



**REPORT of  
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION**

---

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
17 JULY 2024**

<b>Application Number</b>	<b>24/00170/HOUSE</b>
<b>Location</b>	Oak Cottage, Howe Green Road, Purleigh, Chelmsford, Essex, CM3 6PZ
<b>Proposal</b>	Proposed two-storey extension with a glass link and alterations to fenestration including removal of existing porch and replacement porch canopy. New cart lodge and associated hard and soft landscaping to front and rear including patio area with outdoor kitchen, oil tank and air con unit.
<b>Applicant</b>	Mr Stuart Bushby
<b>Agent</b>	Miss Dominika Zakowana
<b>Target Decision Date</b>	02.05.2024
<b>Case Officer</b>	J.Kirkaldy
<b>Parish</b>	<b>PURLEIGH</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Councillor S White regarding Policies S1 & D1

**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see below.

**24/00170/HOUSE**

Oak Cottage, Howe Green Road, Purleigh Chelmsford



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

Scale:	1:750
Organisation:	Maldon District Council
Department:	Department
Comments:	Not Set
Date:	25/06/2024
MSA Number:	100018588

### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site is situated on the western side of Howe Green Road which is located between Purleigh and Cold Norton. It is situated outside of the defined development boundary.
- 3.1.2 The site is occupied by a detached two storey 4-bedroom dwelling set back within the plot with a single detached garage to the frontage, positioned forward of the front elevation for the dwelling. The dwelling was originally constructed in the 1600s but has undergone extensions in the 1950s. The site is in an elevated position from Howe Green Road.
- 3.1.3 There is residential development to the north and south and Howe Green Farm is to the east. To the west is open countryside.
- 3.1.4 The site is located within Flood Zone 1.
- 3.1.5 Planning permission is sought for the erection of a two storey extension and a glazed link. It is proposed to demolish the existing garage and erect a cart lodge.
- 3.1.6 The submitted covering letter states that, 'the proposed extension will offer additional room for flexible adaptation and reconfiguration of existing spaces, while also providing a central communal area for residents to utilise and appreciate. Although the house is being listed as a 4-bedroom cottage, factually there are only 2 – 3 functioning bedrooms, meaning there is a considerable underutilisation of space. Presently, the house lacks essential communal areas for family members to sleep, study and unwind, as well as shortfall on easily accessible and adaptive spaces. Rooms including bedrooms are accessed via other rooms rather than off a hallway'.
- 3.1.7 The proposed two storey extension would provide a kitchen and lounge and a master bedroom with ensuite and dressing room. It would have a width of 5 metres and a depth of 12.2 metres and an overall height of 6.9 metres to the ridge and 4 metres to the eaves. On the front eastern elevation there is a single three pane window proposed at first floor and ground floor providing light and ventilation for the kitchen and dressing room. On the side southern elevation there are three roof lights proposed providing additional light for the master bedroom, dressing room and ensuite. The side northern elevation would be a blank flank wall connecting to the proposed glazed link. On the rear western elevation there is a set of bifold doors on the ground floor providing access into the garden from the lounge and a Juliet balcony at first floor providing light and ventilation for the master bedroom.
- 3.1.8 The proposed glazed link would be an oak frame with a width of 2.8 metres and a height of 5.7 metres connecting to the southern elevation of the host dwelling and northern elevation of the proposed extension. It would provide an entrance hall and hallway upstairs connecting the bedrooms of the proposed two storey extension and the existing dwelling.
- 3.1.9 It is proposed to demolish the existing garage and erect a new cartlodge / garage to the south east of the plot to the front of the extension. The existing access would be retained.
- 3.1.10 The proposed extension would be finished in a sage green weatherboard cladding and a visible brick plinth. The glazed link would be constructed of an oak frame. On

the host dwelling it is proposed to replace damaged roof tiles, install new double glazed windows and doors and re-render.

- 3.1.11 Hard and soft landscaping is proposed to the front and rear of the host dwelling with additional planting proposed to the front eastern elevations of the host dwelling and proposed extension. To the rear a patio area is proposed with outdoor kitchen, oil tank and air conditioning unit proposed to the north of the garden. It is proposed to plant additional trees along the southern boundary of the rear garden. A recreational building / garden store is shown on the submitted Site Plan, this outbuilding has been erected.

