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<b>Plaxtol</b> Borough Green And Long Mill	<b>560428 153541</b>	<b>15 April 2008</b>	<b>TM/08/00936/FL</b>
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Proposal:	Conversion of existing barn into habitable accommodation to be used ancillary to existing dwelling
Location:	The Former Rectory The Street Plaxtol Sevenoaks Kent TN15 0QF
Applicant:	A Wormsley And S Lawson

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**1. Description:**

- 1.1 Members will recall that this application was deferred from the May meeting of A2PC for Members of the Committee to undertake a site inspection and for further clarification of policy. The Members' site inspection was held on the 24<sup>th</sup> of July 2008.
- 1.2 A copy of my May report (amended to reflect the previous supplementary report) is attached as an annex.

**2. Reason for reporting to Committee:**

- 2.1 To report back following the Members' site inspection.

**3. The Site:**

- 3.1 The application site is The Former Rectory, The Street, Plaxtol. The site is located within the Rural Settlement confines of Plaxtol, the Plaxtol Conservation Area and an Area of Outstanding Natural Beauty.
- 3.2 A Cedar tree located adjacent to the road frontage of the site is the subject of a Tree Preservation Order; however this tree will not be affected by the proposal.
- 3.3 Built form on the site consists of the existing main dwelling and the barn / garage that is the subject of this application. The site is well landscaped and screened by an existing ragstone wall along the road frontage and the eastern and western 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 18 April 2008

Alterations to boundary wall and gates

- 3.1 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 (subsequent to the previous report):**

- 5.1 DHH: We note that the unit proposed in TM/08/00936/FL is an annexe to the existing unit and not a new dwelling outright. Therefore, even though the land area exceeds the 0.16ha threshold detailed in CP17, the application would not trigger an affordable housing requirement, and we amend our original response to 'no objection' to reflect this.

**6. Determining Issues:**

- 6.1 The determining issues are set out in my previous report to the A2PC meeting in May 2008. However, in addition to deferring for a Members' site inspection, Members also sought further clarification of how policies CP13 and CP17 of the TMBCS 2007 might relate to this proposal. Any issues raised at the Members site inspection on the 24<sup>th</sup> of July 2008 will be addressed in the supplementary report.
- 6.2 With regard to policy CP17 of the TMBCS 2007, it is acknowledged that in his comments DHH set out that the site triggered the need for the provision of affordable housing. As the application is for an annexe and not a separate dwelling, the site does not trigger the requirement for affordable housing provision under policy CP17 and DHH has amended his comments accordingly.

- 6.3 Policy CP13 of the TMBCS 2007 sets out that redevelopment or change of use of an existing building is generally acceptable under the terms of policy. CP13 also sets 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. Paragraphs 6.4 to 6.7 of my May report deal with the visual appearance and character of the building, and assessment of this remains unchanged.
- 6.4 With regard to overall trip generation, technically the proposal may increase the trip generation from the site as a whole with the existing dwelling use remaining unchanged, and the proposal resulting in the addition of ancillary annexe accommodation, which may generate its own vehicle movements. However, given that both the existing and the proposed uses of the building would be ancillary to the use of the main dwelling it is anticipated that any increase in vehicle movements to/from the site as a whole will be marginal. Accordingly, the proposal is considered to be acceptable under the terms of policy CP13.
- 6.5 In light of the above, and given consideration of this application under all relevant policy in the main report prepared for the May meeting, 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, 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.

Contact: Kathryn Stapleton