



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**CENTRAL AREA PLANNING COMMITTEE
4 NOVEMBER 2020**

Application Number	20/00824/HOUSE
Location	46 Wentworth Meadows, Maldon, Essex, CM9 6EJ
Proposal	First floor extension over garage.
Applicant	Mr Jack Ellum
Agent	N/A
Target Decision Date	12.11.2020
Case Officer	Annie Keen
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Councillor / Member of Staff Member Call In – Councillor C Mayes Policy reasons – D1 and D3

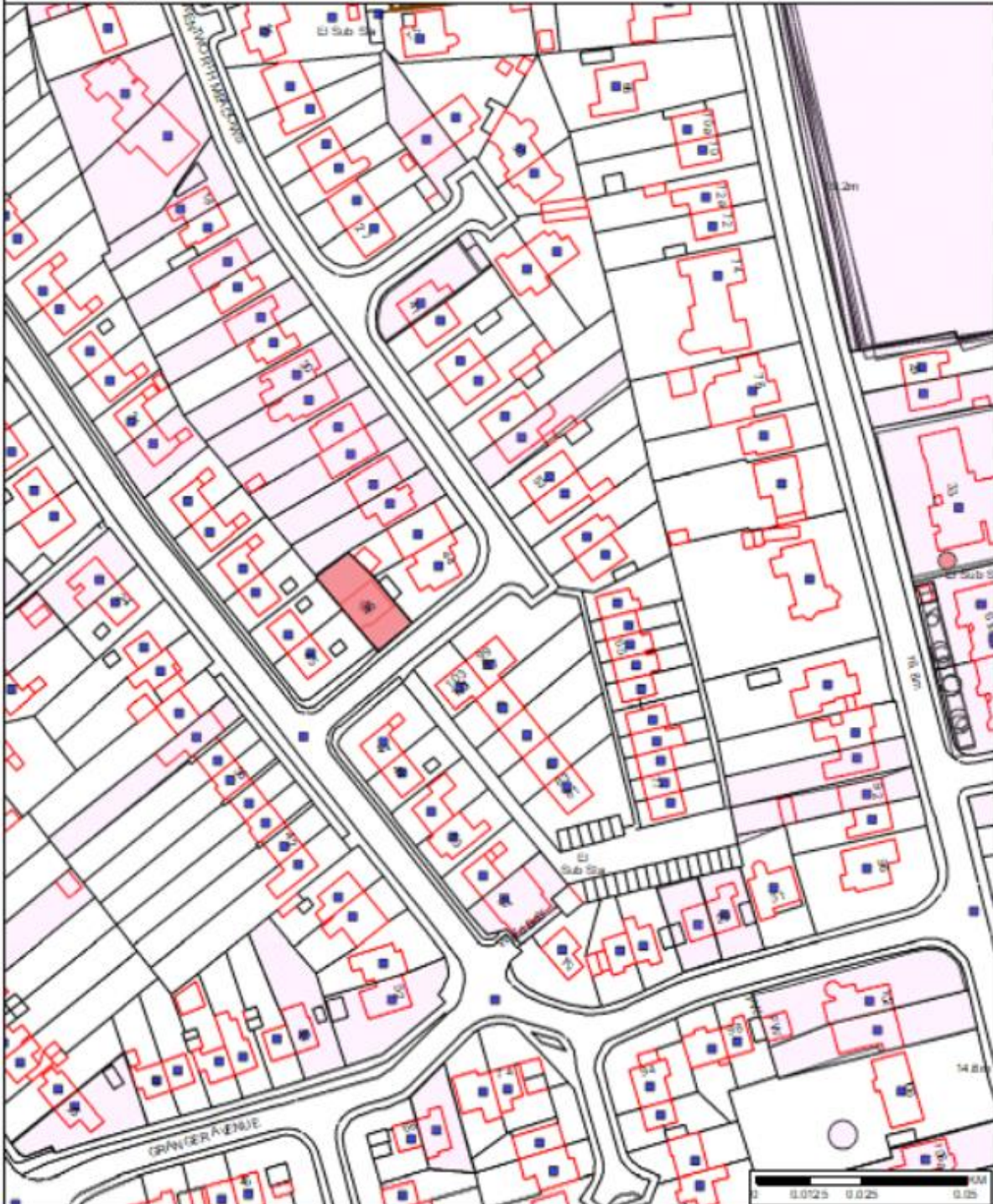
1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

46 Wentworth Meadows, Maldon
20/008 24/HOUSE



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central 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 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.
- 3.1.3 The proposed first floor side extension would measure 2.7 metres in width and 7.4 metres in depth with a maximum eave's height of 3.8 metres and a ridge height of 5.6 metres.
- 3.1.4 The proposed materials would be brick with roofing tiles and uPVC and aluminium windows and doors.
- 3.1.5 This application is a resubmission of 20/00210/HOUSE which was refused for the following reasons:
- 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.*
- 3.1.6 Amendments made to this application have resulted in the removal of the single storey and the two storey rear extensions and a reduction in the height of the proposed first floor side extension by 0.5 metres.