### **3.2 Conclusion**

- 3.2.1 The principle of development is acceptable. The proposed development, by reason of its location and design 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 provision. The proposed development is in accordance with the relevant policies contained within the approved Maldon District Local Development Plan and the National Planning Policy Framework (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 2023 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)
- Car Parking Standards
- Maldon District Design Guide Supplementary Planning Document (SPD)

## **5. MAIN CONSIDERATIONS**

### **5.1 Principle of Development**

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990), and Paragraph 47 of the NPPF require that planning decisions are to be made in accordance with the Local Development Plan (LDP) unless material considerations indicate otherwise. In this case the Development Plan comprises of the adopted Maldon District Local Plan 2014-2029 (The Local Development Plan or LDP).
- 5.1.2 Policy S1 of the LDP states that “When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF” and apply a number of key principles in policy and decision making set out in the Policy.
- 5.1.3 The principle of extending an existing dwellinghouse to provide facilities in association with an existing residential use is considered acceptable in line with policies D1 and H4 of the approved LDP.
- 5.1.4 The acceptability of the proposal against policies and all other relevant material planning considerations is assessed 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, 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. It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that: *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

*“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account local design standards, style guides in plans or supplementary planning documents”.*

#### Two storey extension

- 5.2.2 The proposed two storey extension would mimic the gabled frontage elevation of the host dwelling integrating the proposal into the existing character. It would be set back from the front eastern elevation of the host dwelling by approximately 3.6 metres, appearing subordinate in position. It would also be subordinate to the host dwelling in terms of its height (6.7 metres proposed) the existing host dwelling is 6.9 metres. It would be subordinate to the width of the host dwelling (at its widest point – 5.6 metres), with a width of 5 metres proposed.
- 5.2.3 Although a substantial extension is proposed it does not appear cramped and contrived within the plot and sufficient circulation space is retained around the dwelling. The host dwelling would remain as the dominant element in the composition, given the subordinate form of the extension with the proposed contrasting materials identifying the extension as an obvious modern addition.

- 5.2.4 The proposed two storey extension would be visible from within the street scene. However, it would be in a set back, elevated position from the road and from the front eastern elevation of the host dwelling. Soft boundary treatment is proposed along the road frontage which would provide screening.

#### Glazed link

- 5.2.5 The proposed glazed link would be subservient in terms of its height, width, and position to the host dwelling. It would be a striking feature connecting the proposed extension with the host dwelling. Currently, the entrance into the dwelling is positioned discreetly on the southern side elevation of the host dwelling. The proposed glazed link would provide a focal entrance point into the dwelling on the front eastern elevation (facing Howe Green Road).

#### Cartlodge / Garage

- 5.2.6 Although the proposed cartlodge / garage would be situated to the front of the dwelling, adjacent to the road, there would be limited visibility of it within the street scene given the proposed discreet position in the south eastern corner of the site and proposed soft boundary treatments along the road frontage and southern boundary of the site.
- 5.2.7 The proposed two bay cartlodge / garage would be subservient to the host dwelling in width, depth and height.
- 5.2.8 Currently, the existing garage is situated prominently at the access onto Howe Green Road obscuring views of the main dwelling and limiting its visibility within the street scene. The submitted proposal to reposition the garage would improve this arrangement and also provide increased off street car parking.
- 5.2.9 The existing driveway comprising of block paving tiles would be replaced with a resin bound and stone paving.

#### Materials

- 5.2.10 The proposal to clad the exterior of the two storey extension in a sage green weatherboarding would contrast with the render exterior of the host dwelling. There is weatherboard cladding evident within the street scene and therefore it would not appear incongruous or harmful to the character and appearance of the surrounding area. The proposed fenestration would match that of the existing dwelling (*timber casement double glazed to match existing in white*).

#### Summary

- 5.2.11 Overall, the scale, design and appearance of the proposal would not cause harm to the character and appearance of the host dwellinghouse and street scene and therefore would accord with policies D1 and H4 of the LDP and the Maldon District Design Guide SPD.

### **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, outlooks, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by Section c07 of the Maldon District Design Guide (2017) (MDDG). Policy

H4 requires consideration of the effect of development on neighbouring amenity and safety.

- 5.3.2 The application site is bordered by two neighbouring properties. To the north is 'The Haven' and to the south is 'Chesters'.
- 5.3.3 The proposed two storey side extension would not impact upon the neighbouring dwelling to the north at 'The Haven' as it would be obscured by the positioning and form of the host dwelling.
- 5.3.4 It would be situated 1 metre from the shared southern boundary with 'Chesters', however it would be over 33 metres from the dwelling itself. There are no windows proposed at first floor on the southern elevation of the extension facing 'Chesters' therefore, this would not give rise to overlooking/loss of privacy. There are three roof lights proposed in the southern roof slope, however, given the distance of separation and the height / angle of the rooflights it is not considered that this would materially reduce the privacy of the occupiers for the neighbouring property.
- 5.3.5 The proposed cartlodge / garage would be situated at its closest point approximately 0.65 metres from the southern boundary with 'Chesters' but over 35 metres from the neighbouring dwelling itself. It would be situated approximately 13 metres from the shared boundary with 'The Haven' to the north but over 30 metres from the dwelling itself. Given the existing boundary treatment and single storey nature of the cartlodge / garage, it is not considered that it would be unneighbourly or give rise to overlooking, loss of privacy or overshadowing.
- 5.3.6 No objections have been received from neighbouring properties.
- 5.3.7 The Council's Environmental Health Officer (EHO) recommended that a condition be imposed to require a construction management plan be submitted prior to construction commencing should be permission be granted however, Officers consider this to be onerous given that the proposal is for an extension to an existing dwelling.
- 5.3.8 Given the design and layout of the proposal, the development would represent an unneighbourly form of development or give rise to a demonstrable impact on the amenities of the occupiers of neighbouring properties.
- 5.3.9 The proposal is in accordance with Policy D1 of the LDP and the NPPF.

