



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
9 MARCH 2020**

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| <b>Application Number</b>                             | <b>20/00084/HOUSE</b>  |
| <b>Location</b>                                       | Northfleet, Grange Avenue, Mayland, Essex CM3 6BG  |
| <b>Proposal</b>                                       | First floor extension to create a two storey dwelling, incorporating rooflights and recessed balconies, erection of single storey side extension and 2No. two storey side extensions and a triple bay garage |
| <b>Applicant</b>                                      | Mr Robert Shaw   |
| <b>Agent</b>  | Mr Oliver Beacham - Do Architecture + Design   |
| <b>Target Decision Date</b>                           | 25.03.2020   |
| <b>Case Officer</b>                                   | Annie Keen   |
| <b>Parish</b>   | <b>MAYLAND</b>   |
| <b>Reason for Referral to the Committee / Council</b> | Member Call In – Cllr Penny Channer<br>Reason – Policies regarding design, sustainability and extensions   |

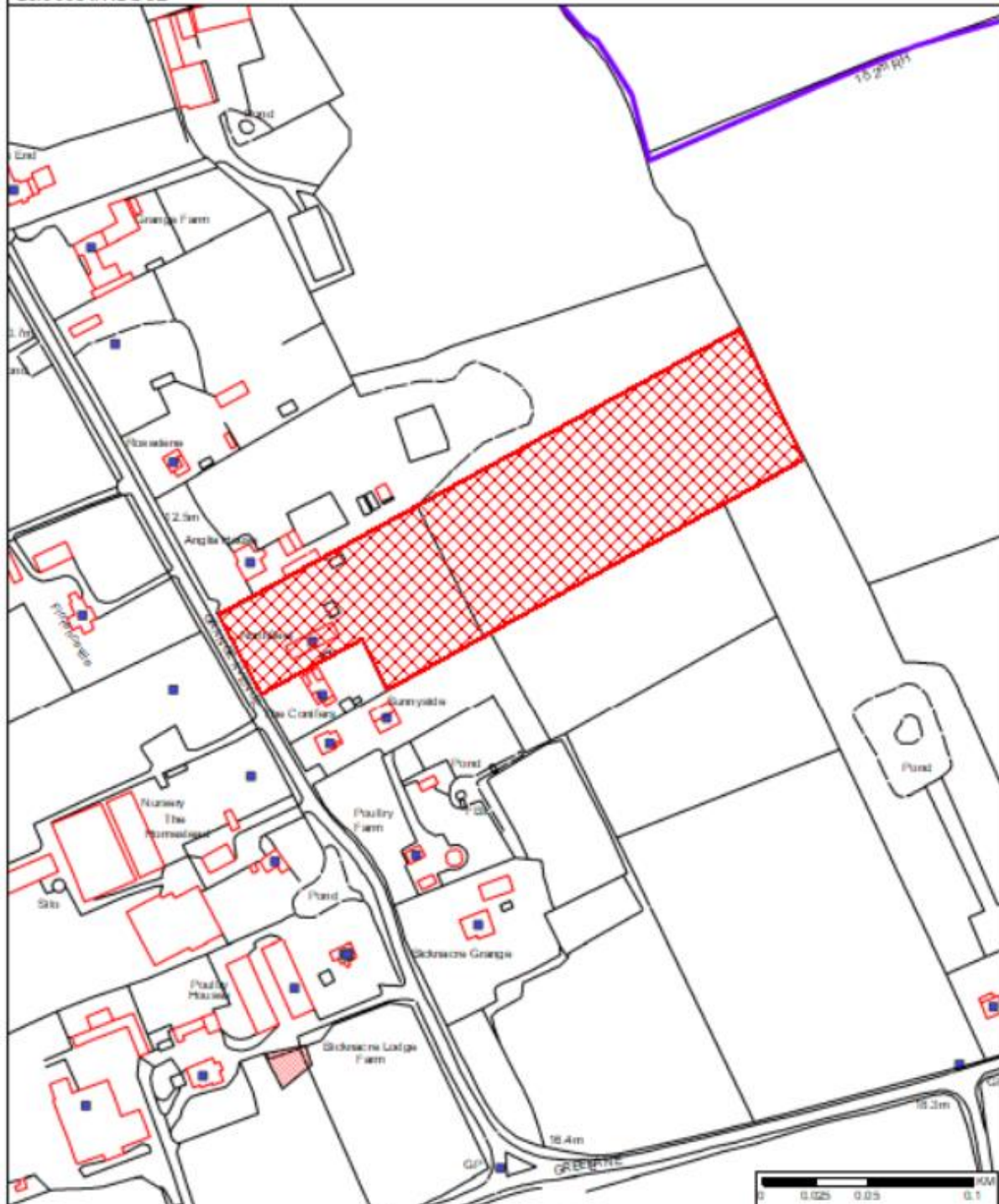
**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see overleaf.

