
3. Planning History:

- 3.1 TM/04/02533/FL Undetermined
Construction of garage between existing retaining walls.
- 3.2 TM/04/01799/FL Approved 13.01.2005
Vehicular access.
- 3.3 TM/04/00356/FL Approved 16.08.2004
Proposed garage/garden store.
- 3.4 TM/03/01789/FL Approved 15.01.2004
Replacement pool house.
- 3.5 TM/03/03714/FL Refused 03.02.2004
Vehicular access.
- 3.5.1 TM/02/03560/FL Appeal against non-determination: Appeal Allowed
06.05.2003
The continued occupation of existing dwelling without complying with agricultural occupancy condition attached to permission ref. MK/4/65/93.
- 3.6 TM/02/01896/FL Refused 19.09.2002: Appeal Withdrawn
Continued occupation of existing dwelling without complying with agricultural occupancy condition attached to permission ref.: MK/4/65/93.
- 3.7 TM/02/00353/LDCP Certified 30.10.2002
Lawful Development Certificate for first floor extension.
- 3.8 TM/01/02682/FL Refused 13.12.2001; Appeal Withdrawn
First floor extension.
- 3.9 TM/01/01616/FL Withdrawn 17.08.2001
Construction of replacement garage and a conservatory and first floor extension to form a farm manager's flat.
- 3.10 Unauthorised Development: The unauthorised construction of a first floor extension.
Enforcement Notice Served & Withdrawn.
- 3.11 Unauthorised Development (adjacent land): The unauthorised re-grading of land to construct a bund. Enforcement Notice Served and upheld at appeal.
- 3.12 TM/93/0900 Approved 17.09.1993
Erection of cover over swimming pool.
- 3.13 TM/92/0693 Approved 14.08.1992
Erection of cover over swimming pool
- 3.14 TM/80/0128 Approved 24.03.1980
Erection of enclosure over existing swimming pool.

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- 3.15 TM/79/0125 Approved 23.03.1979
Ground floor extension to form farm office.
- 3.16 TM/79/0123FL Approved 12.05.1979
Concrete frame structure to house existing swimming pool.
- 3.17 MK/4/75/0564 Approved 15.08.1975
Erection of cover over swimming pool.
- 3.18 MK/4/65/93 Approved 11.3.1965
Farmhouse, carport and vehicular access.

4. Consultees:

(A) TM/05/00899/FL:

- 4.1 PC: The design of the pool enclosure has not been changed in any material way since the previous application (TM/04/02898/FL) to reduce the size, bulk or inappropriateness of such a structure on this site within the MGB. We welcome the deletion of the currently approved pool house (TM/03/01789/FL) but consider that this design, at three times the size of the approved pool house, is much too large for the location. Paragraph (e) of the covering letter is considered to be most misleading by starting with the sentence Reduction in the scale of the building. The only reduction is in the slightly lower ridge height of this proposal compared to the approved pool house. As mentioned above, this design is the same size as the previously refused application and is three times the size of the pool house. There are many open-air pools within the gardens of houses in the Parish, none of which appear to consider a pool enclosure to be necessary. We therefore feel that this application should be refused on the same grounds as TM/04/02898/FL.
- 4.2 Private Reps: Art8 + 9/0X/5R/0S. The objections received oppose the application on the following grounds:
- Height and size of the proposed building would make it an inappropriate extension in a rural MGB location.
 - Overdevelopment of the site.
 - Building will be visible from nearby CA.

(B) TM/05/01135/FL:

- 4.3 PC: This dwelling house is within the MGB and has already had significant changes from its 'original form'. Within the curtilage of the dwelling house site here is current planning approval for a garage/garden store (TM/04/03900/FL) and a replacement pool house (TM/03/01789/FL). However, we do not consider that this addition would be detrimental to the appearance of the dwelling as a whole. Being at first floor level the difference between the roof pitch angles of the

conservatory and the dwelling house is most noticeable. The conservatory would look less like an added afterthought if it were possible to make the roof angle the same as the house.

