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**Report of 24 February 2010**

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<b>Wrotham</b> Wrotham	<b>562545 158883</b>	<b>26 October 2009</b>	<b>TM/09/01623/FL</b>
Proposal:	Provision of first floor side extension through alteration of catslide roof with dormers into a 'butterfly' pitched roof and addition of single storey extension to rear		
Location:	Little Nepicar Cottage London Road Wrotham Sevenoaks TN15 7RR		
Applicant:	Mr And Mrs R Bonny		

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**1. Description:**

- 1.1 Planning permission is sought for a first floor extension to create a “butterfly” pitched roof and a rear addition which links with the proposed first floor element by way of a cat-slide roof.
- 1.2 The existing house has four bedrooms. The proposal would add a kitchen area at ground floor and, at first floor, two existing bedrooms would be made larger.
- 1.3 The “single storey” rear extension is, in my view, more in the region of a 1 ½ storey to 2 storey extension when viewed from the elevations. Accordingly the roof area shown could partly accommodate full head height and has now been amended to show that the two existing rear bedrooms would be enlarged in to that roof space, with two new rear windows.
- 1.4 The eaves height on the south elevation is to be raised from 2.75m to 3.7m, while the eaves height for the north elevation would remain at 3.7m. The eaves for the proposed rear extension to provide for the kitchen would be 2.55m for the rear elevation and rising to 3.7m where it meets the eaves line on the proposed first floor extension.
- 1.5 Two first floor rear “cut-out” windows are proposed in the cat-slide roof. An additional first floor north facing window is proposed to serve one of the enlarged rear bedrooms. Larger openings are proposed at first floor on the south elevation in place of the existing small dormer windows. At ground floor three rear facing windows are proposed, one additional flank window to the north side and a pedestrian door to the south side, all to serve the proposed kitchen.

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

- 2.1 Called in by Local Ward Member.

### 3. The Site:

- 3.1 The site is situated within the Metropolitan Green Belt and Area of Outstanding Natural Beauty (AONB) and outside of the village confines of Wrotham, within the open countryside.
- 3.2 The site fronts on to the A20, London Road and has vehicular access off a private drive to the south of the site.
- 3.3 The front portion of the house has some historical value but is not listed. The later addition to the rear has a cat-slide to the south roof slope with two small dormer windows.
- 3.4 There are a couple of small sheds within the garden and small flat roof garage. The house has a conservatory on the north elevation.

### 4. Planning History:

TM/00/01398/FL      Grant With Conditions      8 August 2000

Rear Conservatory.

TM/57/10466/OLD      Refuse      28 November 1957

Outline Application for one dwelling and access.

TM/76/10001/ADV      Refuse      21 October 1976

Erection of illuminated sign.

TM/84/11328/FUL      grant with conditions      16 April 1984

Two storey rear extension.

TM/89/10967/FUL      Refuse      6 December 1989

Vehiucular access to A20.

TM/05/02228/TPOC      Grant With Conditions      18 August 2005

Remove dead wood, split branches and thin remaining canopy of two Chestnut trees; remove one Chestnut tree near highway (TPO ref. 12-24-22)

TM/08/02563/FL

Refuse

5 November 2008

Two storey rear extension. Demolition of existing garage and replacement with new detached double garage

## 5. Consultees:

- 5.1 PC: (24.07.09) No objections.
- 5.2 Private Reps + Article 8 Site Notice: (31.07.09) No response.

