



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
15 JULY 2020**

<b>Application Number</b>	<b>20/00210/HOUSE</b>
<b>Location</b>	46 Wentworth Meadows, Maldon, Essex, CM9 6EJ
<b>Proposal</b>	First floor extension over existing garage. part single storey part two storey rear extension
<b>Applicant</b>	Mr Jack Ellum
<b>Agent</b>	N/A
<b>Target Decision Date</b>	EOT 17.07.2020
<b>Case Officer</b>	Annie Keen
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Councillor / Member of Staff

**1. RECOMMENDATION**


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

**2. SITE MAP**

Please see overleaf.

**46 Wentworth Meadows, Maldon**  
20/00210/HOUSE



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	Scale: 1:1,250
	Organisation: Maldon District Council
	Department: Department
	Comments: Central Area Committee
	Date: 25/06/2020
	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 Wentworth Meadows, within the settlement boundary of Maldon. The building on-site is a two-storey detached dwelling with a salt box style roof, constructed of a light-coloured brick with green hanging tiles to the front elevation and white fenestration. The dwelling, which is of a different design to the dwellings in the surrounding area, is set back from the streetscene with an adjoining garage with a low mono-pitched roof.
- 3.1.2 Planning permission is sought for the construction of a first floor extension with a pitched roof over the existing side garage projection. Further permission is sought for a two storey rear extension with a single storey element that would wrap around the dwelling in a 'L' shape. The proposed single storey extension would have a flat roof with rooflights.
- 3.1.3 The proposed first floor side extension would measure 2.6 metres in width and 7.7 metres in depth with a maximum eave's height of 4.3 metres and a ridge height of 6.2 metres.
- 3.1.4 The proposed two storey rear extension would measure 5.6 metres in width and 2.5 metres in depth with a maximum eave's height of 4.3 metres and a ridge height of 7.4 metres. The proposed single storey element would measure 8.8 metres in width and a maximum of 4.2 metres in depth with a flat roof height of 3.2 metres.
- 3.1.5 It is noted the plans state the proposed width of the two storey projection is 5.3 metres however this element of the plans measures at 5.6 metres.
- 3.1.6 The proposed materials would be brick with roofing tiles and uPVC and aluminium windows and doors.

#### **3.2 Conclusion**

- 3.2.1 It is considered, the proposed development due to the depth of the proposed rear extension, the proposed height of the two storey element and the width of the first floor side projection, would result in a dominant addition to the site, detrimentally impact upon the character and appearance of the host dwelling and the streetscene. Furthermore, the proposal would result in a shortfall in private amenity space and in an overbearing form of development, to the detriment of the neighbouring bungalows to the south west and the dwellings to the north east. The proposed development is therefore contrary to policies D1 and H4 of the Local Development Plan (LDP) and the guidance set out 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 Policy Guidance (PPG)
- Maldon District Design Guide (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 in 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 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 where possible enhances the sustainability of the original building; and does not involve the loss of any important landscape, heritage features or ecology interests.

5.2.6 The proposed development would consist of a first floor projection over the existing garage, a two storey rear projection extended from the ridge of the dwelling and a single storey wrap around extension, creating an additional bedroom at first floor level and additional living space at ground floor level.

5.2.7 The proposed development due to its scale and design would form a large and bulky addition to the dwelling, particularly due to the depth of the proposed rear extension, the proposed height and depth of the two storey rear element and the width and depth of the first floor side projection. Whilst it is acknowledged the existing dwelling does not follow the design cues of the streetscene and therefore cannot be expected to appear similar in appearance to neighbouring dwellings, the resultant dwelling would appear dominant within the site, to the detriment of the character of the host dwelling. Furthermore, due to the dwellings prominent position within this section of Wentworth Meadows and due to it being highly visible from St Peters Avenue, the proposed development would detrimentally impact upon the character and appearance of the streetscene.

- 5.2.8 Whilst no objections are raised regarding the proposed use of brick and roofing tiles, little detail is provided and therefore if the application was to be approved a condition would be imposed to ensure the materials matched that of the existing dwelling.

