



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
29 JUNE 2022**

<b>Application Number</b>	<b>22/00434/HOUSE</b>
<b>Location</b>	Plum Tree House, Mundon Road, Maldon, CM9 6PW
<b>Proposal</b>	Single-storey front, side and rear extensions. Addition of dormers to front and rear roof slope. New porch and changes to fenestration.
<b>Applicant</b>	Mr G Watling
<b>Agent</b>	Mr Ralph Massie - Planning2Build
<b>Target Decision Date</b>	26.05.2022
<b>Case Officer</b>	Jade Elles
<b>Parish</b>	<b>MALDON SOUTH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In from Councillor Swain by reason of continued problems with property on grounds of Policy D1

1. **RECOMMENDATION**

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

2. **SITE MAP**

Please see below.

**Plum Tree House, Mundon Road, Maldon**

22/00434/HOUSE



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 Maldon District Council 100018588 2014



MALDON DISTRICT COUNCIL

[www.maldon.gov.uk](http://www.maldon.gov.uk)

Scale: 1:1,250

Organisation: Maldon District Council

Department: Department

Comments: Central Committee Area

Date: 25/05/2022

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 western side of Mundon Road, outside of any defined settlement boundary. The site consists of a two-storey detached dwelling house with a detached garage to the south east, set forward of the principal elevation of the dwelling. The surrounding area is semi-rural in nature with residential development opposite the application site to the east of Mundon Road.
- 3.1.2 Planning permission is sought for a single storey extension to the front, side and rear, additional dormers to the front and rear, a new porch and changes to fenestration.
- 3.1.3 The proposed front and side extension would measure 12.3 metres in depth, 6.3 metres in width, have a maximum height of 5.4 metres and an eaves height of 2.5 metres.
- 3.1.4 The proposed rear extension would measure 4.6 metres in depth, 9.3 metres in depth, have a maximum height of 3.8 metres and an eaves height of 3.3 metres.
- 3.1.5 The proposed porch would consist of a new entrance door and a lean-to roof. The maximum height of the roof would measure 3.5 metres and have an eaves height of 2.5 metres. The roof would have a length of 6.1 metres.
- 3.1.6 The proposed dormers would measure 3.2 metres beyond the roof slope, 4.2 metres in width, have a maximum height of 2.5 metres and an eaves height of 0.8 metres.
- 3.1.7 The changes in fenestration consists of a new entrance door and windows each side of the door which would replace a window and a small high window to the front which would replace a window.
- 3.1.8 The application form states the materials used would be red face bricks and black weatherboarding, interlocking concrete roof tiles, double glazed white doors and windows. All to match the existing dwelling.
- 3.1.9 It should be noted that the application is a resubmission of a previously refused application (ref: 21/01100/HOUSE) by the Local Planning Authority (LPA) for the following reasons:
- 1 *The proposed two storey front extension by reason of its position, height, scale and design would be a large and bulky addition which would appear as a dominant and incongruous addition, resulting in demonstrable harm to the character and appearance of the existing dwelling and the locality contrary with policies D1 and H4 of the Maldon District Local Development Plan (MDLDP) and the guidance contained within the National Planning Policy Framework (NPPF).*
  - 2 *The proposed two storey front extension, due to its depth and proximity to the boundary of the site, would result in a loss of outlook from and have a dominating impact on the first floor window along the principal elevation of the dwelling to the south. The proposal would therefore result in an unneighbourly form of development, which would have a detrimental impact on the residential amenity of the occupiers of this neighbouring property, contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework*

3.1.10 In an attempt to overcome the previous reasons for refusal the following amendments have been submitted under this current application:

- The roof has been reduced in height by 1.6 metres on the front extension
- Rooflights have been removed on the roof slope of the front extension
- The front extension has been reduced in depth by 0.8 metres
- The lean-to roof on the side would be 0.6 metres higher than the previous application.
- Dormers have been added to the proposal.
- Front doors have been inserted on the rear extension on the rear elevation, replacing a full height window in the previous application.
- French doors have been inserted on the rear extension on the side elevation, replacing the proposed patio doors in the previous application.

