



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
15 JANUARY 2018**

Application Number	HOUSE/MAL/17/01267
Location	Nortonlea 6 Katonia Avenue Mayland Essex
Proposal	First floor extension to existing bungalow to create additional bedroom space.
Applicant	Ms Stacy Christmas
Agent	Annabel Brown - Annabel Brown Architect
Target Decision Date	9 January 2018
Case Officer	Devan Lawson, TEL: 01621 875845
Parish	MAYLAND
Reason for Referral to the Committee / Council	Member Call In

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

Nortonlea 6 Katonia Avenue Mayland
HOUSE/MAL/17/01267



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	SE Committee 17/01267
	Date:	03/01/2018
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located to the eastern side of Katonia Avenue. The site is occupied by a single storey, detached dwelling, in an area which is residential in nature. The existing dwelling measures a maximum of 13 metres deep and 13.2 metres wide with a combination of pitched and flat roofs built to a maximum ridge height of 5 metres. The existing dwelling contains three bedrooms.
- 3.1.2 Planning permission is sought for the substantial extension and reconfiguration of the roof of the dwelling. The ground floor would not be affected or extended other than through the provision of a staircase.
- 3.1.3 The main part of the resultant roof would feature a ridge that would run perpendicularly to the public highway with a gable end to the front elevation and a maximum height of 6.4 metres, an eaves height of 4.1 metres to the north side and 2.9 metres to the south side. The roof would be hipped to the rear, falling to an eaves height of 2.7 metres, with a pitched roof dormer that would measure 2.6 metres wide and 3 metres tall. A single storey element would be retained at the south side of the dwelling that would wrap around the south west corner of the dwelling, thereby resulting in a single storey front projection being retained. This would feature a pitched roof to the front and a flat roof to the remainder of the extension.
- 3.1.4 The submitted plans indicated that the materials used in the resultant dwelling would be render to the elevations and slate to the roof, with aluminum windows and timber infill panels and doors to the front elevation. It is noted that the application form states that zinc would be used for the roof and this suggestion is addressed below.

3.2 Conclusion

It is considered that the proposed development, by virtue of the scale and form of the proposed extensions would be visually incongruous and in conflict with the established character and appearance of the existing dwelling and the surrounding area. Whilst the proposal would not cause harm to the amenities of neighbouring residents or the loss of amenity space and would be served by adequate parking, it is considered that the proposed development is not in accordance with policies S1 and D1 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:

- 56
- 58
- 59

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
- T2 - Accessibility

4.3 Relevant Planning Guidance / Documents:

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

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 with policy 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. This is supported by policies D1 and H4 of the Maldon District Local Development Plan and the Maldon District Design Guidance.
- 5.2.2 Planning permission is sought to construct substantial extensions to the roof of the existing dwelling, causing an increase in the height of the dwelling from 5 metres to 6.4 metres. The properties to the north end of Katonia Avenue are a little more varied, but the dwellings to the south end, particularly those to the east of the highway are bungalows and converted bungalows of similar scale and appearance. The heights of the dwellings are almost uniform in this stretch of properties to the east of Katonia Avenue. It is therefore considered that the substantial increase of the height of the dwelling and the increased bulk that would derive from the large front gable that would be presented to the streetscene would be entirely out-of-keeping with the character and appearance of the area.
- 5.2.3 The proposed extensions would result in a contrived roof form that would have an off-centred ridge line relative to the two storey element of the dwelling, inconsistent eaves and a large dormer that would be of a fenestration that would not match the remainder of the dwelling. The proposed large windows and timber panelling to the front facing first floor window would also be a substantial contrast from the character and appearance of the existing dwelling. It is noted that the application form states that zinc will be used as the roofing material. This would be entirely out-of-keeping

with the surrounding area and therefore, if acceptable, a condition would be imposed to require the use of more appropriate materials.

