

Stansted

1 February 2016

TM/16/00235/FL

Wrotham, Ightham And
Stansted

Proposal: Construction of flint stone and brick wall along north west side boundary
Location: Fairseat Farm House Vigo Road Fairseat Sevenoaks Kent TN15 7LU
Applicant: Mr Matthew Stock

1. Description:

- 1.1 The original submission proposed a flint stone and brick wall approximately 2m high along the entire front (southwest) boundary and most of the side (northwest) boundary of the site. A wall was also shown along the common boundaries with the Village Hall. The application was amended on 21 March 2016, substantially reducing the extent of the new wall to a single length of wall along the northern section of the side (northwest) boundary only. The existing hedging along the remaining parts of the front and side boundaries is to be retained. The existing post and wire fencing along the common boundaries with the Village Hall is also now to be retained.
- 1.2 The revised wall is to extend along the northwest side boundary (private access road frontage) from a point 16.75m back from Vigo Road, for a length of 27.5m. The wall also returns into the site to accommodate the repositioned vehicle access and new gates which are to be set back 4.4m from the access road. The main section of the wall is to be 1.985m high above ground level. The curved entrance section is to be 1.715m high. The wall will comprise 2 courses of chamfered face brick at the base, flint faced infill and brick coping. The brickwork is to be reclaimed red brick.
- 1.3 The amendments were the subject of re-consultation to the Parish Council and neighbours for a further 2 week period.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Coffin because of local concern.

3. The Site:

- 3.1 The application site is located on the northeast side of Vigo Road, relatively central within the village of Fairseat. The site accommodates a two-storey cottage with gable ends and gable fronted porch. Building works relating to extensions and alterations to the dwelling are currently being undertaken. The grounds to the house are generous and well landscaped. The main access to the site is within the centre of the frontage to a private access road that extends northeast from Vigo Road to the Village Hall. A new access has been provided further to the

north along this frontage. Established mixed hedgerows extend along the front and northwest side boundaries.

- 3.2 This part of Fairseat is washed over by the Metropolitan Green Belt. The site is also within the Fairseat Conservation Area and Vigo Road is a Classified Road. It is outside the settlement confines and therefore in the countryside.
- 3.3 The grade II* listed buildings of Fairseat Manor and its front boundary wall lie opposite to the southwest across Vigo Road. The Old Post House lies to the north across from the access track, with the Village Hall bordering the application site to the northeast. Other residential properties lie further to the southeast, with the Church of the Holy Innocents 35m to the west.

4. Planning History (relevant):

TM/12/03608/FL Approved 23 January 2013

Extensions to side and rear of dwelling and revised parking arrangements
(Resubmission of TM/12/02313/FL)

TM/12/03737/FL Approved 21 February 2013

Erection of a new open fronted garage in the garden of Fairseat Farmhouse

TM/15/01099/FL Approved 13 July 2015

Demolition of existing side extensions and construction of two storey rear extension; extension and alterations to dwelling roof including dormers to front and rear; upper level windows to side elevation of main dwelling and render to walls

TM/15/03105/NMA Approved 13 October 2015

Non Material Amendment to planning permission 12/03737/FL (Erection of a new open fronted garage in the garden of Fairseat Farmhouse): Revised garage design

5. Consultees:

5.1 PC (Original Scheme): Objection to the application on the following grounds:

- The proposal would result in a significant change to the character of the CA and therefore would not preserve or enhance the CA.
- The walls will significantly affect the setting of the Grade II * listed building of Fairseat Manor
- The new access point will negatively affect the Village Hall and will endanger pedestrians

- Several trees will be affected by the construction of the wall
- Light will be blocked to the Village Hall

5.2 PC (Amended Scheme): The previous objections remain. Clarification is needed on the section of the proposed wall that would run behind the Village Hall, as it is not clear from the drawings whether this part is still included with the plans or not. There is concern over the proposed new access. The Old Post Office, the Recreation Ground and the Village Hall have rights of access over the entire length of road shown. As has been previously stated, this is an unmade single track road with no lighting and the only access for users of the Recreation Ground and Village Hall is on foot. The access to the garage of Fairseat Farmhouse as shown on the amended drawings would still pose a danger to the community using the Recreation Ground and Hall. Furthermore, the planning consent given for the garage was using the existing vehicular access to the property and members do not see the need to alter this. This established entrance for cars has much less impact on the community and poses less danger, being closer to Vigo Road.

5.3 Private Reps: 16/0X/16R/0S + site and press notices (Original Scheme). The following concerns were raised by 16 objectors:

- Replacing the hedges with walls would adversely affect the established rural character of the CA
- The walls will affect the historic manor houses and views of Fairseat Pond
- The walls are not in keeping with the appearance of the house
- The height of the walls are unsuitable for the location
- Trees close to the hedgerows would be damaged
- Safety concerns with the new vehicle access which is too close to the entrance to the recreation ground
- Legal right of way issues
- Walls are shown along the boundaries to the Village Hall but no heights are specified

5.4 Private Reps: 8/0X/8R/0S (Amended Scheme). The following concerns have been raised to the revised scheme by 7 objectors:

- The new access and gates would result in a loss of access to the Village Hall and is located too close to the entrance to the recreation ground.
- The access would affect pedestrian safety along the access road

6. Determining Issues:

- 6.1 The main issues are whether the proposed boundary wall would be inappropriate development in the Green Belt, preserve the appearance and character of the CA and setting of the nearby listed buildings or affect neighbouring amenity.

