



**REPORT of  
INTERIM HEAD OF PLANNING SERVICES**

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**to  
NORTH WESTERN AREA PLANNING COMMITTEE  
6 February 2017**

<b>Application Number</b>	<b>HOUSE/MAL/16/01322</b>
<b>Location</b>	4 Wellands, Wickham Bishops
<b>Proposal</b>	Proposed annexe accommodation within existing garage and proposed extensions, plus dining room and bedroom extensions to main house.
<b>Applicant</b>	Mr & Mrs Taylor
<b>Agent</b>	Mr Stephen Waud
<b>Date Valid</b>	5 December 2016
<b>Target Decision Date</b>	30 January 2017
<b>Case Officer</b>	Emily Hall, TEL: 01621 875744
<b>Parish</b>	<b>WICKHAM BISHOPS</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see overleaf.

**4 Wellands, Wickham Bishops**  
HOUSE/MAL/16/01322



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Maldon District Council 100018588 2014

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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	NW Committee -16/01322/HOU
Date:	24/01/2017
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 north western side of Wellands within the settlement of Wickham Bishops. The dwelling is a two storey semi-detached property set back from the highway and with frontage parking. The dwelling benefits from private rear amenity space which is bounded to the north by properties fronting onto Witham Road.
- 3.1.2 Planning permission is sought for alterations to the existing dwelling. A part two storey and part single storey front extension is proposed; the ground floor element would measure 4.6 metres deep (to the front of the roof) and 4.8 metres wide and would enclose the existing porch. The first floor element would measure 2.4 metres deep and 4.8 metres wide. The ground and first floor elements would be finished with a hipped roof. The front extension would be located 0.3 metres from the nor eastern boundary of the site
- 3.1.3 To the rear two single storey extensions are proposed. One extension would measure 5.2 metres deep and 4 metres wide with a flat roof and integral rooflight; it would be located 0.2 metres from the south western boundary of the site. The other extension would measure 5.4 metres deep and 4 metres wide with a dual pitched roof and gable end; it would be located 0.5 metres from the nor eastern boundary of the site.
- 3.1.4 Finish materials are to match existing with an artificial slate roof.

#### **3.2 Conclusion**

- 3.2.1 The proposed annexe complies with the Council's policy H11 and the design of the front extension is considered to improve the appearance of the dwelling. The rear extensions are of a typical design and appropriate scale when viewed against the existing dwelling. The bulk of built form in close proximity to the neighbouring property No. 2 Wellands will increase but the increase is largely to the rear and at single storey level which is not considered to be overbearing or unneighbourly. The site provides sufficient parking provision 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 including paragraphs:**

- 59, 64

#### **4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:**

- BE1 Design of New Development and Landscaping
- H11 Special Family Needs
- 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:**

- D1 Design Quality and Built Environment
- 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 Council is required to determine planning applications in accordance with its adopted Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990)).

5.1.2 The principle of altering and extending the dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with BE6 of the RLP and H4 of the emerging LDP. Other material planning considerations are discussed below.

**5.2 Special family needs**

5.2.1 The Council recognises that there are times where special family needs require the provision of additional facilities through the alteration or extension of existing dwellings. Policy H11 of the RLP states that proposes or extensions to existing dwellings to provide for special family needs will be considered sympathetically, provided a separate dwelling unit is not created and the curtilage of the original dwelling is adequate to meet the increased residential use of the site and the pre-ambles sets out a list of criteria which must be satisfied for an application to be determined favourably.

5.2.2 The proposal is to provide accommodation for an elderly family dependent. The proposed annexe would be at ground floor level in the form of a bathroom, living space and bedroom, which will be accessed from the existing front door of the dwelling and has an internal door between the two areas. The applicants have been provided supporting information in respect of the circumstances of the prospective occupier of the annexe, who is elderly.

5.2.3 The Council's adopted policy seeks to provide accommodation for special family needs; the preamble to the policy sets out four criteria which must be satisfied in order for an application to be considered favourably, these will be considered in turn below.

5.2.4 The accommodation is the minimum required to satisfy the functional needs of the prospective occupier/occupiers. The accommodation proposed consists of a bedroom,

living space and bathroom. The occupier of the annexe would need to use the kitchen of the main dwelling. Therefore, it is considered that the proposed annexe complies with this criterion.