- 5.2.4 Therefore, it is considered that the proposal, by virtue of the scale and design of the proposed roof extension, would detract from the appearance of the streetscene and be materially harmful to the character and appearance of the site and the surrounding area.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the submission LDP seeks to ensure that development will protect the amenity of its surrounding area.
- 5.3.2 The application site is located within a residential setting and shares a boundary with 4 Katonia Avenue to the south, 8 Katonia Avenue to the north and 5 and 7 The Drive to the east (rear) of the site. The existing dwelling is positioned in close proximity to both side boundaries by 17.7 metres from the rear boundary.
- 5.3.3 The neighbouring property to the south (4 Katonia Avenue) features a single storey side projection that abuts the boundary and has no windows in the side elevation. The roof extensions would be set away from that boundary and the existing single storey projection would be retained, with the roof form unaffected. Due to the relationship between the properties it is considered that the proposal would not cause a loss of light or outlook that would be substantially worse than the existing situation. The proposed window and rooflights that would face south could be fitted with obscure glass under the terms of a condition and this would prevent any overlooking or perceived overlooking.
- 5.3.4 The neighbouring property to the north (8 Katonia Avenue) features a single storey garage at the side of the dwelling that abuts the boundary and that dwelling has no windows in the side elevation. The roof extensions would be built to a comparatively low eaves height to the north side and therefore, due to the relationship between the properties and the non-habitable use of the adjacent accommodation, it is considered that the proposal would not cause a loss of light or outlook that would be substantially worse than the existing situation. The proposed rooflights that would face north could be fitted with obscure glass under the terms of a condition and this would prevent any overlooking or perceived overlooking.
- 5.3.5 It is noted that three letters of objection have been received from occupants of properties within The Drive who all raise concerns in relation to overlooking. Due to the separation distance 17 metres from the shared boundary and 41.8 metres from the dwellings of The Drive, the additional first floor windows would not cause overlooking to an extent that would justify the refusal of the application and there would be no other unacceptable impacts on the amenities of the occupants of those dwellings. Similarly, the proposal would not have an unacceptable impact on the properties to the west of Katonia Avenue.
- 5.3.6 Therefore, the proposed development will not result in a demonstrable impact on the amenities of neighbouring occupiers,

5.4 Access, Parking and Highway Safety

- 5.4.1 Policies D1 and T2 of the LDP seeks to ensure that safe and secure vehicle parking is provided in accordance with the Council's adopted parking standards. The Parking Standards are expressed as maximum standards and Government guidance encourages the reduction in the reliance on the car and promoted methods of sustainable transport.
- 5.4.2 The resultant dwelling would have four bedrooms and the Council's adopted Parking Standards require a dwelling of this size to provide a maximum of three spaces. Upon visiting the site it was noted that there is space to park at least two cars at the frontage of the property. In this instance, noting that the site is in a reasonably sustainable location in terms of access to a school and community facilities, it is considered that the additional demand for parking would not cause an increase of on-street parking to an extent that would pose a threat to highway safety or the free-flow of traffic.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 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 three or more bedrooms is 100 m².
- 5.5.2 The amount of rear amenity space available is well in excess of the abovementioned standard and would not be affected by the proposed development.

6. ANY RELEVANT SITE HISTORY

- 6.1 This application follows the withdrawal of similar applications HOUSE/MAL/17/00416 and HOUSE/MAL/17/00697.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Mayland Parish Council	Object – The proposal would be overdevelopment of the site, would affect the privacy of neighbours, would be out-of-keeping with the streetscene and cause increased demand for parking.	Each of these matters are addressed above.

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:
- Mrs Devall, 3 The Drive, Mayland

- Mr & Mrs Brown, 9 The Drive, Mayland
- Mr & Mrs Newell, 7 The Drive, Maylandsea

Objection Comment	Officer Response
The development and the proposed materials would be out-of-keeping with the existing dwelling and the surrounding area.	Please see section 5.2 of main report.
The proposed windows would overlook properties within The Drive and cause a loss of privacy.	Please see section 5.3 of main report.
Existing bungalows should be retained to meet demand, particularly for the elderly and the disabled.	There is no policy basis to require the retention of bungalows.
The property has been extended previously.	There is no reason to take the position that a property that has been extended in the past cannot be extended again.
There will be additional demand for parking.	Please see section 5.4 of main report.

8. REASON FOR REFUSAL

- 1 The proposed development, by virtue of the scale, form, design and appearance of the roof extension, would result in the dwelling having an incongruous and discordant visual appearance that would be harmful to the character and appearance of the site and the surrounding area. The proposal is therefore contrary to policies D1 and H4 of the Maldon District Local Development Plan, the Maldon District Design Guide and the guidance contained within the National Planning Policy Framework.