



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
11 FEBRUARY 2019**

Application Number	FUL/MAL/18/01415
Location	4 Church Road, Burnham-On-Crouch, Essex CM0 8DA
Proposal	Single storey utility extension with pitched roof, demolition of existing dilapidated garage and garden shed and replacement with 1 bedroom annexe accommodation linked to existing house
Applicant	Ms Philippa Munro
Agent	Mr Michael Lewis – Bailey Lewis
Target Decision Date	29.01.2019
Case Officer	Annie Keen, TEL: 01621 875822
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Member Call In – Councillor Mrs H E Elliott Reason: Public Interest

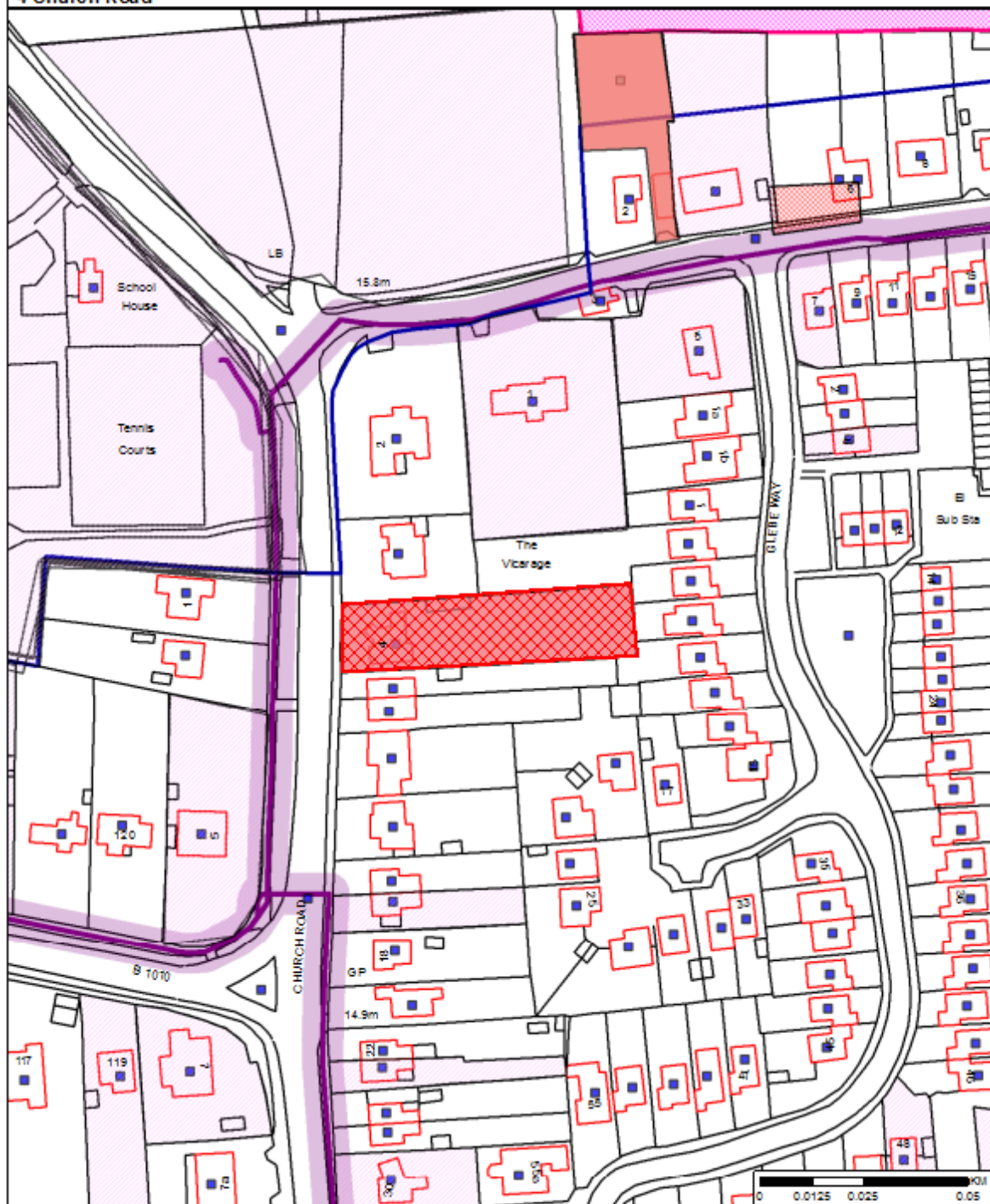
1. RECOMMENDATION


REFUSE planning permission for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

18/01415/HOUSE
4 Church Road



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		Organisation:	Maldon District Council
		Department:	Department
		Comments:	SE Area Committee
		Date:	15/01/2019
	www.maldon.gov.uk	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is situated on the east of Church Road, within the settlement boundary of Burnham-on-Crouch. The surrounding area comprises of dwellings of varying styles and the entrance to Ormiston Rivers Academy.
- 3.1.2 Planning permission is sought for the demolition of a garage and garden shed and the construction of a one bedroom annexe linking to the existing dwelling via an entrance link, conservatory and a single storey utility room with a pitched roof.
- 3.1.3 The entrance hall and utility room would be located to the side of the host dwelling, increasing the existing side projection to the front and side. The proposed side extension would not project further than the main principle elevation of the host dwelling. The proposed extension would measure 5.6 metres in width, with a depth of 2.8 metres to the existing western elevation and 6.4 metres linking to the northern elevation of the existing dwelling creating an 'L' shape around the existing side projection. The proposed entrance hall and utility room would have a pitched roof with an eaves height of 2.8 metres and a ridge height of 4.8 metres. The pitched roof would replace the roof of the existing side projection.
- 3.1.4 The conservatory would link to the proposed eastern elevation of the entrance hall and would measure 2.5 metres in width and 4.5 metres in depth. The height of the conservatory would measure 3.2 metres to the top of the pitched roof.
- 3.1.5 The annexe would link to the eastern elevation of the proposed conservatory and would measure 12.2 metres in depth and 4.9 metres in width, excluding the front projection. The height of the pitched roof would measure 2.8 metres to the eaves and 4.2 metres to the top of the ridge. The front projection would measure 5.8 metres in depth, 1.8 metres in width and 3 metres in height to the top of the flat roof.
