

**Stansted Downs**                      **562078 161563**    **20 March 2013**                      **TM/13/00734/FL**

Proposal:                      Two storey side and single storey rear extension with first floor balcony to rear  
Location:                      Fairseat Lodge, Vigo Road, Fairseat, Sevenoaks, Kent, TN15 7LU  
Applicant:                      Mr Phillip Richards

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**1. Description:**

1.1 The proposals for Fairseat Lodge consist of the following:

- Two storey extension to the rear of the property to facilitate increased space for the master bedroom, including the provision of an en-suite; and
- Single storey ground floor rear extension to provide re-configured and extended kitchen, dining and living accommodation, including bi-folding glazed doors to the rear of the property. Above this single storey flat roofed extension it is proposed to construct a terrace/balcony across the rear of the property.

1.2 The extensions proposed would not be visible from the street scene as they would be located to the rear of the property. The materials used would match those of the original dwelling, with the two storey element sitting below a new gabled elevation to match that of the adjoining roof form. The single storey extension would be constructed from brick/render and timber/glazed bi-folding opening patio doors.

1.3 Fairseat Lodge has an existing floor area of approximately 193 square metres. The proposed extensions would increase this area to approximately 263 square metres; a 36% increase in the total property floor area.

**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 Lodge is located within the Metropolitan Green Belt. It is situated to the north-west of the village of Fairseat, within the north-western extent of the Fairseat Conservation Area.

3.2 The property has a large two storey frontage along Vigo Road, comprising a red brick and timber clad elevation sitting below a slate tile roof. A single storey brick building sitting below a gable end forms the physical join between this property and the neighbouring Fairseat Cottage.

3.3 Fairseat Lodge has a dedicated gravel driveway on the western side of the property, providing space for several cars to pull off the main highway and manoeuvre before leaving in a forward gear. The property has a large garden to the north (rear) of the property, mainly laid to lawn, with a mix of mature trees and hedgerow along its boundaries.

3.4 Originally an annexe to the west was ancillary accommodation permitted in 1991 but that was certified as being a lawfully self-contained dwelling in 2007.

#### 4. Planning History:

TM/69/530                      Refuse                                      2 October 1969

Demolition of existing garage and erection of garage with two loose boxes, store on ground floor with bed sitter on first floor.

TM/70/155                      Grant with conditions                      14 May 1970

Demolition of existing garage and erection of new garage, two loose boxes and store, for J. W. Stacpoole.

TM/83/378                      Grant with conditions                      20 May 1983

Single storey rear extension.

TM/87/1418                      Grant with conditions                      9 October 1987

Conservatory.

TM/91/69                      Grant with conditions                      30 May 1991

Use of garden store/garage as sheltered accommodation for elderly relative

TM/09/03134/FL                      Application Withdrawn                      5 February 2010

Demolition of outbuilding to rear and erection of triple bay open cart shed (one bay with doors) style garage, secure store and open log store

#### 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 already had significant planning gain on its plot without the need to further enhance the scale.
- The Annexe, now known as 'Underpine Cottage', was developed originally (TM/91/10018/FUL) on the condition that it was not split from Fairseat Lodge. It has subsequently been given planning consent (TM/07/03313/LDE) to

separate from Fairseat Lodge, with a new vehicular access onto Vigo Road. As a consequence the amount of available drive space was significantly reduced, making exiting the site difficult. With the proposal even more drive space will be removed which will require vehicles to reverse onto Vigo Road; this is extremely dangerous as the drive is on a blind corner. To stop this happening, the applicant will need to increase the drive area and remove part of the garden which we believe is unnecessary, especially as it is a Conservation Area;

- We concur with the neighbours' views with regard to the balcony that will give unencumbered views across at least 4 neighbouring properties. We would draw the Local Planning Authority's attention to the fact that three of these four neighbouring properties are in the ownership of the applicant, so it is highly unlikely that any objection will be coming from these three properties and therefore the views of the one neighbouring property should be taken seriously;
- We cannot access all the previous planning history for the site but believe that this should be taken into account to see all the conditions that have been imposed on this site and these should be respected in this decision.

5.2 Private Reps (4/0X/2R/0S) plus CA press and site notice. A total of 2 letters of objection have been received, summarised below:

- Loss of privacy as a result of the two storey side extension and the first floor balcony which will enable occupiers to see across adjacent property;
- Concerned that trees have been felled and trimmed back hard on the boundary of Fairseat Lodge/Underpine Cottage/The Dairy Farm, resulting in increased overlooking from the proposed first floor extension and balcony;
- Since Fairseat Lodge has been purchased by the applicant the driveway for The Annexe (now known as 'Underpine Cottage') has been changed and as a result users of this property have to use manoeuvring space in an adjacent property drive. Concerns that the proposed side extension will encroach onto the private driveway of Fairseat Lodge, causing highway safety concerns;
- Delivery lorries bring construction materials would not have space to pull off the highway due to limited driveway space and Vigo Road itself is very narrow;
- Construction activities will create a great deal of noise and general disturbance which will be upsetting for animals on the adjoining Dairy Farm; and
- The property is located within a Conservation Area where special rules apply to new development.

**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 Lodge 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.
- 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;

- Potential overlooking issues towards Underpine Cottage, The Coach House and The Dairy Farm; and
- Loss of driveway space and construction related impacts.

