



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**CENTRAL AREA PLANNING COMMITTEE
31 MARCH 2021**

Application Number	21/00064/HOUSE
Location	21 Essex Road, Maldon, CM3 2HQ
Proposal	Single storey front, rear & side extensions
Applicant	Mr & Miss Hughes & Prest
Agent	Mr John Frith
Target Decision Date	19.03.2021
Case Officer	Hayleigh Parker-Haines
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Member call in from Councillor N G F Shaughnessy Reason: D1 and H4

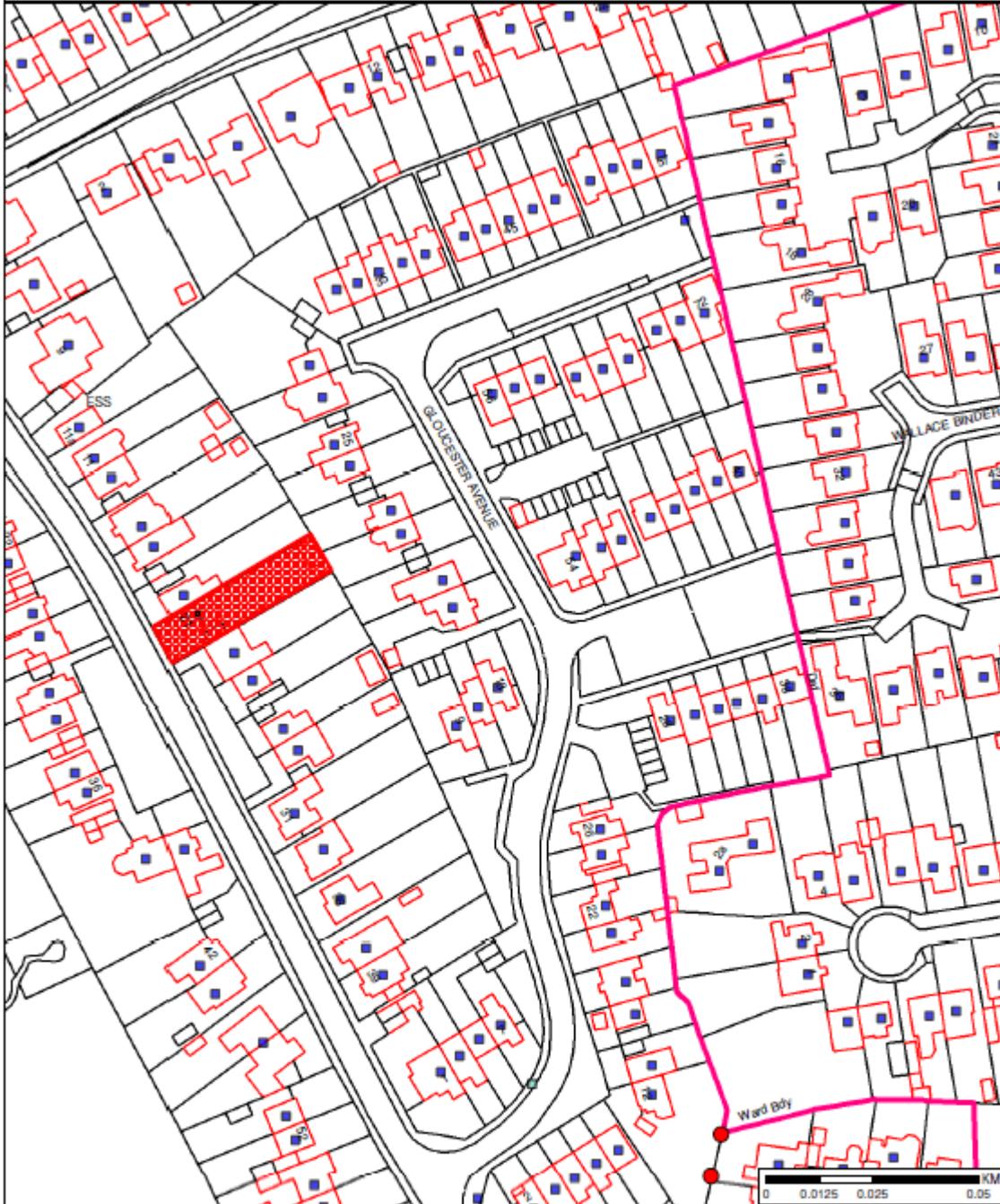
1. RECOMMENDATION

APPROVE subject to conditions, detailed in Section 8 of this report.

2. SITE MAP

Please see below.

