



**REPORT of
CHIEF EXECUTIVE**

**to
NORTH WESTERN AREA PLANNING COMMITTEE
9 JANUARY 2017**

Application Number	RES/MAL/16/01130
Location	Land North West Of 34 To 46 Maldon Road Goldhanger Essex
Proposal	Reserved matters application for the approval of appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/00147 (Outline planning application with all matters reserved for the construction of 9 dwellings with associated off-street parking)
Applicant	Mr Jordan Day - Arbora Homes Ltd
Agent	Mr Jamie Kelly - Arbora Design
Target Decision Date	16 December 2016
Case Officer	Emily Hall, TEL: 01621 875744
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	Member Call In

1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

Land North West Of 34 To 46 Maldon Road - Goldhanger
RES/MAL/16/01130



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 Maldon District Council 100018588 2014



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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Planning Services
Comments:	NW Committee
Date:	22/12/2016
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The site is a piece of agricultural land with open countryside to the north and west. The site is approximately 0.39 hectares and the gradient is relatively flat. The site is bounded on the southern east boundary by an established hedgerow which runs the length of the site boundary apart from where the field is accessed from Maldon Road.
- 3.1.2 The south west of the site and on the east side of Maldon Road is characterised by suburban development; this is predominantly semi-detached and detached dwellings in a linear group with average plot frontages within the built up area of Goldhanger. The locality is on the fringe of the settlement of Goldhanger and the area has a residential feel and appearance. Immediately adjacent to the settlement boundary there is a telephone exchange building.
- 3.1.3 Outline planning permission has been granted for the erection of nine dwellings within the site, through the positive determination of the appeal submitted in relation to OUT/MAL/14/00147. Access was also considered and approved.
- 3.1.4 This application is a reserved matters application for the approval of appearance, landscaping, layout and scale in relation to approved planning application OUT/MAL/14/00147.
- 3.1.5 In terms of layout the nine dwellings are arranged in a loosely linear road fronting arrangement accessed by an internal access road.
- 3.1.6 There are three dwelling types proposed:
- **House Type A:** Four bedroom, two storey, detached dwelling with a small two storey front projection and part two storey, part single storey rear projection. Measuring: 8.5 metres wide, 10.4 metres deep and 8.1 metres to the ridge. Finish materials: facing brick, painted render, vertical cladding, slate roofing, grey uPVC fenestration.
 - **House Type B:** Three bedroom, two storey, detached dwelling with a facing gables to the front and rear elevations and small single storey lean-to side extension. Measuring: 5.7 metres wide, 12.1 metres deep and 8.8 metres to the ridge. Finish materials: facing brick, painted render, slate roofing, grey uPVC fenestration.
 - **House Type C:** Four bedroom, two storey, detached dwelling with an L-shaped footprint with an integral garage, facing gable to the front elevation, single storey lean-to rear extension. Measuring: 9.8 metres wide, 12.1 metres deep and 8.4 metres to the ridge. Finish materials: facing brick, painted render, vertical cladding, slate roofing, grey uPVC fenestration.
- 3.1.7 Whilst outline planning permission was granted for the erection of nine dwellings the reserved matters application is for eight dwellings, the mix of the designs are as follows: three of House Type A, two of House Type B and three of House Type C.
- 3.1.8 Each dwelling has off-street parking and private amenity space.

3.2 Conclusion

- 3.2.1 The principle of the site accommodating residential development has been established through the outline planning permission. The proposed development is considered to be of an appropriate design for the context of the site with a palette of materials which is acceptable. The proposed development is not considered to cause overlooking, loss of light or be overbearing to any of the surrounding properties and provides sufficient space for parking and amenity space.

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

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

- S1 - Development Boundaries and New Development
- S2 - Development Outside Development Boundaries
- CC6 - Landscape Protection
- CC7 - Special Landscape Features
- H1 - Location of New Housing
- BE1 - Design of New Development and Landscaping
- T1 - Sustainable Transport and Location of New Development
- 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:

- S1 - Sustainable Development
- D1 - Design Quality and Built Environment
- H4 - Effective Use of Land
- T1 - Sustainable Transport
- T2 - Accessibility