## 6. Determining Issues:

- 6.1 The site lies within the Metropolitan Green Belt where residential extension can be considered appropriate development provided the level of cumulative extension is not disproportionate to the original house. PPG2: Green Belts and Policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007 set out the framework for considering proposals in the Green Belt.
- 6.2 Within the AONB proposals must preserve or enhance the natural beauty of the landscape and accord with policy CP7 of the Tonbridge and Malling Borough Core Strategy 2007.
- 6.3 Saved Policy P4/12 and Policy Annex PA4/12 of the Tonbridge and Malling Borough Local Plan (TMBLP) 1998 relate to residential extensions and seek to ensure that proposals are of a form, scale, and design (including the use of appropriate materials) which would not adversely impact on the character of the building or wider streetscene. These policies also consider the impact of residential extensions on residential amenity through loss of light, privacy and overlooking of garden areas.
- 6.4 The original volume of the Little Nepicar Cottage was approximately 240 cubic metres (243 cubic metres including the existing porch). The cottage was extended in 1984 in the form of a two storey rear extension and has subsequently been added to by way of a conservatory to the north elevation. The proposed extensions would further extend the property both in volume and footprint. The proposed volume of the total house is approximately 556 cubic metres which would represent a volume increase of 129%. A cumulative increase of 129% would represent a significantly disproportionate level of extension compared to the original house and would therefore result in harm by definition to the amenities and openness of the Green Belt. The increase in bulk and mass which would arise from the proposed extensions would also represent harm to the Green Belt through loss of openness. I therefore consider the proposals represent inappropriate development in the Green Belt which is contrary to PPG2 and Policy CP3 of the TMBLP.

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- 6.5 The design of the proposed extensions is not, in my view acceptable in policy terms. The proposed addition at first floor (over the existing footprint) would erode the subservience which the existing cat-slide roof and dormers provide on the south elevation. The proposal would not only erode this subservience, but further extend the property in the form of the rear kitchen extension which is, in my view more than a single storey addition. This further increase in bulk and mass results in a set of extensions which pay no regard to the form, scale, proportion or design of the original cottage which would be subsumed when viewed from the south. I do not therefore consider the proposal would respect the character of the building through its form, scale and design and is therefore contrary to Saved Policy P4/12 of the TMBLP.
- 6.6 The applicant's agent has put forward a case that the first floor extension is a limited "infill" extension in place of the existing cat-slide roof and dormers and would not add significant bulk. In addition, the agent has stated that the proposed 4m deep rear extension would have no more additional impact than a similar extension which could be erected under permitted development (PD) rules. It is also stated by the agent that the proposals would improve the dwelling's aesthetics.
- 6.7 It is my view that the first floor extension is not limited to an infill of the existing south facing cat slide. When the first floor extension and rear extension are combined there is a large increase in bulk at first floor level due to the butterfly roof and the "cat-slide" above the proposed kitchen extension. I am of the opinion that the kitchen extension cannot be read as a single storey extension, or indeed as separate from the first floor extensions. The proposal is a package of extensions which would cumulatively increase the volume and bulk of the property to a disproportionate extent.
- 6.8 The "fall back" of a single storey rear extension is not in my view relevant to this application. This is due to the width of the extension being wider than current PD allowances. In addition, the tall eaves at the rear (2.65m) and taller eaves at the side (3.8m) along with a maximum height of 6.2m could not be regarded to have any parallels to PD rules which limit the overall height of an extension to 4m. The Council would have no control over a single storey rear extension which did meet current PD requirements and I would argue that such an extension would have a greatly reduced impact on the openness of the Green Belt compared to this proposed "single storey" rear extension.
- 6.9 As set out in paragraph 6.5 above, I do not consider the proposed extensions improve the aesthetics of the building.
- 6.10 The applicant has forwarded a letter from Mr West (Mrs Bonny's father) which supports the application and sets out that the application for extension would also facilitate the care of Mrs West (Mrs Bonny's mother) who has Parkinson's disease.

Mr West states that Mr and Mrs Bonny are keen to help out with the care of Mrs West and to do so would require toilet and bathroom facilities at ground floor.

6.11 I do not consider the needs of a relative who is not a dependant in the household, and who has sufficient care at present, to constitute a case of very special circumstances. Indeed, these circumstances are fairly commonplace and cannot therefore, by definition, be described as “very special”. Moreover, the proposed plans do not provide for bathroom facilities at ground floor. There is a WC at present and the proposed provide the same level of facilities.

6.12 The proposal therefore represents inappropriate development for which a sufficient case of “very special circumstances” has not been advanced and accordingly the proposal remains contrary to policy as set out above.

