



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
15 AUGUST 2016**

Application Number	HOUSE/MAL?16/00604
Location	Little Foxes Summerhill Althorne
Proposal	Two storey rear extension, internal remodelling and insertion of obscured windows to existing first floor side elevations.
Applicant	Mr & Mrs East
Agent	Mr Daniel Cross - FRONT Architecture Ltd
Target Decision Date	21.07.2016 EOT 19.08.2016
Case Officer	Hannah Bowles
Parish	ALTHORNE
Reason for Referral to the Committee / Council	Director of Planning and Regulatory Services Call In

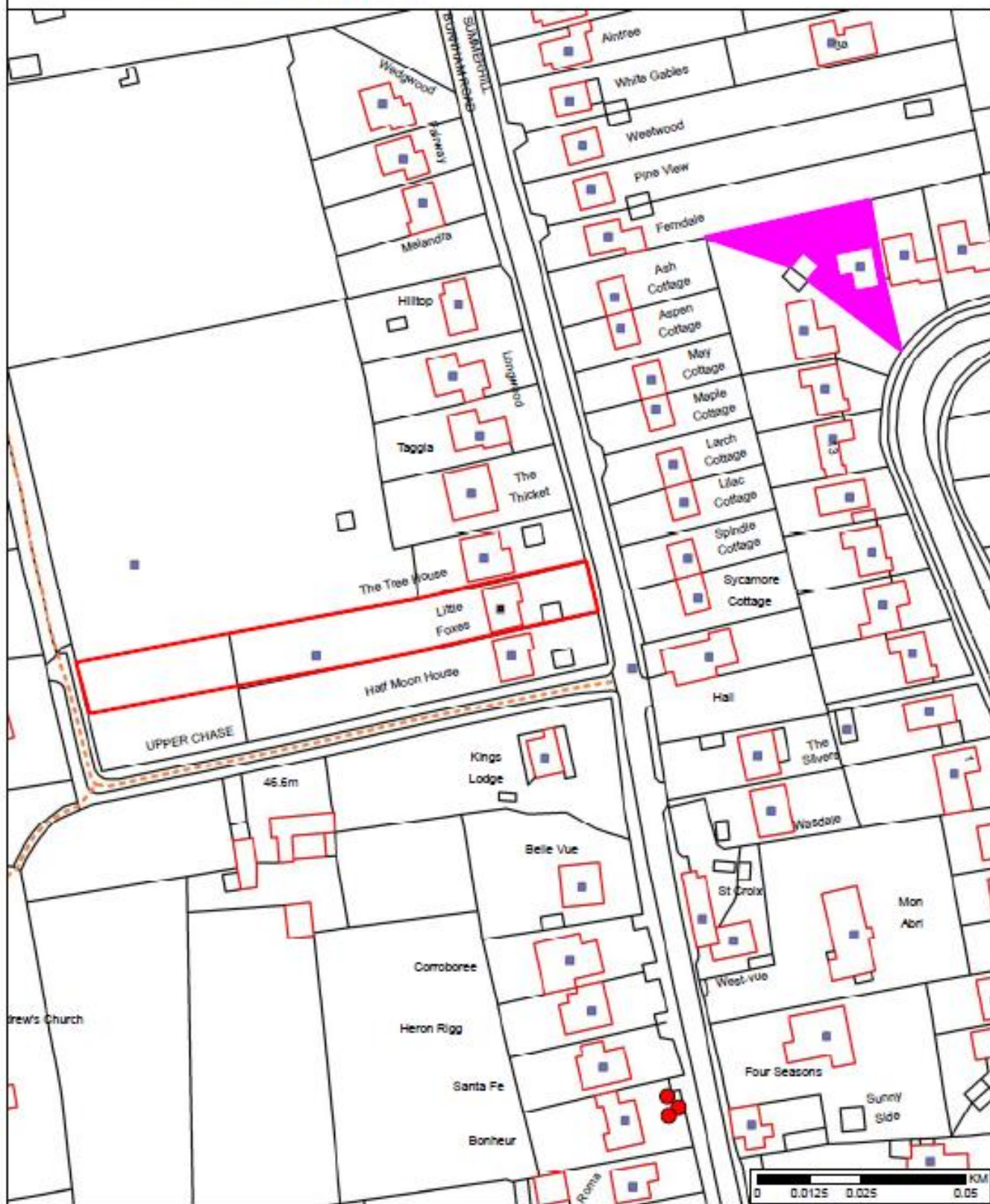
1. RECOMMENDATION

APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. SITE MAP

Please see overleaf.