4.4 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The finish materials include facing brick and render to the elevations and slates to the roof which are all traditional materials and are evident in the locality. It is also proposed to use vertical cladding and grey uPVC fenestration; which are much more contemporary in their aesthetic. The use of these materials is not considered to detract from the character or appearance of the area but add to the visual interest of the scheme.
- 5.1.2 Plots 1, 2, 6, 7 and 8 would accommodate detached garages. Plots 1 and 2 would each have a single garage which would measure 3 metres wide, 6 metres deep and 3.4 metres tall. Plots 6 and 7 would share a semi-detached pair and would have a single garage each; this building would measure 6 metres wide and 6 metres deep with a ridge height of 4.1 metres. Plot 8 would have a detached garage with two bays, one an enclosed garage and the other an open carport but this would be one building. This garage would measure 5.9 metres wide, 6 metres deep and 4 metres to the ridge. The garages all have dual pitched roofs with gable ends. The garages for Plots 1, 2, 6 and 7 would be located to the rear of the dwellings but the garage / car port for Plot 8 would be located to the front of the dwelling. The scales of the garages are incidental to the dwellings and are of a typical design. The garage / car port for Plot 8 would be located to the front of the dwelling but would still be set back from the highway and is not considered to appear detrimental to the character and appearance of the streetscene.

5.2 Effect on Neighbouring Residential Occupiers

- 5.2.1 Policy BE1 requires consideration of the impact of development on the safety and amenity of neighbouring occupiers. Policies D1 and H4 of the Local Development Plan (LDP) similarly required that there is no material impact on living conditions and amenity of neighbouring residential properties.
- 5.2.2 To the south of the site beyond the telephone exchange fronting Maldon Road are dwellings and opposite the site, also fronting Maldon Road are also dwellings. The surrounding dwellings are a mixture of semi-detached and detached two storey and single storey buildings.
- 5.2.3 The proposed dwellings are arranged in a loose-knit broadly linear arrangement which is reflective of the prevailing pattern of development and all of the proposed dwellings front the internal access road and Maldon Road.

Plot No.	Distance from highway
1	14 metres
2	20 metres
3	20 metres
4	21 metres
5	21 metres
6	19 metres
7	15 metres
8	17 metres (detached garage – 9 metres from the highway)

- 5.2.4 The dwellings located to the southeast of Maldon Road are set at a minimum 6 metres from the highway and the highway itself is 6 metres wide, meaning that the dwellings fronting the application site are located at a minimum of 12 metres from the boundary fronting the highway.
- 5.2.5 To the south of the site is the telephone exchange and beyond that is No. 27 Maldon Road which is 15 metres from the southern boundary of the application site. The dwelling in plot 1 is located approximately 1 metre from the southern boundary.
- 5.2.6 All of the proposed dwellings are two storeys in height with ridge heights ranging between 8.1 metres and 8.8 metres. However, given the distances between the proposed dwellings and the existing dwellings fronting Maldon Road (opposite the site and also to the south of the site), the proposal is not considered to be overbearing or oppressive.
- 5.2.7 Windows are proposed at ground and first floor level on the principal elevations of the proposed dwellings. These windows serve a mixture of habitable and non-habitable spaces and afford views towards into the public realm and to the road facing elevations of the dwellings opposite the site. Whilst there would be built form opposite the existing dwellings, the distance between the principle elevations is considered to be ample to mitigate any perceived issues of overlooking.
- 5.2.8 The windows on the rear elevations afford views over agricultural fields and are not considered to give rise to issues of overlooking.
- 5.2.9 Within the site House Types A and B feature openings at ground and first floor on both flank elevations and House Type C features windows at ground and first floor on the north flank elevation. The windows on the flank elevations of the proposed dwellings serve bathrooms, circulation spaces or provide secondary sources of light to habitable rooms; there is not considered to be any issues of overlooking within the site or between Plot 1 and No. 27 Maldon Road.

5.3 Access, Parking and Highway Safety

- 5.3.1 Access to the site was agreed at the time of the outline planning application and the details submitted are consistent with the approved details. In addition, the Highways Authority have been consulted and raise no objection to the application subject to conditions.
- 5.3.2 Policy T8 of the Replacement Local Plan (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.
- 5.3.3 The Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) requires that dwellings with three bedrooms should provide a maximum of two spaces and dwellings with four or more bedrooms should provide a maximum of three spaces. The preferred bay size for cars is 5.5 metres by 2.4 metres and the minimum garage size for cars is 5 metres by 2.5 metres.