#### **5.4 Access, Parking and Highway Safety**

- 5.4.1 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.
- 5.4.2 The proposed development would result in an additional bedroom to create a 4-bedroom dwelling. It would also result in the demolition of the existing single garage and erection of a double bay cartlodge / garage.
- 5.4.3 To accord with the Maldon District Vehicle Parking Standards (VPS) a minimum of three vehicle parking spaces would need to be provided for a 4-bedroom dwelling.

- 5.4.4 The minimum internal dimension for a carport for one car is 3m x 6m and for a one car garage 3m x 7m as specified in the Maldon District VPS. The proposed cart lodge / garage would fall below this minimum size and therefore could not be considered as counting towards the car parking provision. However, from the submitted Block Plan, there is adequate hard standing proposed to be provided to the front of the dwelling to provide three vehicular parking spaces to accord with the standard.
- 5.4.5 There are no alterations proposed to the existing access arrangements.
- 5.4.6 Therefore, the proposed development in relation to parking provision would be in accordance with Policy D1 of the LDP and Vehicle Parking Standards SPD.

## **5.5 Private Amenity Space**

- 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 or more bedrooms, 50m<sup>2</sup> for smaller dwellings and 25m<sup>2</sup> for flats.
- 5.5.2 The proposed development would result in an additional bedroom and would also reduce the size of the existing garden. However, the site benefits from a large rear garden and therefore adequate amenity space would be retained to comply with the standard recommended in the SPD (100sqm) for a four-bedroom dwelling. Therefore, the proposal is in compliance with Policy D1 of the LDP.

## **5.6 Flood Risk and Drainage**

- 5.6.1 Policy D5 of the LDP sets out the Council's approach to minimizing flood risk. Policy S1 of the same Plan requires that new development is either located away from high-risk flood areas or is safe and flood resilient when it is not possible to avoid such areas. Policy D5 of the LDP also acknowledges that all development must demonstrate how it will maximize opportunities to reduce the causes and impacts of flooding through appropriate measures such as Sustainable Drainage Systems (SuDS).
- 5.6.2 The site is entirely within Flood Zone 1 and presents a low risk of flooding.
- 5.6.3 The proposal has been reviewed by the Council's Environmental Health Officer who has recommended that a condition is imposed relating to foul drainage, to ensure it is suitably sized for the development. A condition requiring details of surface water disposal should also be imposed to ensure that the proposal does not increase the risk of flooding either on or off the site.
- 5.6.4 Subject to imposing of above conditions the proposal accords with Policy S1 and D5 of the LDP.



## 6. ANY RELEVANT SITE HISTORY

6.1 There is no relevant planning history.

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Purleigh Parish Council	We recommend the granting of planning permission.	Noted.

### 7.2 Internal Consultees (summarised)

Name of Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions relating to submission of a construction management plan, surface water drainage and foul drainage.	Noted.

### 7.3 Representations received from Interested Parties.

7.3.1 There were no representations received from interested parties.

## 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 in accordance with the approved plans as shown on the decision notice.  
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.  
REASON To ensure the external appearance of the development is appropriate to the locality in accordance with policy D1 of the approved Maldon District Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.
4. No development works above ground level shall occur until details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:
  - 1) The development should be able to manage water on site for 1 in 100-year events plus 40% climate change allowance.

- 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield).

You are advised that in order to satisfy the soakaway condition the following details will be required: details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled. Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

REASON To ensure the adequate provision of drainage to mitigate against pollution in accordance with Policy D2 of the Maldon District Local Development Plan (2017) and the National Planning Policy Framework (2023).

5. No development works above ground level shall occur until details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.

REASON To ensure the adequate provision of drainage to mitigate against pollution in accordance with Policy D2 of the Maldon District Local Development Plan (2017) and the National Planning Policy Framework (2023).

6. The extension hereby approved shall not be occupied as a separate or independent dwelling, or any such works carried out to sever the extension from the existing dwelling to create the same.

REASON In order to prevent the formation of an independent residential unit, in accordance with Policies S1, S8, H4 and D1 of the adopted Maldon District Local Development Plan and the guidance set out within the National Planning Policy Framework.

### **Application Plans**

23-49-05 REV C – Proposed Plans and Elevations

23-49-08A REV A – Proposed Street Scene

23-49-06 REV A – Illustrative Elevation

23-49-04A – Proposed Site Plan

23-49-01 – Location Plan