



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
14 FEBRUARY 2024**

<b>Application Number</b>	<b>23/01218/HOUSE</b>
<b>Location</b>	8 Glendale Road, Burnham-on-Crouch, CM0 8LY
<b>Proposal</b>	Single storey rear extension to be used as annexe accommodation including alterations to existing garden room to facilitate the development.
<b>Applicant</b>	Mrs J Hurley
<b>Agent</b>	Mr Chris Cumbers
<b>Target Decision Date</b>	21.02.2024
<b>Case Officer</b>	Hayley Sadler
<b>Parish</b>	<b>BURNHAM NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Councillor W Stamp has called in the application for the following policy reasons: Local Development Plan, policy D1 (Design Quality and Built Environment) & policy H4 (Effective Use of Land)

**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see below.

# 8 Glendale Road - Burnham on Crouch

23/01218/HOUSE



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Scale: 1:625

Organisation: Maldon District Council

Department: Department

Comments: South East Area Committee

Date: 10/01/2024

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 Glendale Road within the settlement boundary of Burnham-on-Crouch. The site is occupied by a detached bungalow. The surrounding area is residential with dwellings of varying design.
- 3.1.2 Planning permission is sought for a single storey rear extension to be used as annexe accommodation.
- 3.1.3 The single storey rear extension would measure 3.9 metres in width, 10 metres in depth and an overall height of 2.7 metres. The proposed extension would have a flat roof with high level windows proposed to the side (north) elevation as well as two sets of double doors and one window proposed to the side (south) elevation.
- 3.1.4 The development will provide accommodation in the form of a day room, bedroom, en-suite and utility room.
- 3.1.5 Part of the existing detached garden room is to be demolished.
- 3.1.6 The materials proposed in the construction would be man-made weatherboarded walls as well as a single layer roof membrane and anthracite UPVC windows which would match the existing dwelling.
- 3.1.7 The submission follows the refusal of planning permission for the same description of development (reference 23/00987/HOUSE). The reason for refusal was as follows:
- 1 *The proposed development due to its design, size and position, would not be a sympathetic or subservient addition to the existing dwelling to the detriment of the character and appearance thereof and the surrounding area. Therefore, the development would be unacceptable and contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.*
- 3.1.8 The current application seeks to overcome these concerns by a reduction in the width and depth of the extension proposed.

#### **3.2 Conclusion**

- 3.2.1 The proposed rear extension by reason of its size, appearance and position would not be a sympathetic or subservient addition to the existing dwelling which would be detrimental to the character and appearance thereof and the surrounding area. However, the proposed development does not detrimentally impact on the amenity of neighbours, the provision of amenity space or car parking provision. Whilst it is noted that the application has been amended from the previous application it is not considered that these amendments have overcome the concerns with the previously refused application. The proposed development is not in accordance 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 including paragraphs:**

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-14 Presumption in favour of sustainable development

- 38 Decision-making
- 47-50 Determining applications
- 55-58 Planning conditions and obligations
- 123-130 Making effective use of land
- 131-141 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:

- Burnham-on-Crouch Neighbourhood Development Plan
- National Planning Policy Framework (NPPF)
- Maldon District Design Guide (MDDG) (2017)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD)
- Maldon District Specialist Needs Housing SPD

### 5. MAIN CONSIDERATIONS

#### 5.1 Principle of Development

- 5.1.1 The principle of extending an 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 The proposal relates to the construction of a rear extension at the application site to provide a one bedroom annexe. The proposed annexe would consist of a bedroom, en-suite, day room and utility room which could only be accessed internally from an existing open plan kitchen/dining/living room.
- 5.1.3 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 annexe.
- 5.1.4 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 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.*

- 5.1.5 In regard to Criterion 1 the proposed annexe would be formed as a result of an extension to the host dwelling and would be considered to be a subservient addition to the host dwelling in terms of its extent and proposed use in the context of the size and footprint of the host dwelling. Furthermore, the proposed annexe would not be a standalone building and would have a physical connection to the host dwelling. However, this matter is discussed further below in relation to the visual impact of the development proposed in section 5.2 of this report. Based on that assessment, it is not considered that the requirements of criterion 1 have been met.
- 5.1.6 In regard to criterion 2, the application form and Planning Statement state the annexe would be used by an elderly family member. As the host dwelling and annex would be occupied by members of the same family and the accommodation proposed would be an integral part of the host dwelling, there would be a functional link with the main dwelling. Criterion 2 has, therefore, been satisfied.
- 5.1.7 The proposed extension would be within the same ownership as the main dwellinghouse which satisfies criterion 3. Additionally, the development would be within the same curtilage and share the same access as the main dwelling so satisfying criterion 4.
- 5.1.8 As the proposed development would be provided in the form of an extension to the existing dwelling, the additional accommodation could be used as an integral part of the main dwelling at a later date, particularly if some internal works were undertaken which would not require planning permission. Therefore, on balance, criterion 5 would be satisfied.
- 5.1.9 The block plan submitted does not include any proposed subdivision of the remaining garden area to create separate gardens which would satisfy criterion 6. Furthermore, it is noted that subdivision could not easily be achieved as the annexe would be joined to the host dwelling and this matter can be addressed through the imposition of conditions if planning permission were to be granted.
- 5.1.10 Based on the assessment of parking and amenity space provision in sections 5.4 and 5.5 below, the requirements of criterion 7 would be satisfied.
- 5.1.11 Based on the above, it is considered that the development, would result in the creation of accommodation that would not be ancillary to the dwellinghouse. For the reasons given above, and it is considered that the principle of the development is not acceptable in this instance.

