



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

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

<b>Application Number</b>	<b>FUL/MAL/17/01391</b>
<b>Location</b>	Annexe, Upper Westwick, Waterside Road, Bradwell-on-Sea
<b>Proposal</b>	Proposed single storey rear extension with a pitched roof over and part flat roof
<b>Applicant</b>	Ms Yolanda Westall
<b>Agent</b>	None
<b>Target Decision Date</b>	13.02.2018
<b>Case Officer</b>	Devan Lawson TEL: 01621 875845
<b>Parish</b>	<b>BRADWELL-ON-SEA</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In

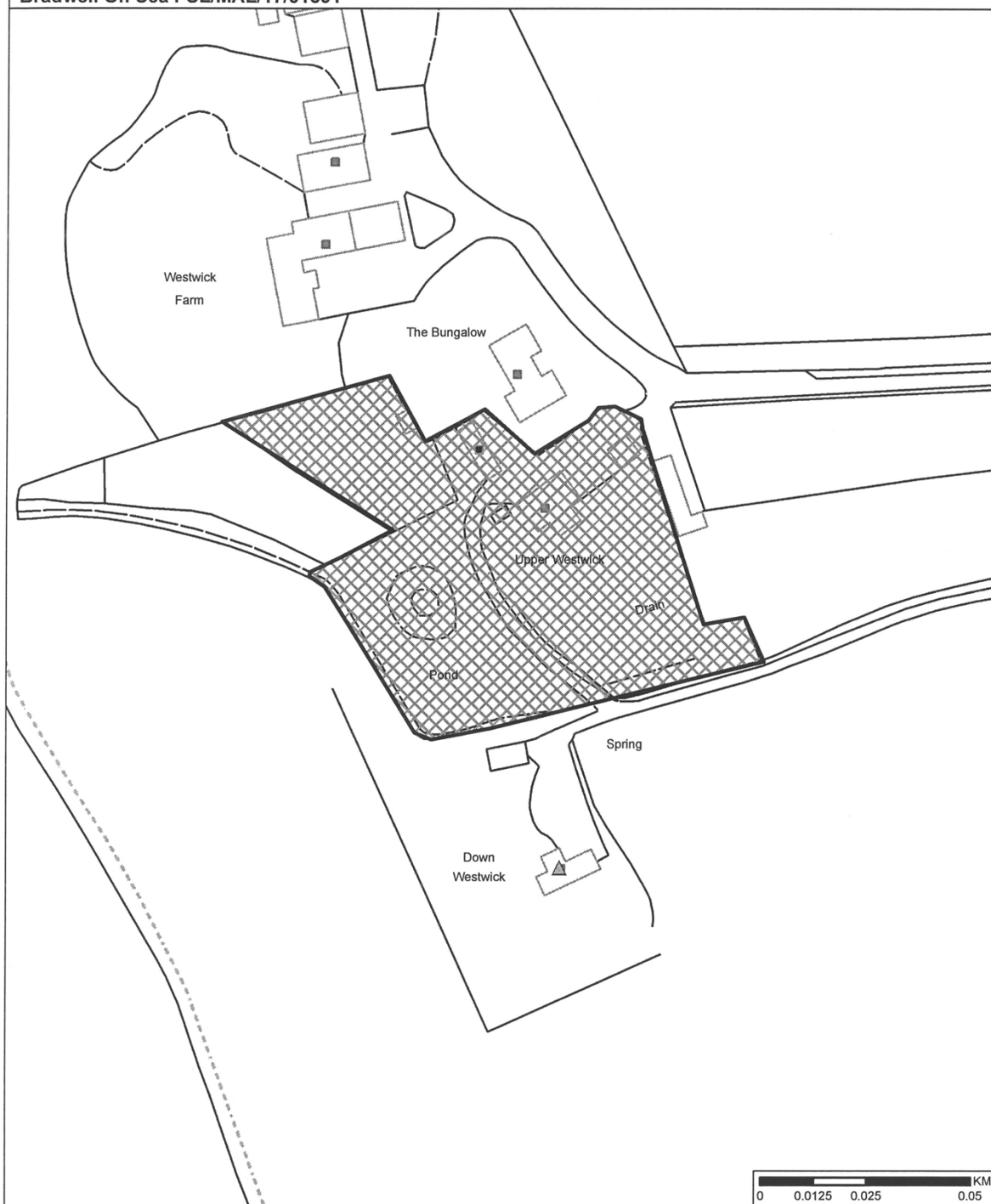
**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see overleaf.