6.13 The proposal would not increase the number of bedrooms and accordingly no additional parking provision is required.

6.14 In light of the above considerations I consider the proposal is contrary to Green Belt and residential extension policy and therefore recommend the application be refused.

## **7. Recommendation:**

7.1 **Refuse Planning Permission** subject to the following reasons:

1. The proposed extensions would, by virtue of their cumulative volume, result in harm to the Green Belt by definition, and actual harm through loss of openness. The proposal is therefore inappropriate development which is contrary to PPG2 Green Belts and policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007.
2. The proposed extensions would, though their form, scale and proportions, result in harm to the character of the building. The proposals are therefore contrary to Saved Policy P4/12 of the Tonbridge and Malling Borough Local Plan 1998.

Contact: Lucy Stainton

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SUPPLEMENTARY REPORTS

AREA 2 PLANNING COMMITTEE

DATED 24 February 2010

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**Wrotham  
Wrotham****TM/09/01623/FL****Provision of first floor side extension through alteration of catslide roof with dormers into a 'butterfly' pitched roof and addition of single storey extension to rear at Little Nepicar Cottage London Road Wrotham Sevenoaks TN15 7RR for Mr And Mrs R Bonny**

I received from the applicant's Agent on 24 February 2010.

*I would like to make the following comments in support of the proposed development having read the committee report for this case:*

*1. In the site description section, the report does not mention the fact that a garden wall approximately 6 metres high (which is the remnants of a former brewery building) encloses the site along its northern and western boundaries. I think that this is an important consideration because the wall significantly reduces both the visibility of the site and also its contribution towards the Green Belt's 'openness'. In real terms, the impact of the proposed addition upon the openness of the Green Belt will be limited by the existence of the wall's built form and, essentially, outside views of the addition will be gained from the south only. The rear yard of the property in which the extension is to be sited is not 'open' in terms of its character - it is a courtyard that is enclosed on three sides by tall built form.*

*2. The comments set out regarding the PD fallback position in paragraph 6.8 are not believed to be entirely correct. Having researched this matter previously, my understanding is that a full width extension could be added under permitted development rights taking into account recent appeal decisions relating to interpretation of the current GPDO regulations. (I attach an example for your information/research purposes).*

*3. The assessment of the proposal has been largely made in volume terms. If one considers the proposal in terms of additional floorspace, the proposals would add around 48 square metres and approximately 30 square metres of this could be can (sic) already be provided through a single storey rear addition under permitted development rights. Accordingly, the applicants are actually only asking for an additional 18m<sup>2</sup> of floor space and this is only being asked for solely to enlarge two existing bedrooms and not to create additional first floor rooms.*

*4. The report implies that the proposals do not assist the family in caring for their severely disabled immediate relative. This is incorrect. The changes to the ground floor will mean that either the sitting room or dining room can be set up for use as an occasional bedroom at ground floor level. At present, when the applicants provide respite care, the disabled relative has to be accommodated in the lounge area on the sofa and this arrangement naturally has a distinct lack of privacy and is understandably*

*embarrassing and quite degrading for the relative involved because she is incontinent. Currently, the layout of the house does not allow a 'private' room to be used because the stairs run through the dining room and the main access into the house runs through the kitchen. The lounge is the only room that can be used at present to accommodate the relative therefore. The applicants do plan to install a walk in shower room but have not yet decided where the best location for this will be. It is unlikely to be provided within the proposed extension or family room area because of the 'through route' privacy problems described above. Most likely the facility will be provided in the current dining room.*

*I would be grateful if you would please take these comments into account."*

DPTL: The comments above were accompanied by a recent appeal decision in which an Inspector made an interpretation of the impact of "permitted development" rights. As this decision arrived only today it has not been possible to carry-out a thoroughgoing analysis of the reasoning behind that decision to establish its applicability or otherwise in this case. It will also be necessary to assess if that Inspector's decision is fully representative of interpretations of the recently revised "permitted development" rights.

#### **CASE WITHDRAWN FROM THE AGENDA**

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