

## **UTT/0075/07/FUL - STANSTED**

**(Referred by Councillor Sell)**

*(Reasons: Concerns that out of keeping in the street scene and would create possible overlooking).*

Erection of two-storey rear extension, single-storey side extension and erection of bay window to front elevation.

Location: 2 Brewery Lane. GR/TL 513-252  
Applicant: Mr M Gillan  
Agent: Tim Madgwick  
Case Officer: Consultant North 2 telephone 01799 510478/605  
Expiry Date: 13/03/2007  
ODPM Classification: OTHER

**NOTATION:** Within settlement limits.

**DESCRIPTION OF SITE:** The application site comprises a semi-detached property located at the junction between St Johns Road and Brewery Lane. The dwelling is laid out at right angles to the attached property, which front St Johns Road. The dwelling has a side and rear garden area and it has vehicular access from Brewery Lane to a parking area and garage. Due to the layout of these properties, the east (rear) elevation of the dwelling is set approximately 0.5 metres behind the rear elevation of the neighbour attached to the south.

**DESCRIPTION OF PROPOSAL:** The application seeks planning permission to erect a part single storey, part two-storey, extension to the east elevation, a single storey extension across the north elevation, which includes the main front door, and a single storey extension to the west elevation facing St Johns Road.

**APPLICANTS CASE:** This revised application follows pre-application discussion. The impact of this scheme to the street scene and the adjoining neighbour is minimal and there would be no loss of light or view, and no neighbour is overlooked by the proposals. The proposed new work is subordinate to the original building and accords with Structure Plan & Local Plan policies and Supplementary Planning Document 'Home Extensions'. The proposed design is proportionate and in character, and will fit within the street scene. The design seeks to improve the visual appearance of the building, as well as provide improved accommodation.

**RELEVANT HISTORY:** UTT/1651/06/FUL – erection of two-storey side and rear extension, rooflights to side elevations, and erection of a window to front elevation. Refused, for the following reason:

- R 90A The proposed development is unacceptable in that the application dwelling stands on a visually prominent corner plot and the design, scale, form and rearward depth of the proposed extensions would be out of keeping with adjoining properties. This is due to the length of the lower roof line to the elevation onto Brewery Lane, and the introduction of two dormers which would render the dwelling visually overbearing and incongruous in the street scene. In addition, the two-storey rear extension with its asymmetric roof shape would jar with the existing dwelling and would appear as an overly dominant feature when viewed from the east in Brewery Lane. As such, the proposal would be contrary to the provisions of Policy BE1 of the Essex and Southend-on-Sea Replacement Structure Plan 2001, Policies GEN2 and H8 of the Uttlesford Local Plan 2005, The UDC Home Extensions Supplementary Planning Document 2005, and the Essex Design Guide 1997, all of which seeks to promote good design compatible with the scale, form, layout and appearance of surrounding buildings, and to reduce the visual impact of new buildings and structures where appropriate.

**PARISH COUNCIL COMMENTS:** Concerns that it is out of keeping in the street scene and would create possible overlooking.

**REPRESENTATIONS:** One received. Period expired 6 February 2007.

The proposed development will affect an area of outstanding natural beauty in Brewery Lane. The proposal would still protrude beyond the building line, outside the natural curve of the line of existing properties and will have a detrimental effect on the view. UDC refused a planning application for a 6'6" fence on the property opposite for the same reason. Windows will have a profound negative effect on the next door property and the adjacent property in St Johns Road in relation to privacy. The site will be overdeveloped in relation to other properties adjacent and in Brewery Lane. I have lived in Brewery Lane for over 30 years, but Builders Lane reflects what it has become.

**COMMENTS ON REPRESENTATIONS:** Brewery Lane is not a designated Area of Outstanding Natural Beauty, and the site is not within a Conservation Area. Protrusion beyond a building has in itself is not reason to refuse an application, and the impact of the development in the street scene is addressed in the following section. The potential for overlooking from windows is addressed below, and in the recommended conditions. The location of a fence on the boundary of a site at a prominent junction raises different issues of impact than an extension to a dwelling set back from the road.

**PLANNING CONSIDERATIONS:** The main issues are the impact on

- 1) design (ERSP Policy BE1 & ULP Policies: H8, GEN2);
- 2) neighbours' amenity (ULP policies: H8, GEN2 and GEN4); and
- 3) other material considerations, including Supplementary Planning Document "Home Extensions".

With regard to design and appearance, it is of note that the previous application was refused permission because it was considered that the extensions would be of excessive scale and an inappropriate design, which would result in overly dominant and out of keeping features to the dwelling. This proposal seeks to overcome these concerns.

In summary, it is considered that the single storey extensions to the north elevation and to the west elevation, facing Brewery Lane and St Johns Road respectively, are of an acceptable appearance. They would both be clearly visually subordinate to the elevations on which they would sit and they would not be unduly intrusive in the street scene having had regard to the relatively spacious setting of this corner property.

With regard to the part two-storey and part single storey rear extension, it is now considered that the revised design to this extension would ensure that it would be visually subordinate to the main dwelling in terms of its overall mass. Furthermore, the design would ensure that it would be clearly visually articulated from the existing property and therefore satisfactorily preserve its character and appearance.

The existing spacing about built form, particularly between the application dwelling and the neighbour to the east is an important feature of the street scene. It is further considered that this revised proposal, having reduced the scale of built form at first floor level when compared to the previously refused scheme, would ensure that the character of the street scene is satisfactorily preserved.

The use of matching materials is appropriate to ensure the appearance of these extensions integrates satisfactorily with the existing dwelling. This can be achieved through the application of an appropriate planning condition.

With regard to the impact upon neighbours, it is considered that the dwelling to the south would experience some loss of light and outlook. However, the shadowing would be very limited given the north-south orientation of these properties. Furthermore, although the

extension would, to a degree, intrude into outlook presently enjoyed by that neighbour to the south, it is not considered that this would be at an excessive level, having had regard to the Council's Supplementary Planning Document, 'Home Extensions'. It is not considered that these extensions would have a significant adverse impact upon the amenities of the dwellings to the east.

To prevent direct overlooking, it is appropriate to apply a planning condition to prevent windows being inserted in the south facing side elevation at first floor level.

**CONCLUSION:** The revised design and appearance are considered to overcome the previous reasons refusal and are therefore acceptable. Furthermore, no significant harm to the amenities of adjoining occupiers would arise, subject to the application of appropriate conditions.

**RECOMMENDATION: APPROVAL WITH CONDITIONS:**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
- 3 C.5.3. Matching materials.
4. C.8.28. Cost Effective Energy Efficiency Measures.
5. C.19.1. Avoidance of overlooking – 1. No windows in south elevation.

*Background papers: see application file.*

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