

**Stansted
Downs**

562093 161565 20 March 2013

TM/13/00732/FL

Proposal: Two storey side and first floor extensions to dwelling
Location: Fairseat Cottage, Vigo Road, Fairseat, Sevenoaks, Kent, TN15
7LU
Applicant: Mr Phillip Richards

1. Description:

1.1 The proposal for Fairseat Cottage consists of the following:

- Ground floor extension to the two bay garage forward of the current principal garage elevation; and
- First floor extension on an area of existing flat roof above the two bay garage and living room, and above the forward extension of the garage.

1.2 The extensions would be visible from the street scene and public viewpoints within the Fairseat Conservation Area owing to an increase in height from a single storey garage to a two storey extension with living accommodation above the garage. The materials of the proposed extensions have been chosen to reflect the existing property, being brick at ground floor with painted white timber at first floor level. The proposed roof would be constructed from matching slates, with the overall ridge height matching that of the existing property. The proposed south east elevation (facing towards Fairseat House) has been designed as a blank elevation, with a high level garage window and a small window to a new en-suite.

1.3 Fairseat Cottage has an original floor area of approximately 214 square metres. It has been extended at ground floor level to the rear, adding on approximately 80 square metres. The proposed extensions would increase the property by approximately 120 square metres; an approximate 56% increase in the total property floor area. When the proposed new floorspace is added to the cumulative floorspace of the original and extended dwelling, this would represent an overall addition of 200 square metres, or 93% increase above and beyond the original dwelling.

2. Reason for reporting to Committee:

2.1 At the request of Cllr Balfour and Cllr Kemp due to the cumulative effect both this and application TM/13/00732/FL could have on the Conservation Area.

3. The Site:

3.1 Fairseat Cottage is located to the north-west of the village of Fairseat, within the north-western extent of the Fairseat Conservation Area. The property sits back from Vigo Road with a drive in front. It is an attractive two storey brick building

sitting below a slate roof with a mix of external timber cladding and render at first floor level. A two bay single storey garage building is located on the eastern boundary which is physically connected to the main property. A number of mature trees and hedgerow form the eastern boundary of the property with adjacent Fairseat House, a Grade II Listed Building.

3.2 The property is located within the Metropolitan Green Belt.

4. Planning History:

TM/66/398 Grant with conditions 17 August 1966

An outline application for change of use to form extension to dwelling, for H. Pasteur, Esq.

TM/72/745 Grant with conditions 18 September 1972

Additions.

TM/80/486 Grant with conditions 13 May 1980

Two-storey rear addition to form additional living accommodation.

TM/06/00239/TNCA No Objection 23 February 2006

Fell 4 no. Yew Trees

5. Consultees:

5.1 PC: Stansted Parish Council unanimously oppose this application on the following grounds:

- This building is in a Conservation Area and has had significant planning gain without the need to further enhance the scale. We do not believe the conditions that were attached in March 1980 namely "*the accommodation shall be used solely ancillary (sic) to the main dwelling, and no further separate units of accommodation shall be created*" has changed and therefore there is no justification for further planning gain on this plot;
- Since Fairseat Cottage has been increased in size it has lost a significant proportion of its garden to a neighbour which would make the building proposal 'overlarge' on its plot. The current proposal is an intensification of use of the site and would give a loss of amenity to the occupants of Fairseat Cottage;
- The amount of drive space will be reduced which could require vehicles to reverse into Vigo Road;

- There is a mature conifer right next to the garage and this will need to be severely compromised at best or removed at worst to put this proposal in place. As this tree is within the conservation area and is a strong specimen we do not believe this should happen; and
- We would also draw to the attention of the Planning Authority that all neighbouring properties are owned by the applicant so it is highly unlikely that the department will receive any objections from immediate neighbours.

