

<b>Plaxtol</b> Borough Green And Long Mill	<b>560610 153537</b>	<b>29 January 2009</b>  <b>17 September 2008</b>	<b>(A) TM/09/00144/FL</b> <b>(B) TM/09/00145/CA</b> <b>(C) TM/08/02749/FL</b> <b>(D) TM/08/02750/CA</b>
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Proposal: (A) Demolition of existing dwelling and construction of two detached dwellings (resubmission of TM/08/02749/FL)  
(B) Conservation Area Consent: Demolition of existing bungalow and construction of two detached dwellings (resubmission of TM/08/2750/CA)  
(C) Demolition of existing dwelling and construction of two detached dwellings (resubmission of TM/07/03561/FL)  
(D) Conservation Area Consent: Demolition of existing bungalow and construction of two detached dwellings (resubmission of TM/07/03562/CA)

Location: Little Mount The Street Plaxtol Sevenoaks Kent TN15 0QG  
Applicant: Mr Terry Groom

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## **1. Description:**

- 1.1 This report relates to two current applications for determination and two applications on which there are non-determination appeals.
- 1.2 The current applications are TM/09/00144/FL and TM/09/00145/CA which were reported to the Area 2 Committee meeting of 25 February 2009 as information items. Members may recall that I advised that the two applications were due to be dealt with (approved) under my delegated authority. However, since that meeting, a representation and further reviews of the case have called into question the Council's and the previous Inspector's judgement as to the relationship of the proposed development to the boundary between the Green Belt and the village settlement confines.
- 1.3 As this issue relates to new information raising material considerations that Members have not previously had the opportunity to assess fully, I took the view that it was no longer appropriate for my delegated authority to be used in these cases as was envisaged.
- 1.4 The two cases at appeal are TM/08/02749/FL and TM/08/2750/CA. Members will recall that at the Area 2 Committee meeting of 21 January 2009, it was resolved that the Council would have granted planning permission and Conservation Area consent for the applications if the non-determination appeals had not been lodged. Again, new information in relation to the key issue regarding the relationship of the proposed development to the boundary of the Green Belt has arisen which Members have not previously had the opportunity to assess fully and I have taken the view that Members should be afforded the opportunity to revisit that resolution.

- 1.5 Conservation Area Consent is sought for the demolition of Little Mount in The Street, Plaxtol, and planning permission is sought for two dwellings in replacement. The existing dwelling is a fire damaged, detached bungalow with a detached garage. Access is via a shared drive off The Street, which is used by Little Mount, The Rectory and Old Orchard. The Oast House to the south has separate shared access to the east shared with Daltons Farm.
- 1.6 These four applications follow the dismissal of appeals TM/07/03561/FL and TM/07/03562/CA in August 2008 and the two “pairs” of applications are identical. The 2008 cases are currently at appeal and due to be dealt with at a Hearing on 13 May 2009.
- 1.7 The planning application appeal (TM/07/03561/FL) was dismissed on the grounds that:
- *The window of bedroom 3, plot 1, would directly face the windows of the top bedroom of The Oast House at a distance less than that which would provide privacy;*
  - *The window of bedroom 4, plot 2, would compromise privacy of The Oast House.*
- 1.8 Therefore, the Inspector concluded that the proposal was contrary to policy QL1(iii)(d) of the Kent and Medway Structure Plan 2006 and PPS3 (Housing). The related Conservation Area application TM/07/03562/CA was refused as there was no satisfactory redevelopment scheme.
- 1.9 The existing dwelling is a modest low level ‘L’ shaped bungalow (ridge height of 5.2m). The dwelling is currently unoccupied. All living accommodation in the existing dwelling is at ground floor level.
- 1.10 Two dwellings are still proposed and each has four bedrooms (and each with an *ensuite* bathroom) and generous ground floor living space. The existing access to the site off the shared drive is proposed to remain unchanged to serve both dwellings. There is to be frontage car parking.
- 1.11 The dwelling proposed adjacent to The Rectory (Plot 1) would have a catslide roof detail to the west and a two storey gable feature on the right of the front elevation. Brick and weatherboarding is proposed. The overall height to the ridge is 7.5m, which helps to lower the ridge height.
- 1.12 The proposed dwelling to the east (Plot 2) is proposed to have a cat slide roof to the west roofslope and a two storey gable to the right hand side of the front elevation. The ridge height is proposed at 6.6m. Again, there is a large section of flat roof within the roof design which helps to lower the ridge height. Bricks and vertical tile hanging details are proposed.

