



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**CENTRAL AREA PLANNING COMMITTEE
19 OCTOBER 2022**

Application Number	22/00346/FUL
Location	27 Mundon Road, Maldon, Essex, CM9 5JT
Proposal	Single storey detached granny annexe
Applicant	Mr Christopher Drummond
Agent	Mr Tony Rymill
Target Decision Date	10.05.2022 EOT – 01/07/2022
Case Officer	Nicola Ward
Parish	MALDON
Reason for Referral to the Committee / Council	Applicant is Member of staff

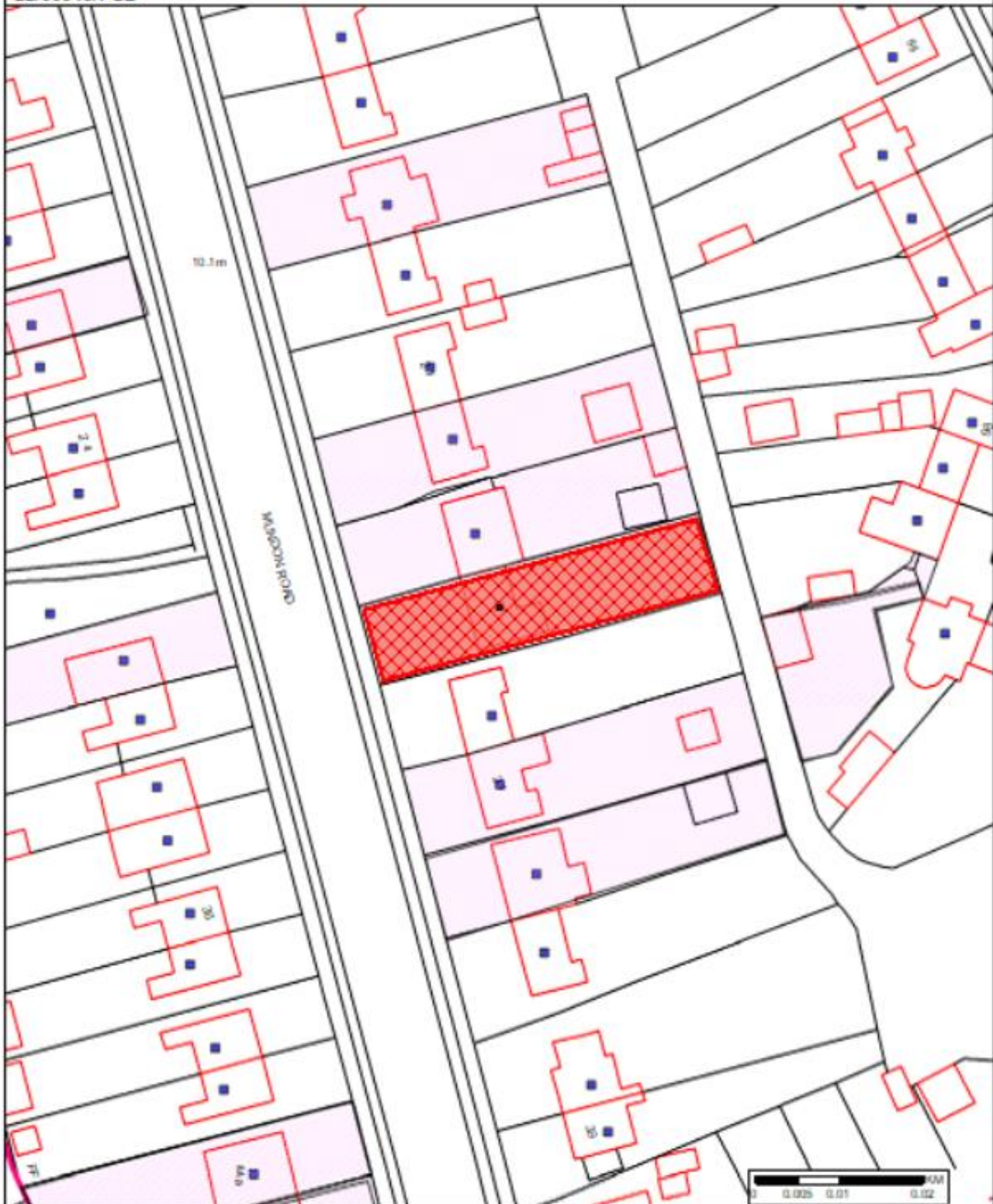
1. **RECOMMENDATION**

APPROVE subject to conditions as detailed in Section 8.

2. **SITE MAP**

Please see below.

27 Mundon Road, Maldon
22/00346/FUL



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MALDON DISTRICT COUNCIL

www.maldon.gov.uk

Scale: 1:625

Organisation: Maldon District Council

Department: Department

Comments: Central Area Committee

Date: 09/06/2022

MSA Number: 100018588

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 Mundon Road, in a residential setting within the settlement boundary of Maldon. The main form of development in the area consists of semi-detached two-storey dwellings of similar designs. The site is currently occupied by a semi-detached two-storey dwellinghouse.

3.1.2 Planning permission is sought for a detached annexe for the applicant's mother. The annexe would contain one bedroom with dressing area, a combined kitchen / dining / living area, and a bathroom. The proposed annexe is an 'L' shape, and the northern element of the proposed building would have a length of 7.5 metres and a width of 3.4 metres and the southern element of the proposed building would have a length of 5 metres and a width of 4.6 metres. The building would have an eaves height of 2.4 metres and a ridge height of 4 metres. The materials proposed in the construction would be Marley Cedral lap weatherboard cladding in cream / white, Rivendale blue / black slate with red ridge tile detailing and UPVC windows that match that of the host dwelling.

3.2 Conclusion

3.2.1 It is officers' position that the application satisfactorily demonstrates that the proposed detached annexe would provide a residential annexe accommodation consistent with the aims and objectives of Maldon's Planning policies and guidance. The development meets the relevant criteria of a functional link with and a dependency on the host dwelling and would be integrated with the site as a whole. By reason of its location, size, height and design the development 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 does not detrimentally impact on the provision of amenity space and car parking. It is therefore considered that the proposed development is in accordance with the relevant policies contained within the Local Development Plan (LDP) and the guidance contained within the adopted Specialist Needs Housing Supplementary Planning Document (SPD).

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
- 54 – 57 Planning conditions and obligations
- 119 – 123 Making effective use of land
- 126 – 136 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

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The proposal relates to the construction of a detached annexe within the garden area of the application site. The internal layout would have living / dining / kitchen area, one bedroom, dressing room and one bathroom. The floor plans show the development would include a fully functioning kitchen with sink, cooker, fridge freezer and provisions for a washer / dryer and the dressing area is attached to the bedroom. The entrance is accessed via double doors that lead directly into the living / dining / kitchen area.
- 5.1.2 It is a conventional expectation that annex accommodation will be ancillary to the host dwelling and good practice for the accommodation to have a functional link, shared services, amenities, and facilities. It is also an expectation for there to be a level of dependence on the occupants of the host dwelling by the occupants of the annex.
- 5.1.3 In addition to the above, the Specialist Needs Housing SPD, which was adopted in September 2018, states that proposals for annex accommodation will not only be required to meet the criterion in policy H4 but also the criterion within the SPD which is as follows:
- 1) *Be subservient/subordinate to the main dwelling;*
 - 2) *Have a functional link with the main dwelling (i.e. the occupants' dependant relative(s) or be employed at the main dwelling);*
 - 3) *Be in the same ownership as the main dwelling;*
 - 4) *Be within the curtilage of the main dwelling and share its vehicular access;*
 - 5) *Be designed in such a manner to enable the annex to be used at a later date as an integral part of the main dwelling;*
 - 6) *Have no separate boundary or sub-division of garden areas between the annex and the main dwelling; and*
 - 7) *Have adequate parking and amenity facilities to meet the needs of those living in the annex and the main dwelling.*
- 5.1.4 Criterion 1 will be assessed in the design section below but, in terms of the amount of accommodation proposed, a one-room annexe is considered to be subservient to the

existing three-bedroom dwelling. Therefore, the annexe would be subordinate / subservient, in accordance with criterion 1.

- 5.1.5 In regard to criterion 2, the design and access statement submitted with the application states the proposed annexe is to be used by the applicant's mother and father, who are both in ill health and require medication to be dispensed. Whilst it is noted that the proposed annexe would provide for all the needs of those using the facilities and would not rely on the main dwellinghouse for facilities such as a kitchen or bathroom, due to the occupiers being dependants of the application it is considered that there is a functional link between the outbuilding and the main dwelling and Criterion 2 has been satisfied.
- 5.1.6 The application site / annexe would be within the same ownership as the main dwellinghouse therefore criterion 3 is satisfied. Additionally, the development would share the same access as the main dwelling so satisfying criterion 4. Whilst it is noted that to the rear of the application site is Finches Mews a condition has been attached to ensure that the annexe remains part of the main dwelling and is not accessed separately nor used as a separate dwelling. Therefore, there is no objection to the principle of the development in this regard.
- 5.1.7 It is considered, due to the detached outbuilding being in the rear of the garden, that the outbuilding could be used at a later date as an integral part of the main dwelling for such things like garden storage or a summer house. Therefore, criterion 5 can be satisfied.
- 5.1.8 The block plan shows both the main dwellinghouse and the proposed annexe would have a shared garden area and would satisfy criterion 6.
- 5.1.9 Whilst the parking spaces are not shown on the proposed block plan submitted, when measured it is considered that there would be enough space on the shared driveway for 3 / 4 vehicles. Whilst the applicant has not advised the number of bedrooms with the host dwelling it is noted from floor plans of a pending application '22/00672/HOUSE' that the main dwellinghouse has 3 bedrooms. Therefore, adequate provisions could be made. It is therefore considered that criterion 7 would be satisfied.
- 5.1.10 For the reasons above, it is considered that due to its location, scale, and subservience in relation to the main dwelling, conditions could be imposed to ensure that the development would comply with the majority of the criteria set out above. Whilst the building would have some facilities, it is considered that there is no preclusion from this within the abovementioned guidance and the 'subordination' in this regard could be secured through the imposition of a condition. Therefore, it is considered appropriate to impose a suitable condition to ensure the building will be used as ancillary accommodation and not an independent dwelling, which would not be an acceptable form of development in this location.

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 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 (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. As such architectural style, use of materials, detailed design features and construction methods are important considerations, particularly in respect of the following:
- Height, size, scale, form, massing and proportion;
 - Landscape setting, townscape setting and skylines;
 - Layout, orientation, and density;
 - Historic environment particularly in relation to designated and non-designated heritage assets;
 - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
 - Energy and resource efficiency.
- 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 The proposed annex would be a pitched roofed building with two windows within the rear elevation to serve the bathroom and the kitchen area. An access door is proposed to the front elevation. The proposed internal layout would consist of a bedroom with dressing area, living / kitchen / dining area, and a bathroom.
- 5.2.7 The proposed building would be located to the east of the host dwelling, within the rear amenity space of the site. The rear boundary of the application site sits adjacent to Finches Mews. Due to this and the overall height of the annex of 4m, the development would be visible from public vantage points, when travelling north along this road. However, the building is set over 1 metre from the rear boundary fence, and with its eaves at 2.5m parallel to the boundary fence and the ridge at 4m height and over 3.5m from the fence, the impact on the street scene would not be significant. It should also be noted also that the proposed annexe would replace existing outbuildings which currently contribute to a built form close to and above the existing fence and visible from the rear service road.
- 5.2.8 The proposed outbuilding would increase the built form at the site by 49m² however, due to the single storey nature of the proposed building and the spacious nature of the site, it is not considered that this addition would result in overdevelopment of the site. Furthermore, notwithstanding its use, the building itself is akin to works allowed under permitted development, with regards to its scale and design, and is similar to other outbuildings within the wider locality in particular, the outbuilding located with the rear amenity space of number 25 Mundon Road.

- 5.2.9 The proposed annex would be constructed of timber to the external walls with a slate tiled pitched roof, and PVC windows and door which are materials commonly found for residential outbuildings of this nature. Therefore, the materials and appearance of the proposed annex would be in keeping with its setting.
- 5.2.10 Having regard to the points raised above it is considered that the proposed development as a result of its siting, design and scale would be in accordance with policies D1 and H4 of the Maldon District Local Development Plan.

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 Maldon District Design Guide (2017).
- 5.3.2 The application site is boarded by two residential properties number 25 Mundon Road to the north and number 29 Mundon Road to the south.
- 5.3.3 The proposed outbuilding will be 1m from the neighbouring boundary of number 25 Mundon Road and 1m from the neighbouring boundary of number 29 Mundon Road. However, the proposed outbuilding would be located at the end of the rear amenity space of the application site therefore, the proposed outbuilding would be sited in excess of 10m from the neighbouring dwellings of numbers 25 and 29 Mundon Road. It is considered that given the distance from neighbouring dwellings and the single storey nature of the proposed outbuilding, the proposed development would not have a detrimental impact on the amenity of adjoining neighbours by way of overbearing, overpowering or loss of light.
- 5.3.4 Having regard to the above it is not considered that the development would be detrimental to the existing on neighbouring occupiers' amenity, nor the occupiers of the proposed outbuilding.

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 number of bedrooms at the application site (including the existing house) would increase from three to four and thus the vehicle parking requirement at the site would be three vehicle spaces. Whilst no details have been provided on the plans to show the siting of the parking arrangements, it is noted that there is an existing hardstanding located to the front of the existing dwelling which is to remain and at approximately 100m² could comfortably accommodate three vehicles. Therefore, there is no objection in this regard.

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 by 49m², it would not result in the level of private amenity space being below the 100m² minimum standard recommended in the SPD. Therefore, the proposal is in compliance with Policy D1 of the LDP.

6. ANY RELEVANT SITE HISTORY

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

Application Number	Description	Decision
17/00377/HOUSE	Front extension, render existing walls & vehicle crossover	Approved
22/00672/HOUSE	Single storey rear extension.	Pending Consideration

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 Representations received from Interested Parties

- 7.2.1 No letters of representation for the application have been received.

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) 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: Design and Access Statement, 1 Proposed & Existing Block Plan and Roof Plan, 2 Elevations, 3 Proposed Floor Plans
REASON To ensure that the development is carried out 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.

- 4 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of the dwelling known as 27 Mundon Road, Maldon and shall not be used as a separate dwelling unit.

REASON To ensure that the development is carried out in accordance with the details as approved and in the interests of the amenity of the area in accordance with policies S8, D1 and H4 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.