### **Green Belt/Countryside**

- 6.7 As outlined above, Fairseat Lodge 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 is not 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 the erection of a new garage/store block in 1970 (TM/70/155), a single storey rear extension in 1983 (TM/83/378) and a front conservatory extension in 1987 (TM/87/1418). The garage block constructed under the 1970 consent was subsequently granted permission for conversion and use as sheltered accommodation for an elderly relative in 1991 (TM/91/69). The 1991 consent was granted on the basis that the accommodation was not split from Fairseat Lodge; however in 2007 a Lawful Development Certificate of Existing Use of this building was issued (TM/07/03313/LDE), resulting in it lawfully becoming its own separate residential unit due to a demonstrated breach of condition over a 10 year period. The Annexe (or as it is now known, 'Underpine Cottage') is now its own separate planning unit. It is owned by the applicant and understood to be privately tenanted.
- 6.10 The extensions to Fairseat Lodge which are relevant to its cumulative increase in size, above and beyond its original footprint, are therefore a relatively modest single storey extension on the rear (granted in 1983) and a small conservatory extension on the front (granted in 1987). As Underpine Cottage is now its own separate planning unit, it can no longer count towards a previous extension to Fairseat Lodge and in any event is such a distance away that it would not be defined as an extension.
- 6.11 The property has an existing floor area of approximately 193 square metres. The proposed extensions would increase the floor area to approximately 263 square metres, representing a 36% increase in the total internal floor area. The proposed extension would largely involve filling in the north western corner of the rear façade of the property and adding a single storey extension to the rear, above which a terrace/balcony would be constructed. The proposed extension would also subsume the rear extension previously permitted in 1983.

6.12 In my view, the proposed extension on plan form proposes a modest increase to the rear of the property. The proposed development would not generally be seen from the street scene and would not, in my opinion, have any significant impact on the openness of the MGB or any wider visual landscape issues in the countryside. I therefore consider the proposals to be acceptable in terms of compliance with National Green Belt Policy and TMBCS Policies CP3 and CP14.

### **Conservation Area**

6.13 As outlined above, the general aims of the NPPF and Local Planning Policy are to conserve and enhance the character and appearance of Conservation Areas. The extension in this case is off the rear façade and would involve the formation of a new two storey gable end elevation facing the rear of the property (matching that of an adjacent gable projection) and a single storey extension with a balcony/terrace above. As there would be no public significant vantage points of the proposed extension from within the Conservation Area, and on the basis that the proposed scheme has been designed using a sympathetic design and materials, I consider that the proposal would not conflict with the general thrust of advice contained in paragraph 137 of the NPPF, or the aims and objectives of TMBCS Policies CP1 and CP24 and MDE DPD Policy SQ1.

### **Residential amenity/other issues**

6.14 I note that concerns have been expressed regarding the potential for overlooking as a result of the proposed first floor balcony/terrace. Whilst the first floor balcony would provide a first floor terraced area off the rear façade of the property, the existing garden of Fairseat Lodge is well screened with existing tree and hedgerow screening, notably to its boundary with Fairseat Cottage and The Coach House/Dairy Farm. The projection of an existing rear wall of Fairseat Cottage would mean that no overlooking could occur immediately at the eastern end of the terrace into the adjoining property. Views of the adjoining garden of Fairseat Cottage would be visible, although these would be filtered views through existing boundary treatment. From the end of the balcony to the façade of Underpine Cottage there would be a distance of approximately 20 metres. Whilst there are views towards this property across the driveway of Fairseat Lodge, given the distance involved I do not consider there to be any overriding overlooking/loss of privacy issues. Similarly, the closest part of the proposed balcony to the adjoining boundary of The Coach House would be approximately 30 metres, a distance separated by the private garden of Fairseat Lodge and a boundary with existing tree and hedgerow planting. Similarly, I do not consider overlooking/loss of privacy to be an overriding concern in respect of The Coach House.

6.15 Concerns have been expressed regarding the loss of driveway space associated with the property under the footprint of the proposed development. I do not, however, consider that the proposed extension to the rear of the property would

result in any significant reduction in the usable parking/manoeuvring space associated with this property.

- 6.16 Noise, general disturbance and construction traffic related issues associated with the proposed extension have been raised during the consultation process. I note that any construction impacts associated with relatively small-scale building works would be for a limited period only and would not be capable of forming a land-use planning consideration in this instance.

### **Conclusions**

- 6.17 Having assessed this application in light of current MGB and countryside policy, I have concluded that the proposed rear extension is a reasonable addition to the property which accords with the objectives of the NPPF and TMBCS Policies CP3 and CP14. I have concluded that the proposals are acceptable from a design perspective and, moreover, would not be noticeable from any public viewpoints in the street scene or within the Conservation Area. For the reasons discussed above, I do not consider there to be any overriding residential amenity concerns in this instance, and consider that, subject to the imposition of the conditions set out below, the development is acceptable in all other respects. I therefore recommend accordingly.

### **7. Recommendation:**

- 7.1 **Grant Planning Permission** as detailed by: Location Plan 1217 AP(0)00 dated 13.03.2013, Design and Access Statement dated 13.03.2013, Proposed Roof Plan 1217 AP(0)14 dated 13.03.2013, Floor Plan 1217 AP(0)13 dated 13.03.2013, Site Plan 1217 AP(0)11 proposed dated 13.03.2013, Proposed Elevations 1217 AP(0)15 dated 13.03.2013, Existing Elevations 1217 AP(0)04 dated 13.03.2013, Site Plan 1217 AP(0)01 existing dated 13.03.2013, Existing Plans 1217 AP(0)03 dated 13.03.2013, Existing Roof Plan 1217 AP(0)05 dated 13.03.2013, subject to:

### **Conditions / Reasons**

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until details and samples of all materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the locality in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007, Policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2010 and paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework 2012.

Contact: Julian Moat