Little Foxes, Summerhill, Althorne



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Maldon District Council 100018588 2014

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Scale: 1:1,250

Organisation: Maldon District Council

Department: Department

Comments: SE Committee 16/0604/HOUSE

Date: 03/08/2016

MSA Number: 100018588



MALDON DISTRICT COUNCIL

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the west side of Summer Hill, within the development boundary of Althorne. A detached two storey property currently occupies the site. The existing dwelling is a similar scale and design to those within the immediate vicinity although the individual design varies. Open fields lie to the rear of the site with a public footpath running north. This site is one of three with detached garages located on the site frontage.
- 3.1.2 Planning permission is sought for a two storey rear extension, internal remodelling and insertion of obscured windows to existing first floor side elevation. The proposed extension will project from the rear elevation by a maximum of 3 metres; will be around 10.7 metres wide, a maximum of 5 metres to the eaves and 8 metres to the ridge. Materials are to match the existing dwelling.
- 3.1.3 The proposal would provide an enlarged kitchen and dining area at ground floor level and an additional bedroom and bathroom at first floor level.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development, by reason of its scale and design would not harm the appearance or character of the dwelling and the locality or have an overbearing impact on the amenity of the neighbouring residents. In addition, the proposed development does not detrimentally impact on the provision of amenity space and car parking provision. It is therefore considered that the proposed development is in accordance with policies BE1, BE6 and T8 of the RLP and T2, D1 and H4 of the 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 2012 including paragraphs:

- 56
- 58
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4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- BE1 - Design of New Development and Landscaping.
- BE6 – Extensions to dwellings
- T8 - Vehicle Parking Standards.

4.3 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- D1 - Design Quality and Built Environment.

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Car Parking Standards
- Essex Design Guide
- National Planning Policy Guidance (NPPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The principle of altering and extending the dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with BE6 of the RLP and H4 of the emerging LDP. Other material planning considerations are discussed below.

