



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
12 FEBRUARY 2018**

Application Number	HOUSE/MAL/18/00006
Location	7 Cedar Grove, Burnham-on-Crouch
Proposal	Proposed dormer with hipped roof and Velux window to front, removal of chimney stack and relocation of front entrance.
Applicant	Ms Angelique Bell
Agent	Mr Alan Green – A9 Architecture
Target Decision Date	28/02/2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	BURNHAM NORTH
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.

7 Cedar Grove
Burnham On Crouch HOUSE/MAL/18/00006



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Maldon District Council 100018588 2014

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Scale: 1:1,250

Organisation: Maldon District Council

Department: Planning Services

Comments: South East Area Committee

Date: 31/01/2018

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is in a residential location within the settlement boundary of Burnham-on-Crouch. The application site is located within a cul-de-sac made up of semi-detached dwellings. The site relates to a semi-detached two storey dwelling with detached garage located to the side. The application site and adjoining property are symmetrical in nature.
- 3.1.2 The proposal seeks planning permission to construct a dormer window to the front of the dwelling, install a Velux window on the front elevation, remove the chimney stack and relocate the main entrance to the front elevation. The proposed dormer will measure 1.9 metres wide, 2.3 metres deep and 2.6 metres high.
- 3.1.3 Two applications for similar proposals have been refused on the site. The first refusal was under application HOUSE/MAL/16/01415 which was for a front dormer, relocation of front entrance and internal reconfigurations. This application was also dismissed at appeal. The dormer measured 2.3 metres wide, 2.4 metres deep and 2.7 metres high. The reason for refusal was as follows:

“The proposed development by reason of its siting would result in a prominent form of development, out of character with the prevailing pattern of development within the vicinity of the site to the detriment of the dwelling and the character and appearance of the area, in particular the dormer window to the front elevation, and is contrary to adopted Maldon District Replacement Local Plan policies BE1 and BE6 and policy D1 of the submitted Local Development Plan and Government guidance contained within the National Planning Policy Framework.”

- 3.1.4 The second refusal was under application HOUSE/MAL/17/00825 which was for a dormer, Velux window on front elevation and porch infill/relocation of entrance door. The dormer measured the same as the current proposal. The reason for refusal was as follows:

“The proposed front dormer by reason of its siting and design would result in a prominent form of development, out of character with the prevailing pattern of development within the vicinity thereby having an adverse effect on the host dwelling and the character and appearance of the area, the proposal is therefore contrary to policy D1 of the Local Development Plan and Government guidance contained within the National Planning Policy Framework.”

3.2 Conclusion

- 3.2.1 The proposal has not addressed the reasons for refusal in the previous application. The proposed front dormer, by reason of its siting and design, would result in a prominent form of development, out of character with the prevailing pattern of development within the surrounding area, and therefore would detrimentally impact on the character and appearance of the existing dwelling and the locality, contrary to policy 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:

- 56-68 Requiring Good Design

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

- D1 Design Quality and Built Environment
- T2 Accessibility
- S1 Sustainable Development
- H4 Effective Use of Land

4.3 Burnham-on-Crouch Neighbourhood Plan

- HO.4 Housing Design Principles

4.4 Relevant Planning Guidance / Documents:

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

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 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. There is similar support for high quality design and the appropriate layout, scale and detailing of development found within the Maldon District Design Guide (MDDG) (2017).
- 5.2.2 The relocation of the front entrance would square off the front elevation and therefore it is considered that due to the varying styles of the ground floor frontages within the streetscene, the proposed relocation of the door would not have a detrimental impact on the character and appearance of the streetscene.