5.2 Private Reps (3/0X/0R/0S) plus CA/LB press and site notice.

6. Determining Issues:

- 6.1 The application site lies within the Metropolitan Green Belt. The application must therefore be assessed in relation to National Green Belt Policy, as set out in the NPPF and TMBCS Policy CP3. The NPPF states (in paragraph 89) that the construction of new buildings is inappropriate development except for (inter alia) extensions or alterations which do not result in disproportionate additions over and above the size of the original dwelling.
- 6.2 Fairseat is defined as a Rural Settlement within TMBCS Policy CP13. However, this designation only extends to a relatively small cluster of properties in the centre of the village; not extending far enough north west to encapsulate the application site. Therefore, by definition, Fairseat Cottage is located within the countryside where TMBCS Policy CP14 applies. This policy states that the extension of an existing residential dwelling is acceptable, provided that the extension is 'appropriate' (i.e. in terms of its scale/bulk).
- 6.3 The site is within the Fairseat Conservation Area and paragraph 137 of the NPPF states that opportunities for new development within the setting of heritage assets should enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. Fairseat House, a Grade II Listed Building, is located some 18 metres north east of the boundary of Fairseat Cottage. Paragraph 132 of the NPPF states that substantial harm to or loss of a Grade II Listed Building should be exceptional.
- 6.4 Policy SQ1 of the Tonbridge & Malling Managing Development and the Environment DPD (MDE DPD) states that (inter alia) proposals for development will be required to reflect the character and local distinctiveness of the area including its historical and architectural interest as well as the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views.
- 6.5 Policies CP1 and CP24 of the TMBCS also require the character and amenities of a locality to be safeguarded. Saved Policy P4/12 of the Tonbridge & Malling Borough Local Plan states that extensions to residential properties will not be

permitted if they would result in an adverse impact on the character of the building or the street scene in terms of form, scale, design and materials or on residential amenity of neighbouring properties in terms of light and privacy and overlooking of garden areas.

6.6 There are also a number of other relevant issues to consider in this case, including:

- Site history, including previously granted planning consent(s) for development at the property;
- Impact on an adjacent conifer tree; and
- Loss of garden and driveway space.

Green Belt/Countryside

6.7 As outlined above, Fairseat Cottage is located within the Metropolitan Green Belt and the open countryside, outside of the defined Rural Settlement of Fairseat. The key issues in terms of the MGB and countryside are the visual impact and the impact on openness of the proposed extension.

6.8 Paragraph 17 of the NPPF requires protection of the Green Belt and recognition of the intrinsic character and beauty of the countryside. In this case, the proposed extension to the property would not be inappropriate development in the MGB provided it does not represent a disproportionate addition over and above the size of the original dwelling.

6.9 The property has benefited from several historic planning consents, including a rear two storey extension for a garage and additional living accommodation above in 1972 (TM/72/745). A further permission was given in 1980 (TM/80/486) for a similar proposal to that granted in 1972, although the 1980 application details that this proposal included an additional 7ft (2.14 metres) increase to the west over and above that granted in 1972. A condition was attached to the 1980 consent requiring the accommodation to be solely used ancillary to that of the main dwelling. It is unclear as to the extent to which the extensions that have been erected represent an implementation of either the 1972 or 1980 consents, although it is clear that the first floor element of additional living accommodation above the kitchen and garage was never implemented. That said, the proposals which form this application broadly speaking represent a similar scale and nature of first floor extension to the property as was previously consented in 1972 and 1980.

6.10 The property has an original floor area of approximately 214 square metres. It has been extended at ground floor level to the rear, adding on approximately 80 square metres. The proposed extensions would increase the property floor area by approximately 120 square metres, representing a 56% increase in the total usable

floor area. When the proposed new floorspace is added to the cumulative floorspace of the original and extended dwelling, this would represent an overall addition of 200 square metres, or a 93% increase above and beyond the original dwelling. Whilst the proposals would not significantly increase the overall footprint of the property, it would add an element of additional bulk in the form of a first floor extension. Overall, whilst I accept that the proposals would not unduly affect either the visual impact or general openness of either the MGB or the countryside, it would cause harm by being inappropriate development by definition, given that it would represent a disproportionate addition over and above the size of the original building. The development would therefore be contrary to paragraphs 79, 80 and 87-89 of the NPPF and TMBCS Policies CP3 and CP14.

