



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

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

Application Number	HOUSE/MAL/19/00051
Location	17 School Road, Wickham Bishops
Proposal	Loft conversion including replacement main roof, new front gable, rear dormer and five rooflights. Changes to the external materials of the dwelling.
Applicant	Mr. and Mrs. J Croker
Agent	Mr. N Ward – NWDP
Target Decision Date	12/03/2019
Case Officer	Emma Worby
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member Call In: Councillor H Bass Reason: Public interest

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

19/00051/HOUSE



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 Maldon District Council 100018588 2014


 MALDON DISTRICT
 COUNCIL

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Scale:	1:915
Organisation:	Maldon District Council
Department:	Department
Comments:	
Date:	08/02/2019
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the north western side of School Road in the settlement boundary of Wickham Bishops. To the rear of the site are dwellings located on Blacksmiths Lane. The site is occupied by a two storey detached dwellinghouse with a single storey detached garage outbuilding to the east of the main dwelling. The site is served by two access points from School Road.
- 3.1.2 Planning permission is sought for the conversion of the loft to create a second floor accommodating a bedroom, shower room, cupboard and landing. The existing roof would be replaced with a trussed roof with a maximum height of 9.8 metres, 0.2 metres lower than the existing roof height. The new roof would include one rooflight on the front elevation, one rooflight on the north east side elevation, two rooflights on the south west side elevation and a rooflight and a dormer window on the rear elevation. The pitched roof dormer would have a depth of 2.4 metres, a width of 2 metres and a height of 2.4 metres.
- 3.1.3 The proposal also includes the alteration of the existing two storey front projection which currently has a hipped roof. This would be replaced by a new gable roof in line with the existing hip at a maximum height of 8.2 metres.
- 3.1.4 The front elevation and part of the two side elevations will be finished with a smooth render on a brick plinth. The rear elevation and the remainder of the two side elevations would have a brick finish as existing.
- 3.1.5 Existing patio doors and one ground floor window on the rear elevation will be replaced with bi-fold doors and a ground floor door and window on the south west side elevation would be bricked up and replaced by a new door.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development, by reason of its scale, design and appearance would not harm the appearance or character of the locality and, due to its relationship with the adjoining properties, the proposed development is not considered to result in any undue harm by way of overlooking 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:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 117-118 Making effective use of land
- 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
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Essex Design Guide
- Maldon District 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 National Planning Policy Framework (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 any local design standards or 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 The proposed changes to the roof of the existing dwelling would be visible from School Road and therefore would have some impact on the streetscene and the character of the area. However, the height of the main roof would be 0.2 metres lower than the existing roof and the proposed development would not result in the dwelling occupying a greater floor space than at present. The proposed rooflights are a typical residential feature and modest additions to the existing dwelling, which would not be overly visible within the streetscene. The proposed dormer is relatively small in size and would be located on the rear elevation of the property and so would have limited visibility from the public realm and therefore a limited impact on the overall streetscene.
- 5.2.6 The alteration to the roof on the existing front projection from a hip to a gable would increase the overall bulk of this front projection. However, it is not considered to result in harm to the overall appearance of the dwelling and would not be considered to appear out of keeping within the surrounding area or the streetscene. The neighbouring property, No.15 School Road, has a similarly designed two storey front projection with a gable roof approved under the planning application reference FUL/MAL/08/00036.
- 5.2.7 The proposed changes to the external materials of the property are considered to result in an improvement to the overall appearance of the dwelling and therefore would not result in a reason for refusal of the application. The other external changes to the

fenestration are considered to be minor forms of development and would not have a significant visual impact on the overall property, site or surrounding area.

