



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

**to
NORTH WESTERN AREA PLANNING COMMITTEE
1 DECEMBER 2021**

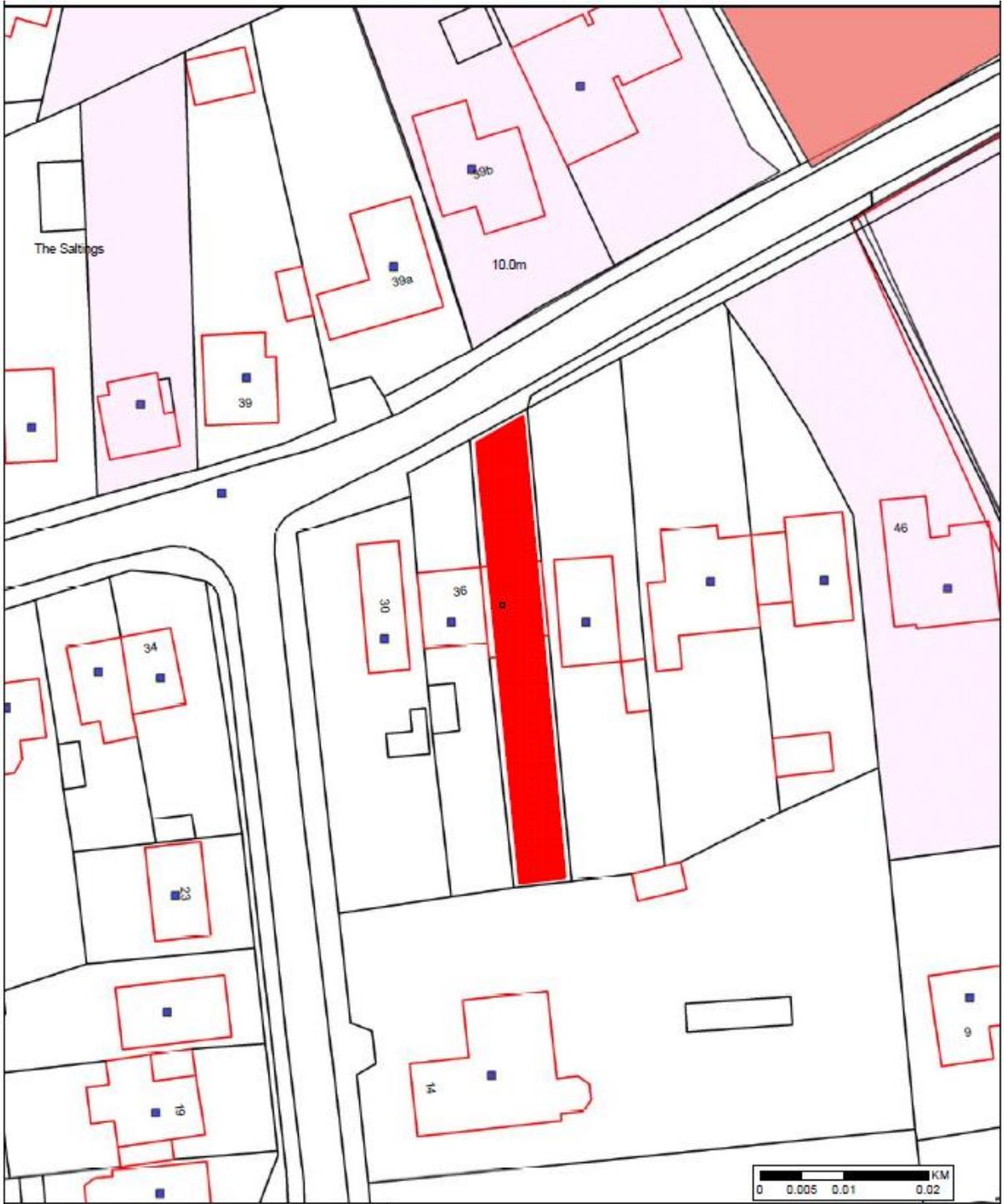
Application Number	21/01063/HOUSE
Location	Lavena, 38 Woodrolfe Road, Tollesbury, CM9 8SD
Proposal	One and a half storey side extension incorporating dormer windows to match existing.
Applicant	Chrissie Hitchins
Agent	Mr Adam Herbert – Adam Herbert Design
Target Decision Date	09.12.2021
Case Officer	Jade Elles
Parish	TOLLESBURY
Reason for Referral to the Committee / Council	Member of staff

