

flank boundaries. The northern boundary is more open, with open countryside beyond. Access to the site is gained by a single access point from The Street on the western portion of the site.

- 3.4 Surrounding the site to the east, west and south are residential properties of varying sizes and styles, with open countryside beyond the site to the north. The site itself is more or less level, however, The Street slopes gently downhill from west to east and consequently the adjoining property to the east, St Michaels Cottage, is set at a lower level than the application site. It is noted that the adjoining site to the west, High Weald, is not set at a significantly higher level than the application site.

4. Planning History:

TM/72/11188/OLD Refuse 23 August 1972

Outline application for new Rectory with garage and access for Rev. C. D. Hulbert.

TM/07/02445/TNCA No Objection 16 August 2007

Various tree works.

TM/08/00929/FL Grant with conditions 21 May 2008

Proposed garage and garden store extension, internal alterations and part conversion of loft.

TM/08/00930/CA Application Not Proceeded With (not required) 18 April 2008

Alterations to boundary wall and gates.

- 4.1 Planning permission (reference TM/08/00929/FL) has recently been granted for a garage and garden store extension, the conversion of the existing double garage into living space, part conversion of the loft and internal alterations in the main dwelling on the site.

5. Consultees:

- 5.1 PC: (joint comments with application reference TM/08/00929/FL). Objection. Plaxtol Parish Councillors would like these two applications to be treated as one. If this application is successful it will result in the overdevelopment of the site and the effective creation of two separate properties. This site lies within the Conservation Area and the introduction of excessive fenestration on the second floor neither improves nor enhances the Conservation Area.

5.2 Members: Councillor Tony Sayer - Concern that the proposal will, if not immediately, then at some time in the future add to regular traffic exiting onto The Street, which in that part does not have any footpaths and is already a danger to pedestrians. The proposal lies in a Conservation Area in which the planning guides stress the need for new developments to enhance and conserve. It does neither.

5.3 DHH: Contaminated land - The site is not identified as a site of potential concern, nor the adjacent site. I understand that the proposed development does not extend the footprint of the existing residential building nor is any landscaping activity involved. To safeguard the situation in the event that significant deposits of made ground or indicators of potential contamination are discovered during development, I recommend that any permission be subject to conditions (see Condition 5 under clause 7.1).

5.5.1 Affordable Housing – In accordance with the policy contained within the Core Strategy, the site area of 0.36 hectares triggers the affordable housing policy. There will, therefore, be an expectation for the delivery of 40% affordable housing from the site. This equates to 1 affordable unit for social rent. I note that the applicant is proposing only one dwelling on this site but question whether there is scope to provide more units by increasing the density and allow for some on-site affordable housing provision to the equivalent of 40% of units. If there is no scope to do this, as an exceptional case a financial contribution will be required towards off-site affordable housing provision – figure to be agreed.

5.4 Private reps: (9/0X/1R/0S + Art 8). One response objecting in part raising the following points:

5.51 In particular we would ask that the conversion of the barn does not raise the roof line any more than it currently stands. Since some tall trees have been cut down on the east side of the Former Rectory's property, we are now able to see the barn from one of our bedroom windows. It will be particularly visible during the winter months when there's less foliage on the trees.

5.52 Furthermore we would ask that the number and style of the windows in the roof of the proposed barn extension be reduced, and although the impact will be greater, that the style follow the Plaxtol Parish Design Statement on page 20. In particular it would be preferable if there were, instead, one or two dormer windows similar to the one proposed on the East elevation of the proposed extension to the Former Rectory itself under planning application TM/08/00929/FL.

6. Determining Issues:

6.1 The application site is located within the Rural Settlement confines of Plaxtol, where development, redevelopment or change of use of an existing building is generally acceptable under the terms of policy CP13 of the Tonbridge and Malling Borough Core Strategy 2007 (TMBCS). Of relevance to this application, policy

CP13 does set out that such development will be permitted if the overall trip generation is projected to be lower than that associated with the former use; or if there is some significant improvement to the appearance, character and functioning of the settlement. Accordingly, the proposed development is acceptable in principle, with key considerations centred upon trip generation / traffic and the effect on the amenity of adjoining neighbours, and the appearance and character of the area.