1.13 Both dwellings are proposed to be set at a lower slab level than the existing bungalow by approximately 0.8m.

1.14 The 2008 and 2009 proposals differ from the dismissed appeal scheme as:

- The first floor front projecting bay window to bedroom 3 in plot 1 has been removed and a window flush with the front wall of the dwelling is now proposed;
- The first floor front dormer window to the ensuite bathroom serving bedroom 1 in plot 2 has been amended to be a two storey front gable;
- The siting of the proposed dwellings has been amended. The dwellings have been moved further back within the site. Plot 2 is 6.75m further back within the site and plot 1 is 1m further back within the plot;
- Plot 1 has been re-orientated (rotated), so that the direct outlook from the front elevation now faces further away from The Oast House.

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

2.1 New issues have arisen since previous resolutions.

## **3. The Site:**

3.1 The site lies to the north of The Street, and to the east of the village centre of Plaxtol. The site is a back-land plot, set behind The Oast House which lies between the application site and The Street. The site is accessed via a steep shared drive and is not highly visible from the street level as there are mature boundary treatments and landscaping which limit views up into the site. The existing bungalow is further obscured due to its low ridge level and siting, which is set back from the front boundary of the application site.

3.2 To the west of the site lies The Rectory and to the east lies Daltons Farm and its grounds.

3.3 The local vernacular consists of a variety of traditional materials and architectural styles, including ragstone, oak timber frames, weatherboarding, red multi-stock bricks and clay tiles. The Street is characterised by many traditional buildings, in addition to a number of more modern dwellings.

3.4 The entire site lies within an Area of Outstanding Natural Beauty (AONB) and a designated Conservation Area. Approximately a third (the southern part) of the site lies within the rural settlement confines of Plaxtol and approximately the northern two thirds falls within the Metropolitan Green Belt. It is notable that this is a case where the Green Belt line does not coincide with an established curtilage boundary but cuts a line across the application site to the rear of the existing bungalow.

#### 4. Planning History:

TM/65/10654/OLD Grant with Conditions 26 April 1965

Three detached dwellings, garages and access road.

TM/67/10652/OLD Grant with Conditions 3 February 1967

A bungalow and garage, (as amended by plan enclosed with letter dated 21st January 1967).

TM/07/01900/FL Application Withdrawn 6 September 2007

Demolition of existing bungalow and construction of two detached dwellings.

TM/07/01902/CA Application Withdrawn 6 September 2007

Conservation Area Consent: Demolition of existing bungalow and construction of two detached dwellings.

TM/07/03561/FL Refuse 14 December 2007

Appeal Dismissed 8 August 2008

Demolition of existing bungalow and construction of 2no. detached dwellings (resubmission of 07/01900/FL).

TM/07/03562/CA Refuse 14 December 2007

Appeal Dismissed 8 August 2008

Conservation Area Consent: Demolition of existing bungalow and construction of 2no. detached dwellings (resubmission of 07/01902/CA).

#### 5. Consultees:

- 5.1 PC: The Parish Council is extremely concerned about this application, in particular the lack of openness by the Area 2 Planning Committee together with the abrupt change of support for the Parish Council's views on the previous application. This current application has been submitted on the premise that the past appeals will be dropped if permission for the scheme is now granted and that the planning officer will be seeking authority to determine this application under his delegated powers. This proposed determination is based on the crude fact that the Area 2 Planning Committee changed their view based on confidential advice yet they failed to address any of the issues raised by the Parish Council or residents affected by this scheme. The Parish Council remains firmly opposed to the bungalow being replaced by two large houses squeezed into an inadequate site which lacks suitable space for garaging or even simple domestic outbuildings; its proximity to the green belt; its interference with the neighbours amenity due to its oppressive expanse of uninterrupted brickwork in a vain attempt to provide 'privacy'. To make our point very clear we have no objection to one suitably constructed two storey dwelling house with proper garaging and facilities and

would urge the Area 2 Committee and planning officer to once again consider the Parish Design Statement and needs of the nearby residents in obtaining the best outcome for the property speculator and the Parish.

5.2 KCC (Highways): No objections.

5.3 DHH: Hours of working should be restricted during the demolition and construction phase.

5.3.1 An informative or condition restricting bonfires is requested.

5.3.2 The site area (as a whole) of 0.26 hectares triggers the affordable housing policy CP17 and there will be an expectation for a 40% affordable housing contribution. Considering the previous appeal against TM/07/03561/FL it may be more appropriate as an exceptional case for a financial contribution towards off-site affordable housing provision to be sought.

