



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

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
28 OCTOBER 2020**

<b>Application Number</b>	<b>20/00833/HOUSE</b>
<b>Location</b>	Beachcrest, Sea View Promenade, St Lawrence, Essex CM0 7NE
<b>Proposal</b>	Ground and first-floor extensions and formation of glazed Gambrel at first floor together with an extended roof terrace
<b>Applicant</b>	Mr & Mrs Gilly & Karl Terklesen
<b>Agent</b>	Mr Terry Hyland - Wood Architecture & Building
<b>Target Decision Date</b>	21.10.2020
<b>Case Officer</b>	Annie Keen
<b>Parish</b>	<b>ST LAWRENCE</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Councillor Mrs P A Channer Reason – Policy D1 – Design Quality and Built Environment (1a an 1b) and Policy S1 – Sustainable Development.

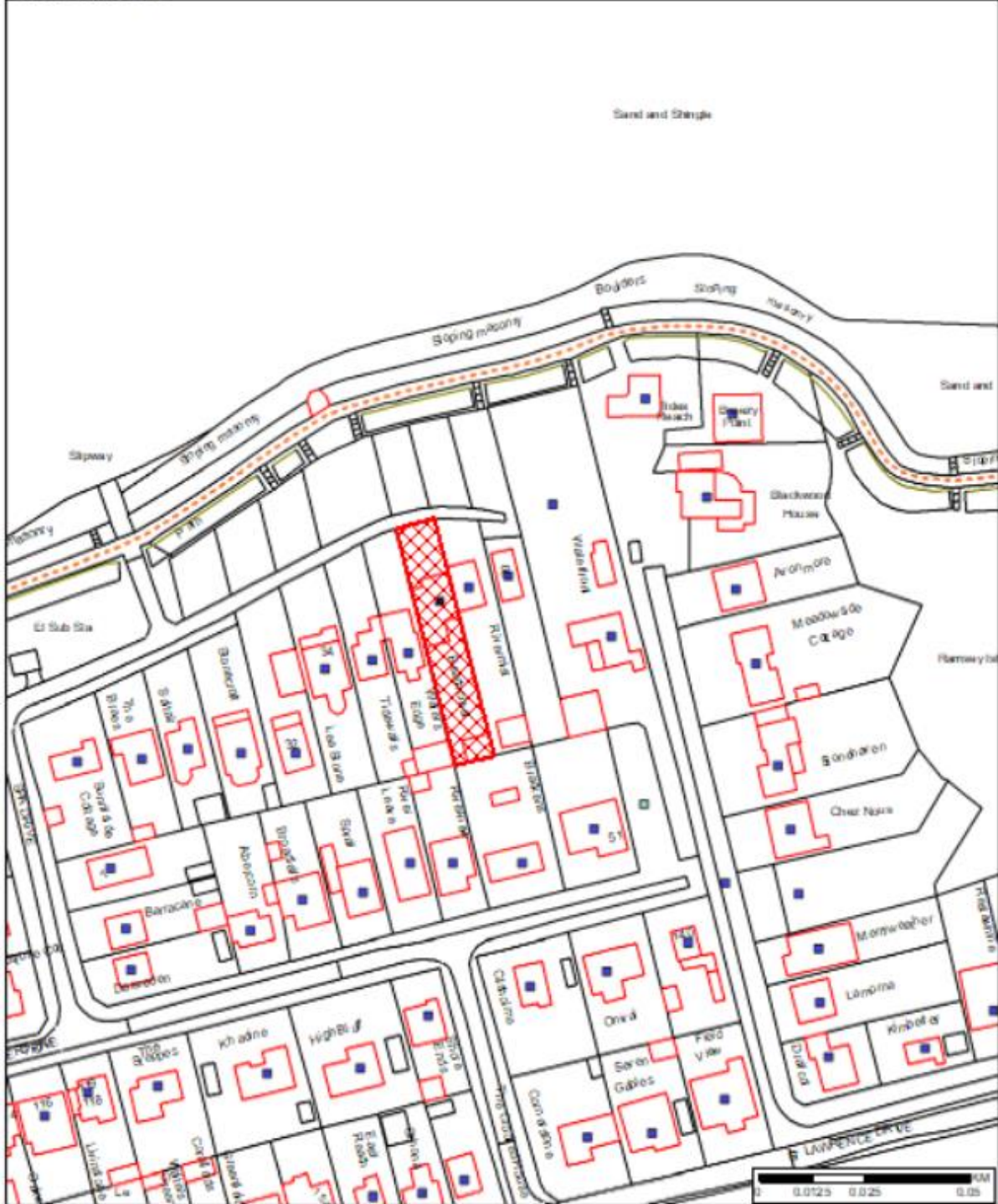
1. **RECOMMENDATION**


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

2. **SITE MAP**

Please see overleaf.

**Beachcrest, Sea View Promenade, St Lawrence**  
**20/00833/HOUSE**



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	South East Area Committee
	Date:	15/10/2020
	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 southern side of Sea View Promenade within the settlement boundary of St Lawrence. The site contains a two storey semi-detached dwelling with a mansard roof and a flat roofed rear extension. The dwelling is finished in cream render to the front with hanging tiles at first floor and cream coloured boarding to rear. To the side of the dwelling is a balcony which extends towards the rear of the dwelling.
- 3.1.2 The site is affected by an Article 4 direction which protects the land forming a highway verge to the front of the dwelling.
- 3.1.3 Planning permission is sought for the removal of the existing ground floor bay window and the construction of a single storey front extension and first floor front extension with a gambrel style roof. Permission is also sought for a first floor rear extension, an extension to the existing roof terrace and a change of materials to the host dwelling.
- 3.1.4 The proposed ground floor front extension would measure 5.6 metres in width and 1.4 metres in depth with a flat roof height of 3.5 metres. The proposed extension to the roof terrace, which would form the flat roof to the single storey front extension, would measure a maximum of 9 metres in width and a maximum of 3.5 metres in depth at a height of 3.5 metres, joining the existing terrace. The proposed balustrade would measure 1.1 metres in height.