1. RECOMMENDATION

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

2. SITE MAP

Please see below.



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 Woodrolfe Road and sits within the settlement boundary of Tollesbury. The site is currently occupied by a semi-detached chalet and is surrounded by residential dwellings varying in design. Woodrolfe Road changes in built and plan form character from west to east, with properties east of Crescent Road being largely chalet bungalows and bungalows, within a more spacious setting. It is noted also that Woodrolfe Road is on a sloping gradient from west to east, with the subject property at a slightly higher elevation to its unattached neighbour at No, 40. The corner property, No 30 Crescent Road, is aligned transverse to No 36 Woodrolfe Road with its rear wall facing the side wall of the latter.
- 3.1.2 Planning permission is sought for a one and a half side extension (effectively a cantilevered first floor side extension) with dormers to the front and rear of the dwelling. The ground floor will be retained open (providing for a car port), and the existing porch would be removed. The first floor will accommodate an additional bedroom, bathroom, and an en-suite. An obscure glazed window will be installed to the side of the first floor extension.
- 3.1.3 The proposed extension will measure 2.2 metres beyond the side elevations, 9.3 metres in depth: the eaves and ridge will match the existing building as the proposal is a continuation of the existing roof.
- 3.1.4 The proposed dormers will match what already exists. The dormer to the rear will connect with the existing dormers and the dormer to the front will be erected as a single dormer.
- 3.1.5 The dormer to the rear will extend the existing dormer by an additional 3 metres with a height of 1.8 metres and will extend beyond the roof slope by 2.6 metres. The dormer to the front will be 1.8 metres in width with a height of 1.8 metres and will extend beyond the roof slope by 2.6 metres.
- 3.1.6 In terms of materials, the application form states that the gable end of the extension will be facing brick with concrete interlocking tiles to the roof to match the existing dwelling. The dormers will be clad with white UPVC windows to match the existing dormers.

3.2 Conclusion

- 3.2.1 Having regard to all material factors, that being in particular the location, height and proximity and of the first floor extension to its neighbour to the east, No 40 Woodrolfe Road, the proposal would result in harm to the amenities of that neighbouring property by way of overbearingness, loss of light and outlook to a habitable room. Furthermore, the proposal, given its height, design and proximity to the neighbouring property, would jar uncomfortably through a clash of roof form and scale, resulting in an anomalous relationship to the detriment of the streetscene in this part of Woodrolfe Road. The proposal is therefore in conflict 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 (NPPF) 2021, 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
 - 54–58 Planning conditions and obligations
 - 119–125 Making effective use of land
 - 126–136 Achieving well-designed places
 - 152–158 Meeting the challenge of climate change, flooding and coastal change
- 4.2 Maldon District Local Development Plan (LDP) 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
- 4.3 Relevant Planning Guidance / Documents:**
- Maldon District Vehicle Parking Standards SPD (VPS)
 - Maldon District Design Guide SPD (MDDG) 2017
 - Planning Practice Guidance (PPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of extending and altering the 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 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 The proposal has been designed to match a similar cantilevered first floor extension with open aspect ground floor to the adjoining half of the pair of semi-detached properties. The design of the development would have a gabled ended roof, continuing the existing roof form, with an extension to the rear dormer, an additional dormer to the front and an obscure glazed window on the side of the first floor

extension serving a bathroom. The ground floor will be open plan to the side and each end, with the first floor supported by brick piers. The first floor materials will match what already exists on the dwellinghouse.

