



- 3.3 The property is constructed from ragstone with brick quoins and a shallow pitched slate roof.
- 3.4 The rear garden is also on a steep slope which rises to the south. At present there is a sunken area of hardstanding immediately to the rear of the house to allow for a rear door to open in to the garden. There is then a series of level changes which begin with hard surfaces and end with lawn areas as the garden level rises further.
- 3.5 There is no off street parking for this property. Public parking is provided around the War Memorial and along The Street.

**4. Planning History:**

TM/49/10405/OLD Grant with conditions 28 June 1949

Addition to 'The Nook'.

TM/90/10445/FUL Grant with conditions 5 December 1990

Ragstone wall to enclose front garden and white palisade type gate at end of path.

TM/92/10702/FUL Grant with conditions 15 April 1992

Erection of 6 foot fence to side of rear garden.

TM/94/00741/FL Grant with conditions 27 January 1995

Erection of 6ft high wooden fence to run 26ft along southern border of property

TM/96/1299/TNCA No Objection 15 October 1996

reduction in height of tree in front garden

TM/98/0953/LDCE Certifies 24 July 1998

Lawful Development Certificate Existing: use of one room of existing dwelling for the purposes of private tuition

TM/03/1780/TNCA No Objection 21 July 2003

Coppice one Cobnut tree

TM/03/3519/TNCA No Objection

15 December 2003

Reduce height of conifer to approx 10 feet to avoid conflict with telephone lines

TM/09/2002/TNCA No Objection

14 October 2009

Remove conifer trees in front garden in order to create one parking space in front garden (planning application to be submitted) and replant with Yew hedging as appropriate

## **5. Consultees:**

- 5.1 PC: Various comments received from the PC disagreeing with statements made in the application papers. Objections received on the grounds of scale, because the extension of a one bedroom to a three bedroom house in a Conservation Area is inappropriate development.
- 5.2 Private Reps (12/0S/0R/1X + Site Notice): One letter received stating - We note the above proposal for refurbishment and extension of The Nook. While we appreciate that the house will need renovation, we are concerned about access given the clearly evidenced danger of untreated icy roads added to the large number of children and occasional cars parking on double yellow lines by the bus stop in front of The Nook.
- 5.2.1 We note that the application refers only to refurbishment and extension, without access to further detail. We consider that the addition of car access could make an existing danger spot more dangerous, so trust that no garage or car access is included in the proposals. If so we would oppose this given the additional risk to foot and road users, particularly in icy conditions. Serious safeguards would need to be considered.

## **6. Determining Issues:**

- 6.1 The site lies within the built confines of Ightham where residential extension is acceptable in broad policy terms. Saved Policy P4/12 and Policy Annex PA4/12 of the Tonbridge and Malling Borough Local Plan 1998 (TMBLP) set out the Council's criteria and guidance for householder extensions. Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 (TMBCS) requires all development to be well designed and of a high quality and, among other things, respect the site and its surroundings. Policy CP1 of the TMBCS also states that the quality of the countryside, historic environment, and residential amenity will be preserved and, wherever possible, enhanced.

- 6.2 As the application site also lies within a Conservation Area, PPG15 Planning and the Historic Environment and Draft PPS15 represent the National policy documents for assessing such proposals.
- 6.3 The proposed extensions represent a two storey side extension and two storey rear extension. The proposed side extension would be highly visible from public vantage points. However, I consider the limited additional width, the substantial set back from the front elevation and the matching materials would ensure that the proposed side extension would be a subservient and well proportioned addition to The Nook. In this respect the proposal would accord with the design principles set out within Policy P4/12 and Policy Annex PA4/12 of the TMBLP. For the same reasons, I consider the proposal would preserve the character and appearance of the Conservation Area, as required by PPG15 and Draft PPS15.
- 6.4 The proposed rear extension would not be visible from public vantage points or the wider Conservation Area. A 3m rear projection is proposed which would be the full width of the original house. As the original house is very modest, a 3m deep rear extension represents an approximately 50% increase of the original house. However, planning policy does not limit cumulative volume of extensions within the built confines in the same way as extensions in the Green Belt. Accordingly, the proposal must be assessed against the above Local Plan policies to determine whether the scale, form, size and siting of this rear extension would give rise to demonstrable harm to visual or residential amenity.
- 6.5 In design terms, the siting, scale, form and size of the proposed rear extension are all in keeping with the main house as all of the dimensions and proportions of the main house are mirrored in the extension. As matching materials are proposed and the extension would not be publicly visible, I consider the proposed rear extension meets the design criteria of Policy P4/12 and Policy Annex PA4/12 of the TMBLP and Policies CP1 and CP24 of the TMBCS. It would also preserve the character of the Conservation Area.
- 6.6 The nearest neighbour to The Nook is the Listed end-of-terrace cottage to the southwest, 1 Bank Cottages. 1 Bank Cottages has been extended significantly over time and projects deeper than any of the other cottages in the terrace. The Nook and 1 Bank Cottages are very close together – less than 1m apart. 1 Bank Cottages has a first floor dormer which faces The Nook and the outlook of this window is onto the roof slope of The Nook. There is also a rear facing first floor dormer on 1 Bank Cottages and a single storey flat roof rear extension on the boundary.
- 6.7 The roof of The Nook would project further into the plot, but its height, alignment and profile would not alter. The increased depth to The Nook would not, in my view, affect the light and outlook of the 2 dormers of 1 Bank Cottages. It is