## **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 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 existing dwelling is a modest, single storey bungalow of a relatively traditional design. The proposed extension would extend the rear elevation of the previously extending dwelling by a further 10 metres and would project from the side elevation of the host dwelling by 1.2 metres which, given the separation distance from the neighbouring dwelling to the north (no.10), would result in the extension being visible within the streetscene of Glendale Road, particularly when travelling from north to south. The previous extension was a flat roofed rear/side extension which extended across the width of the original dwelling with the addition of 3 metres in width on the southern side and an additional 7 metres in depth. The proposed extension would add a further projection of considerable depth (10 metres) and additional width to the northern side of the host dwelling. Whilst the proposed extension would also have a flat roof and would have a maximum height which would be 0.31 metres lower than the previous extension, as a result of its size and position, the addition would result in an expanse of development to the rear of the dwelling that would not be a visually subservient addition to the dwelling. The flat roof design would also lack architectural merit. Therefore, it is considered that the proposed development, by reason of its size, design/appearance and location within the application site would harm the character and appearance of the existing dwelling and the surrounding area, contrary to 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 MDDG (2017).
- 5.3.2 The application site is bordered by three neighbouring properties, No.10 Glendale Road to the north, No.6 Glendale Road to the south and No.46 Glebe Way to the west.
- 5.3.3 The proposed single storey extension would sit 1.1 metres from the boundary shared with No.10 Glendale Road. Whilst it is noted that four high level windows are proposed to the side elevation facing this neighbouring property, No.10 has a single storey pitched roof outbuilding along this shared boundary which projects approximately 10 metres beyond the rear elevation of the host dwelling subject to this application. Due to the position of this structure that is also higher than the development proposed, it is considered the proposed windows would not detrimentally impact upon the neighbouring occupiers by way of overlooking. Furthermore, whilst the extension would be positioned in close proximity to the shared boundary, the development would not result in overshadowing or be unduly overbearing taking into account the existence of the abovementioned outbuilding within the garden of No.10.
- 5.3.4 The proposed development would sit approximately 7 metres from the boundary shared with No.6 Glendale Road. The proposed extension would be single storey with a flat roof and, whilst a window and doors are proposed to the side elevation facing the garden of No.6, due to this separation distance and intervening screen fencing, it is not considered that the proposed extension would detrimentally impact upon the amenity of neighbouring occupiers by way of a loss of privacy, overshadowing or by being unduly overbearing.

5.3.5 The proposed development would sit approximately 6.7 metres from the boundary and over 25 metres from the dwelling itself in relation to the neighbouring property to the west. Due to this separation distance, the proposed development would not result in an unneighbourly form of development.

5.3.6 Therefore, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of 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 The proposed development would result in the creation of one additional bedroom on site. This would increase the bedrooms on site from two to three bedrooms, but the proposed development would not reduce the availability of on-site parking. There is hardstanding to the front of the property to accommodate at least three vehicles which would be sufficient to comply with the adopted parking standards for a three bedroom dwelling. Therefore, no objection is raised in relation to traffic and transport issues.

#### **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 100m<sup>2</sup> of private amenity space for dwellings with three or more bedrooms and 50m<sup>2</sup> for smaller dwellings.

5.5.2 The proposed development would reduce the size of the garden but would not result in the level of private amenity space being below the minimum standard recommended in the SPD for a three bedroom dwelling. Therefore, the proposal is in compliance with Policy D1 of the LDP.

### **6. ANY RELEVANT SITE HISTORY**

- **BUR/14/60** – Residential Development, Approved
- **20/00010/HOUSE** - Alterations and extensions to existing single storey dwelling to create a two storey dwellinghouse, Refused and allowed on appeal – 9 November 2020
- **20/00904/HOUSE** - Single storey side/rear extension to existing detached dwelling, Approved – 29 October 2020
- **22/01232/HOUSE** - Erection of first floor to form a two-storey dwelling with supporting pillars at ground floor, Approved – 15 February 2023
- **23/00987/HOUSE** - Single storey rear extension to be used as annexe accommodation, Refused – 8 December 2023

### **7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

#### **7.1 Representations received from Parish / Town Councils**

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Burnham-on-Crouch Town Council	No comment	Noted

## **7.2 Representations received from Interested Parties**

7.2.1 No letters of representation have been received.

## **8. PROPOSED REASON FOR REFUSAL**

- 1 The proposed development due to its design, size and position, would not be a sympathetic or subservient addition to the existing dwelling to the detriment of the character and appearance thereof and the surrounding area. Therefore, the development would be unacceptable and contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.