**Annexe - Upper Westwick - Waterside Road**  
**Bradwell On Sea FUL/MAL/17/01391**



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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 located on the western side of Waterside Road, in a rural location, outside of a defined settlement boundary. The site is occupied by a single storey dwelling (Upper Westwick) and a single storey detached annexe which lies on the northern boundary of the curtilage of Upper Westwick.
- 3.1.2 The principal elevation of the annexe is located on the northeast of the application building. However, the annexe is approached via the site access located to the southwest and so the southwest elevation is most prominent. The living accommodation within the annexe comprises two bedrooms, a bathroom, living room and kitchen. The site also has its own amenity space to the southwest of the annexe which is bound by a low picket fence. The building appears to have been part of the original farm complex and used either as farm workers accommodation or for livestock.
- 3.1.3 The main dwelling is located to the south of the annexe across an unmade private driveway which serves access to both the annex and the dwelling. The dwelling is a detached two storey building set within a large curtilage. It lies close to a number of other buildings, including farm buildings and three other residential properties. The property is not visible from the highway.
- 3.1.4 Planning permission is sought to construct a single storey extension on the southwestern elevation of the annexe.
- 3.1.5 The proposed extension will replace part of an existing extension. The proposal will project a maximum of 8.8m from the southwest elevation and 3.8m from the existing extension on the southeast elevation. It will have a maximum width of 8.2m and a height of 3.4m to the eaves and 5m to the ridge. The extension would accommodate 3 bedrooms and a living area. One of the existing bedrooms will be converted into a dressing room and a bathroom and the existing living area will become a dining room. The proposal will increase the number of bedrooms within the annexe from two to four.

#### **3.2 Conclusion**

- 3.2.1 It is considered that the proposed development by reason of its scale, bulk, design and siting would result in an overly large and incongruous form of development which would be detrimental to the character and appearance of the original building, the host dwelling and the intrinsic character and beauty of the countryside. Furthermore, the level of accommodation proposed is considered to represent a separate dwelling unit lacking in a functional relationship with the host dwelling. Therefore, the proposal is considered to be detrimental to the character and appearance of the rural area contrary to approved policies S1, S8, D1 and H4 of the Local Development Plan (LDP) and Government guidance contained within the National Planning Policy Framework (NPPF)

### **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 Principles
- 56 -58 – Requiring good design

#### **4.2 Maldon District Local Development Plan**

- S1 – Sustainable Development
- S8 – Settlement Boundaries and the Countryside
- D1 - Design Quality and Built Environment
- H4 – Effective Use of Land
- T1 – Sustainable Transport
- T2 – Accessibility

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

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

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

- 5.1.1 The principle of erecting ancillary accommodation to provide facilities in association with the existing residential accommodation is considered acceptable under policy H4 of the Local Development Plan.
- 5.1.2 Annexe accommodation is expected to be ancillary to the host dwelling. It is expected to have a functional link, shared services, amenities and facilities and there should be a level of dependence on the occupants of the host dwelling by the occupants of the annexe.
- 5.1.3 It should be noted that the annexe accommodation exists and although detached from the main dwelling its use as an annexe ancillary to the main dwelling is established and lawful. The main dwelling on site is occupied by the applicant and it is stated within the application that the annexe is occupied by the applicant's daughter.
- 5.1.4 Justification for the proposed extension to the annexe accommodation has been submitted with the application. It has been stated that the existing annexe accommodation, which is occupied by the daughter of the owner of Upper Westwick, is too small for the family's requirements. At present there are three children who live in the annexe and share a bedroom; now they are older they require their own space. The family wishes to remain living at Upper Westwick as a family unit, as the applicant looks after the children whilst her daughter who resides in the annexe, runs her book keeping business.
- 5.1.5 The proposal will result in an annex that has a floor area just 15m<sup>2</sup> less than that of the host dwelling. Therefore, concerns are raised in relation to the building remaining ancillary in nature and would amount to the creation of a separate planning unit, which is exacerbated by the level of accommodation proposed. The accommodation proposed is considered to go beyond satisfying the functional needs of the occupier and in effect the proposal could represent a self-contained unit of accommodation.
- 5.1.6 The existing accommodation facilitates a full suite of activities and day to day living and the level of facilities allow for a totally independent form of development from the main dwelling, allowing completely separate living, the proposal exuberates this. The proposal would accommodate a dining room, two additional bedrooms, an additional bathroom, a dressing room and an outdoor seating area; this accommodation is considered to go a long way beyond satisfying the functional needs of the occupier and would easily remove the need

for the building to be used ancillary to the main dwelling. In effect the proposal represents a self-contained unit of accommodation detached from the main dwelling without any degree of dependency or requirement to interact with the principal property. Furthermore, the increase in bedrooms from two to four will result in an annexe which has one more bedroom than the host dwelling. Therefore, it is not considered that an annexe, which provides a greater level of accommodation than the host dwelling, can be deemed an ancillary use.