- 5.2.5 The proposed accommodation can be satisfactorily used as part of the accommodation to the existing dwelling house. The proposed accommodation can be satisfactorily used as part of the accommodation to the existing dwelling house once the need for the annexe is no longer. Therefore, it is considered that the proposed annexe complies with this criterion.
- 5.2.6 There is a common main entrance to both the existing house and the proposed new accommodation. There would be one front door to the dwelling with internal doors between the host property and the annexe accommodation, in compliance with this criterion.
- 5.2.7 The extended property does not result in over-development of the curtilage. Overall, the proposed development is not considered to result in overdevelopment of the site.
- 5.2.8 The proposal for the annexe is considered to comply with policy H11 of the RLP. Notwithstanding the above assessment, Policy H11 of the RLP sets out that extensions of this nature will need to have regard to the policies in the Built Environment, this will be discussed in the next section of the report.

### **5.3 Design and Impact on the Character of the Area**

- 5.3.1 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. In order to comply with Policy BE1 of the RLP, the proposal must be compatible with, or improve the surrounding location through its scale, height and choice of external materials. Similarly, the basis of policy D1 of the emerging LDP ensures that development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.
- 5.3.2 Planning permission is sought for alterations to the existing dwelling. A part two storey and part single storey front extension is proposed; the ground floor element would measure 4.6 metres deep (to the front of the roof) and 4.8 metres wide and would enclose the existing porch. The first floor element would measure 2.4 metres deep and 4.8 metres wide. The ground and first floor elements would be finished with a hipped roof. The front extension would be located 0.3 metres from the north eastern boundary of the site.
- 5.3.3 The existing dwelling has a two storey flat roofed side extension which is of limited architectural merit and detracts from the appearance of the dwelling. The front extension will be finished with a hipped roof and this roof alteration is considered to notably enhance the appearance of the dwelling. The scale of the development is limited and the design, including arrangement of fenestration and finish materials match the existing dwelling.
- 5.3.4 To the rear two single storey extensions are proposed. One extension would measure 5.2 metres deep and 4 metres wide with a flat roof and integral rooflight; it would be located 0.2 metres from the south western boundary of the site. The other extension

would measure 5.4 metres deep and 4 metres wide with a dual pitched roof and gable end; it would be located 0.5 metres from the nor eastern boundary of the site. Both extensions are located to the rear of the dwelling and would be afforded limited views from the public domain. Both extensions are of a typical residential design and are of scales which appear subservient to the existing dwelling.

#### **5.4 Impact on Residential Amenity**

- 5.4.1 The dwelling is located in a residential setting and is surrounded by residential properties. To the north of the site is detached dwelling No. 2 Wellands and to the south is No. 6 Wellands which is the semi-detached pair to the application site. To the rear of the property is the rear garden 12 Witham Road and to the front of the application site is the private amenity space of No. 16 Witham Road.
- 5.4.2 No. 2 Wellands is located 9 metres from the shared boundary with the application site and is separated by a detached garage of a similar height to the existing two storey extension at No. 4 Wellands. No. 2 Wellands' garage has no windows or rooflights on the flank elevation. The front extension would project forward of the front elevation of the garage of No. 2 Wellands by 3 metres, it would not project forwards of the building line of No.4 and No. 6 Wellands. The front extension is not considered to appear overbearing or unneighbourly.
- 5.4.3 A first floor window is proposed at first floor on the north eastern elevation of No. 4 Wellands, this window serves a bathroom and a condition should be imposed requiring obscure glazing in the interests of privacy.
- 5.4.4 The northern-most rear extension would project 5.4 metres from the rear elevation of the dwelling and would be single storey in height. This would extend the built form beyond the rear elevation of the garage associated with No. 4 Wellands to a greater extent. The entire depth of built form would measure approximately 18 metres at the boundary shared between No. 4 and No. 2 Wellands. Whilst there would be an increase in the amount of built form in close proximity to the boundary, the additional length created by the proposed development is single storey to the rear and this is not considered to be overbearing or unneighbourly. The existing two storey wall would not be altered. The rear extension because of its single storey nature would not result in loss of light or overlooking.
- 5.4.5 The occupiers of No. 2 Wellands have objected to the proposal but their objection relates to issues of construction and access which are not material planning considerations.
- 5.4.6 The southernmost extension to the rear of No. 4 Wellands would be located adjacent to the boundary shared with No. 6. This property has previously been extended and the proposed development would not extend as far as the built form on the neighbouring site. Therefore, this element is not considered unneighbourly or overbearing.
- 5.4.7 Therefore, the proposed development will not result in a demonstrable impact on the amenities of neighbouring occupiers, in accordance with the stipulations of BE6 of the RLP and D1 of the emerging LDP.