- 3.1.5 The proposed alterations to the front elevation would increase the size of the front dormer to measure a maximum of 5.8 metres in width to the edge of the proposed gambrel roof and 0.5 metres in depth with a height of 3.9 metres and an overall height of 7.4 metres. The proposed alterations would also increase the size of the side dormer to the west and would measure 7.6 metres in width and 0.7 metres in depth, creating a flat roofed first floor projection.
- 3.1.6 The proposed rear extension would measure 1.3 metres in width and 3.2 metres in depth with a maximum roof height of 6.2 metres, extending and altering the existing rear projection.
- 3.1.7 The proposed materials would be self-coloured white render with Cedar weatherboarding, plain roof tiles and mineral felt. The proposed windows would have timber internally and aluminium frames externally with triple glazed windows. An additional hedgerow is also proposed to the front eastern boundary.
- 3.1.8 This application is a re-submission of application 19/00909/HOUSE which was refused for the following reason:
- 1. The proposed development by reason of its scale, bulk and design would appear a dominant and contrived addition to the dwelling, also resulting in an unbalanced appearance to the two semi-detached dwellings. This would detrimentally harm the character and appearance of the host dwelling, the*

*streetscene and the wider locality, contrary to policies D1 and H4 of the LDP and the guidance contained within the NPPF and MDDG.*

- 3.1.9 Alterations made to the proposal have reduced the scale and bulk of the development, decreasing the size of the front gambrel dormer and replacing the previously proposed gambrel roof projections to the side of the dwelling with a flat roofed dormer. Alterations have also been made to the proposed materials.

### **3.2 Conclusion**

- 3.2.1 It is considered the proposed development has not overcome all of the previous concerns raised in relation to the design of the first floor front extension, which would be out of keeping with the character of the host dwelling and result in an unbalanced appearance to the pair of semi-detached dwellings. It is therefore considered the development would detrimentally impact upon the character and appearance of the host dwelling and the surrounding area, contrary to policies D1 and H4 of the Local Development Plan (LDP) and the guidance contained within the National Planning Policy Framework (NPPF) and the Maldon District Design Guide (MDDG).