Plot No.	No. of bedrooms	Max no. of car parking spaces required	No. of car parking spaces provided
1	4	3	3
2	3	2	3
3	4	3	2
4	4	3	2
5	4	3	2
6	3	2	3
7	4	3	3
8	4	3	4+

5.3.4 On the basis of the Council's parking requirements and drawing reference AH02/PA001A which details the layout of the site plots 1, 2, 6, 7 and 8 provide at least the maximum required parking spaces. Plots 3, 4 and 5 provide two spaces per dwelling which is less than the maximum required by the Council. However, the Council's standards are expressed as maximums and each dwelling would have at least two spaces providing for family needs; it is considered that a reason for refusal based on a deficit of three parking spaces for the entire scheme would be unreasonable and unlikely to be upheld at appeal. Therefore, it is considered that there is adequate parking provision within the site for the proposed quantum of development.

5.4 Provision of Amenity Space and Landscaping

5.4.1 Policy BE1 of the RLP requires that amenity space is provided that is appropriate to the type of development.

5.4.2 Planning conditions 5 and 6 imposed upon the appeal decision are explicit in their requirements for specific landscaping details to be submitted pursuant to Condition 1 (submission of reserved matters). Some of the information required has been included within the submission but other required information has been not provided. The information which is required by planning conditions 5 and 6 of the outline planning permission is presented below and comment has been made about the status of the information in relation to the current application.

5.4.3 Condition 5:

- Proposed finished levels or contours (*not provided at the current time*)
- Means of enclosure (*1.8 metre close boarded fences enclosing the private amenity spaces, 1.2 metre post and rail fences marking the flank boundaries of the front gardens and enclosing the front garden to Plot 8, 5 bar gate to Plot 8*)
- Car parking layouts (*detailed on AH02/PA001A*)
- Other vehicle and pedestrian access and circulation areas (*not provided at the current time*)
- Hard surfacing materials (*not provided at the current time*)
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) (*not provided at the current time*)

- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.) *(not provided at the current time)*

5.4.4 Condition 6:

- A schedule and plan of trees, hedges and shrubs to be retained *(not provided at the current time)*
- Details of the measures to be taken for their protection during site preparation and construction *(not provided at the current time)*
- A schedule and planting plans for all new trees and shrubs *(not provided at the current time)*
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate *(not provided at the current time)*
- Implementation programme *(not provided at the current time)*

5.4.5 With respect to the means of enclosure close boarded fences are proposed to define the boundaries of the private amenity space at a height of 1.8 metres. 1.8m close boarded fences are typical boundary treatments for residential development and their use is not considered to detract from the character and appearance of the area. To the front of the dwellings post and rail fences, at a height of 1.2 metres, are proposed to define the flank boundaries of each plot and enclose the front garden of Plot 8. It is typical for residential plots to be formerly demarcated and post and rail fences are common in rural areas. Furthermore, the reduced height of the post and rail fences is considered appropriate within the context of the site.

5.4.6 The car parking layout has been detailed on drawing reference AH02/PA001A. This is discussed in the parking section of this report. However, in terms of landscaping, the level and arrangement proposed is not considered to detract from the character and appearance of the area.

5.4.7 In terms of the outstanding information, best practice requires that further conditions are imposed on the reserved matters to ensure the information is provided prior to the commencement of the development.

5.4.8 The Essex Design Guide sets out that dwellings with three or more bedrooms should provide a minimum of 100m² of private amenity space. The submitted block plan details the layout of the site and the provision of private amenity space for each of the proposed dwellings; this is also set out in the table below.

Plot No.	No. of bedrooms	Size of private amenity space
1	4	190m ²
2	3	160m ²
3	4	120m ²
4	4	130m ²
5	4	170m ²
6	3	170m ²
7	4	210m ²
8	4	200m ²

5.4.9 The proposed layout facilitates sufficient and useable amenity space for each of the proposed dwellings, in excess of the Essex Design Guide’s requirements and there is no objection to the scheme with respect to amenity space provision.

5.5 Other considerations

5.5.1 Condition 8 of the outline planning permission required that, concurrently with the reserved matters application, the details of the measures to be taken for the disposal of foul and surface water were to be submitted. This information has not been provided by the Applicant and the comments provided by the Council’s Environmental Health reflect this. In terms of the outstanding information best practice requires that further conditions are imposed on the reserved matters to ensure the information is provided prior to the commencement of the development.

