



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

to
**NORTH WESTERN AREA PLANNING COMMITTEE
30 SEPTEMBER 2019**

Application Number	HOUSE/MAL/19/00526
Location	32 Head Street, Goldhanger
Proposal	Proposed front/side extension, garage conversion, rooflights and removal of side lean-to.
Applicant	Mrs Linda Davies
Agent	Mr Richard Bailey
Target Decision Date	01.10.2019
Case Officer	Hayleigh Parker-Haines
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	Member Call In – Councillor Mrs M E Thompson. Impact on neighbouring amenity

1. **RECOMMENDATION**

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

2. **SITE MAP**

Please see overleaf.

19/00526/HOUSE
32 Head Street



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 Maldon District Council 100018588 2016



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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	
Date:	28/08/2019
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 northern side of Head Street and falls within the settlement boundary of Goldhanger. The site is occupied by a chalet style bungalow with an attached garage to the western side elevation.
- 3.1.2 Planning permission is sought for the construction of a side extension. This would be to the western side elevation and to the front of the garage. The proposed side extension would have a maximum height of 3.4 metres with an eaves height of 2.2 metres, a width of 2.7 metres and a depth of 2.5 meters. The proposed side extension would join the existing garage giving a maximum depth of 15 metres. This would also include the conversion of the garage. The resultant extension would accommodate a bathroom and hallway.
- 3.1.3 Other works proposed are the removal of the lean-to side extension to the eastern side elevation of the host dwelling, the addition of a window to the front gable, three additional rooflights to the western roofslope and one additional rooflight to the eastern roofslope.

3.2 Conclusion

- 3.2.1 It is considered that the proposed extension, by reason of its location and design, 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:

- 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 The proposed side extension would be visible from within the public realm and therefore would have an impact on the character and appearance of the site and surrounding area
- 5.2.6 The proposed side extension would be set back from the principle elevation by 3.5 metres and would have a lean-to style roof which would mirror the roofline of the host dwelling. Therefore, the proposed extension is considered to be a subservient addition to the application site. Furthermore, the proposed extension would occupy a footprint of 6.8m² and is considered to be a minor addition that would not result in the site appearing as cramped or overdeveloped.
- 5.2.7 The removal of the existing single storey side projection to the eastern side elevation is not considered to have a significant impact on the character and appearance of the site or the surrounding area. Furthermore, the removal of this extension would create a gap in built form at the application site and is therefore considered to have a positive impact on the character and appearance of the application site.
- 5.2.8 The addition of three rooflights to the western roofslope and one to the eastern roofslope, due to their locations is considered to result in a slightly jumped roofslope. However, as these are to the side of the dwelling and would not be highly visible within the streetscene, it is not considered that this alone would warrant the refusal of this application.
- 5.2.9 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 north is No.1 Peartree Close, to the east is No.30 Head Street and to the west is No.34 Head Street.
- 5.3.3 The proposed extension would sit 28.2 metres from the shared boundary with No.1 Peartree Close and over 30 metres from the neighbouring dwelling. Due to this substantial degree of separation and that the existing garage would largely block any views of the proposed extension, it is not considered that the proposed development would result in an unneighbourly form of development in relation to this neighbouring property.
- 5.3.4 The proposed extension would sit 10.7 metres from the shared boundary with No.30 Head Street and 11.9 metres from the neighbouring property. Due to this substantial

degree of separation and that the host dwelling would largely block any views of the extension from this neighbouring property, it is not considered that the proposed side extension would result in an unneighbourly form of development in relation to this neighbouring property. Furthermore, the removal of the existing side extension to the eastern side of the host dwelling is not considered to result in an unneighbourly form of development in relation to this neighbouring property. It is noted that there is an additional rooflight on the eastern roof slope facing this neighbouring property. However, due to the positioning and angle of the light within the roofslope it is not considered that this would result in an unacceptable loss of privacy to the neighbouring occupiers.

