

**Stansted
Downs**

562078 161563 16 May 2013

TM/13/00734/FL

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

1. Description:

1.1 Members will recall that this application was deferred from the Area 2 Planning Committee of 29 May 2013 for a Members' Site Inspection, which was held on 24 June 2013. The previous main and supplementary reports are attached as an Annex.

1.2 There were a number of queries addressed to Officers arising out of the Inspection, including:

- Whether the proposed rear extension would be attached to the adjoining building (Fairseat Cottage); and
- To what extent overlooking from the first floor balcony would be an issue – notably on Fairseat Cottage, Underpine Cottage, The Coach House and The Dairy Farm;

1.3 Members should note that the application for Fairseat Cottage (TM/13/00732/FL) which was also reported to the Area 2 Planning Committee of 29 May 2013 has been withdrawn by the applicant pending a re-design of the scheme.

2. Consultees:

2.1 No further responses have been received since the previous report.

3. Determining Issues:

3.1 In respect of the rear extension abutting the boundary of Fairseat Cottage, having checked this on site and discussed this matter with the applicant, it has been confirmed that the proposed rear extension would run up to the boundary with Fairseat Cottage, although the structure itself would be supported by its own independent supporting wall situated within the boundary of Fairseat Lodge. There is, therefore, no need or reason for the rear extension to physically adjoin an existing flat roof rear extension of the adjoining property, Fairseat Cottage, although there will be a need to adjust the guttering of a small section of the sloping roof.

- 3.2 Following the Members' Site Inspection and further discussions with Officers, the applicant has removed the first floor rear balcony and the three sets of French doors on the first floor rear elevation from his proposals. To this effect, the single storey rear extension will have a flat roof with a large roof lantern to allow natural light into the kitchen/living space below. The proposed doors from the first floor level have also been removed in lieu of windows. This will, therefore, overcome the concerns about potential overlooking into neighbouring properties, most notably the private garden area of Fairseat Cottage. In order to ensure that a first floor balcony cannot be installed in the future without the prior consent of the Local Planning Authority, I propose that a condition be placed on any decision specifically precluding the use of the flat roof as a terrace/balcony.
- 3.3 Other determining matters are as reported previously in the attached Area Committee report dated 29 May 2013. My recommendation remains unaltered except to add an extra condition precluding the future use of the flat roof area as a terrace/balcony, subject to the following.

4. Recommendation:

- 4.1 **Grant Planning Permission** as detailed by: 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.

3. The flat roof area of the extension hereby permitted shall not at any time be used as a balcony/terrace.

Reason: In the interests of protecting surrounding residential amenity in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy and paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework 2012.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no doors or similar openings shall be constructed in the rear elevation of the building at first floor level other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: In the interests of protecting surrounding residential amenity in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy and paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework 2012.

Contact: Julian Moat