4.4 Private Reps: Art 8 + 9/1X/3R/0S. The objections received include a response from the St Mary's Platt and District Society and oppose the application on the following grounds:

- This proposal would extend the size of the property over and above the accepted guidelines.
- The building would be clearly visible from nearby houses and the CA and would be unacceptable in visual terms.

5. Determining Issues:

(A) TM/05/00899/FL:

5.1 Members may recall that this committee recently refused an earlier application for a pool house under reference TM/04/02898/FL. That application was rejected on the grounds that the proposed building would represent a disproportionate addition to this MGB property given the previous amount of extensions carried out to the house and that such a large building in such a visible location would be detrimental in terms of its impact upon rural visual amenities. There has been no material changes to the planning policy context since that previous application was refused and, consequently, unless this proposal adequately addresses the grounds of refusal raised in connection with TM/04/02898/FL, then there would appear to be no reason for the Council to now reach a different decision.

5.2 The applicant has redesigned the proposed building but its size has not materially changed – it is almost identical in its dimensions to the building previously proposed by TM/04/02898/FL. Although I note the applicant's comments that this building has more windows and, will be lighter in form, I do not consider that this overcomes the MGB policy issues. I also do not consider that the personal circumstances advanced relating to use of the pool all year round provide sufficient justification to overcome the MGB policy issues any more than in the previous scheme.

5.3 This application has not addressed the issue of unacceptable bulk and although reference is made to an extant permission for a new changing room building, that consent is for a small changing room facility that would stand just 0.6m (2 feet) higher than this structure and was permitted as a replacement for an original small changing room building.

5.4 If this pool house were erected, it would give rise to a total increase in size of Beechin Wood Farm by approximately 67% when added to previous extensions to the house that have been built. Such an increase in size cannot reasonably be

deemed to be 'modest' or 'proportionate' and so the proposal is clearly contrary to prevailing MGB and countryside policies. The fact that this additional bulk would be sited in an open location compounds the harm to the openness of the MGB.

- 5.5 With regard to visual impacts, the design of the pool building has been revised to incorporate significantly more windows. However, I do not consider that the incorporation of these additional windows has had any significant effect in reducing the harmful visual impact of such a large structure within this prominent location upon the rural landscape. This change, together with the reduced ridge height, is not sufficient in my view to make this proposal acceptable.
- 5.6 I find the proposal to be unacceptable under the terms of PPG2 and the provisions of Policies MGB3, RS1 and RS5 of the KSP and P2/16 and P6/10 of the Tonbridge & Malling Borough Local Plan.

(B) TM/05/01135/FL:

- 5.7 The application proposes an extension to a residential dwellinghouse within the MGB and, therefore, the acceptability of the principle of this development rests upon whether or not the additional bulk to the host property can be deemed to be 'modest' and 'proportionate'. Indeed, in a rural MGB location such as this, the building can only be permitted where it is considered that the scale, bulk, size, massing, location and design of any development results in no adverse impacts upon the openness of the MGB or upon rural visual amenities in general.
- 5.8 As Members will note from the planning history of the site and my above comments made in relation to application TM/05/0899/FL, this dwellinghouse has already been extended several times previously. Beechin Wood Farm was a relatively large property when first constructed with an 'original' volume of approximately 1244 cubic metres but has been extended since then through the provision of one first floor side extension of approximately 160 cubic metres and a smaller first floor conversion of a balcony into an enclosed room which added in the region of about 13 cubic metres. Those additions increased the size of the original dwellinghouse by approximately 14% and represent an increase of roughly 45 cubic metres over and above the normal permitted development entitlements of the property.
- 5.9 Further to those additions, a large detached garage has been added to the property and the Council has also consented to a new changing room to serve the swimming pool. This has added a further 200 cubic metres and brings an increase in bulk to the property to around 30%.
- 5.10 The proposed conservatory structure would add a further 62.5 cubic metres (not including the existing parapet walling) and this would bring the total cumulative increase in bulk to 35%.