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

- 5.5.1 Planning permission is sought for extensions and alterations to a residential dwelling. Access to the site would remain the same as existing. Parking is provided to the front of the dwelling.
- 5.5.2 The existing dwelling has four bedrooms and the site provides space to park at least four vehicles in the frontage and space in the garage.
- 5.5.3 The proposed dwelling would have five bedrooms and the garage would be lost as a parking space as a result of its conversion. The extension to the front of the dwelling would also impact the parking arrangements to the front of the site. As a result of the development the site would provide four spaces for cars to park.
- 5.5.4 The Maldon District Vehicle Parking Standards SPD requires that a dwelling with four or more bedrooms should provide a maximum of three spaces. The site provides four spaces and therefore there is no objection to the proposal in relation to car parking.

## **5.6 Private Amenity Space and Landscaping**

- 5.6.1 Policy BE1 of the RLP requires that amenity space is provided that is appropriate to the type of development. The Essex Design Guide advises a suitable garden size for dwellings with three or more bedrooms is 100m<sup>2</sup>.
- 5.6.2 The existing dwelling has a garden which measures in excess of 400m<sup>2</sup>. The two extensions to the rear would reduce the level of amenity space available within the site. However, the remaining garden would still be in excess of the Essex Design Guide requirement and therefore there is no objection to the proposal in relation to amenity space provision.

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

- 16/00011/HOUSE - Development of an annex to the rear of the garden.  
Refused: 08.04.16.

## **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>
Wickham Bishops Parish Council	<p>Object to the application</p> <ul style="list-style-type: none"><li>• Front would improve the streetscene</li><li>• Development would result in a long, unrelieved, overbearing wall along the boundary shared with No. 2</li></ul>	<ul style="list-style-type: none"><li>• Noted see design section of report</li><li>• Noted see impact on residential amenity section</li><li>• The application is for an extension to a dwelling and not for the creation</li></ul>

	Wellands <ul style="list-style-type: none"> <li>Concern about subdivision of plot</li> </ul>	of a new dwelling, this would require planning permission in its own right.
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## 7.2 Representations received from Interested Parties (*summarised*)

7.2.1 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 & Mrs Lawless, Oaklands, (No. 2) Wellands, Wickham Bishops

Objection Comment	Officer Response
Extension would extend 4 metres beyond the existing rear wall and question how it can be constructed without impacting the boundary fence or without accessing the neighbours land	Concern about practicalities of construction are not a material planning consideration.

## 8. PROPOSED CONDITIONS

- 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) of The Town & Country Planning Act 1990 (as amended).
- The development hereby permitted shall be carried out in complete accordance with approved drawings: PA-160427-01 Rev. A, PA-160427-03, PA-160427-02, PA-160427-05 Rev. A, PA-160427-04 Rev. B, PA-160427-07, PA-160427-06 Rev. A.  
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.
- The external surfaces of the development hereby approved shall be constructed of materials and of a finish as detailed within the application.  
REASON: To protect the amenity and character of the area in accordance with BE1 of the adopted Maldon District Replacement Local Plan and emerging policy D1 of the Submitted Local Development Plan.
- An internal pedestrian access shall be retained at all times between the existing dwelling house and the extension hereby permitted.  
REASON: To prevent the extension being an independent annex in accordance with H11 of the adopted Maldon District Replacement Local Plan.
- The annex hereby permitted shall be occupied only as an annex for purposes ancillary and incidental to and in conjunction with the use of the existing property as a single dwelling house and not as a separate or independent unit of residential accommodation.  
REASON: To prevent the extension being an independent annex in accordance with H11 of the adopted Maldon District Replacement Local Plan.



### **Informative**

Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.