5.3.3 The site is not identified as a site of concern regarding contamination according to available historic and planning data, though a condition has been suggested relating to ground contaminants.

5.4 Kent Fire and Rescue Service: No objections.

5.5 Private Reps: (15/0X/2R/0S + Site and Press Notices): Two objections have been raised, in summary:

- The proposal seeks to redefine the building line and crosses into the Metropolitan Green Belt which is outside the village confines.
- The Green Belt boundary is 4.2m back, not the 9m as shown on the submitted plans. That was also the case for Plot 1 in the original application but has never been noted in the reasons for refusal and therefore was overlooked by the previous Inspector.
- Only approximately one third of the plot is available for development – limited by the boundary of the metropolitan green belt passing through the land – the exact line of which has been subject to dispute.
- This plot is not big enough for two large houses. Historically it was designated as only suitable for one modest bungalow when planning permission was originally given in the sixties.
- This development is not well related to its surroundings and is inappropriate to the character and scale of the plot.
- The proposal does not enhance the special character of Plaxtol village and is detrimental to the Conservation Area.

- The Oast House on the southern boundary would be dominated by the huge bulk of two houses looming over it, exaggerated by the slope of the land to the road.
- The quality of life of residents would be seriously affected.
- The placing of two large homes on this plot would be overbearing and invade privacy.
- The present structure is indeed almost hidden from the street by the large trees that are on my boundary with the street – but these trees need lowering for safety. The shrubs on the boundary between my home and Little Mount would certainly not provide an adequate screening.
- The site is 2m higher than Daltons Farm so will be overlooked by all flank windows of Plot 2 (a kitchen and family room and a bedroom and bathroom).
- The proposal to locate plot 2 back into the site will result in an exacerbated erosion of privacy.
- Plot 2 will be a building over 15 m long, 6.6m high and 2m higher than Daltons Farm property. A sectional drawing demonstrates the relationship.

**6. Determining Issues:**

- 6.1 The main determining issues in the proposals (A) and (C) are the principle of the development in this location, its scale, layout and appearance, the impact of the proposal on residential and visual amenity, highway concerns such as parking and turning provision and the impact on the Green Belt and countryside.
- 6.2 The main issue in relation to (B) and (D) is that even where a building does not in itself enhance the character and appearance of a Conservation Area, PPG15 advises that consent for demolition in a Conservation Area should not be given unless there are acceptable and detailed plans for any redevelopment.
- 6.3 Policy EN4 of the Kent and Medway Structure Plan 2006 seeks to protect the natural beauty of the AONB, while policy CP7 of the Tonbridge and Malling Borough Core Strategy also seeks to ensure users quiet enjoyment of the AONB. I consider that the development does not significantly impact on the AONB and that the principles of policies EN4 or CP7 would be upheld.
- 6.4 DHH has requested provision of affordable housing due to the site area of the proposal. However, it would be a departure from national, strategic and local policy to allow the entire site to be developed because much of it lies within the MGB. Accordingly, the actual developable part of the site within the built confines, in isolation, falls below the trigger for CP17 in terms of site area.

- 6.5 The previous Inspector concluded that there was little impact caused by the dismissed appeal scheme in terms of the character and appearance of the Conservation Area. A recent appeal decision is a material consideration and, taking into account the limited changes in levels, size, form, height, bulk and design of the dwellings and their associated parking areas, it is considered that, compared to the previous appeal scheme, the current proposals would not harm the character and appearance of the Conservation Area such as to justify refusal on those grounds.
- 6.6 Whilst the design of the two dwellings has been altered slightly from the previous proposal, the same design principles remain and therefore I consider the proposal to accord with Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and Policy QL6 of the Kent and Medway Structure Plan 2006 in this respect.
- 6.7 Policy QL1 of the KMSP requires the design of the development to protect the amenity of residents. The Inspector rejected the previous scheme solely because of its adverse effect on the living conditions of neighbours.
- 6.8 Previously, there have been no issues raised specifically in relation to the loss of the existing dwelling, either by the Council or by the Inspector. However, PPG15 advises that consent for demolition in a Conservation Area should not be given unless there are acceptable and detailed plans for any redevelopment.
- 6.9 In terms of the impact of the proposals on the privacy of the adjacent properties as a result of the changes made, an assessment needs to be made as to whether the amended siting of the dwellings presents any new issues.
- 6.10 Firstly considering Plot 1, the proposed dwelling has been moved back within the site by 1m, re-orientated from the previous proposal and the first floor bay window that was serving bedroom 3 has been removed and replaced with a window that is flush with the front wall of the property.
- 6.11 The distance between the window in bedroom 3 and the bedroom in The Oast House would be 21.5m. Therefore, in light of this distance and the fact that the dwelling has been re-orientated, I am of the opinion that the revised relationship of Plot 1 with The Oast House has satisfactorily addressed the Inspector's concerns on this point and meets the aims of Kent Design on this point.
- 6.12 I am of the opinion that the amended siting and orientation of Plot 1 will not result in any additional impacts on the amenity of the adjacent properties or the surrounding locality.
- 6.13 Turning now to Plot 2, the proposed dwelling has been moved back within the site by 6.75m. The distance between the window in bedroom 4 and the bedroom in The Oast House would be 22.5m. Therefore, I am of the opinion that the proposed re-siting from the previous proposal has satisfactorily addressed the Inspector's concerns on this point.

