

**REPORT of
DIRECTOR OF SERVICE DELIVERY
to**

**SOUTH EASTERN AREA PLANNING COMMITTEE
13 JANUARY 2020**

Application Number	HOUSE/MAL/19/01124
Location	36 Anchorage View, St Lawrence, Essex CM0 7JH
Proposal	Two storey part rear/side extension with single storey rear
Applicant	Mr and Mrs R Connors
Agent	Greg Wiffen - Planman
Target Decision Date	23.12.2019
Case Officer	Annie Keen
Parish	ST LAWRENCE
Reason for Referral to the Committee / Council	Member Call In – Councillor Mrs P A Channer, CC Policy regarding extensions Effect on residential amenity

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

36 Anchorage View, St Lawrence 19/01124/HOUSE



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	South East Area Committee
	Date:	18/12/2019
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 to the south of Anchorage View within the settlement boundary of St Lawrence. The dwelling is a two storey end of terrace with red brick to the ground floor and weatherboarding at first floor level. The streetscene of Anchorage View is characterised by two storey dwellings of similar styles.
- 3.1.2 Planning permission is sought for the demolition of an existing conservatory and the erection of a two storey side and rear extension and single storey rear extension, creating a kitchen/dining room at ground floor and a larger bedroom with en-suite at first floor level.
- 3.1.3 The proposed two storey rear/side extension would measure 5.5 metres in width and 4.6 metres in depth, with a maximum eaves height of 5.1 metres and a maximum ridge height of 7.1 metres.
- 3.1.4 The single storey rear element would measure 2.8 metres in depth and 2.2 in width with a mono-pitched roof height of 3.4 metres.
- 3.1.5 The materials proposed in the construction of the development are brick work with concrete roof tiles and uPVC windows to match the existing dwelling.
- 3.1.6 This application is a resubmission of previously refused application HOUSE/MAL/19/00643, which was refused due to the scale design and appearance of the proposed development. The current application reduces the scale of the development

3.2 Conclusion

- 3.2.1 Due to its relationship with neighbouring properties, the development is not considered to result in any unacceptable harm by way of overlooking or shadowing and would not detrimentally impact upon the provision of private amenity space or car parking. Furthermore, it is considered that, on balance, the side/rear two storey extension by reason of its scale and design would not detrimentally harm the appearance or character of the locality or the host dwelling. It is therefore considered that the development is in accordance with policies D1 and H4 of the 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 2019 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
- 102-111 Promoting sustainable transport

- 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
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- Planning Policy Guidance (PPG)
- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD (MDDG)
- Maldon District Vehicle Parking Standards SPD

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises of the approved LDP.
- 5.1.2 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”.

“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”.

- 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;
- 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 development comprises of the demolition of the existing conservatory to the rear and the erection of a two storey side/rear extension and a single storey rear extension, creating a kitchen/diner and ground floor level and a larger bedroom and en-suite at first floor level.
- 5.2.6 The proposed side/rear extension would project above the existing garage to the west and project from the southern elevation, wrapping around the side of the dwelling.
- 5.2.7 Due to the positioning of the development, it would be visible from the streetscene from above the garage on the site. The development has been altered since the previous application from ‘M’ shaped roofline to a gable roof, which would have a subservient appearance due to the lower ridge line of the gable style roof, which also follows the visual cues of the host dwelling. Therefore, whilst the development would be visible from the streetscene, due to its subservient nature it would not be a highly prominent feature within the surrounding area. Furthermore, due to the amended design which is more in keeping with the host dwelling, on balance, the proposed development is not considered to detrimentally impact upon the character or appearance of the host dwelling, the streetscene or the surrounding area.
- 5.2.8 The gable style roof to the rear of the dwelling would follow the roofline of the host dwelling and therefore would not impact upon the appearance of the dwelling from the south.
- 5.2.9 The single storey element to the rear of the dwelling would have a mono-pitched roof, which would sit under the first-floor window, with a single rooflight and window to the southern elevation. This element of the development would be shielded from the streetscene and would not detrimentally impact upon the appearance of the dwelling and therefore would be considered acceptable.
- 5.2.10 The proposed materials to be used in the construction of the development would match that of the host dwelling and therefore these materials are considered acceptable.