3.2 Conclusion

- 3.2.1 It is considered, the proposed development has not overcome the previous reasons for refusal due to the depth and width of the first floor side projection, which 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 an overbearing form of development, to the detriment of the neighbouring bungalows to the south west. 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 Local Development Plan (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 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 This current application seeks to overcome the previous reason for refusal (1 (above at 3.1.5)) Application 20/00210/HOUSE was refused due to the scale, design and depth of the single storey rear extension and the scale, design, height and depth of two storey rear extension. The application was also refused due to the width and depth of the first floor side extension. In regard to this application, the single storey and two storey rear extensions have been removed from the proposal leaving the first floor side extension to be the sole matter subject of this assessment. The proposed first floor side projection over the existing garage would create two additional bedrooms.
- 5.2.7 The proposed ridge line of the roof of the first floor side projection has lowered by 0.5 metres, altering the roof pitch to be parallel with the existing roofline, since the previous planning application, forming a more sympathetic addition in terms of roof design. However, there have been no alterations to the proposed width and depth of the development. Due to this it is still considered the scale and design of the first floor side projection would form a large and bulky addition to the dwelling, particularly due to its width and depth. 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 inconsistent in its own right and dominant within the site, to the detriment of the character of the host dwelling. Furthermore, due to the dwelling's 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 This application is a resubmission of 20/00210/HOUSE which was refused due to the overbearing impact the development would have on the neighbouring dwellings to the south west and north east. The removal of the proposed rear extensions has reduced the impact of the development on the neighbouring dwellings to the north east, however the proposed first floor side extension has only been reduced in height by 0.5 metres.
- 5.3.3 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.

- 5.3.4 The proposed development would be situated approximately 8.3 metres from the boundary to the east shared with No.42 and No.44 Wentworth Meadows and approximately 16.5 metres from those same dwellings. Due to the removal of the previously proposed rear extension and the position of the proposed first floor side extension, it is considered the development would not result in overlooking, overshadowing or be unduly overbearing.
- 5.3.5 The development would be situated 9.3 metres from the boundary shared with No.40 Wentworth Meadows, to the north east of the site and would be approximately 20 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.
- 5.3.6 The proposed development would be situated approximately 15.9 metres from the boundary of the dwellings to the south east, No.99-103 Wentworth Meadows and approximately 22 metres from those same dwellings. 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.
- 5.3.7 Based on the assessment above, it is considered whilst the impact on the neighbouring dwellings to the east has been reduced, the proposed side extension would still result in an overbearing form of development to the neighbouring bungalows to the south west.

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 maximising 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 five. The required number of car parking spaces for a dwelling of three bedrooms is two spaces, whilst the required number of spaces for a five bedrooomed dwelling is three spaces. The Maldon District 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 Maldon District 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 it is considered the level of car parking provision on site is not so detrimental as to warrant the refusal of the application on these grounds.

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 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25m² for flats.

5.5.2 The previous application was refused due to the level of amenity space that would have been remaining after the proposed rear extension. Whilst it is noted the application site has 95.4m² of private amenity space, which is less than the 100m² required under the standards set out within the Maldon Design Guide (MDG), it is not significantly less. The proposed first floor side extension, subject of this application, would increase the number of bedrooms on site from three to five, however this would not increase the level of amenity space required and due to the position of the extension being located above the existing garage it would not result in any loss of existing amenity space. Based on this, it is considered the application has overcome the previous reason for refusal based on the level of amenity space. The proposal is therefore in accordance with policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

6.1 The relevant planning history for the site is set out in the table below:

Application Number	Description	Decision
20/00210/HOUSE	First floor extension over existing garage, part single storey part two storey rear extension	Refused

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	No response at time of writing.	N/A

7.2 Representations received from Interested Parties

7.2.1 There were no letters of representation received.

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 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 by virtue of its depth, height and proximity to the boundary shared with the neighbouring dwellings to the south west, 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.