- 5.1.7 The physical separation, exacerbated by the track which gives the sense of two separate curtilages, combined with the size and residential appearance of the annexe accommodation, gives the appearance of two dwellings on this site. The proposed extension and additional accommodation would exacerbate this. Whilst consideration is given to the applicant's needs, the proposal must be assessed on the lifetime of the development. Therefore, the separation of the two buildings alongside the proposed generous level of accommodation is not considered to represent an ancillary form of accommodation that would have a functional relationship to the main dwelling.
- 5.1.8 Therefore, whilst it is noted that the proposal is for the extension of an existing annexe that is currently used ancillary to the main dwelling house, given the proposed scale of the annexe building and the dwelling -house it is considered that the proposed extension to the existing annexe would render the building too large to have a fully functional and ancillary relationship with the existing dwelling. Furthermore, due to the scale and bulk of the proposal, it is considered to result in an overly large and dominant form of development to the detriment of the host dwelling, existing building and the character and appearance of the surrounding countryside, contrary to policies, S1, S8, D1 and H4 of the Local Development Plan.

## **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, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 5.2.2 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 Local Plan 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.
- 5.2.3 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.
- 5.2.4 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”.
- “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.”
- 5.2.5 Policy H4 of the LDP also states that development which includes the alteration, extension and/or the addition to a building must:

- 1) Maintain, and where possible enhance, the character and sustainability of the original building and the surrounding area;
  - 2) 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; and
  - 3) Not involve the loss of any important landscape, heritage features or ecology interests.
- 5.2.6 Similar support for high quality design and the appropriate layout scale and detailing of development is found within the Maldon District Design Guide (2017).
- 5.2.7 In addition Policy S8 of the LDP states that the countryside will be protected for its intrinsic character and beauty. Planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.
- 5.2.8 The accommodation as existing provides a kitchen, living room, bathroom and two bedrooms. The additional accommodation and alterations would provide a dining room, dressing room, second bathroom and two additional bedrooms.
- 5.2.9 The existing annexe building is located to the north of the application site. The southeast boundary of the annexe is located adjacent to an unmade track which separates the host dwelling from the annexe. The surrounding area is rural in nature; it is mostly made up of undeveloped land, with only three residential properties within the vicinity of the site.
- 5.2.10 The proposed single storey extension would project from the southwest boundary of the application site and would have a ridge height that is 0.5m lower in height than the existing building. The proposed hipped roof is considered to be out of keeping with the existing gable roof styles on both the annexe and the host dwelling. However, given the lower ridge height of the proposal, it is not considered that the differing roof profiles will result in material harm to the existing building or the host dwelling.
- 5.2.11 The proposed scale and bulk of the extension is considered to be excessive as the floor area of the proposed extension would be approximately 53.1m<sup>2</sup>, in comparison to the floor area of the original annexe which was approximately 61.3m<sup>2</sup>. Furthermore, the original annexe has been previously extended by 19m<sup>2</sup> under application 13/00200/HOUSE. The 19m<sup>2</sup> from the previous extension, and the proposed additional 53m<sup>2</sup> as part of this application will result in the dwelling being extended by a total of 72m<sup>2</sup>. Consequently, the combined floor area of the additions have a floor area greater than that of the original annexe. Therefore, the proposal is considered to result in an overly large and unbalanced form of development which will result in a structure that appears as a separate dwellinghouse rather than a subservient, ancillary annexe.
- 5.2.12 The increased scale and bulk of the proposal, as a result of the additions and changes to the existing annexe, are considered to be an over development of the site which fails to protect the intrinsic character and beauty of the countryside. This is further exacerbated by the bulk of the development being situated in a prominent position upon entering the site, which is considered to have a dominant and urbanising effect on the site and the surrounding area. Therefore, the additional built form in this location and this scale is considered to result in an urbanisation of the countryside contrary to policies D1, H4 and S8 of the Local Development Plan.
- 5.2.13 The existing dwelling has floor area of approximately 142m<sup>2</sup> in comparison to the resulting floor space of the annexe which would be 133m<sup>2</sup>. The disproportionate scale and bulk of the proposal in relation to the existing dwelling exacerbates the visual impact of the proposal on the annexe and the host dwelling, and results in a structure that represents an individual

dwellinghouse. Consequently the proposal is considered to have an excessive and dominating impact on the host dwelling, contrary to policies S1 and D1 of the Local Development Plan. Furthermore, the increase in built form intensifies the level of development within the countryside, which is exuberated by the bulk of the development being situated at the entrance of the site, contrary to policy S8.

