



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

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

Application Number	HOUSE/MAL/17/00342
Location	Old Times Cottage Mill Lane Tolleshunt Major
Proposal	Ground and first floor extension and garden store
Applicant	S Norrington & H Tarling
Agent	W G Goodall
Target Decision Date	29 May 2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	TOLLESHUNT MAJOR
Reason for Referral to the Committee / Council	Councillor / Member of Staff

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

Old Times Cottage, Mill Lane, Tolleshunt Major
HOUSE/MAL/17/00342



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	NW Committee 17/00342
	Date:	05/05/2017
	MSA Number:	100018588
www.maldon.gov.uk		

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 Mill Lane, in a residential setting, within the settlement boundary of Tolleshunt Major. The application site is currently occupied by a semi-detached two storey cottage with an attached garage. The surrounding area is made up of an eclectic mix of dwellings with no prevailing pattern of development.
- 3.1.2 Planning permission is sought for a ground and first floor extension, a garden store and the addition of a dormer window on the front elevation and a Juliet balcony on the rear elevation. The existing conservatory located to the rear of the dwelling would be removed in favour of the proposed development.
- 3.1.3 The proposed ground floor extension would extend from the rear of the dwelling by 1.8m and would extend 5.1m in width. The first floor extension would extend over the proposed rear extension and the existing attached garage, it would measure a 9.2m in depth, 5.1m in width with a height of 2.5m to the eaves and 6.5m to the ridge. The additional accommodation would create an extended kitchen at ground floor and a fourth bedroom at first floor.
- 3.1.4 The proposed garden store would be located to the north of the dwelling; it would measure 3m in depth, 4.5m in width, 2.1m to the eaves and 3m to the ridge.

3.2 Conclusion

- 3.2.1 It is considered that the proposed first floor extension, due to its design, including its scale, bulk and siting, would appear contrived in relation to the main dwelling and when viewed from within the streetscene and would appear as an incongruous addition to the main dwelling. It would therefore be detrimental to the character and appearance of the dwelling and the surrounding area. Therefore the proposal would be contrary to saved policies BE1 and BE6 of the Replacement Local Plan, emerging policy D1 of the Submission Local Development Plan and guidance contained within the National Planning Policy Framework.

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
- 58
- 59

4.2 Maldon District Replacement Local Plan 2005 – Saved Policies:

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

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 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 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 proposed side and rear extension would be located to the northern side of the existing dwelling and would involve a minor rear extension at ground floor level and larger first floor extension that would extend over proposed rear extension and existing attached garage. The two storey element of the proposed extension would be highly visible from within the public realm.
- 5.2.3 In terms of proportions, namely its size, bulk and height, it is considered that the proposed extension would be a large addition to the semi-detached cottage; it extends 9.2m in depth and has a ridge height that matches that of the existing dwelling. It is considered that it would appear disproportionate and would have an odd and contrived relationship with the existing dwelling, especially where the proposed roof meets the existing roof form. Furthermore, the design and visual cues of the extension do not reference the design and detailing of the original dwelling, when viewed from the front of the dwelling. It should also be noted that the proposed development, due to the position of the dwelling on the site, would be clearly visible from public vistas and it is considered that the development would appear as an incongruous feature from within the streetscene. In terms of appearance, it has been noted that some consideration has been given to the design; it is proposed to finish the extension with a gambrel roof which is in keeping with the existing dwelling. However, this is of limited weight as the existing gambrel roof is to the rear of the dwelling and is not visible from public vistas.

- 5.2.4 The proposed dormer window, which would be located within the front roof slope, would be a mirror image of the existing dormer window which would be located to its west. This element is considered to be in keeping with the existing dwelling. Furthermore, the proposed Juliet balcony located on the existing rear elevation would match the proposed Juliet balcony located on the proposed extension. As such, it is considered that the proposed alterations to the dwelling would not detrimentally impact the character and appearance of the existing dwelling or the streetscene.
- 5.2.5 The proposed garden store would be located to the north of the dwelling, along the front boundary of the site. It is considered to be of a typical style and design for residential development, with a weatherboard finish. It would be located along the front boundary of the site and whilst the Council would not encourage development so close to the highway, given the scale of the garden store and the existing boundary treatment, which would largely screen the development, in this instance the garden store is considered acceptable.
- 5.2.6 Therefore, whilst there are no objections to certain elements of the proposed extension; it is considered that the proposed first floor extension, by means of its scale and siting would not appear as a subservient addition to the main dwelling and would appear as a incongruous feature when viewed from within the streetscene. It would therefore be detrimental to the character and appearance of the dwelling and the surrounding area contrary to policies BE1 and BE6 of the RLP, policy D1 of the Submission LDP and the guidance contained in the National Planning Policy Framework.

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 application site has one adjacent neighbouring property located to the south of the site. There is undeveloped land to the north and rear of the site.
- 5.3.3 Given the siting of the proposed extension, to the north of the dwelling and the distance from neighbouring dwellings, it is not considered the development would have a detrimental impact on the amenity of the neighbouring properties by way of loss of light, overlooking or forming an unneighbourly development.
- 5.3.4 In this respect, the proposal would be in accordance with policy BE6 of the RLP and D1 of the emerging LDP.

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 proposed development would result in the creation of an additional bedroom, resulting in a four bedroom dwelling. The recommended parking provision for a four bedroom property is three off street car parking spaces.
- 5.4.3 The provision of on-site vehicle parking spaces will remain unaltered. The garage and hardstanding to the front of the dwelling will continue to facilitate three off-street parking spaces. Therefore, there are no concerns raised in relation to parking provision.

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 four bedrooms is 100 m2.
- 5.5.2 The proposed development would result in a small loss of the rear amenity space. The existing dwelling is set in a large plot with ample rear amenity space which would continue to be provided above the recommended standard.

6. ANY RELEVANT SITE HISTORY

None.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tolleshunt Major	No response received at time of writing report.	Noted

8. REASON FOR REFUSAL

The proposed development, due to its design, including its scale, bulk, siting and relationship with the existing dwelling would result in an incongruous and contrived form of development to the detriment of the character and appearance of the streetscene and the original dwelling contrary to saved policies BE1 and BE6 of the Replacement Local Plan, emerging policy D1 of the submitted Local Development Plan and guidance contained within the National Planning Policy Framework.