

Plaxtol **560428 153541** **23 February 2012** **TM/12/00596/FL**
Borough Green And
Long Mill

Proposal: Demolition of existing rear addition and the construction of a two storey rear extension, porch extension, internal alterations and garage
Location: The Former Rectory The Street Plaxtol Sevenoaks Kent TN15 0QF
Applicant: Mr And Mrs Wormsley

1. Description:

- 1.1 It is proposed to demolish an existing single storey element (of approximately 9m depth and 8m width, with eaves and ridge heights of 2.6 - 3.6m and 6.1 – 6.6m, respectively) located at the rear of the property and to erect a two storey rear extension (at ground floor of 9m depth and 13m width and at first floor of similar depth and 10.8m width). The eaves and ridge height of the two-storey element of the proposed extension would be 6.1 – 6.6m and 9.6 - 10.1m, respectively. The extension would have a double hipped roof with a flat valley between. The ground floor element of the extension which would protrude beyond the first floor (on the western elevation) would have a flat topped sloping hipped roof. It is also proposed to undertake a small porch extension on the western elevation of the building.
- 1.2 The proposed extension would be constructed from ragstone with brick quoins and surrounds, clay roof tiles and timber framed windows and doors.
- 1.3 It is also proposed to undertake works to the existing roof of the property to facilitate the increased use of the second floor for living accommodation. These works include:
- The provision of a flat roof within the existing valley on the roof of the property, which would contain 3 no. rooflights;
 - The replacement of an existing rooflight on the northern elevation with a larger rooflight;
 - The installation of 2 no. rooflights on the western and eastern roof planes;
 - The insertion of 2 no. rooflights within the northern plane which forms part of the valley of the existing roof;
 - The installation of three solar panels on the southern plane which forms part of the valley of the existing roof.

- 1.4 The submitted floor plans indicate that the existing house contains 6 bedrooms. The proposed floor plans also indicate a 6 bedroom property, albeit a number of the bedrooms will be of considerably greater size and the extended house would contain additional rooms and features such as an office and double height gallery above the hall way. The floor plans also indicate that the existing cellar would be used as a cinema room and gym.
- 1.5 Finally, it is proposed to erect a single storey timber framed triple garage with shallow ridged clay tiled roof, to be located within the north western corner of the application site (immediately adjacent to the western boundary of the site). The driveway would be extended to run past the existing barn (which has been converted to provide residential accommodation) to provide vehicular access to the proposed garage. In order to erect the garage it is proposed to fell a pear tree.

2. Reason for reporting to Committee:

- 2.1 At the requests of Councillors Evans and Sayer due to the locally controversial nature of the proposal.

3. The Site:

- 3.1 The application site is situated within the confines of Plaxtol: the northern boundary and more northerly halves of the western and eastern boundaries comprise the boundaries to the MGB. The site is situated within the Plaxtol CA and the Kent Downs AONB.
- 3.2 The application site comprises the curtilage of The Former Rectory, which is a large two-storey house of grand appearance and design, constructed of ragstone walls with brick quoins and features and a clay tiled roof. It is situated on the northern side of The Street. The dwelling is positioned fairly centrally between the eastern and western boundaries of the site. A sizeable outbuilding is located to the north-west of the existing house, immediately adjacent to the western boundary. This outbuilding has been converted to provide ancillary accommodation, including sleeping, washing and cooking facilities.
- 3.3 A ragstone wall runs along the western and southern boundaries of the site, with a gate within the southern boundary providing vehicular access to the site. A row of pear trees has also been planted along part of the western boundary, immediately to the south of the converted outbuilding. The site contains a considerable number of mature trees, particularly within the south-western corner and along the southern boundary of the site, and towards the eastern boundary. The Atlantic cedar (indicated as tree T41 in the Arboricultural Report submitted as part of the application) located between the house and the front boundary is subject to a TPO.

- 3.4 The Street slopes downhill from west to east. Accordingly, the adjacent property to the west (High Weald – a detached dwelling of more modern appearance with two-storey flat roofed rear extension) is set at a higher level than the application site, with St Michael’s Cottage and Plaxtol Vineyard (to the east of the application site) at a lower level.

4. Planning History:

MK/4/72/527 Refuse 23 August 1972

Alt Ref: 72/11188/OLD

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

TM/08/00929/FL Approved 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

TM/08/00936/FL Approved 8 August 2008

Conversion of existing barn into habitable accommodation to be used ancillary to existing dwelling

TM/11/00772/FLX Approved 17 May 2011

Extension of time limit to implement planning permission TM/08/00929/FL for proposed garage and garden store extension, internal alterations and part conversion of loft

- 4.1 Members’ attention is drawn to extant planning permission TM/08/00929/FL for “garage and garden store extension, internal alterations and part conversion of loft”. That permission granted consent for a rear ground floor extension of broadly the same footprint as that proposed at present, with an L-shaped hipped roof with eaves and ridge heights of 2.0 – 3.5m and 6.0 - 6.5m, respectively. The permitted scheme has a ridged-dormer in the eastern roof plane and a flat roof dormer in the western roof plane. It also permitted four additional rooflights in the northern elevation of the existing roof, a similar flat roof element to that proposed at present within the existing valley and two rooflights in the western elevation.