21 Essex Road
Maldon 21/00064/HOUSE



 MALDON DISTRICT COUNCIL	<p>Copyright For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014</p>	<p>Scale: 1:1,250</p>
	<p>Organisation: Maldon District Council</p>	
	<p>Department: Planning Services</p>	
	<p>Comments: 21/00064/HOUSE</p>	
	<p>Date: 19/02/2021</p>	
<p>www.maldon.gov.uk</p>	<p>MSA Number: 100018588</p>	

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located to the eastern side of Essex Road and falls within the settlement boundary of Maldon. The site is occupied by a two storey semi-detached dwellinghouse with an attached outbuilding to the east. The surrounding area is predominately residential.
- 3.1.2 Planning permission is sought for the construction of a single storey front extension, and a wrap around side and rear extension. The proposed front extension would be to the southern end of the front elevation, it would have a maximum height of 3.08 metres with an eaves height of 2.2 metres, a width of 2.53 metres and a depth of 1.25 metres. This would accommodate a porch.
- 3.1.3 The proposed wrap around side and rear extension would have a maximum height of 3 metres with an eaves height of 2.2 metres; this would project 3.8 metres from the southern side elevation, have a width of 9.78 metres at the rear, project 4 metres from the rear elevation of the dwelling with a total depth of 8.62 metres. To the front this would have a lean to style roof, which to the side would become a flat roof with a lean to roof to the rear. The roof to the northern side of the rear elevation would be a lean to roof with a maximum height of 3.67 metres with an eaves height of 2.13 metres. This would accommodate a utility room, WC, garage, home office and an extension to the kitchen.
- 3.1.4 The proposed extensions would be constructed of materials to match the host dwelling.
- 3.1.5 It should be noted that this application is a re-submission of the previously refused application 20/01068/HOUSE which sought permission for the construction of a two storey side extension and a single storey front and rear extension. This application was refused for the following reason:

‘The proposed development, due to its scale, siting and positioning would be unacceptable as it would materially harm and detract from the character and appearance of the area as well as the host dwelling, contrary to policies D1 and H4 of the Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework’

- 3.1.6 The following revisions have been made as part of this application:

- The two storey aspect of the proposal has been removed, under this application all proposed works are single storey in nature.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development, by reason of its location and design would not harm the appearance or character of the locality and due to its relationship with the adjoining properties, would not result in any undue harm by way of overlooking or loss of amenity. In addition the proposed development would not materially impact on the provision of amenity space and car parking provision. It is

therefore considered that the proposed development is in accordance with the relevant policies contained within the Local Development Plan (LDP).

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
- 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:

- Maldon District Vehicle Parking Standards SPD (VPS)
- Maldon District Design Guide SPD (MDDG)
- Planning Practice Guidance (PPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of extending the existing dwellinghouse 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 National Planning Policy Framework (NPPF). Similar support for high quality design and the appropriate layout, scale and detailing

of development is required by Policy D1 and H4 of the LDP and is found within the MDDG (2017).