- 5.2.3 If undertaken in isolation, the removal of the chimney stack would not require planning permission. Moreover, it is noted that the proposed roof light on the front elevation could be installed under permitted development rights and therefore there is no objection to this part of the proposal.
- 5.2.4 The proposal also includes the construction of a dormer to the front elevation of the dwelling. The first application for a similar proposal at this site, with a slightly larger dormer, was refused and subsequently dismissed at appeal and it is noted that the inspector stated the proposed front dormer “*would appear as an incongruous addition that would unbalance the roofslope to the detriment of the character and appearance of the existing dwelling. In such a prominent position, this would be to the detriment of the character and appearance of the surrounding streetscene*”.
- 5.2.5 Front dormer windows are not present with this part of Cedar Grove and are not a common feature of the surrounding area. The Planning Inspector made it clear that he was aware of dormer windows existing within Beech Close and Maple Way and also a permission to install two dormer windows at 4 Cedar Grove. However, it was determined that none of those dormers are identical to the development that was proposed at the application site and therefore the application should be determined on its own merits. The reduced size of the dormer window is not considered to have addressed the concerns that were raised by the Planning Inspector and it is noted that the dormer is identical in nature as was previously refused under the terms of application HOUSE/MAL/17/00825. It is therefore considered that it remains the case that the dormer would be an incongruous addition that would detract from the character of the surrounding area and unbalance the symmetry of the roofspace that is shared with the neighbouring property.
- 5.2.6 It is considered that the revised proposed development, by means of its style and design, including its scale and siting, has not overcome the previous reasons for refusal nor the comments made by the inspector from the appeal in 2016. Therefore the proposed dormer window would result in a prominent feature that is out of keeping with the host dwelling and would have a detrimental impact on the character and appearance of the street scene, and therefore, is contrary to policy D1 of the LDP and guidance within the NPPF. Furthermore, there are not considered to be any changes in policy or new material conditions that would outweigh the material consideration that is the recently refused identical form of development or the previous appeal decision.

5.3 Impact on Residential Amenity

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas. The application site is a semi-detached dwelling and therefore adjoins No. 5 Cedar Grove to the north. The proposed front dormer would be located 0.6 metres from the adjoining property. There will be no window on the elevation facing the neighbouring property. Due to its size and location, the proposal is not considered to give rise to any loss of privacy or overlooking.
- 5.3.2 Due to the distance of the property from neighbouring properties, the development is not considered to cause overlooking or overshadowing to an extent that would justify

the refusal of the application. This is consistent with the conclusions previously reached by the Local Planning Authority (LPA) and the Planning Inspectorate.

- 5.3.3 It is consequently considered that the proposed development will not cause overlooking, overshadowing or have a harmful impact of the amenities of neighbouring residents to an extent that would justify the refusal of the application and would therefore be in accordance with policy D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 According to the Maldon District Vehicle Parking Standards SPD, a three bedroom dwelling should have a maximum of two car parking spaces. There is currently provision for 2 spaces on the driveway, as well as a space in the garage. Although the proposal will add an extra bedroom to the property, there will still be adequate parking at the site and therefore it is in compliance with policy D1 and T2 of the LDP.

5.5 Amenity Space

- 5.5.1 The Essex Design Guide advises a suitable garden size for dwellings with three or more bedrooms is 100m². The current garden size is approximately 100m² which is acceptable for a dwelling of this size. The proposed development will add one more bedrooms however it will not reduce the amount of amenity space. Therefore the proposal is not considered to have a detrimental impact on amenity.

6. ANY RELEVANT SITE HISTORY

- **HOUSE/MAL/16/01415** – Proposed relocation of front entrance. Proposed internal re-configurations. Proposed pitched roof dormer to front elevation. – Refused and appeal dismissed – (09.02.2017)
- **LDP/MAL/16/01416** – Claim for lawful development certificate for proposed increase of existing flat roof rear dormer – Approved – (09.02.2017)
- **HOUSE/MAL/17/00825** – Proposed hipped roof dormer and Velux window to front elevation. Porch infill and relocation of entrance door –Refused – (26.09.2017)

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

- 7.1 The consultation expiry date is Friday 2nd February. Any comments received after writing this report will be summarized within the members update.

7.2 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Burnham-on-Crouch Town Council	Recommend granting permission as it is a compliant application.	Comments noted.

7.3 Representations received from Interested Parties

- 7.3.1 No letters of objection have been received at the time of writing this report.

7.3.2 No letters of support have been received at the time of writing this report.

8. REASON FOR REFUSAL

1. The proposed front dormer by reason of its siting and design would result in a prominent form of development, out of character with the prevailing pattern of development within the vicinity thereby having an adverse effect on the host dwelling and the character and appearance of the area, the proposal is therefore contrary to policy D1 of the Local Development Plan and Government guidance contained within the National Planning Policy Framework.