## **3.2 Conclusion**

3.2.1 It is considered that the amendments made with this current application have not overcome the previous reasons for refusal of the application. Therefore, the proposed extension to the front, by reason of its position, height and depth would result in an overly dominant addition resulting in demonstrable harm to the character and appearance of the existing dwelling and locality, contrary to policies D1 and H4 of the LDP and the NPPF.

3.2.2 It is considered that the proposed dormers, by reason of its design would result in harm to the character and appearance of the existing dwelling and locality, contrary with Policies D1 and H4 of the LDP and 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 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
- 55 – 58 Planning conditions and obligations
- 119 – 123 Making effective use of land
- 124 – 136 Achieving well-designed places
- 153 – 173 Meeting the challenge of climate change, flooding and coastal change

### **4.2 Maldon District Local Development Plan (MDLDP) 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

### **4.3 Relevant Planning Guidance / Documents:**

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

## **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 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 Maldon District Design Guide (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 As highlighted above a planning application (ref: 21/01100/HOUSE) for a similar form of development was recently refused. The current application has been submitted in an attempt to overcome the previous concerns.

5.2.5 The proposed front element of the extension would be highly visible from the public realm. The ridge height has been reduced by 1.6 metres and reduced in depth by 0.8 metres. The proposed reductions would appear a less dominant addition, however, due to the position of this element of the works and its height and depth would result in an overly dominant addition be to the front of the property and be highly visible. Whilst there are existing boundary treatments in the form of shrubbery and trees to the front of the dwelling, which would help in reducing and softening views of the development, due to the nature of the boundary treatments, there can be no guarantee that they would remain in place for the lifetime of the development, and therefore, cannot be considered to justify approval of the application.

5.2.6 The proposed development would provide two dormers to the front and rear elevations of the dwellinghouse; the front dormers would be highly visible from the public realm. The dormers are considered to lack architectural merit and are disproportionately wide in respect of the immediately surrounding section of the main roof and therefore, dominate the roofscape to the detriment of the character and proportions of the roof. The streetscene contains a number of dormers to other properties within Mundon Road with nearly all of the dwellings on the opposite side of the road have dormers. As such there is no objection to the principle of dormers,

however, it must be noted these dormers are smaller in scale and more proportionately balanced in their setting than the proposed development. The materials used would match the existing dwelling and therefore, no concerns are raised in relation to materials. As such the dormers, due to the lack of architectural merit together with their disproportionate size and scale are considered to cause harm to the character and appearance of the host dwelling and locality.

- 5.2.7 It was previously considered under the refused application that the side element of the extension would not have a detrimental impact on the character and appearance of the host dwelling or locality. There is a minor change to this element, the change being the height of the lean-to roof would be extended by 0.6 metres. However, due to the minor change it is still considered to not have a detrimental impact on the character and appearance of the host dwelling or locality.
- 5.2.8 With regards to the proposed single storey extension to the rear and the porch extension to the front would not have a detrimental impact on the character and appearance of the host dwelling or locality. There are no new material considerations to this current scheme which would result in a different decision and therefore, these elements of the development are considered acceptable.
- 5.2.9 The proposed fenestration changes are minor, and no concerns are raised.
- 5.2.10 Overall, it is considered that the amendments to the refused application have not overcome the previous reasons for refusal as it is still considered that the proposed extension to the front, by reason of its position, height and depth would result in an overly dominant addition resulting in demonstrable harm to the character and appearance of the existing dwelling and locality. Furthermore, the development includes the provision of dormers, which as proposed, by reason of their design, size and scale would result in harm to the character and appearance of the existing dwelling and locality, contrary with Policies D1 and H4 of the LDP and NPPF.

