result in the loss of approximately 32m² of amenity space. However, the garden would still remain in excess of 100m². Therefore, the proposed extension is in compliance with policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/74/00189** – Bedroom - Approved.
- **FUL/MAL/78/01182** – Extension – Approved.
- **FUL/MAL/A/78/01182** – Amended Plans - Approved

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Wickham Bishops Parish Council	No letters of representation have been received. It was reported that the dwelling to the rear of the site had a high degree of overlooking into the applicants garden and the proposed outbuilding might improve the privacy. The design was considered to be in keeping with locality. Councillors noted that a dilapidated shed would be replaced by the proposed. The planning committee recommends approval.	Comments noted

7.2 Representations received from Interested Parties

- 7.2.1 One letter was received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
The outbuilding being 4.2 metres in height would have an overbearing nature on neighbouring properties to the rear of the application site, especially as these properties are 1 metre lower than the application site.	This has been discussed in point 5.3.4 of this report

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) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 01, 02, 03 and 04.
REASON To ensure that the development is carried out in accordance with the details as approved.
- 3 The materials used in the construction of 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 NPPF.
- 4 The outbuilding shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 38 Blacksmiths Lane.
REASON To ensure that the development is carried out in accordance with the details as approved