



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

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to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
8 JANUARY 2018**

<b>Application Number</b>	<b>HOUSE/MAL/17/01330</b>
<b>Location</b>	21 Chapel Road Tolleshunt D'Arcy Essex CM9 8TL
<b>Proposal</b>	Single storey rear extension to replace conservatory. New enlarged roof with accommodation including dormers to front and rear.
<b>Applicant</b>	Mrs V McCabe
<b>Agent</b>	The Nicholas Ward Design Practice
<b>Target Decision Date</b>	9 January 2018
<b>Case Officer</b>	Emma Worby, TEL: 01621 875860
<b>Parish</b>	<b>TOLLESHUNT D'ARCY</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In

1. **RECOMMENDATION**


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

2. **SITE MAP**

Please see overleaf.

**21 Chapel Road, Tolleshunt D'Arcy**  
**HOUSE/MAL/17/01330**



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	NW Committee 17/01330/HOU
	Date:	20/12/2017
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 a two storey detached dwellinghouse with a garage to the west. The property is located in the settlement boundary of Tolleshunt D'Arcy and on Chapel Road which is a primarily residential area with a mixed style of buildings. The dwellinghouse currently has a conservatory to the rear which was granted planning permission in July 2005, along with the garage.
- 3.1.2 Planning permission is sought to replace the current conservatory/sun lounge with a new single storey rear extension. The extension would have a flat roof and be 3.35 metres in height, 4.35 metres in depth and 9 metres wide. Proposals include bi-fold doors on the rear elevation. The proposed materials for the extension would match the existing property.
- 3.1.3 The proposal also includes a loft conversion with four pitched roof dormers, two to the front and two to the rear. There is also a roof light proposed for the front elevation and rear elevations between the two dormers. The proposed dormers would have a 1.8 metre width, a 2.3 metre depth, a 1m height to the eaves and 2.2 metre height to the ridge. This would create an additional two bedrooms and a bathroom in the current roof space.
- 3.1.4 To accommodate the further living space within the roof, it is proposed that the ridge height is increased by 0.95 metres from 7.9 metres to 8.85 metres.
- 3.1.5 The application follows a refusal of HOUSE/MAL/17/00998 that proposed a similar development with a 0.35 metre taller ridge and three front dormers. The application was refused on the grounds that the proposed development would result in demonstrable harm to both the dwelling and the locality and would be contrary to the National Planning Policy Framework (NPPF) and policy D1 and H4 of the adopted Maldon District Local Development Plan (LDP).

#### **3.2 Conclusion**

- 3.2.1 It is considered that the two poorly aligned dormers to the front elevation would represent dominant and disproportionate additions to the host dwelling which would result in a visually intrusive and incongruous feature within the site and the locality. It is therefore considered that the propose development would result in demonstrable harm to both the dwelling and the locality and is consequently not in accordance with policies D1, S1 and H4 of the approved LDP. Furthermore, it should be noted that the development has not overcome the harm highlighted at the time of the last application.

### **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 Presumption in favour of sustainable development
- 17 Core planning principles
- 56-68 Requiring good design

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

- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- S1 Sustainable Development

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

- National Planning Policy Framework (NPPF)
- Essex Design Guide
- Car Parking Standards

### **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 policies D1 and H4 of the Local Development Plan.

#### **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 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. H4 of the LDP states that any development which includes the alteration, extension and/or addition to a building must be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhance the sustainability of the original building.

- 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 The proposed dormers are considered to be of limited architectural merit which would be a dominant and noticeable feature within the roofscape and would be unaligned

with the lower window of the original property. The two dormers on the front elevation would be highly visible from the adjacent highway and therefore would affect the overall character of the area. They are not considered to be in keeping with this style of property and would result in an unusual feature within the streetscene. It is noted that there is only one property on this section of Chapel Road which has similar front facing, second storey dormers however this is a different style of property and is approximately 30 metres from the application site, this is therefore considered to be a noted consideration of very limited weight when determining this application.

- 5.2.4 The two dormers, roof light and single storey extension to the rear of the dwellinghouse would not be visible from the streetscene and therefore would not have a harmful effect on the character of the area. Also, the rear extension would be a similar size to the current conservatory. The roof light on the front of the property is also considered a subservient addition to the property and therefore would not affect the overall streetscene.
- 5.2.5 In comparison to the previous application, reference HOUSE/MAL/17/00998, the number of dormers on the front elevation has been reduced from three to two and the increase in the ridge height has been reduced from an increase of 1.3 metres to an increase of 0.95 metres. These amendments to the scheme have not overcome the reason for refusal in the previous application as it is considered that the resultant roofscape would still be harmful to the character and appearance of the site, streetscene and the surrounding area in general.
- 5.2.6 Overall, the two front facing dormers are considered to be unacceptable in their setting and would detract from the appearance and be materially harmful to the existing dwellings and the locality contrary to policy D1 and H4 of the 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 development would result in an increase in the number of windows on the property. Two dormer windows and one roof light are proposed for the front of the property and therefore would not overlook the amenity space of any of the surrounding neighbours. Furthermore, the site directly opposite the application site does not currently contain any residential properties. The two dormers and one roof light on the rear of the dwellinghouse would be approximately 65 metres from the rear boundary of the site. Therefore although the proposed windows would be higher up than existing windows, due to the distance of separation, they would not cause any loss of privacy for the properties to the rear of the site on D'Arcy Way.
- 5.3.3 Due to the single storey nature of the rear extension and the distance from neighbouring properties, it is not considered that it would cause any overshadowing or overlooking on residential amenity to the rear or adjacent properties of Chapel Road.

5.3.4 Therefore, overall it is not considered that the development would form an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of D1 of the LDP.

#### **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 and cycle routes.

5.4.2 The proposed development will result in a dwelling that has the potential for six bedrooms. The existing car parking arrangements on the site provide parking for at least three vehicles, which is the level of car parking the Council would expect for a property of this size. As the proposed development will not impact the layout or provision of vehicle parking on the site it is considered that the proposed development will not have a detrimental impact on the provision of vehicle parking on the site in accordance with the vehicle parking standards.

#### **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 garden on the site is in excess of the standard contained within the Essex Design Guide of 100m<sup>2</sup>, and although the proposed development will result in the loss of some of the garden, the remaining garden will still be in excess of the standard. Therefore, the proposed extension is in compliance with policy D1 of the LDP.

### **6. ANY RELEVANT SITE HISTORY**

- **FUL/MAL/05/00645** – Proposed sun lounge and garage – approved.
- **HOUSE/MAL/17/00998** – Single storey rear extension to replace conservatory. New enlarged roof with accommodation including dormers to front and rear – refused.

### **7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

#### **7.1 Representations received from Parish / Town Councils**

<b>Name of Parish / Town Council</b>	<b>Comment</b>
Tolleshunt D'Arcy Parish Council	We have no comments.

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

7.2.1 No letters of representation have been received.

**8. REASONS FOR REFUSAL**

- 1 The proposed development, by virtue of the two poorly aligned dormers to the front elevation would represent dominant and disproportionate additions to the host dwelling which would result in a visually intrusive and incongruous feature within the site and the locality. It is therefore considered that the propose development would result in demonstrable harm to both the dwelling and the locality and is consequently not in accordance with policies D1, S1 and H4 of the approved LDP.