- 6.14 The windows of bedroom 4 on plot 1 and bedroom 1 on plot 2 would be close to habitable room windows in the upper floors of The Rectory and Daltons Farm respectively. In both these cases, the relationship would still be at such an angle that privacy would not be unacceptably compromised.
- 6.15 The amendments to the siting of the proposed dwellings would not result in any additional amenity issues in my view. I note the concerns raised about overshadowing. However, the dwellings will be further away from all the surrounding houses compared to the siting proposed within the appeal scheme, and overshadowing was not considered to be an issue by the Inspector.
- 6.16 The previous Inspector made the following comment in para 4 of the decision notice on the issue of the relationship of the dismissed appeal scheme to the Green Belt :
- 6.17 *“Part of the curtilage of the site lies within the Green Belt. It has not been suggested that the proposals would conflict with development plan policies for the protection of the Green Belt or would represent inappropriate development in terms of PPG 2. Nor would they harm the Green Belt in any other way. I have no reason to disagree with the position.”*
- 6.18 I recognise that the Parish Council remains averse to any solution that involves the creation of two new dwellings. However, it has to be borne in mind that the previous Inspector did not object to such a proposal “in principle” and I can see no justification for now moving away from that established principle. What is important is any detailed implications of the chosen scheme and I deal with this below.
- 6.19 In order to overcome the residential amenity issues that were of concern to the previous Inspector, the proposed dwellings on both plots have been resited in the current schemes. The dwelling on plot 1 has been moved northwards by approx. 1m overall and on plot 2 by approx 6.75m.
- 6.20 Having reviewed the case again it is now apparent that the resiting northwards has significant detailed implications in terms of the relationship of the development to the Green Belt and surrounding countryside. The comments made on this point in previous reports have been re-assessed in detail and with the importance of the application of Green Belt policy being paramount I have come to a different conclusion.
- 6.21 This situation is regrettable. However, I would advise Members that the misinterpretation has come about as it is not possible to be entirely certain of the **precise** line of the Green Belt. There is work in progress by the Council’s Planning Policy team to digitise the Proposals Map which will, in future, allow much more clarity on the extent of policy designations and it is this work which has called into question past interpretations of the Proposals Map. However, it is the case that the current definitive line for planning purposes is that as shown on the Proposals Map



of the 1998 TMBLP and that the current digitised drafts do not have any legal significance.

