



**REPORT of  
CHIEF EXECUTIVE**

---

to  
**CENTRAL AREA PLANNING COMMITTEE**  
**23 August 2017**

<b>Application Number</b>	<b>HOUSE/MAL/17/00636</b>
<b>Location</b>	32 Kingston Chase Heybridge
<b>Proposal</b>	Extension and garage conversion
<b>Applicant</b>	Mr D McGoldrick
<b>Agent</b>	Mr S Reagan
<b>Target Decision Date</b>	EOT 30.08.2017
<b>Case Officer</b>	Devan Lawson, TEL: 01621 875845
<b>Parish</b>	<b>HEYBRIDGE WEST</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.

**32 Kingston Chase**  
 Heybridge HOUSE/MAL/17/00636



 <p><b>Copyright</b>          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  <a href="http://www.maldon.gov.uk">www.maldon.gov.uk</a></p>	Scale:	1:1,250
	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	Central Committee
	Date:	11/08/2017
	MSA Number:	100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is located within a cul-de-sac on the north eastern side of Kingston Chase within the defined settlement boundary of Heybridge. The site is occupied by a two storey detached dwelling. There are neighbouring properties to the south, east and west. Langford Road lies to the north of the site but is screened by dense vegetation.
- 3.1.2 Planning permission is sought for the construction of a single storey extension to the front of the dwelling and also the conversion of the garage into a kitchen/diner area.
- 3.1.3 The proposed front extension would measure 4.5 metres in width, 1.2 metres in depth, would have an overall height of 3.4 metres and will have a pitched roof. The proposal would involve the replacement of the original garage door with a ground floor window.

#### **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 or the surrounding area. 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 S1, D1, D5, H4, T1 and T2 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
- 57
- 58

#### **4.2 Maldon District Local Development Plan approved by the Secretary of State:**

- S1 – Sustainable Development
- D1 - Design Quality and Built Environment
- D2 – Climate Change & Environmental Impact of New Development
- D5- Flood Risk and Coastal Management
- H4 – Effective Use of Land
- T1 – Sustainable Transport
- T2 – Accessibility

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

- Car Parking Standards

- Essex Design Guide
- National Planning Policy Framework (NPPF)

## **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 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 Planning permission is sought for the construction of a single storey extension to the front of the dwelling and also the conversion of the garage into a kitchen/diner area.
- 5.2.3 A search of the planning history of the site found that condition 13 states: *‘Provision shall be made for at least one garage space and one parking space for each dwelling of three bedrooms or less and one garage space and two parking spaces for each dwelling of four bedrooms or more.’*
- 5.2.4 As the condition does not require the garages to be retained for the use of parking, there are no conditions on the decision notice that prevent the conversion of the garage to a habitable space. Therefore, the garage conversion would not require planning permission.
- 5.2.5 The proposal to convert the existing garage to a dining room/ kitchen does not amount to development and would not require planning permission unless restrictive conditions have been imposed previously. However, the proposed alterations to the exterior of the dwelling, to create an extension which is associated with the use of the garage as a kitchen-diner, does amount to development.
- 5.2.6 The proposed front extension would measure 4.5 metres in width, 1.2 metres in depth, would have an overall height of 3.4 metres and will have a pitched roof. The proposal would involve the replacement of the original garage door with a ground floor window.
- 5.2.7 The materials of the proposed extension will match those used on the existing property with the exception of the windows and doors which will be constructed from PVCu in contrast to the existing, which are made from timber.
- 5.2.8 The design of the extension 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 development is proportionate in relation to the existing dwelling.

- 5.2.9 Whilst the installation of PVCu windows is not considered to be as attractive as the timber windows which are already present on the property, it is noted that a number of properties within the streetscene have already replaced timber windows with PVCu. Furthermore, the new window and door will have a similar appearance as the current windows and door on site. Therefore, it is not considered that the installation of a PVCu window and door on the dwelling will result in any demonstrable harm to the dwelling or the streetscene.
- 5.2.10 The proposed extension will have a gable end located over the front door which mirrors the cantilevered porch on the neighbouring dwelling. The area of roof located over the window serving the dining room will be mono-pitched in design and makes reference to the original roof style on the property. Therefore, as the design makes reference to the visual cues of the existing dwelling and the surrounding area, it is considered that the proposed development will not result in harm to the character and appearance of both the dwelling and the surrounding area.
- 5.2.11 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 surrounding area or be materially harmful to the existing building in accordance with policies D1 and H4 of the approved LDP.