- 5.2.14 Due to the scale and bulk of the proposal, it is considered that the development will result in an overly large and unbalanced form of development which fails to act as a subservient addition to the host dwelling and will visually appear as two separate dwellinghouses. Furthermore, the proposal will increase the level of built form within the countryside and will be highly visible upon entering the site. Therefore, the proposal is considered to be contrary to policies S1, S8 and D1 of the Local Development Plan.

### **5.3 Impact on Designated Heritage Assets**

- 5.3.1 The proposed development is located 102m from Down Westwick a Grade II listed building. Given the separation distance between the proposal and the listed building and the presence of the existing annexe it is not considered that the proposal will have any impact on the special character and appearance or the significance of the listed building.

### **5.4 Impact on Residential Amenity**

- 5.4.1 Policy D1 of the LDP seeks to ensure that development will protect the amenity of its surrounding area.
- 5.4.2 The application site is located in a rural locality. The proposed annexe extension would be located 1m from the boundary with The Bungalow, Waterside Road. A brickwall separates the boundary between the two sites. Given the presence of the existing extension and the single storey nature of the proposal it is not considered the proposal will have an overbearing impact on the neighbouring occupiers. Furthermore, there are no windows proposed on the northwestern elevation.
- 5.4.3 Therefore, it is not considered the development would have a detrimental impact on the amenity of the neighbouring properties by way of loss of light, overlooking or forming an unneighbourly development. In this respect, the proposal would be in accordance with policy D1 of the LDP.

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

- 5.5.1 Policy T2 seeks to provide appropriate off-street parking provision in accordance with the District's adopted vehicle parking standards (Adopted Supplementary Planning Document (SPD) July 2006).
- 5.5.2 The proposed development would result in the creation of two additional bedrooms, resulting in four bedroom annexe and three bedrooms within the host dwelling. The recommended parking provision for a property with four or more bedrooms is three off street car parking spaces.
- 5.5.3 The provision of on-site vehicle parking spaces will remain unaltered. There is sufficient parking to park three or more vehicles on the area to the northeast of the annexe and the garage and hard standing to the northeast of the host dwelling. Therefore, there are no concerns raised in relation to parking provision.

## **5.6 Private Amenity Space and Landscaping**

- 5.6.1 Policy D1 of the LDP 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 100m<sup>2</sup>. This is supported by section C07 of the Maldon District Design Guide (2017).
- 5.6.2 The existing private amenity space on the site is in excess of the standard contained within the Design Guides, and although the proposed development would result in a loss of some of the private amenity space of site, the remaining space would still be larger than the standard. Therefore, there is no objection to the proposal in relation to amenity space.

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

- **HOUSE/MAL/13/00200** - Single storey extension to annexe. Approved
- **FUL/MAL/08/00349** - First floor extension to the host dwelling. Approved, however, there is no evidence that the planning permission was ever implemented and has now expired.

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

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

- 7.1.1 None received at the time of writing this report

### **7.2 Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No objection – subject to conditions regarding surface water drainage and foul drainage	Whilst regard has been given to the conditions requested by Environmental Health. It is considered due to the scale of the development the proposed conditions in relation to foul water and surface water runoff are not considered to be reasonable, relevant to the development and necessary. Therefore, they do not pass the 6 tests for conditions and are not considered applicable to this application.



## **8. REASON FOR REFUSAL**

1. Given the physical separation between the annexe and the host dwelling, the size of the resultant building and the quantum of residential accommodation proposed, the development is considered to represent a separate dwelling unit lacking in a functional relationship with the host dwelling. Moreover, the proposed extension by reason of its design, scale and appearance is considered to result in an overly large addition, causing harm to the character and appearance of the main dwelling and the intrinsic character and a beauty of the surrounding countryside. The proposal is therefore, contrary to the requirements of policies S1, S8, D1 and H4 of the approved Local Development Plan and the National Planning Policy Framework.