- 6.22 The Proposals Map is a 1:12500 scale map on a Raster map base which was created by a photographic reduction of a 1:10000 base. The village confines and the Green Belt are separated by a thick black line. The Proposals Map cannot be confidently enlarged by photocopying because that process has inherent distortions. The small scale of the Proposals Map means that 1mm on the Map equates to 12.5m “on the ground”. The Raster base is a “picture” rather than a survey and so does not give easy fixed points of reference as the siting and dimensions of buildings are not as accurately replicated to scale as would be the case with an OS base. The thick black line that marks the edge of the village of Plaxtol on the Proposals Map is approx 10m wide “on the ground”. The text of the Local Plan itself explains that the village settlement is defined by the inner edge of the thick black line.
- 6.23 The combination of all those factors has now contributed to uncertainty about the relationship of the development proposals with the Green Belt. However, I now accept that there is some merit to the argument that, partly as a result of the re-siting, there is encroachment into the Green Belt by the proposed dwellings in the order of between 4 and 5m.
- 6.24 The applicant has been advised that the Green Belt issue needed to be reassessed by Members at this meeting. There were some initial negotiations to look at revising the 2009 applications. However, at the time of writing this report, he has confirmed that he wishes to continue with the 2008 cases at appeal and does not wish to make any modifications to the 2009 applications to take account of the Green Belt issue. This is unfortunate as I have identified an approach way in which two dwellings could be accommodated on the site without impinging on what is now considered to be the Green Belt boundary.
- 6.25 The Inspector in the current appeals has been alerted as to the existence of this additional material consideration and that it is necessary to re-assess the 21 January 2009 resolution in the light of the new information on Green Belt. I also have to advise that this aspect is an important material consideration in determining the current planning applications.
- 6.26 The development now proposed comprises the demolition of a bungalow which is completely within the designated settlement and the erection of two new dwellings that are not entirely within the confines of the rural settlement of Plaxtol and which are both partly sited on Green Belt land.
- 6.27 The erection of two new dwellings partly in the Green Belt as a replacement of a dwelling that is not in the Green Belt is defined as “inappropriate”, as it is not a type of development that is included in para 3.4 of PPG2. Similarly, the development of new houses partly sited in designated countryside is not supported

by national policy in PPS7, Structure Plan policy HP5 or Local Core Strategy policy CP14.

6.28 In these circumstances the onus is on the appellant to demonstrate a case of Very Special Circumstances (VSCs) to justify any inappropriate development in the Green Belt. The applicant's response is summarised as follows:

- *The Green Belt issue was addressed by the previous Inspector and was concluded favourably.*
- *The siting and relationship to the Green Belt lines is as agreed with the previous case officer and has been confirmed as being in the confines in previous committee reports.*
- *The line of the Green Belt on so small a plan that it measures several metres in width - it is not possible to be "ultra precise" on the inside of the line.*
- *The line of the Green Belt has already been questioned in Plaxtol by the LPA itself in its Core strategy (para 6.2.4).*
- *It is necessary to get things in perspective - wherever the line is, be it a few metres either way, this scheme does not breach the criteria of Green Belt serving in preventing major expansion of settlements or their coalescence or the openness of the countryside.*
- *Openness of the rest of the garden could be controlled by removal of permitted development rights.*
- *The edge of the Green Belt runs through open land and domestic gardens with no discernable features and then stretches for some miles.*
- *At Golding's Orchard, part of the house and virtually the whole of the garage are beyond the line now claimed to be Green Belt by the Council. As that was approved, clearly there was no objection to its siting.*
- *The LPA has passed a resolution authorising the applications to be dealt with under delegated powers.*

6.29 It is the case that development of new buildings directly lying in the Green Belt is inappropriate and will inevitably result in loss of openness and harm to visual amenities of the Green Belt to some extent. It is also the case that the countryside should be protected for its own sake.

6.30 It is accepted that the previous Inspector made a determination that a similar scheme (especially in relation to plot 1) did not have any Green Belt impact that would justify refusal. However, it appears that at the 2008 Hearing there was no detailed examination of the Proposals Map relating to the Green Belt boundary

line. It was not an issue that came to the Inspector's attention in the 2008 appeals, not even by way of any third party objectors or the Parish Council. In that scenario, it is not accepted that the previous Inspector **explicitly** endorsed Green Belt or countryside encroachment in this form.

- 6.31 It has been claimed by the appellant that the degree of encroachment is relatively minor and therefore acceptable. That in itself is not a "very special circumstance" or material consideration that is unique to this proposal. It is an argument that could be repeated for many other sites in the Green Belt in the Borough (and elsewhere) and would set an undesirable precedent that would weaken the long standing national, strategic and local policy protection for the Green Belt and the wider rural area.
- 6.32 It is accepted that Plaxtol is a village where the edge of the rural settlement is sometimes drawn through established gardens. That was an intentional strategy to restrict the scope for back land development of large gardens in a village which was judged to have an important linear character. Whilst it is agreed that makes the determination of the Green Belt/countryside line "on the ground" much more difficult, it is the case that it is legitimate for a rural settlement boundary to cross through a garden where that is justified by established planning objectives. Inspectors in both the Local Plan adoption process and the testing of the soundness Local Development Framework have not found such an approach to be unacceptable.
- 6.33 Essentially, the application site is highly constrained from a planning point of view due to its relationship with neighbouring properties and amenity impacts thereon; the existence of the Conservation Area, and the existence of the Green Belt over the majority of the plot. In such a highly constrained site, the redevelopment of a single dwelling to two units needs to be carefully and sensitively designed. In this case, there may well be a redevelopment solution for two dwellings that meets all constraints acceptably but that may require some flexibility from the appellant in the internal layout and fenestration of the proposed dwellings. Both proposed dwellings could be re-sited such that they lie, without doubt, entirely in the village confines with minor amendments made to avoid consequential amenity impacts on neighbouring property. Clearly there is also an alternative in which the units could be made smaller, that could be achieved by quite minor changes such as the reduction, in number and/or maybe size, of the large number of *ensuite* bathrooms and a modest reduction in habitable floorspace such as the sizes of utility rooms/studies etc.
- 6.34 In the light of the encroachment beyond the village confines that has been confirmed by recent re-assessment, both the 2008 and 2009 schemes are contrary to PPG2, PPS7 and the development plan in terms of unjustified development in the Green Belt and outside the rural settlement. The comments of the applicant have been noted but nonetheless, it is considered that there are no VSCs to outweigh the harm that occurs by reason of inappropriate development in