Conservation Area/Listed Building

- 6.11 The proposed first floor extension to the property has been designed in a way that would be sympathetic to the character of the property and public views of the Conservation Area from the street scene. Arguably, an addition of an appropriately designed pitched roof first floor extension would be more acceptable in design terms in the street-scene than the existing single storey flat roof garage extension which exists at present. Furthermore, I note that the property is relatively well screened from public vantage points within the Conservation Area owing to existing tree and hedgerow planting along its frontage with Vigo Road.
- 6.12 I consider that the proposal would not adversely affect the setting of the nearby Grade II Listed Building, owing to the sympathetic design of the proposed scheme and the fact that the proposal would remove an existing flat roof development which currently exists to the side and rear of the property.
- 6.13 The Parish Council has raised concerns regarding the proximity of an existing conifer tree (located on the boundary between Fairseat Cottage and Fairseat House) to the proposed development. Whilst I note that the tree is in close proximity to the proposed extension, it would be possible to ensure that the tree is not damaged during any construction activities through the use of an appropriate foundation design and tree protection measures. Given that the tree is located within the Conservation Area, any significant works to either lop or fell it would require prior written notification to the Planning Authority in any instance.
- 6.14 For the reasons discussed above, I consider that the proposal would preserve the character and setting of the Conservation Area, in accordance with paragraph 137 of the NPPF, TMBCS Policies CP1 and CP24 and MDE DPD Policy SQ1 and it would not, in my opinion adversely affect the setting of the nearby Listed Building.

Residential amenity/other issues

- 6.15 As outlined above, Saved Policy P4/12 of the Tonbridge & Malling Borough Local Plan states that extensions to residential properties will not be permitted if they would result in an adverse impact on the character of the building or the street

scene in terms of form, scale, design and materials or on residential amenity of neighbouring properties in terms of light and privacy and overlooking of garden areas.

- 6.16 In my opinion, the proposals would not result in any adverse impact on surrounding residential amenity to adjoining properties, notably that of Fairseat House and Fairseat Lodge, albeit I note that these are currently within the ownership of the applicant. Subject to appropriate conditions requiring the use of obscured glazing to an eastern facing en-suite window and the removal of Permitted Development Rights relating to the insertion of any further windows into the eastern elevation of the proposed building, I do not consider there would be any unacceptable overlooking issues in this instance.
- 6.17 I note the views expressed by the Parish Council regarding a loss of amenity/garden space at the property as a result of the rear single storey extension but, given the proposal seeks to extend upwards as opposed to any substantive increase in footprint, I do not consider the current lack of garden space to be an overriding planning consideration in this instance.
- 6.18 The proposed extension would push the existing garage façade forwards (towards Vigo Road) to broadly match the line of the main entrance to the property. This would inevitably result in a slight reduction in driveway space but, having visited the property and observed the driveway space which would remain unaffected, I consider this to still be sufficient to allow manoeuvring space for vehicles. I further note that the existing double bay garage would be retained which, together with space for internal storage, could be used for the parking of vehicles.

Conclusions

- 6.19 Having assessed this application in light of current MGB and countryside policy I have concluded that the proposed extension is not a proportionate extension to the original dwelling. Whilst I have accepted that the proposal would not cause any significant actual harm to the visual appearance or openness of the MGB it would be inappropriate development by definition and therefore harmful to the MGB. I do not consider that there are overriding very special circumstances which exist in this case which would set aside the general presumption against inappropriate development within the MGB. I therefore recommend that planning permission be refused.

7. Recommendation:

7.1 Refuse Planning Permission for the following:

Reason

- 1 The proposed extensions, due to the effect of cumulative additions to the original building, would represent inappropriate development in the Green Belt. No sufficient case of very special circumstances has been submitted that would outweigh the harm of the development's inappropriateness. The proposal is therefore contrary to Policies CP3 and CP14 of the Tonbridge and Malling Borough Core Strategy 2007 and paragraphs 79, 80 and 87-89 of the National Planning Policy Framework (2012).

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