



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

to
**CENTRAL AREA PLANNING COMMITTEE
20 FEBRUARY 2019**

Application Number	HOUSE/MAL/18/01503
Location	Beacon House, 36 Acacia Drive, Maldon
Proposal	Resubmission of HOUSE/MAL/18/01274 for two storey side extension, single storey front extension and widening of existing drive with porous material.
Applicant	Mr & Mrs Grimwade
Agent	Kevin Green – Anglia Design Services
Target Decision Date	22/02/2019
Case Officer	Louise Staplehurst
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Member Call In Councillor Mrs N G F Shaughnessy Reason: Request of applicant and in the public interest

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

18/01503/HOUSE

Beacon House, 36 Acacia Drive, Maldon

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Maldon District Council 100018588 2014

www.maldon.gov.uk

Scale: 1:1,877

Organisation: Maldon District Council

Department: Department

Comments: Central Planning Committee

Date: 28/01/2019

MSA Number: 100018588

3. SUMMARY

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

- 3.1.1 The application site is located south of Acacia Drive, within the settlement boundary of Maldon. The site is occupied by a two storey semi-detached dwelling. The surrounding area is residential in nature with properties of a similar design.
- 3.1.2 The proposal includes the construction of a part two storey part single storey side extension and a single storey front porch extension. There will also be a new window to the rear elevation of the existing dwelling.
- 3.1.3 The proposed two storey side extension will measure 4.2 metres wide, 7 metres deep, 4.7 metres high to the eaves and 8.7 metres high overall. There will be a further 1 metre deep, 4.2 metre wide single storey projection to the side of the existing dwelling. This will measure 2.3 metres high to the eaves and 3.4 metres high overall.
- 3.1.4 The proposed single storey front porch extension will measure 3.2 metres wide, 1.8 metres deep, 2.3 metres high to the eaves and 3.4 metres high overall. There will be a further 2 metre wide, 0.6 metre deep covered porch projection to the front of the front door.
- 3.1.5 In terms of materials, the walls will be made of brick, the roof will be made of clay roof tiles and the windows and doors will use white UPVC. All materials will match the existing dwelling.
- 3.1.6 It is noted that this application is a resubmission of a previously refused application for a similar development. The reasons for refusal were:
- 1 *‘The proposed side extension, by reason of its scale and bulk, is considered to be a visually dominant and incongruous addition which will not be subservient to the host dwelling and would cause detrimental harm to the character and appearance of the existing dwelling, the streetscene and the surrounding area. The proposal is therefore contrary to the National Planning Policy Framework and policies D1 and H4 of the Maldon District Local Development Plan.’*
- 2 *‘The proposed development will result in an unacceptable level of on-site car parking provision, for a four bedroom dwelling, which is likely to result in on-street parking to the detriment of pedestrian and highway safety and the free flow of traffic, contrary to policies D1 and T2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.’*
- 3.1.7 The amendments to this application consist of the enlargement of the paved area on the driveway to provide three parking spaces. Furthermore, the overall roof height of the two storey side extension has been lowered and it has been set back from the principal elevation.

3.2 Conclusion

- 3.2.1 The proposed extensions are not considered to result in an unacceptable impact on the residential amenity of neighbouring occupiers, by way of overlooking or overshadowing. Furthermore, the proposal is considered to be acceptable in terms of parking provision and private amenity space. However, the proposed extension, by way of its scale, bulk and design, is considered to be a dominant and visually incongruous addition which would cause harm to the existing dwelling and the surrounding area. The proposal is therefore considered to be contrary to policies D1 and H4 of the Maldon District Local Development Plan (MDLDP) and the guidance contained within the National Planning Policy Framework (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 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
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

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

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 D1 of the 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 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 MDDG (2017).

5.2.5 The proposed development would significantly change the appearance of the existing dwelling and would be visible from the highway. The plot is located in reasonably close proximity to a junction and is therefore visible from Acacia Drive and Granger Avenue. The dwelling is situated further forward on the plot compared to the neighbour to the east. Due to this, and the positioning of the plot, the proposed development would have a significant impact on the streetscene.

5.2.6 The proposed development would result in a significantly larger dwelling, with an overall width of 10.6 metres. Overall, the resultant dwelling would span almost the

entire width of the application site, which would result in a cramped and overdeveloped site.

- 5.2.7 The proposed part two storey part single storey side extension is considered to be an unacceptably large addition as it will measure over half the width of the existing dwelling. The two storey element of the extension is set back from the principal elevation by 1 metre, but the single storey element will be level with the principal elevation. The eaves height of the proposed extension would match the existing dwelling and the overall hipped roof style would be set 0.4 metres lower than the ridge height of the host dwelling. Although it will be set lower than the host dwelling, due to its width and depth, it is considered that the proposed extension would dominate the existing built form and would not appear as a subservient addition, resulting in a substantial impact on the surrounding streetscene on Granger Avenue and Acacia Drive. Due to the width and depth, it is considered to be out of proportion with the host dwelling and would harm the character and appearance of the locality. Furthermore, the dwelling is one of a pair of semi-detached properties and therefore the proposed side extension would result in a significantly out of proportion development in relation to the adjoining neighbour. Given the height, width and depth of the extension, it is considered to appear bulky and dominant when viewed against the existing dwelling, to the detriment of the character and appearance of the dwelling.
- 5.2.8 The proposed single storey porch extension to the front of the existing dwelling is considered to be of a typical style and design for a residential dwelling. A porch extension is considered to be an acceptable addition to the front of a dwelling. Furthermore, there is an extant permission for a front porch of similar proportions, which provides a fallback position of some relevance.
- 5.2.9 There is no objection to the additional obscure glazed window to the rear as it would be in keeping with the dwelling to an acceptable degree. Furthermore, this is likely to be able to be undertaken using permitted development rights, which provides a fallback position of some relevance, and therefore there is no objection to this element of the proposal.
- 5.2.10 In terms of its materials, these will all match the existing dwelling and therefore there is no objection to these.
- 5.2.11 It is considered that the proposed single storey porch and new window are acceptable additions. However the proposed part two storey part single storey side extension is considered to result in a dominant and incongruous addition which would cause detrimental harm to the character and appearance of the existing dwelling and the surrounding area. The proposed amendments to this application are not considered to overcome the concerns raised in the previous application. The proposal is therefore contrary to policies D1 and H4 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas, taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.