the Green Belt nor material considerations to justify this type of development in the countryside.

6.35 In terms of Goldings Orchard, it now seems apparent that similar circumstances could have applied in that it was partially constructed on land in the Green Belt. However, that was not evident at the time and again that situation arose from the difficulties of interpreting the small scale Proposals Map. Whilst it is unfortunate that did happen, it was not an express decision of the Council to allow residential development partly outside the village confines. In any event, the particular local impact of that development has differences to the current proposals.

6.36 Accordingly, it is recommended that the 2009 cases for determination should be refused and the 2008 cases at appeal should be resisted due to the inappropriateness of a redevelopment scheme that is an unjustified departure from the Development Plan.

## **7. Recommendation:**

(A) TM/09/00144/FL:

### **7.1 Refuse Planning Permission** for the following reasons:

1. The proposed dwellings are partly sited in the Green Belt and are harmful by reason of their inappropriateness and by their impact on the openness and visual amenities of the Green Belt. No case of very special circumstances has been demonstrated. The proposal is thereby contrary to PPG2 (Green Belts); Policy SS2 of the Kent and Medway Structure Plan 2006 and Policies CP3 and CP14 of the Tonbridge and Malling Borough Core Strategy 2007.
2. The proposed dwellings are partly sited beyond the confines of the rural settlement of Plaxtol and thereby detrimentally impact on the amenities of the rural area. The proposal is thereby contrary to PPS7 (Sustainable Development in Rural Areas); Policy HP5 of the Kent and Medway Structure Plan 2006 and Policy CP14 of the Tonbridge and Malling Borough Core Strategy 2007.

(B) TM/09/00145/CA:

### **7.2 Refuse Conservation Area Consent** for the following reason:

- 1 The demolition of the building, located within a designated Conservation Area, would be premature in the absence of any approved proposal to replace it and would damage the character and appearance of the Area, which it is desired to preserve and enhance. The proposal is therefore contrary to Planning Policy Guidance Note 15: Planning and the Historic Environment.

(C) TM/08/02749/FL:

7.3 The Planning Inspectorate **BE INFORMED** that the Council would have Refused Planning Permission for the following reasons:

- 1 The proposed dwellings are partly sited in the Green Belt and are harmful by reason of their inappropriateness and by their impact on the openness and visual amenities of the Green Belt. No case of very special circumstances has been demonstrated. The proposal is thereby contrary to PPG2 (Green Belts); Policy SS2 of the Kent and Medway Structure Plan 2006 and Policies CP3 and CP14 of the Tonbridge and Malling Borough Core Strategy 2007.
- 2 The proposed dwellings are partly sited beyond the confines of the rural settlement of Plaxtol and thereby detrimentally impact on the amenities of the rural area. The proposal is thereby contrary to PPS7 (Sustainable Development in Rural Areas); Policy HP5 of the Kent and Medway Structure Plan 2006 and Policy CP14 of the Tonbridge and Malling Borough Core Strategy 2007.

(D) TM/08/02750/CA:

7.4 The Planning Inspectorate **BE INFORMED** that the Council would have refused Conservation Area consent for the following reason:

- 1 The demolition of the building, located within a designated Conservation Area, would be premature in the absence of any approved proposal to replace it and would damage the character and appearance of the Area, which it is desired to preserve and enhance. The proposal is therefore contrary to Planning Policy Guidance Note 15: Planning and the Historic Environment.

Contact: Marion Geary