- 3.1.6 There would be an area of hardstanding to the south of the proposed conservatory measuring 4.5 metres in depth and 3.1 metres in width.
- 3.1.7 The materials proposed for the construction of the annexe are black painted weatherboarding on a red brick plinth with slate roof tiles and lead over the front projection. The entrance hall and utility room would be constructed of red brick with red clay plain tiles to match the existing dwelling. The proposed doors would be of a white painted timber finish to match the existing dwelling with white uPVC windows.

3.2 Conclusion

- 3.2.1 It is considered that the proposed combined side and annexe extensions, by reason of its design, scale and bulk would represent a dominant addition to the site and would cause harm to the appearance and character of the area, therefore causing a detrimental visual impact on the streetscene. It is therefore considered that the proposed development would result in demonstrable harm to the host dwelling and the locality and is consequently not in accordance with policies D1, S1 and H4 of the 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)
- National Planning Policy Guidance (NPPG)
- Essex Design Guide
- Car Parking Standards
- Burnham-on-Crouch Neighbourhood Development Plan

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of erecting ancillary accommodation to provide facilities in association with the existing residential accommodation is considered acceptable.
- 5.1.2 The proposed annexe would be a large building measuring 69.9m² which would contain one bedroom, an en-suite, a kitchen/dining/living area, guest bathroom, closet and storage areas.
- 5.1.3 Whilst there is the presence of primary accommodation within the proposed annexe this does not necessarily mean that it would not be occupied as ancillary to the main dwelling. It is noted that the proposed annexe would share the same access and there appears to be no separate curtilage for the proposed building. However, it must be noted that the proposed extension could facilitate an independent access, therefore it is considered that there are concerns that the proposed development would exceed what can be reasonably considered to be an annexe to the host dwelling. Due to this it is considered that subject to the imposition of a suitable condition, the Local Planning Authority (LPA) can proceed on the basis that the building will be used as ancillary

accommodation and not an independent dwelling, which would not be an acceptable form of development in this location.