**Northfleet, Grange Avenue, Mayland**  
20/0084/HOUSE



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Maldon District Council 100018588 2019



MALDON DISTRICT COUNCIL

[www.maldon.gov.uk](http://www.maldon.gov.uk)

Scale: 1:2,500

Organisation: Maldon District Council

Department: Department

Comments: North East Area Committee

Date: 19/02/2020

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 eastern side of Grange Avenue, outside of the settlement boundary of Mayland. The building on-site is a single storey detached bungalow with a garage to the rear of the dwelling. The bungalow is finished in red brick with white windows and red guttering. The streetscene is characterised by single storey and two storey dwellings of various styles.
- 3.1.2 Planning permission is sought for the construction of a first-floor extension (in the form of accommodation in an extended roof) including rooflights and two recessed balconies. The proposal includes a single storey side extension, two 2 storey gable ended side extensions and a detached triple bay garage.
- 3.1.3 The proposed first floor extension would measure 8.1 metres in width and 25 metres in depth (the full depth of the existing ground floor) with an eaves height of 3.1 metres (maintaining the existing eaves along the length of the building) and an overall roof height of 7.1 metres to the ridge (an increase on the existing ridge of 1.9 metres. The proposed recessed balcony to the east would measure 3.5 metres in depth and 6.1 metres in width.
- 3.1.4 The proposed 2 storey gable end north facing side projection is set back 7.7m from the western (street facing) elevation and would measure 4 metres in width and 8 metres in depth with an eaves height of 3.1 metres and a maximum roof height of 7.1 metres to the main ridgetop of the gable style roof in a perpendicular alignment. The proposed recessed balcony at first floor level would measure 0.7 metres in depth and 5.4 metres in width.
- 3.1.5 The proposed single storey side extension to the north would measure 10.8 metres in depth and 4 metres in width, with a flat roof height of 3.1 metres.
- 3.1.6 The proposed 2 storey southern facing projection would measure 1.1 metres in width and 5 metres in depth with an eaves height of 4.6 metres and an overall height of 7.1 metres to the main ridge in a similar arrangement to the northern 2 storey extension.
- 3.1.7 The proposed triple bay garage would measure 9.6 metres in width and 6.6 metres in depth with a ridge height of 5.7 metres.
- 3.1.8 The proposed chimney to the western (street facing) elevation would measure 8.6 metres in height and a maximum of 2.7 metres in width.
- 3.1.9 The materials to be used in the construction would be mid grey composite horizontal cladding and treated larch cladding to the balcony areas. The roofing material would be composite blue-black slate tiles with anthracite grey uPVC windows and doors and glass balustrades. The proposed boundary treatments would be a horizontal slatted fence and posts in treated timber with the hardstanding areas being tarmac and gravel.

### **3.2 Conclusion**

- 3.2.1 The proposed development has been assessed against all material planning considerations including the relationship of the development to the street. As such, it is considered that due to its design and orientation, the proposal would be out-of-keeping with the general arrangement and presentation of properties in the streetscene, resulting in detrimental harm to its character and appearance contrary to policies D1 and H4 of the Local Development Plan (LDP), Maldon District Design Guide(MDDG) and the policies 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 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
- 54 – 57 Planning conditions and obligations
- 117 – 123 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 Practice Guidance (PPG)
- Maldon District Design Guide SPD (MDDG)
- Maldon District Vehicle Parking Standards SPD (VPS)

## **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 and altering 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 This principle has been reflected to the approved LDP. 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.

- 5.2.5 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.