- 6.2 Policy QL6 of the Kent and Medway Structure Plan 2006 (KMSP) sets out that development within Conservation Areas should conserve or enhance their character and appearance. Policy EN4 of the KMSP states that within Areas of Outstanding Natural Beauty the primary objective is to protect, conserve and enhance landscape character and natural beauty and the opportunity for quiet enjoyment of the area.
- 6.3 Central to the consideration of this application is the fact that the proposal is for the conversion of an existing building and is not for the creation of a separate residential unit. The conversion of the existing outbuilding into habitable accommodation is to be ancillary to the main use of the existing dwelling on the site. No separate hereditament is proposed – and this can be secured by way of a condition on any planning permission.
- 6.4 The key external alterations include the insertion of windows and doors in place of existing openings on the eastern elevation, one additional window opening on both the northern and southern end elevations, and the insertion of five velux rooflights on the eastern elevation. It is noted that no windows are proposed on the western elevation, and therefore the proposal will not result in any adverse effects relating to overlooking or loss of privacy to adjoining neighbours.
- 6.5 Responses to consultations have raised concerns about the increase in fenestration on the building resulting in a detrimental impact on the Conservation Area. In particular, concern has been raised about the use and number of velux rooflights on the building, with consultees suggesting that the use of small dormer windows would be more in keeping with the characteristics of the area. It is acknowledged that the Plaxtol Parish Design Statement, which offers supplementary planning guidance, does promote the use of traditional windows and joinery detailing.
- 6.6 However as this is a barn conversion resulting in additional windows on the building, it should be noted that the majority of windows, and the velux rooflights, are to be located on the eastern elevation which faces into the site. Existing boundary walls / fencing and landscaping will largely screen the converted building from the adjoining property to the east, and due to the orientation of the building, only a small oblique view of the eastern elevation will be available from the road. To add dormer windows to the building would result in the loss of the existing outbuilding character which is largely being retained through careful and

sympathetic conversion of the building. It is noted that the proposal does not alter or raise the existing roof, other than by way of the insertion of the proposed rooflights. The conversion has been simply and suitably designed and the use of the small rooflights as proposed are acceptable.

- 6.7 For the reasons discussed above, it is considered that the proposed conversion of the building into habitable accommodation will not harm the appearance or amenity of the Conservation Area or Area of Outstanding Natural Beauty.
- 6.8 In support of the application the applicant has provided a 'report of structural inspection' which concludes that the building is generally in sound condition and would be suitable for conversion to provide habitable accommodation. The report goes on to identify that various remedial works will need to be undertaken in the course of conversion. We have assessed the application and the structural inspection report and accept, on the basis of the report, that the building is capable of conversion without substantial reconstruction. It is noted that the applicant will have to consider thermal and sound insulation, however this can be achieved internally without affecting the exterior of the building – and will need to be addressed under Building Regulations.
- 6.9 The application site is a large site within the street, with ample areas for parking and turning on the existing driveway between the application outbuilding and the main dwelling. It is noted that new garage parking space has been approved for the main dwelling under planning permission TM/08/00929/FL, and that alternative onsite parking areas remain available. Habitable accommodation that is ancillary to an existing residential use will not result in an undue increase in vehicle trip generation associated with the site and accordingly will not be detrimental to the amenity of the area, especially bearing in mind that as a barn the building could be seen as a 'traffic generator'.
- 6.10 I consider that the proposal is acceptable under the terms of policy CP13 of the TMBCS 2007, policies EN4, HP2, and QL6 of the KMSP 2006.

7. Recommendation:

- 7.1 **Approve** in accordance with the following submitted details: Letter dated 17.03.2008, Design and Access Statement dated 15.04.2008, Location Plan 354/16 dated 17.03.2008, Existing Plans and Elevations 354/01 dated 17.03.2008, Proposed Plans and Elevations 354/11 A dated 17.03.2008, Structural Survey 3646/AB dated 15.04.2008, subject to compliance with the following conditions:

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. All materials used externally shall accord with the approved plans, 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 existing building or 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 windows or similar openings shall be constructed in any elevation(s) of the building other than as hereby approved, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

4. The use of the annex hereby permitted shall be ancillary only to that of the main dwelling and it shall not be occupied as a separate hereditament.

Reason: To safeguard the amenities and interests of the nearby dwellings and the Conservation Area, as well as in the interest of highway safety. The creation of two dwellings on this site may result in an overintensive use of the site and would require assessment under a separate planning application.

5. (a) If during development work, site significant deposits of made ground or indicators of potential contamination are discovered, all work shall cease immediately, and an investigation / remediation strategy shall be submitted to and agreed in writing with the Local Planning Authority and implemented by the developer.

(b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.

(c) A closure report shall be submitted by the developer to the Local Planning Authority delineating (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

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