

UTT/0166/12/FUL – (STANSTED MOUNTFITCHET)
(Referred to Committee because the applicant is a District Councillor)

PROPOSAL: Proposed basement and two storey side extension

LOCATION: 27 Brewery Lane, Stansted Mountfitchet

APPLICANT: Mr Jonathan Rich

AGENT: Mr Jason Bagge

GRID REFERENCE: TL514-252.

EXPIRY DATE: 21 March 2012.

CASE OFFICER: Nicholas Ford.

1.0 NOTATION

1.1 Within Development Limits.

2.0 DESCRIPTION OF SITE

2.1 27 Brewery Lane is a detached four bedroom chalet style dwelling. Dwellings surround is spacious grounds of both two storey and similar chalet style. The grounds of Mont House lie to the east adjacent High Lane. Brewery Lane rises steeply from High Lane and the drive of no. 27 rises from Brewery Lane to the front of the dwelling.

3.0 PROPOSAL

3.1 The application proposes an extension to the east elevation comprising a dining room, drawing room, three bedrooms at first floor and two further rooms to the second floor. A basement is also proposed with two parking spaces and a cellar room. A detached garage adjacent the east elevation would be removed. The extension would be about 2.5 metres higher than the existing dwelling. Materials proposed comprise brick and hung tile to elevations with terracotta tiles to the roof.

4.0 APPLICANTS CASE

4.1 None.

5.0 RELEVANT SITE HISTORY

5.1 UTT/1172/10/FUL - Basement and two storey side extension approved 27 August 2008.

6.0 POLICIES

6.1 Uttlesford District Local Plan 2005

- Policy H8 (Home Extensions)
- Policy GEN2 (Design)

- Supplementary Planning Document - Home Extensions

7.0 PARISH COUNCIL COMMENTS

7.1 None.

8.0 CONSULTATIONS

8.1 Ecologist: No objection.

8.2 Landscape Officer: I have considered the effect of the proposed ground levels changes in relation to the protected lime trees on the frontage of the site. The level changes are within part of the root protection area for these trees and it likely that roots would be severed to accommodate the proposed level changes. However, I consider that the extent of such damage is not likely to render the trees unstable, or affect their medium to long term health to a significant degree. I will be advising the case officer that there are no objections to the proposals in relation to the safeguarding of these trees. I will be recommending that any approval should be made subject to conditions requiring tree protection measures to be applied during the course of construction and that any tree roots exposed are to be cleanly cut.

8.3 I would recommend that you consider reducing the two lime trees [T1 and T2] back to the previous pruning points as we have previously discussed. In addition, I suggest that you make an application for consent to fell the lime tree [T4] which is on the boundary with the Mont House site

9.0 REPRESENTATIONS

9.1 25 Brewery Lane - Object. The size, depth, width and massing of the extension would have an adverse impact on nearby properties and the street view due to its overbearing impact. The proposed extension is also out of character with the area as its represents an overdevelopment of the site particularly when taken into account with application UTT/0167/12/FUL for the same site which relates to a proposed garage block. The proposed extension is also out of character for the area as it has features which are not present elsewhere on the street such as basement car parking and significant outbuildings between the main house and the street. This is an un-neighbourly form of development as its scale, particularly affects adjoining properties through its visual impact and loss of privacy through overlooking neighbours gardens particularly from the proposed roof lights.

9.2 C. Collins - There would be light pollution on the properties on the opposite side of Brewery Lane from the dormer windows. An underground garage is a fire hazard. I assume it will solely be used as a garage for car parking and no other purpose.

9.3 26 Brewery Lane – Verge and kerbing should make good the repositioned access.

