



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
23 SEPTEMBER 2020**

Application Number	20/00738/HOUSE
Location	22 The Glebe, Purleigh
Proposal	Adding dropped kerb and vehicle crossing to allow access to and use of side/front garden as driveway.
Applicant	Ms G Beacham
Agent	N/A
Target Decision Date	06.10.2020
Case Officer	Hayleigh Parker-Haines
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call In – Councillor Miss S White – Public Interest and Highways

1. RECOMMENDATION

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


2. SITE MAP

Please see overleaf.

20/00736/HOUSE
22 The Glebe



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 Maldon District Council 100018588 2014


 MALDON DISTRICT
 COUNCIL

www.maldon.gov.uk

Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	Furleigh
Date:	03/09/2020
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

3.1.1 The application site is located approximately 50 metres to the east of the junction of The Glebe with Howe Green Road and falls within the settlement boundary of Purleigh. The existing dwelling faces Howe Green Road beyond a substantial 'green' and is a two-storey detached dwellinghouse with hedging along the northern and western boundaries. There is currently no on-site parking available for the property.

3.1.2 Planning permission is sought for the construction of a dropped kerb crossing with a width of 6.5 metres and a vehicular access to the property across an existing grass verge. The access would be located adjacent to the northern boundary of the application property, along the southern side of The Glebe and 51 metres from the junction of The Glebe with Howe Green Road. An existing tree within the highway verge would need to be removed. The proposed development would occupy an area of approximately 30.6m² of the public frontage.

3.1.3 This application is a resubmission of a previously refused application 20/00221/HOUSE. This was refused for the following reason:

1. *A dropped kerb in this location, as a result of the amount of grass verge and vegetation which would be lost and expanse of associated driveway proposed, would be an incongruous feature to the detriment of appearance of the streetscene where such features are largely absent along this section and southern side of The Glebe. As a result, the development would cause demonstrable harm to the character and appearance of the area, contrary to policies D1 and H4 of the approved Maldon District Local Development Plan.*

3.1.4 The following amendments have been revised as part of this application:

- 1 The proposed hardstanding to create the driveway will be grasscrete. Under the previous application, no details were provided in relation to materials other than they were to be permeable / porous.
- 2 The width of the dropped kerb under the previous application was 6.2 metres, this has increased to 6.5 metres as part of this application.
- 3 Under the previous application the proposed development occupied approximately 29.4m² of the public frontage.
- 4 Suggestion of replacing the tree to be removed to the front of the site.
- 5 Additional information in the form of a supporting statement giving details in relation to the on-street parking situation and the additional benefit of an electric charging point.

3.2 Conclusion

3.2.1 Whilst it is acknowledged that the provision of on-site parking would be desirable by the occupiers of the dwelling, it is considered that these benefits are outweighed by the harm and the impact the development would cause to the character and

appearance of the area. The proposed amendments to the scheme, are acknowledged to result in a more sympathetic development than that of the previous proposal, however, the alterations are not considered to overcome the harm identified. Therefore, it is recommended that planning permission is refused on this basis.

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:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The Council is required to determine planning applications in accordance with its adopted Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990)).

5.1.2 The principle of providing facilities in association with residential accommodation is considered acceptable in line with Policies S1 and H4 of the approved Local Development Plan (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, 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;

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 (2017).