### **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 one neighbouring property to the south known as Halfway House Farm. There are also properties opposite the application site to the east which would have views of the development and therefore the impact on the residential amenity of these occupiers will also be assessed.
- 5.3.3 The proposed front and side extension would be 1.8 metres from the boundary and 4.3 metres from the neighbouring property to the south respectively. The side extension has been amended from the previous application by increasing the height of the lean-to roof by 0.6 metres. However, due to no windows being proposed to the side and the increase being relatively minor in nature, it is considered this element of the proposal would not give rise to overlooking or overshadowing to the neighbouring property to the south. The front extension (that being the element beyond the original front wall of the dwelling) has been reduced in height by 1.6 metres and reduced in depth by 0.8 metres. This effectively has resulted in the reduction to the previously proposed 2 storey front extension by a storey to create a single storey front extension. Due to the reduction in height and depth and there being no windows or roof lights to the roof slope facing south, it is considered the front extension would not give rise to any overlooking, overshadowing or over-dominating

impacts to the neighbouring property to the south and as such would further overcome the concerns identified with the previous proposal in respect of impact on neighbouring amenity.

- 5.3.4 During the consideration of the previous application, it was considered the porch and rear extension would not give rise to overlooking or overshadowing to the neighbouring property to the south. There are no changes to those similarly proposed extensions to this current scheme which would result in a different position being taken, and as such these elements are acceptable on amenity grounds.
- 5.3.5 The previous application did not cause any issues of overlooking or overshadowing to the neighbouring properties opposite the site to the east. Although there are changes to the front element of the proposed works, these similarly do not cause concern on amenity grounds, and as such, the proposal is acceptable in this respect.
- 5.3.6 Based on the above, it is considered that the amendments under this application has overcome reason for refusal No. 2 of the previous application with regards to neighbouring amenity impacts and as such would be in compliance with Policy D1 of the LDP.

#### **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 Whilst the proposed development would not provide any additional bedrooms, the garage would be demolished and replaced with an extension which would not be providing any car parking. However, there is ample car parking space which would provide enough space for three or more cars and therefore, the proposal is in compliance with 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 SPD advises a suitable garden size for each type of dwellinghouse, namely 100m<sup>2</sup> of private amenity space for dwellings with three bedrooms or more.
- 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 standards of 100m<sup>2</sup> recommended in the SPD. Therefore, the proposal is in compliance with Policy D1 of the LDP.

#### **5.6 Flood Risk**

- 5.6.1 The site is located within Flood Zones 2 or 3. A Flood Risk Assessment has been submitted with the application. The assessment states the finished floor level of the existing property is 3.75m and the property will need protecting against a 0.7m tidal surge flood. Both new and proposed parts of the site will be protected by making provision for temporary flood barriers to all external doorways and floor level windows. No objections to the proposal are raised with respect to flood risk subject to the imposition of a condition to require that the development is carried-out in accordance with the Matrix.

## 5.7 Other Matters

- 5.7.1 It should be noted that there are trees located within the vicinity of the development proposed. The tree consultant has advised that the cedar tree and purple leaf plum to the front boundary could be impacted by works to install any new parking bays, as well as construction activities. As such, should the application be approved, a tree protection method statement in accordance with BS5837:2012 would need to be submitted to and approved in writing prior to the commencement of works.

## 6. ANY RELEVANT SITE HISTORY

Application Number	Description	Decision
08/01245/FUL	Single storey conservatory to rear of property	Approved
13/00233/HOUSE	Front single storey extension to create entrance lobby/porch.	Approved
21/00574/HOUSE	Two storey front and side extension, single storey rear extension, replacement front door and single storey front extension	Refused
21/01100/HOUSE	Two storey front and side extension. Single storey side extension. Single-storey rear extension. New porch and changes to fenestration.	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	Support	Noted

### 7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Tree Consultant	There is a Cedar tree and a Purple Leaf Plum close to the front boundary, which could be impacted by works to install the new parking bay, as well as construction activities.	Addressed in section 5.7

**8. REASON FOR REFUSAL**

1. The proposed extension to the front, together with the front dormer windows, by reason of their design, position, height and depth would result in an overly dominant addition resulting in demonstrable harm to the character and appearance of the existing dwelling and locality, contrary with Policies D1 and H4 of the MDLDP and the guidance contained within the NPPF.