## **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
- D5 Flood Risk and Coastal Management
- 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 Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.*

*“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 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 single storey front extension with an extended roof terrace, alterations at first floor level to increase the size of the front and side dormer windows and a first floor rear extension. This application is a resubmission of 19/00909/HOUSE which was refused due to the scale, bulk and design of the proposed extensions. Alterations made to the proposed development have altered the design of the proposal, reducing the scale and bulk of the front and rear extensions.
- 5.2.7 The proposed single storey extension would project from the front of the dwelling in line with the existing neighbouring dwelling. Whilst previous objections were raised regarding the bulk of the front projection when viewed as a whole with the first floor front addition, the proposed alterations to the design of the ground floor element and redesign of the first floor element, has resulted in the ground floor extension no longer appearing as a dominant addition to the host dwelling. Due to this the single storey element of the front extension has overcome the previous concerns raised.
- 5.2.8 The proposed first floor alterations to the front and side elevations have been reduced in scale from that proposed in application 19/00909/HOUSE, however whilst the depth of the dormers have been reduced and the proposed side projection has been altered to a flat roofed dormer, a Gambrel style roof remains to the proposed front projection. This front addition is larger than that of the adjoining neighbouring dwelling and significantly different in terms of design. Whilst it is acknowledged the neighbouring dwelling to the west has a Gambrel style roof and that there are dwellings of varying design within the locality, these dwellings are detached. The dwelling subject of this application is a semi-detached dwelling and therefore it is considered, when viewed together as a pair of semi-detached dwellings, the proposed first floor front addition unbalances the pair of dwellings and detrimentally impacts upon the character and appearance of the dwelling and the streetscene. The proposed side dormer, however, whilst significantly larger than existing, takes cues from the host and adjoining neighbouring dwellings and therefore would be in keeping with the host dwelling and the design of the semi-detached dwellings when viewed as a whole.
- 5.2.9 In support of the scheme, the agent has commented as follows:

The neighbouring buildings are of assorted designs and material finishes and feel the proposed scheme would have a positive effect. A mixed pallet of traditional and contemporary materials gives visual interest and layered materials give depth and contrast. The proposal respects the scale, proportions and height of neighbouring properties while not unduly mimicking the character of its surroundings. The scheme responds positively to the site and its surroundings and provides an interesting,

attractive and sustainable addition. The proposal ensures there is no detrimental impact on the existing amenity.

- 5.2.10 The proposed front balcony would sit on the roof of the proposed single storey front extension and project to the west in line with the existing balcony to the first floor side. Balconies to the front of dwellings are a common feature within the streetscene and therefore no objections are raised regarding the proposed balcony. Concern has been raised regarding an overlooking potential from the balcony to the adjoining property, but this is addressed below under residential amenity
- 5.2.11 The previously proposed rear extension has been removed from the plans and alterations are proposed to the existing rear conservatory. The proposed alterations would extend the rear projection to the west, in line with the existing dwelling, whilst alterations to the elevations would reduce the amount of glazing to the southern and eastern elevations, result in a more solid appearance. Due to the position of the dwelling, being forward of the neighbour to the west, the proposed development would be visible from the streetscene, however the rear extension would not detrimentally impact upon the character and appearance of the host dwelling or the streetscene.
- 5.2.12 In terms of materials, the use of render and plain tiles would be in keeping with the host dwelling and due to the use of cladding featuring within the streetscene the proposed Cedral cladding would not detrimentally impact upon the character and appearance of the streetscene.
- 5.2.13 Based on the assessment above, it is considered the proposed first floor front extension has not overcome the previous concerns raised and is therefore contrary to policies D1 and H4 of the LDP.

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

- 5.3.1 The proposed development would abut the boundary shared with the neighbouring dwelling, 'Rivermist', to the east of the application site. The proposed single storey front extension would be situated in line with that of the existing projection of 'Rivermist' and therefore it is considered the proposed single storey front extension would not result in overshadowing of the neighbouring occupiers. The proposed front dormer, whilst it would project slightly, would not result in overshadowing or overlooking of the neighbouring occupiers, however concern has been raised regarding overlooking from the proposed balcony to the adjoining semi. The proposed balcony would be located 0.6 metres from the boundary line with the neighbouring dwelling and 2.3 metres from the first floor window/doors of that neighbouring dwelling. The balcony extends to 1.3m in depth, and although this is fairly limited, some views of the neighbouring dwelling could be possible. Were the application to have been recommended for approval officers would have sought that the balcony be set further back from the boundary with the adjoining property and in line with the nearest window/door jamb. This would ensure that any overlooking would be reduced to prevent any material overlooking and loss of amenity to the neighbour. It should be noted however, that the neighbouring property has direct access to the roof of its own single storey front extension and as such, unrestricted access to that area.