### **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 proposed development would be situated along the south western boundary shared with No.43 and No.45 St Peter's Avenue and would be a minimum of 10 metres from these dwellings. The plans show there are no windows proposed in the side elevation facing the neighbouring dwellings and therefore the proposal would not result in overlooking of the neighbouring occupiers and due to its position would not result in overshadowing. However, due to the proposed increase in height and depth of the built form along the boundary and the single storey nature of the neighbouring dwellings, the proposed development would appear dominant, resulting in an overbearing form of development.
- 5.3.3 The proposed development would be situated approximately 1.8 metres from the boundary to the north west shared with No.42 and No.44 Wentworth Meadows and a minimum of 9.5 metres from those same dwellings. The plans show there are no windows proposed in the north western elevation and therefore the development would not result in overlooking of the neighbouring occupiers and due to the position of the dwelling the development would not result in overshadowing. However, due to the proximity of the development to the neighbouring dwellings and the depth of the proposed 2 storey rear extension, the development would appear overbearing.
- 5.3.4 The development would be situated 5 metres from the boundary shared with No.40 Wentworth Meadows, to the north west of the site and would be approximately 14.5 metres from that same dwelling. Due to the separation distance it is considered the proposed development would not detrimentally impact upon the amenity of the neighbouring occupiers by way of overlooking, overshadowing or being unduly overbearing.
- 5.3.5 The proposed development site would be situated approximately 15.9 metres from the dwellings to the south east, No.99-103 Wentworth Meadows. Due to the separation distance it is considered the proposed development would not detrimentally impact upon the amenity of the neighbouring occupiers by way of overlooking or overshadowing.

### **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. The Council's adopted VPS SPD contains the parking standards which are expressed as minimum 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 proposed development would increase the number of bedrooms on site from three to four. The required number of car parking spaces for a dwelling of three bedrooms is two spaces, whilst the required number of spaces for a four bedroomed dwelling is three spaces. The VPS SPD states each space is required to measure 2.9 metres in width by 5.5 metres in depth. The submitted 'Plot Plan' shows three spaces to the front of the dwelling and there is an existing garage to the south west of the dwelling, however, the spaces indicated on the plan are smaller than that stipulated within the VPS SPD. Whilst the existing garage and parking spaces are smaller than required, it is considered the garage would still be able to provide a space for a car and whilst the area to the front of the dwelling would not be able to provide space for three vehicles of the required size, there would be space for two vehicles. Due to this the proposed development would be in accordance with 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 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 It is noted that the application site currently has 95.4m<sup>2</sup> of private amenity space, which whilst it is less than the 100m<sup>2</sup> required under the standards set out within the Maldon Design Guide, it is not significantly less.
- 5.5.3 The resulting private amenity space after the proposed development would be 59.7m<sup>2</sup>, which would be significantly under the 100m<sup>2</sup> standards for a dwelling of this size. It is therefore considered that the resulting level of private amenity space will detrimentally impact on the quality of life of the future occupiers of the dwelling and therefore would be contrary to 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>
Maldon Town Council	Support	Noted

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

- 7.2.1 **9** letters were received **in support** of the application and the reasons for support are summarised as set out in the table below:

<b>Supporting Comment</b>	<b>Officer Response</b>
Comments have been submitted from several neighbouring occupiers in support of the development stating it would not impact upon their dwellings or the streetscene.	Comments noted

## **8. REASONS FOR REFUSAL**

- 1 The proposed development by reason of its scale and design would result in a large, dominant and bulky addition, particularly due to the depth of the proposed rear extension, height and depth of the two storey rear element and the height, depth and width of the first floor side projection. The development would therefore appear dominant within the site, resulting in demonstrable harm to the character and appearance of the existing dwelling and the locality, contrary to policies D1 and H4 of the LDP and the Maldon Design Guide.
- 2 The proposed development would result in an unacceptable level of private amenity space which is considered to detrimentally impact on the quality of life of the current and future occupiers of the dwelling, contrary to policy D1 of the Maldon District Local Development Plan, guidance contained within the Maldon District Design Guide and guidance contained within the National Planning Policy Framework.
- 3 The proposed development by virtue of its depth, height and proximity to the boundary shared with the neighbouring dwellings to the south west and north east, would result in an overbearing impact to the detriment of the residential amenities of those neighbouring occupiers. The proposal is therefore contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.