



**REPORT of  
CHIEF EXECUTIVE**

---

to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
9 OCTOBER 2017**

<b>Application Number</b>	<b>HOUSE/MAL/17/00336</b>
<b>Location</b>	4 The Spinnaker, St Lawrence, Essex, CM0 7GR
<b>Proposal</b>	Convert garage into a bedroom with toilet and sink, keeping an area of storage at the front of the garage. Garage door would be functional. Window installation to the rear of the garage.
<b>Applicant</b>	Mrs Jayde Clarke
<b>Agent</b>	N/A
<b>Target Decision Date</b>	11.10.2017
<b>Case Officer</b>	Mahsa Kavyani
<b>Parish</b>	<b>ST LAWRENCE</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

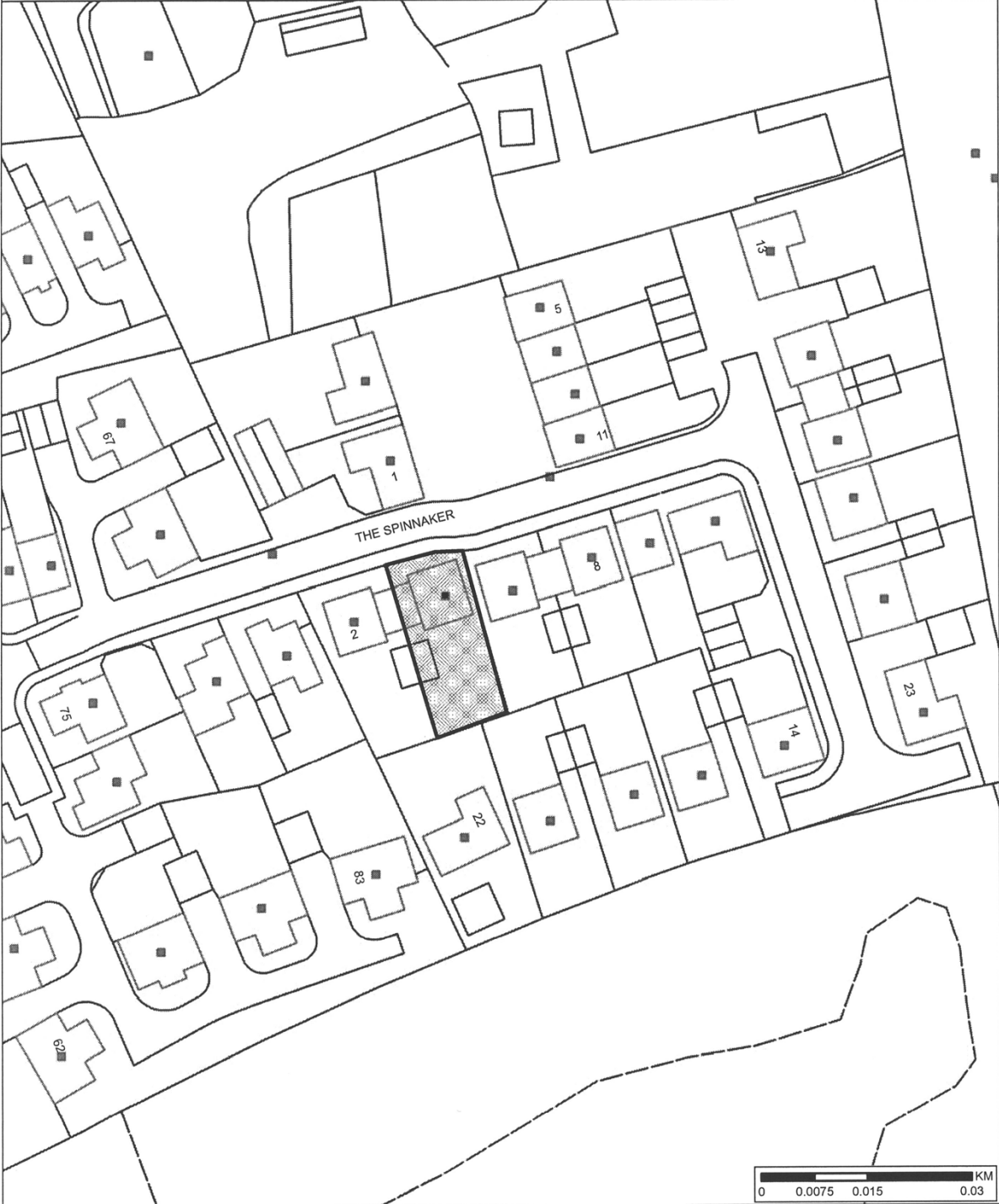
1. **RECOMMENDATION**


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

2. **SITE MAP**

Please see overleaf.