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 Glebe is characterised by generous green verges fronting the highway separating the public footpath from the carriageway; this creates a sense of openness and a predominance of greenery to the character and appearance of the surrounding area.
- 5.2.7 The proposed development would be visible from the public realm due to the location fronting the highway. At present the occupiers of the property currently park on the street. However, it is considered that the proposed dropped kerb in this location, as a result of the amount of grass verge and vegetation which would be lost and expanse of associated driveway proposed, would be an incongruous feature to the detriment of appearance of the streetscene where such features are largely absent along this section and southern side of The Glebe. It is noted that grasscrete is proposed to be used to accommodate the driveway under this application, and whilst this is more sympathetic to the surrounding area, it would still result in an erosion of the amenity value of the verge and is not considered that this would overcome the harm as identified above. Furthermore, the development under this application has increased in scale and this is considered to further exacerbate the harm as identified above.
- 5.2.8 It is noted in the supporting statement, attention has been drawn to the recently approved extension of a dropped kerb at No.30 The Glebe, however, this was granted in October 2004. Furthermore, the character within the vicinity of this site is materially different to that of this application site. As mentioned in the preceding section of this report, No. 22 The Glebe sits on a corner plot, whereby to the west of the site is open amenity land. Therefore, the grass verges to the western end of the Glebe are considered to provide a visual transition to the open countryside which lays to the west.
- 5.2.9 For the reasons outlined above, it is considered that the proposed revisions and additional information as provided as part of this application do not overcome the previous reasons for refusal under 20/00221/HOUSE. The proposed development would cause demonstrable harm to the character and appearance of the area, contrary to 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 five neighbouring properties. To the north are No.13, No.14 and No.15 The Glebe, to the east is No.23 The Glebe and to the south is No.21 The Glebe. Due to the nature of the works it is not considered that the proposed development would represent an unneighbourly form of development in relation to any of the neighbouring properties. The proposed works would facilitate vehicle movements close to the front garden of No.23 The Glebe to the east. However, it is considered that any noise disturbance would not be materially greater than the occupiers already experience from vehicles using The Glebe.
- 5.3.3 Therefore, it is not considered that the development would represent an unneighbourly form of development, in accordance with the stipulations of Policy 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 From the plans submitted it is unclear how much parking provision would be created by the proposed development. However, it is considered that the proposed area outlined in red, would provide a minimum of one parking space on site where currently there are none (although the creation of a dropped kerb would reduce the availability of on-street parking by one space) which would be an improvement in relation to the adopted parking standards. The Highways Authority have been consulted in regards to this application, no response has been received at the time of writing this report. However, the Highways Authority were consulted as part of the previous application and did not raise any objections to the proposed development, subject to the imposition of conditions. It is considered reasonable to carry this response forward for this current application. Therefore, no objections are raised in relation to parking and highway 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 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 proposed development as shown on the plans provided would not result in the loss of any amenity space, as it is to be located on public land to the front of the site. Therefore, there are no concerns in relation to this aspect.

6. ANY RELEVANT SITE HISTORY

- 6.1 No relevant site history.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Purleigh Parish Council	<ul style="list-style-type: none">The proposal would have a significant and unjustified visual impact on the character and appearance of the street scene to the detriment of the natural	Comments noted.

Name of Parish / Town Council	Comment	Officer Response
	<p>environment, by removing a tree, some public green space and by urbanising the area, contrary to Policy D1 of the Maldon District Local Plan and Government guidance contained within the National Planning Policy Framework. Furthermore, the loss of vegetation and expanse of associated driveway would be an incongruous feature to the detriment of the surrounding area</p> <ul style="list-style-type: none"> • The proposal would cross a pedestrian footpath separated from the highway by a deep greensward, giving priority to private vehicles instead of pedestrians, wheelchairs and cyclists, contrary to Policies T1 and T2 of the Maldon District Local Plan. If allowed to proceed, public parking space would be lost to the detriment of highway safety and an unwelcome and damaging precedent would be set for similar development in the vicinity of the site. 	

7.2 External Consultees

Name of External Consultee	Comment	Officer Response
Essex County Highways	No response	N/A

7.3 Representations received from Interested Parties

7.3.1 No letters of representation have been received.

8. REASON FOR REFUSAL

1. A dropped kerb in this location, as a result of the amount of grass verge and vegetation which would be lost and expanse of associated driveway proposed, would be an incongruous feature to the detriment of appearance of the streetscene where such features are largely absent along this section and southern side of The Glebe. As a result, the development would cause demonstrable harm to the character and appearance of the area, contrary to policies D1 and H4 of the approved Maldon District Local Development Plan.