



**REPORT of
CHIEF EXECUTIVE**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
2 OCTOBER 2017**

Application Number	HOUSE/MAL/17/00702
Location	Forge Cottage Hackmans Lane Cock Clarks Essex
Proposal	Two storey extension to rear of existing listed cottage
Applicant	Mrs Maria Malone Charlton
Agent	Ms Annabel Brown - Annabel Brown Architect
Target Decision Date	25.09.2017 (Extension of Time (EOT) 06.10.2017)
Case Officer	Devan Lawson, TEL: 01621 875845
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Parish Trigger

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1. RECOMMENDATION

FUL/MAL/17/00702:

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

LBC/MAL/17/00703:


GRANT LISTED BUILDING CONSENT subject to the conditions as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

Forge Cottage, Hackmans Lane, Cock Clarks
HOUSE/MAL/17/00702 & LBC/MAL/17/00703



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	NW Committee 2.10.17
	Date:	19/09/2017
www.maldon.gov.uk	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 western side of Hackmans Lane, within the settlement boundary of Cock Clarks. The application site is currently occupied by a two storey, Grade II listed, detached cottage. The dwelling itself is set back 38 metres from Hackmans Lane and is screened by dense vegetation. The surrounding area is residential in nature, with dwellings of differing designs.
- 3.1.2 Planning permission and listed building consent is sought to demolish an existing outbuilding at the rear and construct single and two storey extensions to the rear, with associated internal alterations.
- 3.1.3 The extension would be located to the western elevation of the dwelling and would measure a maximum of 8.4 metres deep, a maximum of 10 metres wide and a maximum of 6.2 metres tall. At ground floor the proposal would comprise an entrance hall, a utility and a kitchen / dining room at ground floor and at first floor the extension would accommodate an additional bedroom, a dressing room and a bathroom.
- 3.1.4 Planning permission and Listed Building Consent were previously granted for a similar scheme in 2014 (reference's HOUSE/MAL/14/00525 and LBC/MAL/14/00526). The scheme subject of these applications is almost identical to the previous. The main difference is that a dormer on the eastern elevation of the proposal has been removed and the two dormers on the rear elevation have been reduced in size from 2.4 metres in width and 1.6 metres in height to 2.1 metres in length and 1.2 metres in height. It appears that the 2014 permission has expired.

3.2 Conclusion

- 3.2.1 It is considered that the proposed development as a whole is large in scale and bulk. However, due to the design and appearance of the proposal, it is not considered to result in demonstrable harm to the character and appearance of the listed building and the locality. Furthermore, it is considered that the proposed development does not detrimentally impact on the car parking provision or private rear amenity space on site. It is therefore considered that the proposed development is in accordance with policies D1, D3 and H4 of the Local Development Plan (LDP) and the guidance contained in the National Planning Policy Framework (NPPF).
- 3.2.2 It is also considered that the proposed works would not harm the character, appearance or fabric of the listed building and therefore the listed building would be suitably preserved in accordance with the Planning (Listed Building and Conservation Areas) Act 1990.

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 Local Development Plan

- S1 – Sustainable Development
- D1 - Design Quality and Built Environment
- D3 – Conservation and Heritage Assets
- H4 – Effective Use of Land
- T2 – Accessibility

4.3 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 Policy D1 of the LDP.

5.2 Design and Impact on the Character of the Area and Listed Building

- 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 seek to create a high quality built environment for all types of development.
- 5.2.2 The dwelling is listed; as such the design of the extension is a key consideration. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest shall not be carried out without consent. Section 66 of the Act provides that in considering whether to grant consent for development which affects a listed building or its setting, "special regard" must be given to the desirability of preserving the building or its setting on any special architectural or historic interest which it possesses.

5.2.3 The NPPF states:

“In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.”

5.2.4 The proposed extension would be located on the western side of the existing dwelling and would involve the removal of an existing storage building and an apple tree. The extension will be link-attached to the host dwelling.

5.2.5 As previously stated a similar proposal was approved in 2014. The proposed extension differs to the previous, as a dormer on the eastern elevation has been removed and two dormers on the rear elevation have been reduced in size from 2.4 metres in width and 1.6 metres in height to 2.1 metres in length and 1.2 metres in height. As the alterations relate to lesser works than the previous planning permission, it is considered to be a material planning consideration when assessing these applications.

5.2.6 Although it is a large extension, its positioning ensures that it will have a limited impact on the public domain. The Conservation Officer is satisfied that the proposal would not cause material harm to the listed building and Officers consider that this form of extension is appropriate as it results in the smallest disturbance possible to the listed building.