- 5.3.2 In regard to the proposed rear alterations, the proposed development would not detrimentally impact upon the private amenity of the neighbouring occupiers by way of over shadowing. However, it is noted the plans show high level windows in the eastern elevation of the rear projection, which would face towards the neighbouring private amenity space. If the application was to be approved a condition could be imposed to ensure these windows were obscure glazed.
- 5.3.3 The existing balcony to the west is situated a minimum of 1 metre from the boundary shared with the neighbouring dwelling to the west, 'Waters Edge' with the main building sited approximately 4 metres from that same dwelling. The proposed rear extension would be situated 3.3 metres from the boundary and 4.9 metres from the neighbouring dwelling. Due to the position of the proposed development it is considered the front and side dormer, rear extension and extension to the roof terrace would not detrimentally impact upon neighbouring private amenity by way of overlooking or overshadowing. Whilst it is acknowledged there are windows proposed to the western elevation, the northern most window (facing the front balcony of 'Waters Edge'), is an enlargement of an existing dormer. The south western most window, whilst a new opening in this elevation, would have no greater impact than the existing conservatory at first floor level. As such it is considered that this element of the proposal would not result in a material impact on the amenity of 'Waters Edge' by way of overlooking than currently exists. Furthermore, due to the scale of the proposed development in relation to 'Waters Edge', it is considered the proposed development would not be unduly overbearing.

#### **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 Vehicle Parking Standards 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 does not result in any additional bedrooms and whilst the development extends to the front of the dwelling this would not alter the level of off-street parking provided. Due to this the proposed development is 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 dwelling sits on a large site measuring in excess of the required 100m<sup>2</sup> amenity space specified within the Maldon Design Guide. The garden will remain in excess of 100m<sup>2</sup> after the construction of the proposed development; therefore the proposed development is in compliance with policy D1 of the LDP.

## 5.6 Other Material Considerations

5.6.1 The site where the development is proposed lies within Flood Zone areas 2 and 3 (high risk) as defined by the Environment Agency, where the risk from tidal flooding is greater than 1:200 years. The applicant has submitted a flood risk matrix which states that the 'floor levels within the proposed development will be set no lower than existing floor levels and flood proofing of the proposed development has been incorporated where appropriate'. Therefore, there are no objections raised on the grounds of flood risk.

## 6. ANY RELEVANT SITE HISTORY

Application Number	Description	Decision
<b>03/00419/FUL</b>	Demolition of existing garage and erection of single storey side and rear extension with decked terrace over incorporating 1.8m high vertical louvred privacy screen, entrance verandah and decked terrace to rear of property	Approved
<b>19/00909/HOUSE</b>	Erection of first floor extensions, alterations to dwelling and materials	Refused
<b>20/00827/HOUSE</b>	Ground floor extension, First-floor extension and extended roof terrace	Pending Consideration

## 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	Support	Noted

### 7.2 Representations received from Interested Parties

7.2.1 1 letter was received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objecting Comment	Officer Response
A big glazed Gambrel window at the front elevation would look unbalanced on appearance of both houses from the street view and would be more suited to a detached house.	Please see sections 5.2 and 5.3.

<b>Objecting Comment</b>	<b>Officer Response</b>
Impact on privacy as the balcony outside the front elevation is next to our bedroom.	

**8. PROPOSED REASON FOR REFUSAL**

1. The proposed development, by reason of the design of the first floor front extension, would result in an out of keeping and unbalanced appearance to the host dwelling and the pair of semi-detached dwellings, detrimentally harming the character and appearance of the host dwelling, the streetscene and the wider locality, contrary to policies D1 and H4 of the LDP and the guidance contained within the NPPF and MDDG.