- 5.2.3 A successful development needs to integrate well with the existing streetscene. Visual cues such as rhythm, proportions and alignments taken from adjacent buildings should be used to inform the design of the development.
- 5.2.4 Essex Road is predominately characterised by pairs of semi-detached dwellings with link attached garages; these maintain a degree of openness to the surrounding area as a result in the break in built form along the road. It is noted that the neighbouring property to the south has a first floor extension over the garage which reduces the gap between the host dwelling and No.23 to the south.
- 5.2.5 The proposed single storey front extension would be visible within the surrounding area. However, it is considered to be a subservient addition to the property, due to its single storey nature and that it would occupy a footprint of 3.16m². Furthermore, this would be constructed of materials to match the host dwelling and would have a lean to style roof which is reflective of similar front extensions found within the surrounding area. It should be noted this extension is only marginally larger than what could be built under permitted development; this is a material consideration in the determination of this application.
- 5.2.6 The proposed single storey rear aspect to the wrap around extension would not be highly visible within the surrounding area and is therefore considered to have a limited impact on the streetscene. It is proposed with a mono pitch roof extending to the underside of the first floor windowsill, however, due to the single storey nature of the design, it is considered that this aspect of the proposal would be a subservient addition to the host dwelling.
- 5.2.7 The proposed single storey side aspect of the wrap around extension would be visible from the street but not to an extent that would be significantly different from what exists currently. The side extension would be similarly set back and replace the existing single storey side projection and is designed with a mono pitch roof to the front matching that of the neighbouring property to the south. This is considered to be of a sympathetic design and therefore would not represent an incongruous feature within the streetscene. It is noted that the Town Council have raised concerns in relation to the proposal resulting in a terracing effect, however, it should be noted that the existing garage already occupies this space and links the two dwellings; the proposed side extension would not alter this relationship or result in a further 'terracing' effect than that which exists currently.
- 5.2.8 Taking into account the above assessment it is considered that the proposed revision to remove the first floor to the side extension has overcome the concerns raised under the previous application. As such, the proposed development, by reasons of its scale, design and appearance would not result in a demonstrable harm to the character and appearance of the locality and would maintain the character and setting of the listed building in accordance with 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. 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 application site is bordered by six neighbouring properties. To the north is No.19 Essex Road, to the east are No.19 and No.21 Gloucester Avenue, to the south is No. 23 Essex Road and to the west are No. 30 and No.32 Essex Road.
- 5.3.3 The proposed single storey front extension is not considered to represent an unneighbourly form of development in relation to any neighbouring properties due to the minor nature of the development.
- 5.3.4 The proposed single storey rear extension would sit on the shared boundary with No.19 Essex Road. It is noted that this neighbouring property benefits from a flat roof rear extension and a conservatory which also sits close to the shared boundary with the application site. The proposed single storey rear extension would project approximately 1 metre from the flat roof aspect of the neighbouring rear extension and would be set back approximately 2 metres from the rear elevation of the conservatory. Due to the built form at the neighbouring property, it is not considered that the proposed extension would have an overbearing impact on this neighbouring property or that it would result in an unacceptable loss of light to the neighbouring occupiers. Furthermore, due to the single storey nature it is not considered that the proposed single storey rear extension would result in a loss of privacy to this neighbouring property, it is noted that three roof lights are proposed to the rear roofslope of this aspect of the proposal. However, due to their location it is not considered that these would offer any views of the neighbouring amenity space.
- 5.3.5 The proposed developments would sit a minimum of 21.3 metres from the shared boundary with the neighbouring properties to the east (rear extension and side extension) and over 30 metres from the closest of these properties (No. 23 Gloucester Avenue). Due to this degree of separation, it is not considered that the proposed developments would represent an unneighbourly form of development in relation to either of these neighbouring properties.
- 5.3.6 The proposed side extension would sit on the shared boundary with No.23 Essex Road. It is noted that the neighbouring property benefits from a two storey side extension. There are no windows on the northern side elevation of this neighbouring property facing the application site and the proposed rear elevation of the extension would not project further than the rear elevation of this neighbouring property. Therefore, it is not considered that the proposal would result in an unacceptable loss of light to this neighbouring property or that it would have an overbearing impact on these neighbouring occupiers. Furthermore, due to the single storey nature of the proposed development, it is not considered that this would result in a loss of privacy

to these neighbouring occupiers.

- 5.3.7 Therefore, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of Policy D1 of the LDP

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 proposed extension would have no impact upon car parking requirements on site as no additional bedrooms are proposed. There is sufficient hardstanding to the front of the dwelling to accommodate parking provision for two vehicles. The proposal includes the provision of a garage. This would have internal measurements of 2.5 metres by 5.5 metres. These fall short of the requirement of the SPD of 3 metres by 6 metres, but the proposed garage is larger than the existing garage which has internal measurements of 2.5 metres by 5 metres. Whilst the garage would not provide garaging space for one vehicle in accordance with the Council's standards, it is an improvement to the existing parking provision provided on site and it can accommodate a reasonable sized car; furthermore, as stated, there are no additional bedrooms proposed. Therefore, it is considered that a refusal of this application on the shortfall to the parking standards could not be reasonably sustained based on the assessment above. In this respect the application results in no conflict with policy.

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 Whilst the proposed development would reduce the size of the garden it would not result in the level of private amenity space being below the minimum standard recommended in the Supplementary Planning Documents (SPD). Therefore, the proposal is in compliance with Policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

Application Number	Description	Decision
61/00097/5/MAB	Residential Development	Approved
20/01068/HOUSE	Single storey front & rear, two storey side extensions	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	The Town Council recommends refusal due to the scale and bulk of the proposal. The application represents a dominant incongruous feature leading to a cramped/terraced appearance. Its positioning would lead to unacceptable material harm to neighbouring properties habitable residential amenity.	Comments noted and discussed in section 5.2 and 5.3 of the Officers report

7.2 Representations received from Interested Parties:

7.2.1 Representations objecting to the application:

One letter of **objection** has been received raising the following matters:

Objecting Comment	Officer Response
The proposed rear extension would impinge on the conservatory to the north and would block some light	Comments noted

7.2.2 Representations commenting the application:

Two letters of **comment** have been received raising the following matters:

Comment	Officer Response
The original application included a 2 storey side extension, this has now been amended so the proposal is now single storey. How can the Town recommend refusal for lesser works when they recommended approval of the previous application	Comments noted.
Due to the proximity of the development to the neighbouring property to south, it is hoped a condition will be included in any approval notice requesting care is taken to ensure any damage to this property will be rectified	Comments noted, however, this is not something that planning legislation allows control over and would be civil matter.

8. RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out and retained in accordance with the following approved plans and documents:
TQRQM20294134614496, FBD00216/03 REV A, FBD00216/01 and FBD00216/02 REV C
REASON To ensure that the development is carried out and retained in accordance with the details as approved.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved.
REASON In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework