



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

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

Application Number	22/00672/HOUSE
Location	27 Mundon Road, Maldon, Essex, CM9 5JT
Proposal	Single storey rear extension.
Applicant	Ms Jaqueline Drummond
Agent	Mr Tony Rymill
Target Decision Date	21.07.2022
Case Officer	Nicola Ward
Parish	MALDON
Reason for Referral to the Committee / Council	Applicant is Member of staff

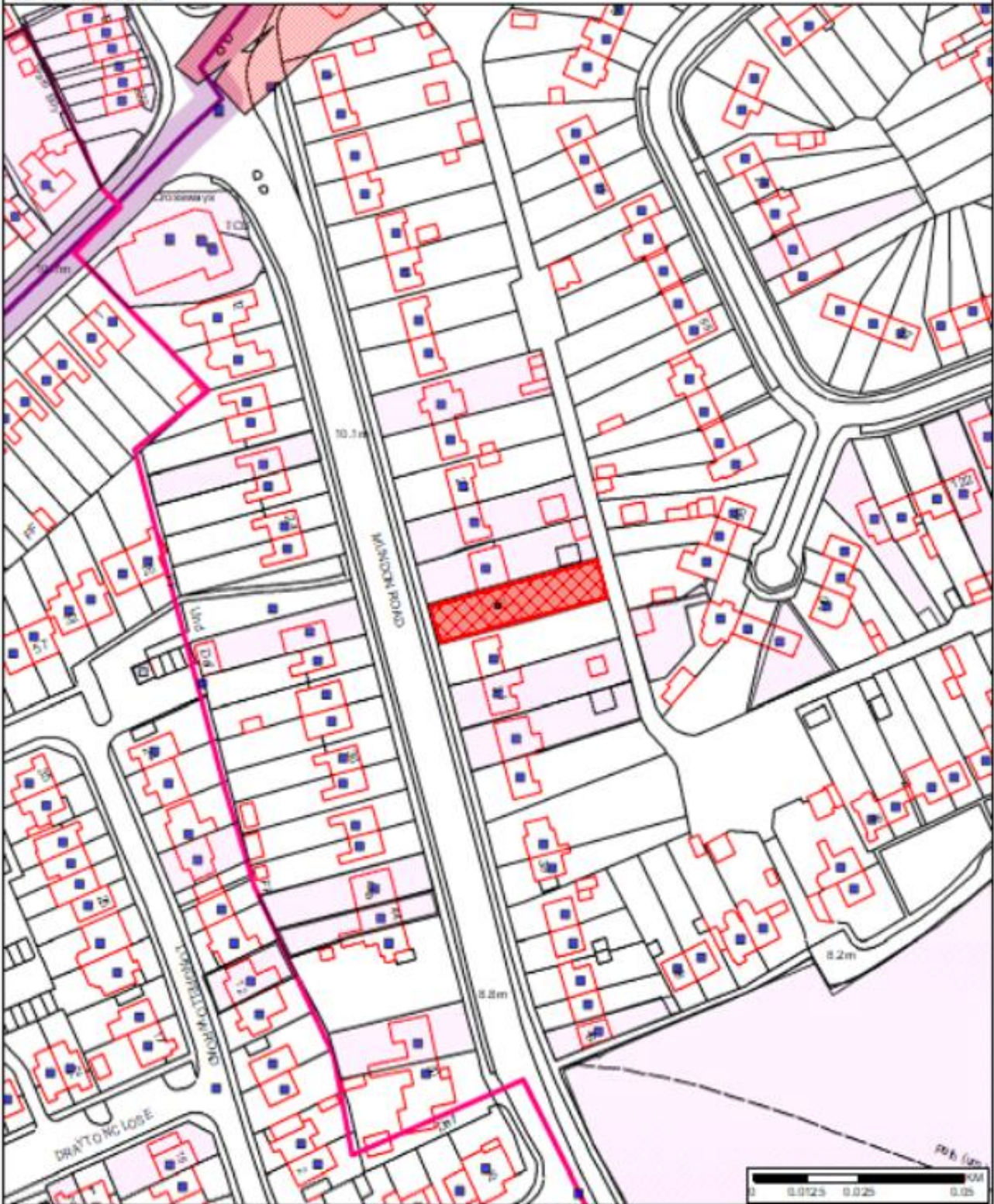
1. **RECOMMENDATION**

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

2. **SITE MAP**

Please see below.

27 Mundon Road
22/00672/HOUSE



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



www.maldon.gov.uk

Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	Central Area Committee
Date:	08/09/2022
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 single storey rear/side extension. The proposed extension would measure 5.4m in width, 8m in depth, 2.5m to the eaves with an overall height of 3.7. The proposed materials are to be painted render, plain tiles and UPVC windows and doors. The proposed extension is to provide ground floor living accommodation for the applicant's parents, including one bedroom and an en-suite.

3.2 Conclusion

3.2.1 It is considered that the development by reason of its design would not cause detrimental harm upon the character and appearance of the area. However, in terms of its scale and size the proposal would result in an overbearing and unacceptable impact on the residential amenity of the neighbouring occupiers of 25 Mundon Road. The development is, therefore, is not in accordance with policies D1 and H4 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

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 Supplementary Planning Document (SPD) (MDDG)
- Maldon District Vehicle Parking Standards SPD

5. **MAIN CONSIDERATIONS**

5.1 **Principle of Development**

- 5.1.1 The principle of extending 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.
- 5.1.2 Notwithstanding the above, the proposed extension would accommodate an annexe. It is a conventional expectation that annexe accommodation will be ancillary to the host dwelling and that the accommodation would 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 annexe.
- 5.1.3 In addition to the above, the Specialist Needs Housing SPD, which was adopted in September 2018, states that proposals for annexe 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 annexe 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 annexe and the main dwelling; and*
 - 7) *Have adequate parking and amenity facilities to meet the needs of those living in the annexe and the main dwelling.*
- 5.1.4 In relation to criterion 1, it is not considered that the proposed annexe will be a subordinate or subservient addition due to its scale and bulk in relation to the host dwelling. This is addressed further in section 5 of the report below.
- 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 the father requires medication to be dispensed. The proposed annexe provides one bedroom and an en-suite with all other day to day needs i.e., cooking and laundry facilities within the main dwellinghouse. Therefore, it is considered that there is a functional link between the annexe and the main dwelling and Criterion 2 has been satisfied.
- 5.1.6 The proposal has been designed partly as an extension of the existing house to its rear and incorporated into it, with the bedroom to the front of the house. Given its layout, the communal passageway and the shared kitchen, reception room and access to toilet conveniences, the annexe would be an integral part of the dwelling. It is clear the annexe would remain in the same ownership as the main dwelling, therefore, criterion 3 has been satisfied.
- 5.1.7 The annexe would be within the curtilage of the main dwelling and would have a shared vehicle access and therefore criterion 4 is satisfied.

- 5.1.8 It is considered, based on the plans submitted, that the proposed internal layout of the development at ground floor level would enable the development to be integrated into the main dwelling at a later date. Therefore, criterion 5 would be satisfied.
- 5.1.9 The block plan shows both the main dwellinghouse and the proposed annexe would have a shared garden area and would satisfy criterion 6.
- 5.1.10 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.
- 5.1.11 Based on the above assessment, it is considered that the proposal complies with the stipulations of the annexe criteria as set out within the Specialist Needs Housing SPD.

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 internal layout of the proposed extension would provide one bedroom and an en-suite. The proposed extension would be attached to an existing extension that appears to have been constructed under permitted development.
- 5.2.7 The proposed extension would increase the footprint of the host dwelling by 43.2m² which is considered to be a modest increase in built form. However, due to the spacious nature of the application site and the single storey height of the extension proposed, it is considered that the proposal would not result in a cramped form of development or would be a dominant addition to the host dwelling. The proposed rear / side extension is single storey and would appear as a subservient addition to the host dwelling. Furthermore, being positioned to the rear of the dwelling, the extension would not be visible from the public realm and so would not result in any undue harm to the character or appearance of the locality or the host dwelling.
- 5.2.8 The proposed external materials are to be painted render and plain tiles which are considered to match that of the host dwelling. Whilst it is noted that the colour has not been specified a condition could be imposed to ensure that the materials are to match that of the host dwelling. Therefore, subject to the relevant condition no concerns are raised in relation to the external materials proposed.
- 5.2.9 Therefore, it is considered that the proposal, by reasons of its scale, design, and appearance, subject to appropriate conditions relating to the external materials, would not result in a demonstrable harm to the character and appearance of the existing dwelling and the locality 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 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 extension will be on the shared boundary with number 25 Mundon Road. The proposed extension would project a further 5m than the existing extension sited at 25 Mundon Road and host a parapet that would run along the boundary of this neighbouring property. The proposal would have an overall height of 3.7m which would sit 0.3 higher than the existing extension at 25 Mundon Road and 1.2m higher than the existing boundary.
- 5.3.4 It is noted that 25 Mundon Road has a ground floor rear facing window which it is believed to serve a living room sited 0.5m from the shared boundary. It is considered that the proposed extension with a depth of 5m beyond the rearmost wall of No. 25 Mundon Road and its close proximity, would create the feeling of enclosure and overbearingness to the ground floor window of that property, thus resulting in a detrimental impact on the amenities of that neighbouring property. Furthermore, the southerly position of the extension relative to the neighbouring window would have some impact on sunlight in the afternoon. However, given its single storey nature and height above the fence (1.2m) it is not considered the extension would have a

significant impact on sunlight for the proposal to be considered unacceptable for this reason alone.

5.3.5 The proposed would be located 5.1m from the neighbouring boundary of Number 29 Mundon Road. It is considered that due to the single storey nature of the proposal and the distance of separation, there would be no impact on the amenity of that neighbouring property.

5.3.6 Based on the above however, it is considered that the development would represent an unneighbourly form of development, by way of an unacceptable overbearing and dominate impact on the neighbouring occupiers of 25 Mundon Road, contrary to the stipulation of D1 and H4 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 number of bedrooms at the application site is proposed to increase from three to four and thus the vehicle parking provision requirement at the site would not increase. 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 measuring 110m², located to the front of the existing dwelling which is to remain and 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 43.2m², 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
22/00346/HOUSE	Single storey detached granny annexe	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. REASON FOR REFUSAL

- 1 The proposed extension, due to its siting, bulk, height, and excessive depth, is considered an unneighbourly development likely to have a domineering and overbearing impact on the amenities of the neighbouring property. The proposal would thereby be contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.