- 5.3.2 The neighbouring dwelling to the east, No.2 Granger Avenue, is located 1.7 metres from the proposed extension. The proposed extension is in close proximity to the boundary with the neighbour, at the closest point. The two storey element projects 4.4 metres forward of the neighbouring dwelling; the single storey element projecting 1 metre further forward. The neighbour has a single storey detached garage along the shared boundary. There is one window on the east elevation of the proposed extension at ground floor level. Due to its location, and the fence and garage located along the shared boundary, the window will not result in a loss of privacy to an extent that would justify the refusal of the application. There are no windows on the east side elevation of the neighbouring dwelling. There may be some loss of light to the windows on the principal elevation due to the positioning of the extension forward of the neighbouring dwelling. However due to the 2 metre separation distance between the proposed extension and the principal elevation of the neighbouring dwelling, the proposed extension is not considered to result in a level of overshadowing that would justify the refusal of the application. The proposed single storey element will be located 0.6 metres from the shared boundary with the neighbouring dwelling. There will be no windows on the elevation facing the neighbour. Due to this, its single storey nature, and its location 5.2 metres away from the neighbouring dwelling, it is not considered to result in overlooking or overshadowing to an extent that would justify the refusal of the application. In addition, it will be mostly shielded from views from the neighbouring dwelling by the garage on the neighbouring site. The proposed porch extension will not be visible from this neighbouring dwelling and therefore it will not impact upon the residential amenity of this neighbour.
- 5.3.3 The neighbouring dwelling to the south west adjoins the dwelling on the application site. The proposed part two storey part single storey side extension is located on the east elevation of the dwelling on the application site and will therefore not be visible from within the neighbouring property. The single storey porch will be located 3 metres from the neighbouring dwelling. There will be no windows on the south west elevation facing the neighbour. Due to this, and its single storey nature, it is not considered to result in overshadowing or overlooking to an extent that would justify the refusal of the application.
- 5.3.4 The proposed extension will be located 50 metres from the rear boundary and will therefore not result in a demonstrable impact on the residential amenity of the occupiers to the south of the site. Furthermore, the outlook from the additional windows is not considered to be materially different from the existing windows.
- 5.3.5 The dwellings across the road are located 32 metres from the proposed extension. Due to the separation distance, it is not considered to result in an overbearing development. Furthermore, the outlook from the additional windows is not considered to be materially different from the existing windows.
- 5.3.6 All other dwellings are located at a distance where the extension will not impact on their residential amenity.
- 5.3.7 It is consequently considered that the proposal will not detrimentally impact upon the residential amenity of neighbouring occupiers and therefore the proposal is in accordance with this aspect of policy 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 extension will result in one additional bedroom, increasing the number of bedrooms from three to four. The adopted Vehicle Parking Standards require a four bedroom dwelling to have provision for a minimum of three parking spaces, measuring 2.9 metres wide and 5.5 metres deep. The driveway is being increased in size to create space for three parking spaces and therefore there will be sufficient parking provision at the site.
- 5.4.4 The proposed amendments in this application are considered to overcome the concerns raised in the previous application in relation to parking provision. Therefore the proposal is considered to be in accordance with this aspect of 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 100 square metres of private amenity space for dwellings with three or more bedrooms, 50 square metres for smaller dwellings and 25 square metres for flats.
- 5.5.2 The proposed extension will result in a minor loss of side garden. However the private amenity space will remain in excess of 500 square metres and therefore there is no objection in relation to the provision of private amenity space.

5.6 Other Matters

- 5.6.1 The applicant's submissions include details of how the extension would be beneficial to their disabled child. Whilst the Council is sympathetic to the applicant's situation, it is considered that this justification does not outweigh the harm that has been identified above. Whilst the correlation of these submissions with the proposed ground floor accommodation (sensory room and wet room) is understood, it is not clear how this justification applies to the proposed master bedroom, dressing room and ensuite at first floor level. Furthermore, it should be noted that the alterations under this application have had a greater impact on the ground floor accommodation than the first floor accommodation.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/96/00734** - Demolition of existing garage and erection of new garage incorporating WC – Approved
- **FUL/MAL/99/00880** – Proposed rear extension – Approved
- **HOUSE/MAL/14/01140** – Conversion of detached garage into habitable accommodation (bedroom). Wooden double doors to be internally boarded. No exterior changes to existing structure – Approved
- **HOUSE/MAL/17/01395** – Single story extension at front of property for porch and WC – Approved
- **HOUSE/MAL/18/01274** – Two storey side extension together with single storey front extension – Refuse

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Recommends approval of this application on the grounds of extenuating medical circumstances.	Comments noted.

7.2 Representations received from Interested Parties

- 7.2.1 No letters of representation have been received in relation to this application.

8. REASON FOR REFUSAL

- 1 The proposed extension, by reason of its scale, bulk and design, is considered to result in an incongruous and dominant addition which is considered to cause harm to the character and appearance of the existing dwelling and surrounding locality. The proposal is therefore contrary to policies D1 and H4 of the MDLDP and the guidance contained within the NPPF.