Green Belt:

- 6.2 The application site is in the Green Belt and therefore Section 9 of the NPPF applies. Paragraph 90 within this Section advises that engineering operations are a certain form of development that would not be inappropriate in the Green Belt provided they preserve the openness of the Green Belt. The proposed wall would be domestic in scale and would provide a varied form of enclosure to an existing residential curtilage and therefore would not result in any additional harm to the openness of the Green Belt, in my view. I am thus satisfied that the proposal would not be *inappropriate development* in the Green Belt and would therefore accord with policy CP3 of the TMBCS and paragraphs 87, 88 and 90 of the NPPF.

Character / Visual Amenity / Setting of LB:

- 6.3 Policies CP24 of the TMBCS and SQ1 of the MDEDPD require development to be well designed and through its scale, density, layout, siting, character and appearance respect the site and its surroundings. It should also protect, conserve and where possible enhance the character and local distinctiveness of the area, including its setting in relation to the pattern of the settlement, roads and surrounding landscape.
- 6.4 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require planning authorities to give special attention to the desirability of preserving the setting of a listed building or any features of special architectural or historic interest which it possesses or preserving or enhancing the character or appearance of the CA.
- 6.5 The proposed boundary wall is generous in its length, providing a height of almost 2m and sited on a shallow bank which would raise its overall height slightly in relation to the level of the access track. I consider the length and height of the wall to be acceptable in this setting given the width of the access road and the existence of a high brick and timber fence that is situated on the opposite side of the access track along the first half of the boundary of The Old Post House. The flint stone facing and reclaimed red face brick base and capping would provide an appearance that would complement other walls and features in the immediate area. The retention of the hedging along the frontage boundaries close to Vigo Road would preserve the soft landscaped approach to this historic part of the village.

- 6.6 The new wall is set well away from the Grade II* Listed wall and manor house associated with Fairseat Manor and its appearance would not detract from the setting of the listed wall.
- 6.7 I am therefore satisfied that the proposed wall would preserve the character and appearance of the CA as well as the setting of the listed buildings to the southwest. The development would also not harm the visual amenity of the area. The development therefore accords with policies CP24 of the TMBCS and SQ1 of the MDEDPD, and Section 7 (Requiring good design) and paragraphs 129 and 131 (Heritage Assets) of the NPPF.

Neighbouring Amenity:

- 6.8 The wall is set well back from the vehicle entrance and front boundary of The Old Post House and therefore would not harm the residential amenities of this neighbouring property.

Representations:

- 6.9 The main concerns raised by the Parish Council and neighbours in regards to the original scheme related to the impact of the substantial lengths of flint stone walls proposed on the boundaries. The scheme has been amended to significantly reduce the amount of boundary wall proposed and locate it on the much less prominent northwest (side) boundary, set well back from Vigo Road.
- 6.10 The potential impact on trees was also mentioned but there are now no trees within the section of hedging that is to be removed. An informative can be added making the applicant aware of their obligation to protect the mature Ash tree close to the rear fence adjacent to the hard surfaced driveway area.
- 6.11 The Parish Council, Committee members and local residents have raised concerns about the revised access point and its potential impact on access to the Village Hall and pedestrian safety. This access is to a private access track and therefore is not a planning matter. In any event, the new gates are shown to be set well back from the edge of the access track and the proposed wall will return into the site to provide additional visibility. Legal right of way issues are also not a material planning consideration.
- 6.12 In light of the above, I consider that the proposed development accords with the relevant provisions of the Development Plan and NPPF, and therefore approval is recommended.

7. Recommendation:

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Email dated 26.04.2016, Email + PHOTOGRAPH BRICK dated 27.04.2016, Site Plan 14124 200 P4 dated 21.03.2016, Proposed Elevations 14124 201 P4

dated 21.03.2016, Location Plan 14124 001 P1 dated 26.01.2016, subject to the following:

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 flintwork shall take place until a sample panel of the flintwork for the construction of the boundary wall has been provided on-site. The development shall be carried out in accordance with the sample panel and the approved plans and application details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the Conservation Area or the visual amenity of the locality.

- 3 Any gaps in the existing hedging shown to be retained on the approved plans shall be filled/planted-out with the same or similar plant species within the first planting season following the commencement of the new boundary wall hereby approved. Any part of the hedging which within 10 years from the date of this permission is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with a similar species, unless the Local Planning Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class B of Part 2 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To ensure that any future development does not harm the character of the Conservation Area or openness of the Green Belt.

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