### **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, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.3.2 The proposal relates to the construction of an extension on the principal elevation of the dwelling. As the development is located towards the front of the dwelling and is one storey in nature, there would be no detrimental impact on neighbouring or existing occupiers as a result of the proposed development.
- 5.3.3 Therefore, it is not considered that there would be any undue harm in the way of being overbearing, resulting in overlooking or any loss of privacy.

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

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Councils adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes. In the same way Policy T2 of the LDP requires that an accessible environment is created for everyone.
- 5.4.2 The Council's adopted vehicle parking standards require that a dwelling with four or more bedrooms should have a maximum of 3 spaces.

- 5.4.3 The proposed development will result in the minor loss of the parking to the front of the dwelling and will also result in the loss of the garage space. However, the Highways Authority have raised no concerns in regards to the dwelling and there is still space to park 2 vehicles on the hard standing at the front of the dwelling.
- 5.4.4 Whilst it is noted that the parish have raised an objection to the development as it does not adhere to the adopted Vehicle Parking Standards, the Vehicle Parking Standards refer to a maximum parking number and allow for a relaxation in the level of off street parking required in areas considered to be sustainable.
- 5.4.5 Government guidance highlights the importance reducing reliance on private transport. Furthermore, the adopted Vehicle Parking Standards state:

*'Minimal private parking provision should be applied to locations such as the town centres of major urban areas, where access to public car parking facilities and alternative forms of transport is good.'*

- 5.4.6 Therefore, as the site is located 500 metres from the nearest bus stop, in an urban area of the District, it is considered that a relaxation in the vehicle requirements is acceptable. As set out above, the loss of the garage space cannot be reasonably prevented as the garage could be converted without requiring planning permission.
- 5.4.7 Therefore, there development adheres to Policies S1, T1 and T2 of the approved LDP.

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

- 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 Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sq.m. of private amenity space for dwellings with three or more bedrooms.
- 5.5.2 The proposal relates to an extension towards the front of the dwelling. 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.

## **5.6 Flood Risk**

- 5.6.1 Policy D5 of the approved LDP requires all development to minimise the risk of flooding. Furthermore, the Environment Agency recommend that a Flood Risk assessment is provided with all applications to demonstrate that flood risk issues have been adequately addressed.
- 5.6.2 A flood risk matrix has been supplied with the application stating that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate. However, supporting evidence outlining the details of any flood proofing/resilience and resistance techniques in accordance with 'Improving the flood performance of new dwellings' (CLG, 2007) has not been included with the application.

- 5.6.3 To ensure that appropriate mitigation measures have been taken, a condition is required showing the details of any flood proofing, resilience and resistance techniques.

**6. ANY RELEVANT SITE HISTORY**

OUT/MAL/93/00477 – Approved conditional residential development.

**7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

**7.1 Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No objection – subject to conditions regarding surface water drainage and foul drainage	Whilst regard has been given to the conditions requested by Environmental Health. It is considered due to the scale of the development the proposed conditions in relation to foul water and surface water runoff are not considered to be reasonable, relevant to the development and necessary. Therefore, they do not pass the 6 tests for conditions and have therefore, not been included as suggested conditions.
Heybridge Parish Council	Object based on lack of parking	See section 5.4 of the report
Highways	No objection	See section 5.4 of the report

**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) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with approved drawing: D Goldrick 003, D Goldrick 001,

REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy D1 of the Submitted Local Development Plan.

3. 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 policy D1 of the Submitted Local Development Plan.

4. Prior to the commencement of the development, details shall be submitted to and approved in writing by the local planning authority, showing the details of any flood proofing, resilience and resistance techniques, in accordance with 'Improving the flood performance of new buildings' CLG (2007) and also showing that the floor levels within the proposed development will be set no lower than the existing levels. The approved scheme shall be undertaken and completed prior to the first use of the development and shall be retained as such thereafter.

REASON: In order to ensure that the development does not increase the risk of flooding in accordance with policy policy D5 of the submitted Local Development Plan.