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, livable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design sought to create a high quality built environment for all types of development.
- 5.2.2 The application site is located in a residential setting which features a mixture of architectural styles and dwellings of varying sizes. It is proposed to erect a two storey extension to the rear of the existing dwelling and remodel the internal layout, to create an enlarged kitchen and dining area at ground floor level and an additional bedroom and bathroom at first floor level.
- 5.2.3 The design of the proposed extension is of some architectural merit as it would reference the style and visual cues of the existing dwelling with the extension comprising of two gable ended pitched roofs, it should also be noted that the extension would be set down from the ridge. The overall design, including the scale, bulk, height of the ridge and the proportions of the extension are considered to be in keeping with the existing dwelling. In addition to this the proposed extension is located to the rear of the property therefore, would have a limited impact on the character and appearance of the streetscene. It is noted that there is a public footpath that runs to the west of the site; however, due to the existing screening between Upper Chase and 'Half Way House' it is not considered the proposed extension would be highly visible. As such, the proposal by reason of its siting, scale and bulk is considered to be acceptable.
- 5.2.4 All materials would match those used on the dwelling ensuring that it harmonises with the general character and appearance of the existing dwelling.
- 5.2.5 The proposed development is therefore, considered acceptable in terms of scale, bulk and height would not result in a detrimental visual impact on the main dwelling or on the character and appearance of the area, in accordance with the stipulations of adopted policies BE1 and BE6 of the RLP and Policies D1 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 Policies BE1 and BE6 of the RLP protect neighbouring occupiers from unacceptable development which results in a loss of amenity in relation to overlooking, overpowering or undue reduction of light to the main windows of their property. Similarly, the basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.
- 5.3.2 The proposed extension is around 1m away from the boundaries of the neighbouring properties to the north and south. 'Tree House' projects 2.8m past the rear of 'Little Foxes' at present. The proposed extension would project slightly further than the rear of 'The Tree House' and no further than the rear conservatory of 'Half Moon House'.
- 5.3.3 'Tree House' which is the neighbouring property to the north of 'Little Foxes', has two windows in its flank elevation, one of which serves a utility room and one of which serves the dining area within the kitchen. Concerns have been raised over the loss of light to the flank windows. The utility room is not a habitable room; loss of light to this area carries limited weight. The window to the kitchen's dining area would be affected by the proposed extension. However, this window is not the only source of light to the kitchen and the reduction in light to this area of the room and the borrowed light it provides to the hallway is not considered to represent a sufficient reason for refusal.
- 5.3.4 'Half Moon House', which is the neighbouring property the south of 'Little Foxes' has a conservatory to the rear of the property. The proposed extension would extend no further than the conservatory and there are no principle windows in its flank elevation. Therefore, the loss of light and overlooking would be minimal. It should be noted no letter of representation has been received by the occupiers of this property.
- 5.3.5 No windows are proposed within either side elevations, of the proposed extension, at first floor level. Therefore, it is not considered that the proposed development would result in significant overlooking to the neighbouring properties. In addition the applicants have proposed to change the existing windows on the north and south elevations to obscure glass.
- 5.3.6 The 45° daylight assessment has been undertaken it passes the assessment in plan view. Therefore, the impact on the level of light received on the closest ground floor window on the front elevations of the adjoining properties will not be significant to such a degree as to results in a demonstrable impact on the amenity of the adjacent dwelling.
- 5.3.7 It is considered that any concerns regarding overshadowing, overlooking and undue reduction of light are not considered to result in any demonstrable harm to the neighbouring occupiers and is, therefore, in compliance with Policy BE1 of the RLP and Policy D1 of the emerging LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Adopted Policy T8 of the RLP seeks to ensure that appropriate off-street parking is provided in conjunction with new development. Likewise, policy D1 of the LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards. The adopted Maldon District Vehicle Parking Standards SPD sets out that a dwelling with four or more bedrooms such as this; the standard is a maximum of three spaces. The Parking Standards are expressed as maximum standards and Government guidance encourages the reduction in the reliance on the car and promoted methods of sustainable transport.
- 5.4.2 The proposed development will result in the creation of an additional bedroom, resulting in a five bedroom dwelling.
- 5.4.3 The site currently provides for at least three spaces and therefore, satisfies the Council's adopted standards. The proposed development will not have a detrimental impact on the provision of vehicle parking on the site and is, therefore, in accordance with the stipulations of Policy T8 of the RLP.

5.5 Private Amenity Space and Landscaping

- 5.5.1 The Essex Design Guide advises a suitable garden size is commonly recognised as 100m². The proposed development will result in the creation of an additional bedroom, resulting in a five bedroom dwelling.
- 5.5.2 The existing garden on the site satisfies the standard contained within the Essex Design Guide, and whilst the proposed development will result in a loss of some of the garden the remaining garden will be in excess of the standard and therefore, there is no objection to the proposal in relation to amenity space.

6. SITE HISTORY

- It is noted that application reference 04/00275/FUL for a two storey rear extension was refused on 27/05/2004 however; no planning weight will be given to this decision as the policies used to determine this application have been superseded.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Althorne	Support	Noted

7.2 Representations received from Interested Parties

- 7.2.1 Letters were received **objecting** to the application from the following and the reasons for objection are summarised as set out in the table below:

- Mr Douglas Channer - The Tree House Summerhill Althorne Essex

Objection Comment	Officer Response
<ul style="list-style-type: none"> • Loss of light to neighbouring properties • Out of keeping with adjacent dwellings • Would appear incongruous, discordant and obtrusive • Visible from adjacent public footpath • Loss of amenity in relation to overlooking • Does not accord with local policies in relation to impact on neighbors, loss of light and overlooking 	Addressed within sections 5.2 and 5.3 of the report.

8. **PROPOSED 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) of The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON: In order to ensure that the development is carried out in accordance with the approved details.
- 3 The external surfaces of the development hereby approved shall be constructed of materials and finish to match the existing dwelling.
REASON: To protect the amenity and character of the area in accordance with BE1 of the adopted Maldon District Replacement Local Plan.
- 4 Prior to the first occupation of the extension hereby permitted, the existing first floor windows in the northern and southern elevation shall be glazed with opaque glass as per drawing reference: 200 Rev P2 and shall be retained as such thereafter.
REASON: To protect the amenity and character of the neighboring occupiers in accordance with BE1 of the adopted Maldon District Replacement Local Plan

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee which took the decision to grant planning permission as the proposal has been considered acceptable.