- 5.2.8 Therefore, it is considered that the overall 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, S1 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 four neighbouring properties. No.15 School Road (Ilex) to the south west, No.19 School Road (Jardine) to the north east and No. 38 and No.36 Blacksmiths Lane to the north west.
- 5.3.3 The proposed development would not be located closer to the south western boundary which is shared with No.15 School Road. However the proposed alteration to the roof of the front projection would increase the bulk of this part of the roof, which is 1.2 metres from this neighbouring property. Although the roof form would change from a hip to a gable, it is not considered that this amendment would have a significantly overbearing impact on this neighbouring property as it would sit in line with the front of the property which has a similar style and size of gable roof at a height of 9.2 metres.
- 5.3.4 The proposed development would not change the location of the dwelling in relation to the north east boundary with No.19 School Road or the north boundary with No.38 and 36 Blacksmiths Lane. Therefore it is considered that the proposed development would not have an overbearing impact on any of these neighbouring properties.
- 5.3.5 The dormer on the rear elevation would face the rear of the neighbouring properties No.36 and No.38 Blacksmiths Lane. It was noted by the case officer on a site visit to the property that the dwellings to the rear of the site on Blacksmiths Lane were at a higher ground level than those on School Road. The dwellings on Blacksmiths Lane would also be a minimum of 18 metres from the proposed dormer window. Due to the change in ground level and the distance between the properties, it is not considered that the proposed dormer would result in an unacceptable level of overlooking which would be significantly worse than that caused by conventional first floor windows and therefore the impact on privacy would not be harmful to an extent that would justify refusal.
- 5.3.6 To protect neighbouring private amenity space from proposed development C07 of the MDDG states that 'where new development backs on to the rear gardens of existing housing, the distances between buildings are set out to be a minimum of 25 metres.' The proposed dormer would be less than 25 metres from the rear of the dwellings on Blacksmiths Lane. However it is noted that the dwellings are set at an angle and therefore are not considered being directly back to back. It is considered

that this would result in the proposed dormer not directly overlooking the private amenity space of these neighbouring properties.

- 5.3.7 The proposal also includes five roof lights on the four elevations. The rooflight on the front elevation would face the front of the adjacent property on School Road, however due to the separation distance between the proposed rooflight and the adjacent properties it is not considered to result in any form of overlooking. The rooflight on the rear elevation would constitute the same level of overlooking as the proposed dormer and the existing first floor windows, as discussed above. The proposed rooflight on the north eastern elevation would be approximately 20 metres from the neighbouring property, No.19 School Road, and therefore would be a significant enough separation distance to not result in unacceptable overlooking to No.19. Finally, the proposed rooflights on the south west elevation would face the property at No.15 School Road and would be approximately 3.5 metres from the dwelling. These two rooflights would serve the proposed bedroom, which is also served by the rear dormer window. Therefore it is considered reasonable to include a condition to ensure that these windows are non-openable and obscure glazed to prevent any overlooking to the neighbouring property which may be caused by the close proximity of the proposed rooflights on the south west elevation to the dwelling at No.15.
- 5.3.8 A window and door on the ground floor of the south west elevation are to be replaced by a single door. This is not considered to result in any additional overlooking to the neighbouring property at No.15.
- 5.3.9 Therefore, is not considered that the development would form 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 result in a dwelling which has five bedrooms and therefore would require three car parking spaces. The existing garage would provide parking for at least one vehicle and it is likely that further vehicles could be parked on the driveway to the front of the garage. Therefore, there is no objection to the proposed development in terms of car parking provision.
- 5.4.4 The two vehicular access points to the property from School Road are to remain as existing and therefore there is no objection to the proposed development in terms of access or highways safety.

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 proposed development would not result in the loss of any private amenity space at the property and therefore there are no objections to the proposal with regards to this.

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
Wickham Bishops Parish Council	One letter of objection has been received by the Parish Council. It was noted that whilst the application site level was significantly lower than the houses to the rear, the proposed development would result in a high degree of overlooking directly into bedrooms and bathrooms. The proposal is therefore considered to constitute an unneighbourly form of development adversely affecting the amenity of the rear dwellings and be out of keeping with the neighbouring properties. The Parish Council recommended refusal.	Comments noted. The impact on neighbouring properties is discussed in section 5.3.

7.2 Representations received from Interested Parties

7.2.1 3 letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
<ul style="list-style-type: none">• The proposed dormer window will overlook properties to the side and rear and result in a loss of privacy to their gardens• The proposed dormer should be replaced with a roof light which is obscure glazed and non-opening• The proposed dormer window would look directly into first floor window of neighbouring property due to differences in ground levels• The proposed dormer would be excessive in size• The timber fence on the rear boundary could affect levels of sunlight in properties to the rear of the application site.• Proposed rooflights on the side elevations would overlook neighbouring properties• The new gable does not appear to support additional living accommodation and so there is no benefit of permitting this when weighed against the impact on the streetscene	<p>Comments noted. The impact on neighbouring properties is discussed in section 5.3 and the impact on the streetscene is discussed in section 5.2 of this report.</p>

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: Location Plan, 116-18-sl, 116-18-ex, 116-18-01.
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 proposed 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 National Planning Policy Framework.

- 4 Prior to the first occupation of the proposed development hereby permitted, the rooflights located on the south west elevation shall be glazed with opaque glass and of a non-openable design and shall be retained as such thereafter.

REASON: To protect the amenity of neighbouring occupiers in accordance with policy D1 of the Maldon District Local Development Plan.