



**REPORT of  
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

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**To  
NORTH WESTERN AREA PLANNING COMMITTEE  
15 MAY 2017**

<b>Application Number</b>	<b>HOUSE/MAL/17/00161</b>
<b>Location</b>	Paddock House, Maldon Road, Langford
<b>Proposal</b>	Installation of 3 No. Velux windows and dormer to rear elevation. Erection of 1.8m high close boarded fence to east elevation.
<b>Applicant</b>	Mr S Lucy
<b>Agent</b>	John Finch Partnership
<b>Target Decision Date</b>	19 May 2017
<b>Case Officer</b>	Devan Lawson, TEL: 01621 875845
<b>Parish</b>	<b>LANGFORD</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.

**Paddock House, Maldon Road, Langford**  
**HOUSE/MAL/17/00161**



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 Maldon District Council 100018588 2014



MALDON DISTRICT COUNCIL

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Scale:	1:2,500
Organisation:	Maldon District Council
Department:	Department
Comments:	NW Committee 17/00161
Date:	05/05/2017
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 northern side of Maldon Road outside of the settlement boundary and within the Langford conservation area. The site is occupied by a two storey, detached dwelling. There are neighbouring properties to the east and west. The neighbouring property to the eastern boundary is a Grade II listed building.
- 3.1.2 Planning permission is sought for the construction of a dormer window and the installation of three Velux roof lights on the rear elevation. Furthermore, permission is sought to erect a 1.8m high close boarded fence to eastern elevation. The dormer window is retrospective in nature as the works have already been carried out and were completed in March 2016.
- 3.1.3 The materials, style, size and colour of the proposed windows would match those of the existing. The roof of proposed dormer would be constructed of plain tile also to match the existing and the facing would be made from black boarding.
- 3.1.4 The dormer measures 2.3 metres in width, a depth of 1.4 metres and a height of 1.1 metres. The cubic content of the resulting roof space exceeds the cubic content of the original roof space by 3.5 cubic metres.
- 3.1.5 The proposed fence will be 1.8 metres in height and will be closed boarded. The existing fence is of a post and rail design.

#### **3.2 Conclusion**

- 3.2.1 It is considered that the proposed development, by reason of its design would not harm the appearance or character of the existing building, the conservation area or the neighbouring listed building. Furthermore, it is considered that the proposed development would not have an overbearing impact on the amenity of the neighbouring residents. In addition, the proposed development does not detrimentally impact on the provision of amenity space and car parking provision. It is therefore considered that the proposed development is in accordance with policies BE1, BE6 and BE13 of the RLP and D1 and D3 of the 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 2012 including paragraphs:**

- 56
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#### **4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:**

- BE1 - Design of New Development and Landscaping.
- BE6 – Extensions to dwellings

- BE13 - Development in Conservation Areas

#### **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.
- D3 - Conservation and Heritage

#### **4.4 Relevant Planning Guidance / Documents:**

- Car Parking Standards
- Essex Design Guide
- National Planning Policy Framework (NPPF)
- Choose an item.

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

- 5.1.1 The principle of altering a dwelling to provide facilities in association with residential accommodation is considered acceptable, in compliance with BE1 of the RLP and D1 of the LDP. Other material planning considerations are discussed 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, livable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design sought to create a high quality built environment for all types of development.
- 5.2.2 The application is located within the Langford Conservation Area. A Conservation Area is “an area of special architectural or historic interest” with a character which is “desirable to preserve or enhance” (Planning (Listed Buildings & Conservation Areas) Act, 1990). This special character will come from a range of factors including the design of the buildings as well as the materials used.
- 5.2.3 Planning permission is sought to construct a dormer window and install three Velux windows to the rear elevation. In addition planning permission is sought to erect a close boarded fence to the east elevation that would measure 1.8 metres in height.
- 5.2.4 The materials of the proposed Velux windows will be constructed from painted timber to match the existing windows. The roof of the dormer would be constructed from plain tile, to match the existing roof and its walls will be constructed from black boarding.
- 5.2.5 There are no objections to the proposed design of the velux windows as they will be located to the rear of the dwelling, would be constructed of the same materials as the existing windows and would not be visible from the streetscene.