5. Consultees:

- 5.1 PC: The views of the Council were mixed, with an appreciation of both the point of view of the applicant and those of the neighbours, who had submitted letters of objection. In view of the size of the proposed development in a Conservation Area

and AONB, the Parish Council requests that the application be considered by the Area 2 Planning Committee and that the objections regarding overdevelopment, loss of privacy to neighbouring properties, and light pollution be taken into consideration.

- 5.2 Private Reps (14/2X/1R/0S): Two of the representations received stated that they were not formal objections. The submitted representations raised concerns regarding a loss of privacy, harm to living conditions through external lighting and the effect on the character and appearance of the Conservation Area and Plaxtol.

6. Determining Issues:

- 6.1 The planning policy which needs to be taken into account in the consideration of this application includes CS Policy CP13 which indicates that development within the confines of Plaxtol will be restricted to minor development appropriate to the scale and character of the settlement: an extension to a dwelling and the erection of a detached garage of such design and size which are appropriate to the scale and character of Plaxtol would accord with the principle of this Policy. Other relevant policies include those which relate to design, impact on the character of the Conservation Area and Kent Downs AONB and the effect on the living conditions of neighbouring properties (CS Policies CP1, CP7 and CP24, MDE DPD Policy SQ1 and saved Policy P4/12 of the TMB LP) and the relevant policies within the NPPF.

Design and impact on the character and appearance of the Plaxtol Conservation Area and Kent Downs AONB

- 6.2 Paragraph 58 of the NPPF provides a set of design related aims against which proposals for development should be assessed. I am of the opinion that the proposed extension has been well designed and performs positively against these criteria. In particular, the two storey element has been recessed and the height of the roof kept lower than the existing roof of the main house. The proposal will therefore maintain the existing frontage of the building, with the extension appearing subservient to the main building and in-fact being largely obscured from view from The Street by the building frontage. Indeed, any views of this frontage are (and will be) filtered by mature vegetation within the frontage of the site.
- 6.3 The extension is proposed to use the same materials as the existing house, and will incorporate similar architectural features (including the use of brick surrounds and quoins and timber sash windows) as found on the existing building, the details of which could be secured by Condition. Care has also been paid to the location and number of rooflights to be installed within the roof planes of the property: the majority will be located on the internal planes to the existing and proposed valleys between roof ridges which will serve to screen them from view from ground level. Permitted development rights for the subsequent insertion of additional rooflights can be controlled through the imposition of a Condition so as to exercise direct

influence over any incremental works or alterations to the building. Similarly, the proposed detached garage is considered to be of an appropriate scale and is well proportioned.

- 6.4 Overall, having regard to the design of the proposal, the screening afforded by the position of the main dwelling and the filtering effect of retained mature vegetation within the frontage and on the boundaries of the site, I am of the opinion that the development will preserve the character and appearance of the Plaxtol Conservation Area, the street scene and the area in general and will not be detrimental to the scenic beauty of the Kent Downs AONB.

Impact on living conditions of neighbouring properties:

- 6.5 The dwelling is positioned in a more northerly location relative to High Weald (the adjacent dwelling located to the west): indeed the front wall of The Former Rectory is set behind the rear wall of the extension to High Weald. The only window within the flank of High Weald is at first floor, and appears to be to a bathroom. Having regard to the relationship of the two properties to one another, and particularly the fact that the extension to The Former Rectory will be set back within the site, it is considered that the proposed rear extension will not materially harm the living conditions which the occupiers of High Weald can expect to enjoy through the overlooking of windows to habitable rooms.
- 6.6 The proposed extension will, however, be level with part of the rear garden to High Weald. A row of relatively immature pear trees has been planted along the boundary between the two properties at the position of the proposed extension. The existing ragstone boundary wall presently serves to screen the rear garden area of High Weald from view from the application site at ground floor level. The windows at first floor of the extension would be to a bathroom and a dressing room and the applicants have detailed that these windows will be obscure glazed. Having regard to the present filtering effect of the pear trees (which over time will mature and provide increased screening) together with the proposed obscure glazing of the windows (which could be secured by Condition), I am of the opinion that the proposed extension will not result in material harm to the living conditions which the occupiers of High Weald could expect to enjoy by means of overlooking of the rear amenity space of this house. The proposed garage is of such a design and location as to not materially harm living conditions by reason of overshadowing windows to habitable rooms or amenity space.

St Michael's House and Plaxtol Vineyard

- 6.7 The previous permitted extension included a dormer within the eastern roof plane to a bedroom. The current proposal indicates two windows within the eastern elevation at first floor level, to the main bedroom in the property. Additionally, a balcony is proposed at first floor level within the rear (northern) elevation. The

balcony would have a wall to its eastern elevation, so that views from it will only be available to the north, north-east or north-west: i.e. away from adjacent properties and the amenity space located immediately around these houses.