10.0 APPRAISAL

The issues to consider in the determination of the application are:

Whether the scale, design and external materials of the extension respect those of the original building and the extension is compatible with the scale, form, layout, appearance and materials of surrounding buildings (ULP Policies S1, H8, GEN2 & [SPD Home Extensions](#))

- 10.1 Policy H8 of the Local Plan states that extensions will be permitted if their scale, design and external materials respect those of the *original* building, that there be no material overlooking or overshadowing of nearby properties and that development would not have an overbearing effect on neighbouring properties. Policy GEN2 requires that amongst other criteria development is compatible with the scale, form, layout, appearance and materials of surrounding buildings.
- 10.2 The extension would have a ground floor foot print of about 95 sqm in comparison to the existing dwelling which has a footprint of about 125 sqm. The height of the gable extension would also be significantly taller than the existing chalet dwelling. A 2 metre higher extension than the existing dwelling has however been approved by Planning Committee and this extension would be about 0.5 metres taller again to provide a further two rooms in the roof space. The appearance of the extension is otherwise similar to that approved.
- 10.3 The comments of neighbouring properties relating to scale and appearance have been considered. However, given the approved scheme, it is considered that on balance, the extension would not be so harmful to the existing dwelling or the street scene so as to refuse.

Whether the proposal would result in harm to the amenity of neighbouring properties by way of overlooking, overshadowing or overbearing effects (ULP Policies H8, GEN2 & [SPD](#) Home Extensions)

- 10.4 The representation received is noted. The increased scale does not significantly alter the relationship of the extension with neighbouring properties. There would be additional windows to provide light to the second floor and roof lights. However, approved windows are already present in these elevations and the additional roof lights would be set at an oblique angle and therefore would not cause significant harm in relation to neighbours' privacy. The same view is taken for overbearing and overshadowing impact.

Whether there would be harm to trees with preservation orders (ULP Policy ENV3)

- 10.5 The frontage of the site with Brewery Lane features lime trees which are subject to preservation orders. The health of these trees is important in view of the proposed change in ground levels. The level changes are within part of the root protection area for these trees and it likely that roots would be severed to accommodate the proposed level changes. However, the Landscape Officer considers that the extent of such damage is not likely to render the trees unstable, or affect their medium to long term health to a significant degree. He has no objection to the proposals in relation to the safeguarding of these trees. In the event of approval he recommends conditions requiring tree protection measures be applied during the course of construction and that any tree roots exposed are to be cleanly cut.

11.0 CONCLUSION

The following is a summary of the main reasons for the recommendation:

- 11.1 The extension is considered to accord with Policies H8 and GEN2 of the Uttlesford Local Plan adopted 2005 as well as Supplementary Planning Document - Home Extensions subject to conditions.

RECOMMENDATION – APPROVAL

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies H8 and GEN2 of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

3. The development hereby permitted shall be constructed entirely of the materials details as shown on the schedule of materials on the planning application form unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Within four weeks of the date of the commencement of the development hereby permitted or other such period as agreed by the local planning authority details of Cost Effective Energy Efficiency Measures to be carried out to the extended dwelling shall be submitted to and approved in writing by the local planning authority. These measures shall be implemented during the construction of the development, unless otherwise previously agreed in writing by the local planning authority.

REASON: These measures are required to mitigate the greater use of energy resulting from the provision of the new extension to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

5. Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building hereby permitted and any changes in level proposed, together with the proposed floor levels within the extension, shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To protect the amenity of neighbours and minimise visual impact in the street scene in accordance with Policies H8 and GEN2 of the Uttlesford Local Plan adopted 2005.

6. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and approved in writing by the local planning authority. The scheme shall include:

(a) All tree work shall be carried out in accordance with British Standard BS3998 - Recommendations for Tree Work.

(b) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner without the prior written approval of the local planning authority.

(c) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with details which shall previously have been agreed in writing by the local planning authority.

(d) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

(e) No equipment, machinery or structure shall be attached to or supported by a retained tree.

(f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

(g) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the protection of trees within the site in accordance with Policies GEN2 and ENV3 of the Uttlesford Local Plan (adopted 2005).