- 5.3.5 The proposed extension would sit 1.1 metres from the neighbouring property at No.34 Head Street. It is noted that there is one window on the eastern elevation of this neighbouring property facing the application site serving a kitchen and whilst this is not classed as a habitable room, it is noted that from a site visit there is some habitable space within the kitchen whereby the occupant sits and reads and there is a table for dining. Currently the views from this window are of the boundary fence and the eaves of the host dwelling with some sky visible. Whilst it is acknowledged that the proposed extension would result in a minor loss of outlook from this window as the proposed extension would bring the built form closer to the boundary, as the roof would slope away from the neighbouring property and follows the existing roofline of the host dwelling, views of the sky will still be readily available as existing, it is not considered that the proposed extension would result in a further unacceptable material loss of outlook to this window.
- 5.3.6 The proposed extension is not considered to result in a significant loss of natural light to this window. The window is on the eastern elevation and therefore the host dwelling at the application site already restricts the amount of light afforded to this window, the roof slopes away from the boundary fence and has an eaves height of 2.2 metres and the maximum height matches the eaves of the existing dwelling. The proposed extension would be 0.15 metres higher than the existing boundary treatment which is a close boarded fence at 2.05 metres in height. Therefore, it is not considered that the proposed extension would result in a significant loss of light to this window.
- 5.3.7 Therefore, it is considered that on balance the proposed development would not result in 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 are 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 the loss of a parking space within the garage and the extension would result in an additional bedroom being created, making the property a three bed. The Vehicle Parking Standards SPD states that for a three-bedroom dwelling a minimum of two parking spaces are required. There is ample hardstanding to the front of the site to accommodate parking provision for at least two vehicles. Therefore, there are no concerns in relation to 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 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 25 m² for flats.

- 5.5.2 The proposed development would not result in the loss of private amenity space. Furthermore, the site would have garden space in excess of 100m². Therefore, the proposal is in compliance with Policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/62/00374** – Residential development - Approved.
- **FUL/MAL/71/00342** – Extension - Approved

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Goldhanger Parish Council	The Parish Council objections to this application remain as before despite the revised plans.	1. A sectional drawing was provided showing that there would be a maximum of 2 metres headroom to the centre of the room and

Name of Parish / Town Council	Comment	Officer Response
	<p>1. The rooms in the existing roof are supported but drawings do not indicated the headroom which would appear to be tight</p> <p>2. The extension will adversely affect the kitchen window to No.34</p> <p>3. The block plan has drawn No.34 in an incorrect position – it is 1 metre from the boundary not 3.3 metres.</p> <p>4. It is noted that the application form section 8 parking is incorrect as the garage is being lost</p>	<p>a minimum of 1.1. metres headspace.</p> <p>2. The impact on neighbouring amenity is assessed in section 5.3 of this report</p> <p>3. The revised plans were due to No.34 being in the incorrect position, Plan 2019-09-04-Block Plan_revA and 2019-09-03-Location_revA have been provided showing No.34 1 metre from the boundary.</p> <p>4. It is noted that the application form is incorrect in regards to the loss of a parking space. However, this is clearly shown on the floor plans and the impact on parking is discussed in section 5.4 of this report.</p>

7.2 Representations received from Interested Parties

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

Objecting Comment	Officer Response
<p>The proposed extension would result in a loss of view as it will rise above the neighbouring property to the wests fence and completely obstruct the view out of the kitchen window. No sky will be seen or natural light will be able to enter. This would make the kitchen a far less enjoyable room for the neighbouring occupant to be in.</p>	<p>The impact on neighbouring amenity is discussed in section 5.3 of this report</p>
<p>The proposed extension would result in a loss of light to the neighbouring kitchen.</p>	<p>The impact on neighbouring amenity is discussed in section 5.3 of this report</p>
<p>The proposed rooflight could reflect into the kitchen of the neighbouring property to the west and cause bright unnatural light to glare off the sink.</p>	<p>The impact on neighbouring amenity is discussed in section 5.3 of this report</p>

Objecting Comment	Officer Response
The plans provided do not accurately represent the closeness of No.34 to the applicant's property.	Amended plans were received on 22 nd July 2019, to address the inaccuracy in relation to this issue and these underwent a three week public consultation ending 21 st August 2019.
The window on the eastern elevation of the neighbouring property to the west serves a kitchen and this is used by the occupant to sit and read in the room; the proposed extension would significantly impair the occupier from enjoying this room.	The impact on neighbouring amenity is discussed in section 5.3 of this report.
The proposed works will be extremely detrimental to the wellbeing of the current inhabitant of the neighbouring property to the west, with building work requiring intrusion onto the neighbouring occupant's property.	The impact on neighbouring amenity is discussed in section 5.3 of this report. If access is required onto the neighbouring occupiers land this would be a civil matter that the Local planning Authority have no jurisdiction over.
The proposed extension would overshadow two thirds of the window at the neighbouring property to the west.	The impact on neighbouring amenity is discussed in section 5.3 of this report.
No maintenance could be carried out on the extension without having to enter the neighbouring property to the west.	This is a civil matter and not a planning consideration.

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: 2019-09 03A, 2019-09 04A, 2019-09 01, 2019-09 02 and 2019-09-05
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 National Planning Policy Framework.