- 5.2.6 The design of the dormer window whilst considered to be of limited architectural merit is a typical style and design for a residential development. In terms of its proportions, namely its size, bulk and appearance, the dormer window is proportionate in relation to the existing dwelling. In addition, it is considered that the proposed materials would be appropriate for the main dwelling. Furthermore, the dormer window is located to the rear of the dwellinghouse and is not visible from the street scene.
- 5.2.7 The design of the proposed fence is considered to be of limited architectural merit and whilst the Parish comments regarding the design of the fence and its impact on the Listed Building are noted, it is considered that the fence will not cause harm to the character of the conservation area as it is set back from the road and is not visible from the street scene. Furthermore views of the adjacent grade II listed building will not be interrupted from the streetscene as stated within the Conservation Officer's comments.
- 5.2.8 Whilst the comments from Langford Parish Council regarding to policy 3b) of the emerging Langford and Ulting Neighbourhood Plan which states, 'traditional boundary treatments will be respected and reinforced', are noted; the plan is currently in its early stages at Regulation 14 and can only be attributed very limited weight. Furthermore, there is an existing close boarded fence to the rear of the garden on the western elevation. The proposed fence will match the style and design of this fence and so it is not considered that the development will cause any detrimental harm to the character and appearance of the property and the conservation area.
- 5.2.9 Therefore, it is considered that the proposal, by means of its design, including its materials, is considered acceptable in its setting and would not detract from the appearance of the conservation area or be materially harmful to the existing building or the neighbouring listed building.

### **5.3 Impact on Residential Amenity**

- 5.3.1 Policies BE1 and BE6 of the RLP protect neighbouring occupiers from unacceptable development which results in a loss of amenity in relation to overlooking, overpowering or undue reduction of light to the main windows of their property. Similarly, the basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.
- 5.3.2 The proposal relates to the installation of three Velux windows, a dormer window and a close boarded fence. It is considered that as there are no properties located to the rear of the dwelling, the Velux windows are positioned at an angle within the pitch of the roof, and that the proposed windows and dormer are located to the rear of the dwelling, there would be no increased overlooking as a result of the proposed development.
- 5.3.3 The proposed close boarded fence will measure a height of 1.8 metres, which is higher than the existing fence which is approximately 1 metre in height. Whilst it is noted the proposed fence will result in a more obtrusive addition; due to the approximate 3 metre distance from the neighbouring property, Station Ridge Cottage, the development is not considered to be overbearing or unneighbourly.

5.3.4 Therefore, the proposed development will not result in a demonstrable impact on the amenities of neighbouring occupiers,

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

5.4.1 Adopted Policy T8 of the 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. The Parking Standards are expressed as maximum standards and Government guidance encourages the reduction in the reliance on the car and promoted methods of sustainable transport.

5.4.2 The proposal relates to the installation of windows and the erection of a fence. Therefore, the development will not change the number of bedrooms available within the site or impact the car parking or access arrangements. Therefore, there is no objection to parking provision within the site.

#### **5.5 Private Amenity Space and Landscaping**

5.5.1 Policy BE1 of the RLP requires that amenity space is provided that is appropriate to the type of development. In addition, the Essex Design Guide advises a suitable garden size for dwellings with three or more bedrooms is 100 m2.

5.5.2 The proposal relates to the installation of windows and the erection of a fence. Therefore, the development will not change the number of bedrooms available within the site or impact the amenity space provision. Therefore, there is no objection to amenity space provision within the site.

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

FUL/MAL/14/01069 – Planning permission granted for 2 new dwellings, utility buildings and associated access.

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

#### **7.1 Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Conservation Officer	No objection – the rear dormer and roof lights will not cause harm to any heritage assets. The fence will be set back from the road and will not cause harm to the character of the conservation area or interrupt the most	See section 5.2.7 of the report

Name of Internal Consultee	Comment	Officer Response
	important views of the adjacent grade II listed house.	
Langford Parish Council	The proposed fence does not comply with condition 7, FUL/MAL/14/01069 and is considered to harm the character and appearance of the conservation area and setting of the two listed buildings. Contrary to policies of BE1 of the RLP and D1 of the emerging LDP and also policy 3b) of the emerging Langford and Ulting Neighbourhood Plan which states, 'traditional boundary treatments will be respected and reinforced and high walls and fences will be discouraged'.	See section 5.2.8 of the report

**8. PROPOSED CONDITIONS**

1. The development hereby permitted shall be carried out in complete accordance with approved drawing: 2952:01, 265:032/2  
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.
2. The external surfaces of the development hereby approved shall be constructed of materials and 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.