**4 The Spinnaker, St Lawrence**  
**HOUSE/MAL/17/00336**



 <p><b>MALDON DISTRICT COUNCIL</b></p>	<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 Stationery Office © Crown copyright.          Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.          Maldon District Council 100018588 2014</p>	<p>Scale: 1:750</p>
	<p>www.maldon.gov.uk</p>	<p>Organisation: Maldon District Council</p> <p>Department: Department</p> <p>Comments: SE Committee 17/00336/HSE</p> <p>Date: 26/09/2017</p> <p>MSA Number: 100018588</p>

### **3. SUMMARY**

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

- 3.1.1 The application site is located on the southern side of The Spinnaker within the development boundary of St Lawrence. The site relates to a linked-detached dwelling with a semi-detached garage to the rear. The site is located within a residential setting with dwellings of similar age and style.
- 3.1.2 The site comprises a linked-detached dwelling set within the residential street of The Spinnaker. The property sits alongside the rear gardens of properties No.20 and No.22 to the south and adjacent to property No.2 to the west and No.6 to the east. The private garden of the dwelling lies to the rear of the property on the southern side.
- 3.1.3 The proposal seeks planning permission for conversion of the garage into a bedroom with a toilet and sink. The garage door would be retained to serve a small storage area. It is proposed to install a window into the rear of the garage to allow light into the bedroom.

#### **3.2 Conclusion**

- 3.2.1 The proposal is to convert a garage into a habitable space. The external appearance of the garage when viewed from the front would remain the same and the garage door would remain functional. The proposed development would not result in significantly detrimental impact on the amenity of neighbouring occupiers, as with the exception of the proposed rear window, the proposal would not change the size, materials, or form of the existing garage, and therefore it is considered acceptable.

### **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:**

- 56-68

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

- D1 - Design Quality and Built Environment
- S1 - Sustainable Development
- 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 CONSIDERATION**

### **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 Local Development Plan (LDP). Other material planning considerations are discussed below.

### **5.2 Design and impact on the character and appearance 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, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design should be sought to create a high quality built environment for all types of development.
- 5.2.2 The proposal involves the conversion of a semi-detached garage into a habitable room; the use of the converted garage would be ancillary to the main dwelling. Other than the addition of a window to the rear, the proposed changes would be internal and as such would not be visible from the public realm or materially change the appearance the existing garage. Therefore it is considered that the proposal would not have an adverse impact on the street scene, or cause visual harm to the locality of the site, in accordance with policy D1 of the LDP.

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

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas and local context. The proposed garage conversion does not involve an enlargement to the garage, or its form. The proposed changes are internal and as such, the proposal would not cause overshadowing to the neighbouring properties.
- 5.3.2 The proposed window to the rear of the garage is considered a minor addition, which is not visible from the public realm. Given the sitting of the application site and the small scale of the proposed alteration, it is considered that proposed work would not result in the loss of amenity or cause overlooking to the neighbouring occupiers at neighbouring properties.
- 5.3.3 The use of the garage for habitable accommodation would not cause the intensification of the use of the site noise or disturbance to an extent that would justify the refusal of the application.

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

- 5.4.1 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 adopted Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) sets out that two / three bedroom dwelling should provide space to a two vehicles.
- 5.4.2 Through the addition of a further bedroom the application results in the loss of a garage however there an area of hard standing to the front of the garage. It is

considered that this area can accommodate two further vehicles which complies with the parking standards that are expressed as a maximum figure. Whilst this is under the maximum requirements it is also considered that due to the access to public transport, and a local convenience store that the site is a reasonably sustainable location where a relaxation in on-site car parking provisions is reasonable. Furthermore the Council is minded of Government guidance which encourages the reduction in the reliance of private motor vehicles. Therefore, the proposal is not considered to have such a detrimental impact on vehicle parking as to warrant a reason for refusal.

## 5.5 Amenity Space

- 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 does not involve a reduction to the private amenity of the host dwelling and as such there is no objection to the proposal in relation to amenity space.

## 6. ANY RELEVANT SITE HISTORY

- **RES/MAL/04/01290**– Reserved matters application for the erection of 23 residential dwellings with associated landscaping and car parking.
- **OUT/MAL/98/00113**-Proposed residential development replacement workshop/laundrette and community centre with recreation / amenity land. Approved - Condition 6 of planning permission 98/00113/OUT reads as follows:

Notwithstanding the provision of Part 1 of Schedule 2 to the Town and Country Planning ( General Permitted Development ) Order 1995(for any Order revoking or re-enacting that Order) the garage(s) hereby permitted shall be available for the parking of cars in connection with the residential use of the site at all times.

## 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>
St Lawrence Parish Council	Object. No reason given.	Noted.

### 7.2 Representations received from external Consultees

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Highways	No objection.	Noted.

### 7.3 Representations received from Interested Parties (*summarised*)

7.3.1 No letters of representation received.

## 8. **PROPOSED CONDITIONS**

### **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 the approved drawings specifically referenced on this decision notice as well as the submitted detailed specifications which forms part of this permission, unless otherwise agreed in writing by the Local Planning Authority.  
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 The habitable accommodation hereby approved shall only be occupied ancillary to the occupation and use of 4 Spinnaker and shall not be sub-divided to form a separate dwelling or other such unit of independent occupation.  
REASON: To ensure there is a functional relationship between the annexe and main dwelling and to prevent the extension being an independent annex.