6. ANY RELEVANT SITE HISTORY

Application site

- **OUT/MAL/14/00147** - Outline planning application with all matters reserved for the construction of 9 dwellings with associated off-street parking. Refused: 27 May 2014. Allowed on appeal: 6 November 2014.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Goldhanger Parish Council	<p>Object to the application but did not use the parish response form so the parish trigger does not take effect.</p> <ul style="list-style-type: none"> • Agricultural access between plots 3 and 4 is unsafe • The design is not in keeping <ul style="list-style-type: none"> • Poor choice of finish materials • Non-descript uniformity • Harsh modern estate • Cramped • Lack of detail about landscaping • Condition 9 has not been complied with (details of 	Acknowledged

Name of Parish / Town Council	Comment	Officer Response
	foul and surface water schemes to serve development, supplied concurrently with reserved matters application).	

7.2 Internal Consultees (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Environmental Health	No objection subject to conditions.	Noted – conditions should be imposed if planning permission is granted.
Archaeology	No objection subject to conditions.	Noted – conditions should be imposed if planning permission is granted.

7.3 Representations received from Interested Parties (*summarised*)

7.3.1 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 S. Smith, 46 Maldon Road, Goldhanger
- Mr & Mrs D. Wylie, Silver Gale, 42 Maldon Road, Goldhanger

Objection Comment	Officer Response
Sufficient landscaping should be provided (and existing trees protected).	Noted
Traffic calming measures should be provided.	Noted
Drainage should be maintained and concern about drainage.	Noted
Visual impact of the development.	Noted
The design is not in keeping: <ul style="list-style-type: none"> • Poor choice of finish materials • Non-descript uniformity • Harsh modern estate • Cramped 	Noted
Overbearing development and detrimental impact on the amenities of neighbouring occupiers.	Noted

8. PROPOSED CONDITIONS

Conditions:

- 1 The development hereby permitted shall begin no later than two years from the date of this decision.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
- 2 The development shall be carried out in accordance with the following approved plans and documents: AH02/PA001B, AH02/PA002, AH02/PA003, AH02/PA004, AH02/PA005, AH02/PA006, AH02/PA007, AH02/PA008 & AH02/PA009.
REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy BE1 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Submitted Local Development Plan.
- 3 Prior to the commencement of the development details of the measures to be taken for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
REASON: To prevent pollution of the water environment and to ensure a satisfactory means of foul drainage disposal is provided in accordance with policy CON5 of the adopted Maldon District Replacement Local Plan and to ensure appropriate surface water drainage at the site in accordance with policy CON5 of the adopted Maldon District Replacement Local Plan and in accordance with the Government Guidance contained in the Technical Guidance to The National Planning Policy Framework.
- 4 Prior to the construction of the dwellings hereby approved written details and samples of the materials to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To ensure that the details of the proposal are acceptable and in the interests of local amenity in accordance with policy BE1 of the Maldon District Replacement Local Plan.
- 5 Prior to the construction of the dwellings hereby approved landscaping details including the proposed finished levels or contours; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
REASON: In order to ensure appropriate landscaping for the development in accordance with policies BE1 and CC6 of the adopted Maldon District Replacement Local Plan.
- 6 Prior to the construction of the dwellings hereby approved soft landscaping details including a schedule and plan of trees, hedges and shrubs to be retained, details of the measures to be taken for their protection during site preparation and construction, a schedule and planting plans for all new trees and shrubs; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

REASON: In order to ensure appropriate landscaping for the development in accordance with policies BE1 and CC6 of the adopted Maldon District Replacement Local Plan.

- 7 Prior to the occupation of the development the means of enclosure shall be constructed in accordance with approved drawing: AH02/PA001B and retained as such thereafter.

REASON: In order to ensure appropriate landscaping for the development in accordance with policies BE1 and CC6 of the adopted Maldon District Replacement Local Plan.

- 8 Prior to the occupation of the development the car parking layouts shall be laid out and made available for their intended purpose in accordance with approved drawing: AH02/PA001B and retained as such thereafter.

REASON: To ensure appropriate parking is provided in accordance with policy T8 of the adopted Maldon District Replacement Local Plan.

- 9 The outbuildings hereby approved shall be used for the accommodation of private motor vehicles or purposes incidental to the enjoyment of the dwelling house as such and shall not at any time be converted or used as habitable space / living accommodation.

REASON: To ensure appropriate parking is provided and no loss of amenity will result to the locality in accordance with BE1 and T8 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Submitted Local Development Plan.