5.2.7 Inside the listed building itself, one of the most notable alterations proposed is the removal of the staircase. The stairs appear to be twentieth century in date so no loss of important historic fabric would result from this alteration. In the 18th century extension, a rafter will have to be removed and the wall plate will presumably have to be severed. Such an intervention would be objectionable if it related to the 16th century timber frame, but seems reasonable as it affects the later, and less significant, 18th century frame. Some harm, albeit less than substantial, will result from the intervention, but it is considered that this is convincingly justified by the need to achieve practical circulation. Therefore, it is considered that the proposed works would not harm the significance of the listed building in accordance with Policy D3 and guidance contained within the NPPF.

5.2.8 In the time between the subsequent applications and the ones subject of this application the Maldon District Local Development Plan has been adopted and has replaced the Replacement Local Plan. However, it is noted that there has not been any material policy changes which should alter the recommendation in relation to this proposal. Furthermore, guidance set out in the NPPF remains the same and still applies. Therefore it is not considered that there are any material changes that would result in substantial harm to the listed building or the surrounding area and the proposal would therefore maintain the architecture and historic interest of the building.

5.3 Impact on Residential Amenity

5.3.1 Policy D1 of the LDP seeks to ensure that development will protect the amenity of its surrounding area.

- 5.3.2 The application site shares a boundary with three neighbouring properties. The development would be situated 53 metres from the two dwellings located to the north of the proposal and 8.9 metres from the boundary with No. 8 Clarks Field Cottages located to the south of the development, but approximately 40 metres from the dwelling at that site.
- 5.3.3 Therefore, although it is noted there are windows located on first floor of the north and south elevations, given the considerable distance between the development and neighbouring properties, 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 D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T2 seeks to provide appropriate off-street parking provision in accordance with the District's adopted vehicle parking standards (Adopted Supplementary Planning Document (SPD) July 2006).
- 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 side of the dwelling will continue to facilitate at least 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 D1 of the LDP 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 one or two bedrooms is 50m².
- 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

- **HOUSE/MAL/14/00525 and LBC/MAL/14/00526** – Approved July 2014 - Demolish existing shed at rear and construct single and two storey extensions to rear and internal alterations. The application subject of this report makes amendments to the previously approved applications. The main difference is that a dormer on the eastern elevation of the proposal has been removed and the two dormers on the rear elevation have been reduced in size from 2.4 metres in width and 1.6 metres in height to 2.1 metres in length and 1.2 metres in height.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Purleigh Parish Council	<ol style="list-style-type: none">1. The proposed extension will be detrimental to the character of Forge Cottage, being out of character with the cottage, overly dominant and too large. As such it will not be subservient to the historic building but overpower it.2. The proposed extension will be harmful to, and will not preserve or enhance Forge Cottage, its character or setting, and as such is contrary to Policies D1 and D3 of the adopted Maldon District Local Plan.	Noted and addressed at section 5.2

7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	Overall, I advise that this proposal will cause no harm to the significance of the listed building and that it is therefore compliant with the policies set out in chapter 12 of the NPPF and Policy D3 of the Maldon District Local Development Plan.	See section 5.2

7.3 Representations received from Interested Parties (*summarised*)

7.3.1 No letters of representation have been received.

8. PROPOSED CONDITIONS

FUL/MAL/17/00702:

- 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: A1237A/Block, A12372A/PP04A, A13380/GA/A13380/BR02.
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 Local Development Plan.

LBC/MAL/17/00703:

- 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 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with approved drawing: A1237A/Block, A12372A/PP04A, A13380/GA/A13380/BR02.
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 Local Development Plan.
- 3 Prior to the commencement of development, samples of brick, roof and ridge tile and weatherboard to be used in the construction shall be submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials, and retained as such thereafter.
REASON: In order to protect the setting of the listed building and the appearance of the surrounding locality, in accordance with policies D1 and D3 of the Local Development Plan.
- 4 Details of any hard or soft landscaping associated with the extension hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
REASON: In order to protect the setting of the listed building and the appearance of the surrounding locality, in accordance with policies D1 and D3 of the Local Development Plan.
- 5 Brickwork shall be laid in Flemish bond unless otherwise agreed in writing prior to the commencement of the work.
REASON: In order to protect the setting of the listed building and the appearance of the surrounding locality, in accordance with policies D1 and D3 of the Local Development Plan.