- 5.2.6 In addition, policy H4 requires all development to be design-led and to seek to optimise the use of land having regard, among others, to 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 does not involve the loss of any important landscape, heritage features or ecology interests.
- 5.2.7 The proposed development involves an increase in roof height of the existing bungalow of 1.9m, which together with two, two storey gable ended side extensions, rooflights and recessed balconies at first floor, would substantially increase the residential accommodation and appearance of the existing dwelling. The design is characterised by a gallery style entrance to the south which would create a semi glass façade with the front door being central within the southern projection. The general design approach of the proposal, including also recessed balconies, single storey side extension, garage and materials, is unobjectionable.
- 5.2.8 However, concern is raised with regard to the position of the principle or main elevation of the building. In planning terms, the principle elevation means the front of the house, and which normally faces the road. The principle elevation can also be that face of the building which has the most significant features or characteristics or be the most important elevation of the building. The existing property for example has its significant windows, which are bay window designed, facing the street and the front door located to the side in an unobtrusive position. The proposal has designed the west elevation (the elevation facing the street) to contain an externally extruded chimney stack within a substantial flank gable end, this has removed the architecturally interesting feature from the streetscene. The chimney stack and gable are dominant and visually unengaging features in this elevation and would be highly visible in the streetscene and gives the appearance of a building which is turned the wrong way in the plot and does not interact with the streetscene. This design is at odds with the general form, character and orientation of properties in the street.
- 5.2.9 The streetscene itself is characterised by a mix of two storey and single storey dwellings of varying designs, with the neighbouring property to the north being a two-storey dwelling and the dwellings to the south being single storey in nature. These dwellings face towards the road, positively contributing towards the streetscene. The proposed dwelling, as noted above, is orientated towards the west with the flank wall facing towards the street to the detriment of the streetscene and the locality and is therefore contrary to policies D1 and H4 of the LDP.

### **5.3 Impact on Residential Amenity**

- 5.3.1 The basis of policy D1 in 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. Similarly, policy D2 of the approved LDP requires all development to minimize all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures.

- 5.3.2 The 2-storey extension of the proposed development would be situated 5.8 metres from the southern boundary shared with 'The Conifers'. Due to the separation distance it is considered the proposed development would not result in an overshadowing of the neighbouring occupiers or be unduly overbearing. However, whilst the view from the ground floor southern facing windows would be no different than existing, it is considered the proposed window to the first floor of the southern projection (behind which is a gallery) and rooflights to the southern roof slope, could result in overlooking of the neighbouring occupiers resulting in overlooking and the perception of being overlooked and a consequent loss of privacy. The proposal in this respect would be contrary to policies D1 and H4 of the LDP.
- 5.3.3 The proposed development would be situated 23.1 metres from the neighbouring dwelling to the north, 'Anglia House'. Due to this separation distance it is considered the proposed development would not result in overlooking, overshadowing or be unduly overbearing of the neighbouring occupiers.

#### **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 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 existing dwelling on-site has five bedrooms, the proposed development would not result in an increased number of bedrooms on-site and whilst the proposed garage would fall under the required size for a triple garage of 9 metres in width and 7 metres in depth, it is considered due to the size of the plot there would be sufficient space for the parking of three vehicles or more to the front of the property. It is therefore considered; the development would be in accordance with 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 advises a suitable garden size for each type of dwellinghouse, namely 100m<sup>2</sup> of private amenity space for dwellings with three or more bedrooms, 50m<sup>2</sup> for smaller dwellings and 25m<sup>2</sup> for flats.
- 5.5.2 The existing garden on-site measures in excess of the standard contained within the Maldon Design Guide of 100m<sup>2</sup>. Whilst it is noted that the proposed development would result in the loss of some garden space the remaining area would still be in excess of the MDDG and therefore the proposed development is in accordance with policy D1 of the LDP.

## **6. ANY RELEVANT SITE HISTORY**

- 6.1 There is no relevant planning history for the site.

## **7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

| <b>Name of Parish / Town Council</b> | <b>Comment</b>                 | <b>Officer Response</b> |
|--------------------------------------|--------------------------------|-------------------------|
| Mayland Parish Council               | No response at time of writing | Noted                   |

### **7.2 Representations received from Interested Parties**

- 7.2.1 No representations were received for this application.

## **8. REASONS FOR REFUSAL**

- 1 Due to its design, position and orientation to the street, the proposal would be of limited architectural merit and out-of-keeping with the general character and arrangement of neighbouring properties. This would result in harm to the appearance of the dwelling, the streetscene and the locality in general. The development would therefore be contrary to policies D1 and H4 of the Maldon District Local Development Plan, Maldon District Design Guide and the policies contained within the NPPF.
- 2 The proposed windows in the southern gable wall and the roof, by reason of their design and proximity to the neighbouring property 'The Conifers' would result in overlooking and the perception of being overlooked, to the detriment of the occupiers of this dwelling, and therefore would be contrary to policies D1 and H4 of the Maldon LDP.