

Stansted Downs **562093 161565** **16 September 2013** **TM/13/02826/FL**

Proposal: Rear/side first floor extension and external alterations including demolition of rear lean-to (Resubmission of TM/13/00732/FL)
Location: Fairseat Cottage Vigo Road Fairseat Sevenoaks Kent TN15 7LU
Applicant: Mr Philip Richards

1. Description:

- 1.1 The application seeks permission for a rear and side first floor extension to Fairseat Cottage. The first floor rear and side extension would extend above an existing flat roof double garage to the side of the property and a flat roof living room area to the rear of the property.
- 1.2 The extension would incorporate matching materials (slate roof, timber weatherboarding and timber framed windows and doors) to that found on the main dwelling. The application has recently been amended to lower the proposed roof ridge height of the new extension to match that of the existing dwelling. A large window is proposed for the front (south) elevation at first floor level above the existing double garage doors, one small en-suite window at first floor level on the rear (north) elevation and a bedroom and en-suite window at first floor level on the side (west) elevation.
- 1.3 The application details that a small lean-to structure has recently been demolished which projected from the rear (north) elevation of the garage structure at ground floor level. This lean-to extension measured approximately 13 square metres in footprint/floorspace terms.

2. Reason for reporting to Committee:

- 2.1 At the request of Cllr Balfour in light of concerns received from Stansted Parish Council.

3. The Site:

- 3.1 Fairseat Cottage is located on 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 white painted timber cladding and render at first floor level. A two bay single storey garage 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 the adjacent Fairseat House, a Grade II Listed Building.
- 3.2 The property is located within the Metropolitan Green Belt.

4. Planning History:

TM/66/10354/OLD Grant with conditions 17 August 1966

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

TM/72/10863/OLD Grant with conditions 18 September 1972

Additions.

TM/80/11295/FUL Grant with conditions 13 May 1980

Two-storey rear addition to form additional living accommodation.

TM/13/00732/FL Application Withdrawn 5 June 2013

Two storey side and first floor rear extensions to dwelling

TM/13/00733/CA Application Not
Proceeded With 20 March 2013

Extension and alterations

5. Consultees:

- 5.1 PC: Stansted Parish Council objects to this application. The proposed extension is not subservient to the main house, but bigger than the main house and it is considered it is over development on the plot. The scale is higher than the existing building line. The garden is already smaller than it was since it was incorporated into the garden of Fairseat House and will be far too small to serve a 6 bed property.

The plans do not show the garage next door at Fairseat House, which has been built right up to the boundary between the two properties. The plans show windows on the proposed extension that will look out onto the rear of this garage and will be counter to the amenity of the residents of Fairseat Cottage.

- 5.2 Private Reps (6/0X/0R/0S) + Press/Site Notice (LB / CA). No representations have been received in respect of this application.

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 National Planning Policy Framework 2012 (NPPF) and Tonbridge and Malling

Borough Core Strategy 2007 (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 represent disproportionate additions over and above the size of the *original* dwelling.

- 6.2 While Fairseat is defined as a Rural Settlement within TMBCS Policy CP13, that designation does not extend 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 The key issues in terms of MGB and countryside are the visual impact and the impact on openness of the proposed first floor extension. 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.
- 6.7 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 enacted 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. Those decisions were made in an earlier policy context. 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.

- 6.8 The property has an original floor area of approximately 214 square metres. It has since been extended at ground floor level to the rear, adding on approximately 80 square metres. The proposed first floor extension (above the footprint of the existing garage and kitchen) would add a further 80 square metres to the building floorspace. The applicant has, in recent months, demolished a small lean-to outbuilding which was attached to the rear of the existing garage, amounting to approximately 13 square metres.
- 6.9 When the proposed new floorspace (80 sq. metres) is added to the cumulative floorspace of the original property (214 sq. metres) plus the previous extensions (80 sq. metres), less the floorspace of the now demolished rear lean-to extension (13 sq. metres) the total extended property would measure some 361 square metres of internal floorspace. That is compared to an original floorspace of 214 square metres; representing a 69% increase above and beyond the *original* dwelling. On the basis of this percentage increase, the extension would represent a disproportionate addition over and above the size of the original building. Therefore, the proposed development is, in this instance, inappropriate development within the Green Belt. The NPPF (in paragraph 87-88) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.10 It is noted that by adding a new extension to the first floor level above an existing single storey garage and living room, no additional built development footprint is being created within the MGB, although additional 3-dimensional bulk would be added to the overall mass of the building at first floor level. In my view, the proposed extension proposes a modest visual increase to the property at first floor level, which would not have any significant impact on the openness of the MGB or any wider visual landscape issues in the countryside.