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 in creating better places to live 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”.

“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, taking into account local design standards, style guides in plans or supplementary planning documents”.

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 Additionally, policy H4 requires all development to be design-led and to seek to optimise the use of land whilst, amongst other considerations, having regard for the location and the setting of the site and the existing character and density of the surrounding area. The policy also seeks to promote development which maintains and where possible enhances, the character and sustainability of the original building and the surrounding area; is of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and

where possible enhances the sustainability of the original building; and does not involve the loss of any important landscape, heritage features or ecology interests.

- 5.2.6 Policy H0.8 of the Burnham-on-Crouch Neighbourhood Development Plan states that proposals for housing development should produce high quality schemes that reflect the character and appearance of their immediate surroundings.
- 5.2.7 The proposed development would be located to the side and rear of the host dwelling, creating a utility room, entrance hall, conservatory and annexe along the northern boundary.
- 5.2.8 The extension to the side of the existing dwelling would create an 'L' shaped extension, wrapping around the existing side projection. The proposed extension would consist of a utility room and an entrance hall. The extension would have porthole windows on the northern elevation and a door and window to the western elevation. Due to the addition of the 'L' shaped utility and entrance hall, the existing pitched roof of the kitchen would be removed and replaced by a pitched roof 0.5 metres higher than the existing roofline. Due to the high visibility of the extension within the public realm the development would have an impact on the character and appearance of the host dwelling and the streetscene.
- 5.2.9 The proposed conservatory would join the eastern elevation of the proposed entrance hall, creating a link between the entrance hall and the proposed annexe with additional external doors to the northern and southern elevations which open on to a patio area to the south and an alleyway to the north. The conservatory would be constructed of glass to the southern elevation and brick to the northern elevation with a pitched glass roof which would integrate into the roof of the entrance hall and annexe either side. Whilst this is a discreet link between the annexe and host dwelling, which would be shielded from the streetscene due to the proposed entrance hall, the conservatory adds to the overall mass of the proposed development, exacerbating the cumulative impact of the development on the character and appearance of the host dwelling.
- 5.2.10 The proposed annexe, which is of limited architectural merit, is accessed via the conservatory and the side extensions. The proposed annexe is considered to be a large addition to the proposed dwelling which when considered with the proposed conservatory and side extension would create a mass of development along the northern boundary. Whilst the proposed annexe is located to the rear of the proposed side extension, due to its size and position the full length of the annexe and side extension would be visible from the streetscene of Church Road which would detrimentally impact upon the streetscene and represent the overdevelopment of the host dwelling.
- 5.2.11 The proposed development would be a large addition to the site with a footprint of 102.5m²; with the annexe alone having a footprint of 69.9m² compared to the host dwelling which has a footprint of 115.9m². Whilst the supporting Planning Statement notes government guidance states the minimum standard required for a 1 bedroom apartment is 50m², the proposed annexe is not considered a new dwelling and therefore this is not applicable. It is important to note that an annexe needs to share facilities and have a co-existing relationship. By referencing these standards, it is considered that it is of increased importance to impose the condition discussed in Section 5.1.3 above.

