



**REPORT of
CHIEF EXECUTIVE**

to
**CENTRAL AREA PLANNING COMMITTEE
15 NOVEMBER 2017**

Application Number	HOUSE/MAL/17/01101
Location	37 Fambridge Road Maldon Essex CM9 6AE
Proposal	Loft conversion with rear dormer
Applicant	Mr & Mrs C Hawes
Agent	Chris Cumbers - CBS Cumbers MCIAT
Target Decision Date	23 November 2017
Case Officer	Devan Lawson, TEL: 01621 875845
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In

1. RECOMMENDATION


REFUSE for the reason set out in section 8 of this report.

2. SITE MAP

Please see overleaf.

37 Farnbridge Road, Maldon
HOUSE/MAL/17/01101



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Committee
	Date:	03/11/2017
	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 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 to carry out a roof conversion and to construct a dormer on the rear elevation of the property.

3.1.3 The main part of the proposed dormer on the rear elevation would measure 5.2 metres in width, with a depth of 2.8 metres; two sections of the dormer would project 0.5 metres further. The dormer would have a maximum height of 2.1 metres.

3.1.4 The proposed materials will match the existing dwelling with the exception of the roof of the dormer which will consist of a single layer membrane in slate grey to match the colouring of the roof tiles. The 'walls' of the dormer will be made from vertical slate which will be hung to match the existing roof covering.

3.1.5 A similar development was previously refused by the Council under application HOUSE/MAL/17/00605 for the following reason:

'The proposed dormer due to its scale, design and siting would result in a dominant, unbalanced and incongruous form of development which would be detrimental to the character and appearance of the original dwelling. Consequently due to its prominent position within the streetscene, the proposal would create an unsympathetic addition to the public realm. Therefore, the proposal is considered to be detrimental to the dwelling and the character and appearance of the area contrary to approved policies D1 and H4 of the Local Development Plan and Government guidance contained within the National Planning Policy Framework.'

3.1.6 Following the refusal of HOUSE/MAL/17/00605 the following changes have been made to the proposal as part of this application:

- The width of the main part of the rear dormer has been reduced by 0.5 metres.

3.2 Conclusion

3.2.1 It is considered that the proposed dormer, by reason of its scale and design would materially harm the character and appearance of the dwelling and the surrounding area by resulting in an incongruous and overly large form of development. Furthermore, due to its prominent position within the streetscene, the proposal would result in an unsympathetic addition to the public realm. Therefore the proposal is considered to be contrary to policies D1 and H4 of the Local Development Plan (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:

- 14 – Preservation in favour of Sustainable Development
- 17 - Core planning Principals
- 56 -58 – Requiring good design

4.2 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- S1 – Sustainable Development
- D1 - Design Quality and Built Environment
- 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)
- 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 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 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The basis of emerging policy D1 of the LDP ensures that all development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment.

5.2.2 The NPPF states that:

'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

'That permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

- 5.2.3 This principle has been reflected to the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- a) Height, size, scale, form, massing and proportion;
 - b) Landscape setting, townscape setting and skylines;
 - c) Layout, orientation, and density;
 - d) Historic environment particularly in relation to designated and non-designated heritage assets;
 - e) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
 - f) Energy and resource efficiency.
- 5.2.4 The proposed rear dormer window is considered to be of limited architectural merit and is considered to be an overly large addition that would dominate the original roof slope, thus creating a top heavy form of development that dominates the site and views from the neighbouring properties and surrounding area. This is further exacerbated by presence of the modern two storey addition which has a hipped roof. The hipped roof forces the dormer to be located towards the southern elevation resulting in an incongruous and unbalanced design and a lack of symmetry. This is intensified by the dormer being shaped around the hipped roof, creating a convoluted roof form of varying depths, which would be particularly apparent when viewed from the northern elevation. It is noted that the reduced width of the main part of the dormer has marginally reduced the impact of the connection between the hipped roof and dormer window. However, due to the siting of the proposal reaming towards the southern elevation and still being shaped around the hipped roof, it is considered that the reason for refusal from application HOUSE/MAL/17/00605 has not been overcome. Furthermore, the proposed flat roof design of the rear dormer is considered to result in a disparate addition which fails to reflect the character of the gable roof on the original property.
- 5.2.5 Although it is noted that the development is located to the rear of the dwelling, due to the corner plot location of the site the proposed dormers would be highly visible from Park Road and would therefore, detrimentally impact the character and appearance of the area. Whilst consideration is given to the fact there are dormers located on the buildings within D’Arcy Court and also No.2 Park Road. The dormer located on No.2 Park road is located to the rear of the dwelling and due to the orientation of the site is not highly visible from the streetscene. Therefore, the harm is not considered to be as significant. The dormers located on the residential properties within D’Arcy Court are of a different style, are of greater architectural merit and have a much less significant impact on the character of the area. Therefore, due to the limited number of the dormers within the area and the materially different visual impact of those dormers on the character of the area, it cannot be considered that these examples set a precedent or are a material consideration of any demonstrable weight when determining this application.