- 5.2.5 The development would be visible from the streetscene. The streetscene comprises dwellings varying in design however, with the attached neighbour having a similar projection above the carport, the development effectively mirroring the attached neighbour would bring back symmetry to the pair of semis, which is acceptable in principle. However, the proposal would result in the property being sited close to the boundary with No. 40 Woodrolfe Road with a gable ended side wall towering over the shallow pitch of the neighbouring property. Given the scale of the development in this location, and a reduction in the visual gap between the two properties, the proposal would sit uncomfortably in the street scene to the detriment of the character and appearance of this part of Woodrolfe Road. In this respect the proposal is contrary to policy D1 and H4 of the Maldon Local Plan and the MDDG (2017) in terms of maintaining and respecting existing character.

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 3 neighbours. To the east is Malgre Toute, 40 Woodrolfe Road, to the south is Mallards, 14 Crescent Road and to the west is Tal Y Waen, 36 Woodrolfe Road.
- 5.3.3 The development would be located 0.3 metres from the boundary and 2 metres from the neighbouring property to the east. This neighbouring property is a single storey bungalow. There is a window to be constructed on the side of the development at first floor serving a bathroom, however, the window would be obscured glazed fixed up to 1.7m above finished floor level. It is noted there is a window serving a habitable room to the neighbouring property facing the development. The ambient light to the window is already compromised due to its proximity to the boundary fence, its lower elevation as a result of the slope in the street, and the existing boundary fence. The proposal site, being at a higher elevation and built up the boundary would result in further and a more significant loss of light to this window. A rooflight serves this habitable room to the neighbouring property, however, this is not considered appropriate mitigation for the loss of light, overbearingness and loss of existing outlook, even if currently restricted. An objection has been raised by this neighbouring property in relation to the potential loss of light on this second bedroom, and it is officers' view this objection has merit and is a material planning consideration. As such, the proposal would result in a loss of amenity to the neighbouring property to an extent that the proposal cannot be supported on this basis. The proposal would therefore be contrary to policies D1 and H4 of the Maldon District Local Plan and the MDDG (2017).
- 5.3.4 The development would be located at a sufficient distance and position to not impact on the amenities of neighbouring properties to the south and west.

5.4 Access, Parking and Highway Safety

- 5.4.1 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.

- 5.4.2 The proposed development will change the property from a 2 bed to a 3 bed dwelling, however, the VPS requirements remain as 2 parking spaces for both 2 and 3 bed dwellings, therefore, the development is in accordance with the VPS and policy D1 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 (2017) 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 would not reduce the size of the garden; however, the dwelling would be extended from a 2 bed to a 3-bed dwelling. The private amenity space measure to 199m² and therefore, the proposal is in compliance with Policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

Application Number	Description	Decision
MAR/351/64	Res dev	Approved
MAR/351/64/1	Chalets 1 bungalow with garage	Approved

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tollesbury Parish Council	Recommend approval	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:

Objection Comment	Officer Response
Affect the light coming into second bedroom.	Comment noted and address in section 5.3.3
Detrimental effect on the resale value.	Noted, however this is not a material planning consideration

8. REASONS FOR REFUSAL

- 1 The proposal, given its height, design and proximity to the neighbouring property would result in harm to the amenities of that neighbouring property by way of overbearingness, loss of light and outlook to a habitable room. The proposal is therefore in conflict with policies. D1 and H4 of the

Maldon District Local Development Plan 2017, the Maldon District Design Guide, and the National Planning Policy Framework 2021

- 2 The, proposal, given its height, design and proximity to the neighbouring property, would jar uncomfortably through a clash of roof forms and scale, resulting in an anomalous relationship to the detriment of the streetscene in this part of Woodrolfe Road. The proposal is therefore in conflict with policies. D1 and H4 of the Maldon District Local Development Plan 2017, the Maldon District Design Guide, and the National Planning Policy Framework 2021.