



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

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

Application Number	HOUSE/MAL/17/01428
Location	River Lodge, 120 Imperial Avenue, Mayland
Proposal	Front extension comprising entrance, gym/garage with mezzanine study.
Applicant	Mr Tony Holt
Agent	Cliff Cole – Cliff Cole Architects Ltd
Target Decision Date	15/02/2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
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.

River Lodge - 120 Imperial Avenue Mayland HOUSE/MAL/17/01428



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Maldon District Council 100018588 2014

www.maldon.gov.uk

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 south of Imperial Avenue, within the settlement boundary of Mayland. The site comprises a two storey dwelling and the private garden of the dwelling lies to the rear of the property on the southern side.
- 3.1.2 The proposal involves the erection of a front extension comprising an entrance, gym/garage and mezzanine study. The proposed extension will measure 7.1 metres wide, 9.7 metres deep with an eaves height of 2.4 metres to the front elevation, a maximum eaves height of 4 metres on the internal elevation and an overall height of 5.8 metres. There will be a new entrance, garage doors and windows on the east elevation and two roof lights on the front elevation. There will be no windows on the west elevation but there will be three roof lights.

3.2 Conclusion

- 3.2.1 The proposal involves the erection of a front extension comprising an entrance, gym/garage and mezzanine study. It is not considered to detrimentally impact on the amenity of neighbouring occupiers, car parking provision or private amenity space. However the development, by reason of its size and bulk, is considered to cause material harm to the appearance and character of the existing dwelling and the locality, and results in an overdevelopment and visual dominance of the site to an extent that is 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:

- 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 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 proposal involves the erection of a front extension comprising an entrance, gym, garage and mezzanine study as described above.
- 5.2.3 The proposal is a front extension and therefore it will be highly visible within the streetscene. The original dwelling measures 14.1 metres wide and 12.5 metres deep and therefore the proposed extension is considered to be an unusually large addition as it will measure over half the width and depth of the original dwellinghouse. This will result in a form of development that appears to be a dominant addition which would result in an overdevelopment of the site. Due to there being no windows on the northern or western elevation, the development is considered to have limited visual interest and to be an overbearing feature on the site. The development is positioned far forward in the plot, towards the front boundary and therefore is highly visible; the development would appear as an incongruous feature within the streetscene. The development is out of character with the prevailing pattern of development along Imperial Avenue. It is noted that No. 81 Imperial Avenue has a detached double garage to the front of the site, however this is an exception in the streetscene and is smaller in nature than the proposed development. This was approved in 2002 and policies have since changed. However a subservient detached garage is materially different in terms of visual impact in comparison to the extensive prominent and dominant extension hereby proposed.
- 5.2.4 In terms of materials, the doors will be UPVC with glazing bars, the roof will be made of red/brown tiles, the walls will be white render, the windows will be UPVC with glazing bars and the guttering will be black plastic. All these materials match the existing dwelling and therefore there is no objection in terms of materials.
- 5.2.5 The proposal, by reason of its size, design, bulk and positioning, is considered to cause material harm to the appearance and character of the existing dwelling and locality, and results in an overdevelopment of the site to an extent that is contrary to policies D1 and H4 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas. The neighbouring property to the east, No. 118 Imperial Avenue, is located 3.7 metres from the shared boundary and 13.2 metres from the proposed development. Due to the distance between the neighbouring property and the proposed development, it is not considered to cause overlooking or overshadowing to an extent to justify the refusal of the application.
- 5.3.2 The neighbouring property to the west, No. 122 Imperial Avenue, is located 5.6 metres from the shared boundary and 7.7 metres from the proposed development. It appears from the plans submitted that there are no windows on the western elevation of the proposed development. Although this will create a dominant form of development along the boundary with the neighbouring property, due to the distance from the neighbouring dwelling, it is not considered to cause overlooking or overshadowing to an extent that would justify the refusal of the application.
- 5.3.3 It is consequently considered that the proposed development will not cause overlooking, overshadowing or have a harmful impact on the amenities of neighbouring residents to an extent that would justify the refusal of the application and would therefore be in accordance with that aspect of 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 four bedroom dwelling should have a maximum of three car parking spaces. There is currently provision for at least 4 spaces. Although the front extension will reduce the amount of space at the front of the dwelling, there will still be three parking spaces available. It should also be noted that the Highways Authority has no objections to this application and therefore it is in compliance with this aspect of 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 600m² which is significantly above the minimum requirement for a dwelling of this size. The proposed development would not increase the number of bedrooms within the site and will not impact on private amenity space. Therefore the proposal is not considered to have a detrimental impact on amenity.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/04/01249** – Single storey side extension to dwelling – Approved (28.01.2005)
- **FUL/MAL/06/00379** – First floor front extension, single storey side and rear extensions. Detached double garage on site frontage. – Refused (26.05.2006)
- **FUL/MAL/06/00702** – Alterations and extensions to existing dwelling – Approved (04.08.2006)

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Mayland Parish Council	The proposal is not in keeping with neighbouring properties. It reduces off road parking spaces and alters the original footprint. It also reduces available light and has an impact on neighbouring properties.	Comments noted.

7.2 External Consultees

Name of External Consultee	Comment	Officer Response
The Highway Authority	No objection.	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 extension by virtue of its scale, bulk, positioning and design would result in a prominent and visually dominant form of development which is out of keeping with the prevailing pattern of development in the surrounding area. It will result in material harm to the existing dwelling on the site and the streetscene and therefore the proposal would be contrary to policies D1 and H4 of the LDP and Government advice contained in the NPPF.