- 5.11 In my view, the cumulative total of 35% of domestic extensions can be deemed to be appropriately proportionate and 'modest' in relation to the main house and, accordingly, I would not object to the proposals in principle.
- 5.12 Turning now to visual impact, although it is a little uncommon to see a conservatory or garden room at first floor level, it is not unheard of. Although I feel that an appropriate choice of materials for the structure's frame would make the structure acceptable during the day time, I am concerned that a glazed structure like this at such a height (and within such a prominent position) would appear very conspicuous within this rural landscape at night time during times of illumination. The conservatory when lit will appear like a bright 'light glow', although the terrace could itself be illuminated, the extent of use of the terrace in comparison to a conservatory means that the conservatory would be materially more harmful than the existing situation. As Members will be aware, the issue of 'light glow' is a matter of some concern in the open countryside especially in the South East of England. If the conservatory were to be at ground level (all other things being equal) then I would not have concerns as to impact – it is the siting at first floor that raises the issue of light impact.
- 5.13 Even the use of appropriate blinds or similar screening would be unlikely to alleviate this problem. Consequently, I feel that I must object to this aspect of the proposal on rural amenity grounds.
- 5.14 With respect to residential amenity, I am satisfied that no dwellings would be directly detrimentally affected in light or privacy terms by these proposals.

6. Recommendation:

(A) TM/05/00899/FL:

6.1 Refuse Planning Permission for the following reasons:

- 1 Whilst the proposed development might be of a type that is not necessarily inappropriate within the Green Belt in broad principle, the bulk and scale of the building is found to be unacceptable when considered in cumulative terms with previous and committed extensions to the property. As such, it is considered that the development would adversely affect the open character of the area which is designated as Metropolitan Green Belt. The proposals are therefore contrary to the objectives in Policy MGB3 of the Kent Structure Plan 1996 and policy P2/16 of the Tonbridge and Malling Borough Local Plan 1998.
- 2 Policy RS1 of the Kent Structure Plan 1996 seeks to ensure that all development at rural settlements and in the open countryside is not only well designed and appropriate to its surroundings, but also preserves the character, amenity and functioning of settlements and the countryside. The proposed development does

not fulfil these objectives because it is considered that the size and visual impacts of the proposed building would give rise to harm to the character, openness and amenities of this rural locality and would thus be contrary to policy RS1.

- 3 The proposed extension is contrary to policy RS5 (iv) of the Kent Structure Plan 1996 and policy P6/10 of the Tonbridge and Malling Borough Local Plan 1998 because the bulk and scale of the building are considered in cumulative terms with previous and committed extensions to the property to represent more than a 'modest' and proportionate addition to the host dwellinghouse.
- 4 The personal reasons put forward in support of the application are not considered by the District Planning Authority to be sufficiently strong to outweigh the planning objections to the proposal

(B) TM/05/01135/FL:

6.2 Refuse Planning Permission for the following reasons:

- 1 It is considered that a conservatory at first floor level when illuminated to enable use during hours of darkness would unacceptably harm the rural character of the locality and would also be harmful to the openness of the MGB. Accordingly, the LPA considers that the proposal would be contrary to the provisions of Policy RS1 and MGB3 of the Kent Structure Plan 1996 and to policies P2/16 and P6/10 of the TMBLP.

Contact: Kevin Wise

SUPPLEMENTARY REPORTS

AREA 2 PLANNING COMMITTEE

DATED 15 June 2005

Platt (A) TM/05/00899/FL Pages 20-27
Borough Green And (B) TM/05/01135/FL
Long Mill

(A) Swimming pool cover and changing rooms; (B) First floor conservatory built over existing ground floor extension at Beechin Wood Farm Beechinwood Lane Platt Sevenoaks Kent TN15 8QN for Mr W Terry

DPT: The 'Planning History' section of my report omits two recent applications that have been referred to in the assessment of the case. Details of the omitted cases are as follows:

TM/04/02898/FL Refused 11.11.04
Swimming Pool Enclosure, including changing facilities.

TM/03/01789/FL Approved 15.01.04
Replacement Pool House.

RECOMMENDATION REMAINS UNCHANGED