therefore my opinion that the proposal would accord with Policy protecting this neighbour's outlook and daylight. I also consider that this extension would not be unacceptably harmful to the setting of this adjacent listed building.

- 6.8 The proposed new first floor side-facing bathroom window within the existing flank wall of the house could, due to its position, have an oblique, albeit upwards, view into the existing flank dormer of 1 Bank Cottages. Accordingly, whilst the likelihood of inter-visibility is marginal, I do not consider it unreasonable to require this bathroom window to be obscured glazed to protect the privacy of the neighbouring property.
- 6.9 The proposal would increase the number of bedrooms from one to three and no parking space is proposed. The applicant states that public parking is available by the War Memorial to the front of the application site. There is public parking in this location and along The Street to the south-west of the site. As no off street parking is provided at present for The Nook nor for any of Bank Cottages, I do not consider that the increase in bedrooms could be objected to on the grounds of a lack of parking. I would also not wish to require off street parking in the front garden as this would result in significant engineering operations, retaining walls and steps which are likely to be highly visible and unsightly in the Conservation Area. Any vehicles associated with The Nook would not be able to park ad-hoc in the vicinity as, aside from the identified parking mentioned above, there are yellow lines around the centre of the village. I therefore consider, in this instance and on balance, that zero provision for off street parking would not give rise to undue harm to highway safety.
- 6.10 In light of the above considerations, I am satisfied that the proposal accords with Policy P4/12 and Policy Annex PA4/12 of the TMBLP, PPG15 and Draft PPS15. I therefore recommend approval.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** was approved in accordance with the following submitted details: Design and Access Statement dated 11.11.2009, Location Plan 2.24.05/P/100 dated 11.11.2009, Site Plan 2.24.05/E/101 dated 11.11.2009, Existing Plans 2.24.05/E/102 dated 11.11.2009, Elevations 2.24.05/E/103 dated 11.11.2009, Plan 2.24.05/E/104 dated 11.11.2009, Landscape Layout 2.24.05/E/105 dated 11.11.2009, Site Plan 2.24.05/P/101 dated 11.11.2009, Floor Plan 2.24.05/P/102 dated 11.11.2009, Floor Plan 2.24.05/P/103 dated 11.11.2009, Proposed Roof Plan 2.24.05/P/104 dated 11.11.2009, Elevations 2.24.05/P/105 dated 11.11.2009, Elevations 2.24.05/P/106 dated 11.11.2009, subject to:

### **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. No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the 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 the first floor side (southwest) elevation 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. No development shall take place until details of slab level and retaining walls to rear garden have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

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

5. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

6. The window on the first floor flank (south-west) elevation shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening. This work shall be effected before the room is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

### **Informatives**

1. The applicant is reminded that planning permission is required for the creation of any parking space within the front garden of The Nook due to the necessary engineering works which would be required to provide for such a space.

2. Construction work by its nature can easily destroy or remove buried archaeological remains. While a formal programme of archaeological investigation is not required as a condition of this permission it is important that an appropriately experienced archaeologist inspects below ground trenches and records archaeological evidence, whether structures or finds. This should normally be possible within the construction process and should not hold up construction works.

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