- 5.2.12 The proposed rooflines of the extensions are all of a pitched roof style however the varying heights create a convoluted appearance to the development. Furthermore, the design of the annexe features a front projection with a flat roof adding to the various roof heights. It is noted that this would not be visible from the public domain but it is considered that this would not justify the visual impact of the proposal.
- 5.2.13 The materials proposed for the external finish to the annexe are a red brick plinth with painted weatherboarding finish to the exterior walls and a slate roof. Whilst the red brick plinth would match the existing dwelling the proposed weatherboarding and slate roofing would not be in keeping with the existing dwelling. However, the proposed materials would help to provide the impression of a subservient outbuilding and therefore weatherboarding would be acceptable. Furthermore, the slate roofing of the annexe and the red plain tiles of the front side extension would be separated by the glass roof of the conservatory, therefore, whilst slate would not be in keeping with the existing dwelling the variation in roofing material would not be detrimental to the appearance of the host dwelling, providing the appearance of a separate addition.
- 5.2.14 Pre-application advice has previously been sought in relation to this proposal which suggested a smaller annexe would be a more suitable form of development, however nothing has been altered in this submission and the concerns raised in the pre-application report have not been addressed.
- 5.2.15 It is considered, the development by reason of its scale, design and appearance would result in demonstrable harm to the character and appearance of the existing dwelling and the locality, contrary to 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 neighbouring dwelling of No.2A Church Road would be located 5.8 metres from the proposed annexe and 6.9 metres from the proposed conservatory and entrance hall. The proposed development would have windows along the northern elevation of both the entrance hall and annexe. Whilst these windows face towards the neighbouring dwelling of 2A Church Road the proposed entrance hall would be located 1.2 metres from the boundary and any view would be obscured by hedging along the northern boundary. Furthermore, the development is single storey in nature and therefore any overlooking from the proposed windows or overshadowing of the neighbouring private amenity space from the development would be minimal.
- 5.3.3 The neighbouring dwelling of No.6 Church Road would be situated 9.6 metres from the proposed development. Due to the separation distance the development would not impact upon the private amenity of the neighbouring dwelling.

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 extensions and annexe would add an additional bedroom to the site, however the use of the annexe would be ancillary to the host dwelling and therefore would not impact upon the existing parking provision. It is noted the application states four cars can park on the existing parking area; therefore this is sufficient for a dwelling with four or more bedrooms. The proposal is therefore in accordance with the vehicle parking standards specified in the Maldon District Vehicle Parking Standards SPD and policy D1 and T2 of the LDP.

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 MDDG 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 25m² for flats.
- 5.5.2 The dwelling sits on a large site measuring in excess of the required 100m² amenity space specified within the Essex Design Guide. The garden will remain in excess of 100m² after the construction of the proposed development; therefore the proposed development is in compliance with policy D1 of the LDP.

5.6 Other Material Considerations

- 5.6.1 A consultation response from Environmental Health concludes there are no objections to the proposed development subject to conditions relating to surface water and foul drainage. Due to the nature of the development it is considered these conditions are not necessary.

- 5.6.2 The applicant's submission includes details of how the development would be beneficial to the applicant's mother. Whilst the Council is sympathetic to the applicant's situation, it is considered that the justification provided does not outweigh the harm that has been identified.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/91/00420** - Two storey rear extension to existing house – Approved

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Burnham-on-Crouch Town Council	Support	Comment noted

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection to the proposed development subject to the following conditions: <ul style="list-style-type: none">• Surface Water Drainage• Foul Drainage	Please see section 5.6.1

7.3 Representations received from Interested Parties

- 7.3.1 1 letter was received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
Revised plans are more in keeping and will have not have a detrimental effect on neighbouring property.	Please see section 5.3.2

8. REASON FOR REFUSAL

- 1 The proposed combined side extension and annexe, by virtue of its design, scale and bulk, would represent a dominant and disproportionate addition to the site, which would be a visually intrusive addition to the streetscene and an overly dominant feature within the site. Therefore the proposed development would result in demonstrable harm to both the dwelling and the locality, contrary to the National Planning Policy Framework and policies D1, H4 and S1 of the Maldon District Local Development Plan and the Maldon Design Guide.