- 6.8 There are windows within the western flank of St Michael's House (the dwelling to the east of the application site) at ground floor to a kitchen/diner and living room and at first floor apparently to a bedroom. This dwelling is located at a lower level than the application site. However, the boundary between the two properties, particularly at the point between the two houses, comprises mature and verdant vegetation. From a visual inspection of the boundary it appears that there are elements of this vegetation on both the application site and within the curtilage of St Michael's House. The submitted application indicates that the vegetation at this part of the application site is proposed to be retained, which could be secured by Condition.
- 6.9 Having regard to the screening effect of the existing vegetation, it is considered that despite the difference in levels between the sites the proposed extension will not result in material harm to the living conditions which the occupiers of St Michael's House, and Plaxtol Vineyard further to the east can expect to enjoy by reason of overlooking of either windows to habitable rooms or to the amenity space of these dwellings.
- 6.10 Neighbours have expressed concern regarding the effect of the installation of external lighting on the extended dwelling, existing outbuilding and proposed garage. Given the position of the existing converted outbuilding and proposed garage to the north of the house closer to the edge of the settlement and the potential impact that could have on the character of the CA and the scenic beauty of the Kent Downs AONB, I have recommended a Condition to control any external lighting at the property.

Conclusion

- 6.11 The application site comprises a sizeable plot with verdant and mature vegetative boundaries. It is considered that whilst the proposed extension is of considerable size, careful attention has been taken in its design having regard to the existing dwelling, its position of the site within the Plaxtol CA and the relationship of the house to the neighbouring properties. Subject to the Conditions recommended below which would serve to maintain the existing mature vegetation and control subsequent potential changes to the buildings on the site, it is considered that the proposal accords with the policies of the adopted Development Plan and national planning policy.

7. Recommendation:

- 7.1 **Grant Planning Permission**, as detailed by: Letter dated 23.02.2012, Location Plan dated 23.02.2012, Report dated 23.02.2012, Site Plan 1168-PL-01 dated 23.02.2012, Existing Plans 1168-PL-02 dated 23.02.2012, Proposed Floor Plans 1168-PL-03 dated 23.02.2012, Existing Elevations 1168-PL-04 dated 23.02.2012, Proposed Elevations 1168-PL-05 dated 23.02.2012, Floor Plans And Elevations 1168-PL-06 dated 23.02.2012; subject to 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 The development hereby permitted shall be undertaken in accordance with the plans and supporting documents listed above.

Reason: To ensure that the development does not harm the existing character of the area in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 3 No development shall take place until written details and photographs of all materials to be used externally in the construction of the dwelling have been submitted to and approved by the Local Planning Authority and samples of the materials shall be made available at the site for inspection by Officers of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61 and 137 of the National Planning Policy Framework (2012).

- 4 No development shall take place until a sample panel of ragstone and brickwork has been constructed on site, inspected by Officers of the Local Planning Authority and photographs of the sample panel have been submitted to and approved in writing by the Local Planning Authority. The external surfaces of the extension hereby permitted shall be constructed in accordance with the approved details.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and

Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61 and 137 of the National Planning Policy Framework (2012).

- 5 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. This shall include the retention of any trees indicated as being retained on approved plan "Site Plan Proposed" (Dwg. No. 1168-PL-01). All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: To ensure that the development does not harm the character of the existing area and to protect the living conditions of neighbouring properties in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 6 The development hereby approved shall be carried out in such a manner as to avoid damage to existing trees (including their root system) or other planting to be retained as part of the approved landscaping scheme (Condition 5) by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
 - (b) No fires shall be lit within the spread of the branches of the trees.
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
 - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.
 - (e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.
 - (f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character of the existing building in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 7 The garage shown on approved plan "Site Plan as Proposed" (Dwg. No. 1168-PL-01) shall be kept available at all times for the parking of private motor vehicles.

Reason: The application was assessed on the basis of the proposal as indicated, and so that the Local Planning Authority can assess any alternate use of the building.

- 8 Details of a scheme of external lighting at the site shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. All external lighting at the site shall be provided in accordance with the approved scheme prior to the first occupation of the extension hereby permitted. No variation from the approved scheme, including the use of alternative lights or the erection/installation of additional lights, shall be undertaken thereafter.

Reason: To ensure that the development does not harm the scenic beauty of the Kent Downs Area of Outstanding Natural Beauty, the character of the existing area and to protect the living conditions of neighbouring properties in accordance with Policies CP1, CP7 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58, 61 and 115 of the National Planning Policy Framework (2012).

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Classes A, B or C of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To ensure that the development does not harm the character of the existing building and area and to protect the living conditions of neighbouring properties in accordance with Policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

- 10 The first floor windows in the western elevation of the extension hereby permitted shall be obscure glazed at all times.

Reason: To ensure that the development protects the living conditions of neighbouring properties in accordance with Policies CP1 and CP24 of the

Tonbridge and Malling Borough Core Strategy, Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document and paragraphs 57, 58 and 61 of the National Planning Policy Framework (2012).

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