- 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 flat roof garage building which exists at present. Following initial concerns with the ridge height of the proposed new roof exceeding that of the main (host) dwelling, the applicant has amended the plans to ensure that the ridge height of the proposed first floor extension is consistent with that across the host dwelling. I also 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, given the sympathetic design of the proposed scheme and the fact that the proposal would remove an existing flat roof structure which currently exists to the side and rear of the property.
- 6.13 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.
- 6.14 As outlined above, Saved Policy P4/12 of the Tonbridge and 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.
- 6.15 In my opinion, the proposals would not result in any adverse impact on surrounding residential amenity to adjoining properties, notably Fairseat House and Fairseat Lodge. Subject to the imposition of a condition to remove Permitted Development Rights relating to the insertion of further windows into the rear and side elevations of the first floor extension, I do not consider there would be any unacceptable overlooking issue in this instance.
- 6.16 I note the concerns expressed by the Parish Council regarding the current lack of garden space within the curtilage of the application site, specifically in so far as the proposals would extend the current property from a 4 bed to a 6 bed house; there are no prescribed standards for garden space and this is not an overriding planning consideration in this instance.
- 6.17 The property would retain its existing double garage and generous area of gravel driveway at the front of the property. On this basis, I do not consider there would be any adverse impact on highway safety or off-street parking provisions arising as part of the additional living accommodation, not least because adopted standards, as set out in Kent Design Guide Review: Interim Guidance Note 3

Residential Parking, do not require more spaces for a 6 bedroom as against 4 bedroom dwelling.

6.18 In light of all of the above factors I conclude that the proposals are acceptable from a design perspective and, moreover, would not be detrimental to the character and appearance of the Fairseat Conservation Area or harmful to the setting of the nearby Listed Building.

6.19 In terms of compliance with national and local Green Belt policy I acknowledge that, based on the floorspace (and percentage) increase of the proposed extension over and above the *original* dwelling, the proposals amount to inappropriate development within the Green Belt. However, in this instance I consider that a sufficient case of very special circumstances exist which are sufficient to set aside the general presumption against inappropriate development in this instance. As discussed above, these are considered to be:

- that the proposals are considered to deliver an overall visual improvement to the street scene within the Fairseat Conservation Area, owing to the removal of an existing flat roof extension and its replacement with a sensitively designed first floor pitched roof extension above; and
- that the proposals are not considered to have any significant impact on the openness of the Green Belt.

6.20 For the reasons discussed above I 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** in accordance with the following submitted details: Email dated 11.11.2013, Design and Access Statement REV A NOVEMBER 2013 dated 11.11.2013, Site Plan 1216 AL(0)10 A dated 11.11.2013, Proposed Floor Plans 1216 AL(0)11 A dated 11.11.2013, Proposed Floor Plans 1216 AL(0)12 A dated 11.11.2013, Proposed Elevations 1216 AL(0)16 A dated 11.11.2013, Proposed Elevations 1216 AL(0)17 A dated 11.11.2013, Location Plan 1216 AL(0) 01 dated 16.09.2013, Existing Site Plan 1216 AL (0) 02 dated 16.09.2013, Existing Floor Plans 1216 AL (0) 03 Ground Floor Plan dated 16.09.2013, Existing Floor Plans 1216 AL (0) 04 First Floor Plan dated 16.09.2013 and Existing Elevations 1216 AL (0) 05 dated 16.09.2013, 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 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 and appearance of the existing building or the visual amenity of the locality.

3. 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 (north) and side (east and west) elevations 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting that Order) no development shall be carried out within Class A, B, C and E, of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: In order to regulate and control further development on this site.

Contact: Julian Moat