5.2.6 Therefore, the proposed dormer due to the size and siting would result in dominant and incongruous form of development that does not relate well to the main dwelling or the locality. It is considered that the proposed dormer window by reason of scale, size and bulk would not appear as a subservient addition to the existing dwelling and would have a detrimental impact on the character and appearance of the original dwelling and the streetscene. The proposed development is considered to be unacceptable in its setting and will detract from the appearance and be materially harmful to the existing dwelling and the locality therefore, contrary to 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 proposed development is located approximately 0.2 metres from the boundary with property No. 39 Fambridge Road. The proposed dormer would be set back from the rear elevation of the original dwelling by 0.7 metres and would not exceed the height of the ridge. Therefore, given the scale of the proposed dormer, it is not considered the development would have a detrimental impact on the amenity of adjoining neighbours by way of overbearing, overpowering or loss of light.

5.3.3 It is noted that there would be direct views from the proposed rear dormer into the private amenity space No. 39 Fambridge road and the front garden of No 2. Park Road. The proposed rear dormer windows would be approximately 1.5 metres higher than the existing windows on the first floor. As the views into No 2. Park Road would be of the front of the site and there is only one obscure glazed window on the western elevation of No.2 there is no concern regarding overlooking in relation to this property. In addition, the proposed window is rear facing with the same outlook of the rear garden as the existing rear facing windows on site. Although higher than the existing windows, it is not considered that the proposed dormer would result in significant overlooking to the detriment of the neighbouring occupiers at No.39 Fambridge Road. Therefore, no concerns are raised in relation to 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 Council's 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.

5.4.2 The proposed development does not include the addition of any extra bedrooms. The adopted Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) sets out that a four or more bedroom dwelling should provide three spaces to park vehicles.

5.4.3 The site has the capacity to accommodate two vehicles through the use of the existing hardstanding to the front of the property. As the proposal does not result in an increase in bedroom space and the site is within a town centre location where a

relaxation or car parking is considered acceptable, there is no objection to the proposal in terms of car parking.

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 existing private amenity space on the site is within the recommended standard contained within the Essex Design Guide. As the proposed development will not result in a loss to the amenity space there is no objection to the proposal in relation to amenity space.

6. ANY RELEVANT SITE HISTORY

- **HOUSE/MAL/17/00605** –Loft Conversion with Rear Dormer. Refused July 2017.
- **FUL/MAL/08/00035** – Two storey side / rear extension and conservatory. Approved March 2008.

As stated in paragraph 3.1.5, the application subject of this report is a re-vision to HOUSE/MAL/17/00605.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Support.	Noted.

7.2 Representations received from Interested Parties (*summarised*)

- 7.2.1 Letters were received **objecting** to the application from the following and the reasons for objection are summarised as set out in the table below:

- Mr S Skeggs – 14 D’Arcy Court, Maldon

Objection Comment	Officer Response
Concerns regarding the noise and disturbance impacts of the development.	The objectors concerns are noted. Whilst these matters cannot be dealt with through planning, should the application be approved an informative shall be included advising the applicant of the hours such works can take place within.

8. REASONS FOR REFUSAL

The proposed dormer due to its scale, design and siting would result in a dominant, unbalanced and incongruous form of development which would be detrimental to the character and appearance of the original dwelling. Consequently due to its prominent position within the streetscene, the proposal would create an unsympathetic addition to the public realm. Therefore, the proposal is considered to be detrimental to the dwelling and the character and appearance of the area contrary to approved policies D1 and H4 of the Local Development Plan and Government guidance contained within the National Planning Policy Framework.