- 5.2.11 The proposed development is a resubmission of previously refused application HOUSE/MAL/19/00643 which was refused due to the scale and design of the side extension, in particular the 'M' shaped roof formation. The current application has reduced the scale of the development and removed the 'M' shaped roof line. Whilst the overall design of the development has not dramatically changed it is considered, on balance, the changes made to the design of the development have overcome the previous reasons for refusal.
- 5.2.12 It is considered, on balance, the development would not result in demonstrable harm to the character and appearance of the existing dwelling or 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 Due to the dwelling being an end of terrace, the north eastern wall adjoins that of the neighbouring dwelling of No.38 Anchorage View. The proposed single storey element would abut the boundary of the neighbouring dwelling; however due to this element of the extension being single storey in nature, it is considered the development would not cause overshadowing of the neighbouring dwelling. Furthermore, due to there being no windows to the eastern elevation, the development would not result in overlooking of the neighbouring dwelling. It is therefore considered the proposed development would not impact upon the amenity of the neighbouring occupiers.
- 5.3.3 The proposed development would be 6 metres from the boundary shared with the neighbouring dwelling to the west, No.34 Anchorage View and would be 14.5 metres from the neighbouring dwelling. Due to the separation distance and the position of the neighbouring dwelling being forward of the development site, it is considered the proposed development would not impact upon the neighbouring occupiers by way of overlooking or over shadowing.
- 5.3.4 The proposed development would be 6 metres from the neighbouring dwelling to the south west, No.30 The Plovers. Due to the separation distance and the position of the neighbouring dwelling being forward of the development site, it is considered the proposed development would not impact upon the neighbouring occupiers by way of overlooking or over shadowing.
- 5.3.5 Overall, the proposed development would not detrimentally impact upon the private amenity of the neighbouring properties.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. 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 result in any loss of parking and there would not be increase in the number of bedrooms, therefore there is no objection to the proposal in relation to car parking provision. Due to this the development would be in accordance with the policies contained within the Maldon District Vehicle Parking Standards SPD and policies 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 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 25m² for flats.
- 5.5.2 The private garden of the dwelling exceeds the standard contained within the Maldon Design Guide of 100m². Whilst the proposed development would result in the loss of some garden space, the garden would still exceed that of the standard and therefore the proposed development complies with policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

- **OUT/MAL/98/00113** - Proposed residential development replacement workshop/laundrette and community centre with recreation/amenity land - Approved
- **RES/MAL/02/00077** - Erection of 111 dwellings with associated access and parking - Refused
- **RES/MAL/03/00038** - Details following outline approval for 96 no. 3, 4, 5 bedroom dwellings with associated access and parking (Details relate to design and external appearance of the proposed building, the siting of the

buildings, the layout of the site and the access and roadway throughout the site) - Approved

- **FUL/MAL/03/00656**- Construction of 11 x 2 tonne underground LPG tank installation - Approved
- **ADV/MAL/03/01065** - Proposed hoarding and 2 No. flagpoles - Approved
- **FUL/MAL/09/01031** - Erection of conservatory – Approved
- **HOUSE/MAL/10/00594**- Erection of single storey entrance/storm porch to front elevation – Approved
- **HOUSE/MAL/19/00643** - Two storey rear/side extension with part single storey rear - Refused

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
St Lawrence Parish Council	Object. The proposed development by reason of its scale, bulk and design would appear dominant and contrived, resulting in an unbalanced appearance of the host dwelling, the streetscene and the wider locality.	Comments noted

7.2 **Statutory Consultees and Other Organisations**

7.2.1 No representations were received for this application.

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, NC01, NC02 Rev 1, NC03 Rev n1.
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 match those used in the host dwelling.
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.