

# TONBRIDGE & MALLING BOROUGH COUNCIL



## EXECUTIVE SERVICES

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### Chief Executive

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**NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.**

Contact: Democratic Services  
committee.services@tmbc.gov.uk

14 February 2023

To: MEMBERS OF THE AREA 2 PLANNING COMMITTEE  
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Area 2 Planning Committee to be held in Council Chamber, Gibson Drive, Kings Hill on Wednesday, 22nd February, 2023 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members may attend in person or participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website. Deposited plans can be viewed online by using [Public Access](#).

Yours faithfully

JULIE BEILBY

Chief Executive

## AGENDA

1. Guidance for the Conduct of Meetings

5 - 6

## **PART 1 - PUBLIC**

2. Apologies for Absence
3. Declarations of Interest

Members are reminded of their obligation under the Council's Code of Conduct to disclose any Disclosable Pecuniary Interests and Other Significant Interests in any matter(s) to be considered or being considered at the meeting. These are explained in the Code of Conduct on the Council's website at [Code of conduct – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/code-of-conduct).

Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting

4. Minutes 7 - 10

To confirm as a correct record the Minutes of the meeting of Area 2 Planning Committee held on 10 August 2022

5. Glossary and Supplementary Matters 11 - 18

Glossary of abbreviations used in reports to the Area Planning Committee (attached for information)

Any supplementary matters will be circulated via report in advance of the meeting and published to the website.

### **Decisions to be taken by the Committee**

6. TM/22/02850/FL - Land south of 111 Church Lane, East Peckham 19 - 26

Demolition of existing garage and agricultural barn and construction of one single storey dwellinghouse and associated landscaping at land south of 111 Church Lane, East Peckham.

7. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

### **Matters for consideration in Private**

8. Exclusion of Press and Public 27 - 28

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

## **PART 2 - PRIVATE**

### 9. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

## **MEMBERSHIP**

Cllr H S Rogers (Chair)  
Cllr B J Luker (Vice-Chair)

Cllr Mrs J A Anderson  
Cllr R P Betts  
Cllr P Boxall  
Cllr C Brown  
Cllr M A Coffin  
Cllr D Harman  
Cllr S A Hudson

Cllr Mrs F A Kemp  
Cllr P J Montague  
Cllr W E Palmer  
Cllr J L Sergison  
Cllr T B Shaw  
Cllr K B Tanner  
Cllr M Taylor

## **GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED**

- (1) All meetings of the Borough Council will be livestreamed to YouTube here, unless there is exempt or confidential business be discussed:  
  
<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxjAPfw/featured>
- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) in the first instance.

### **Attendance:**

- Members of the Committee/Advisory Board are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chairman, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee/Advisory Board are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.
- Members of the public addressing an Area Planning Committee can participate in person or online. Please contact [committee.services@tmbc.gov.uk](mailto:committee.services@tmbc.gov.uk) for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

### **Ground Rules:**

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

### **Voting:**

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### AREA 2 PLANNING COMMITTEE

#### MINUTES

Wednesday, 10th August, 2022

**Present:** Cllr H S Rogers (Chair), Cllr B J Luker (Vice-Chair), Cllr R P Betts, Cllr P Boxall, Cllr M A Coffin, Cllr D Harman, Cllr Mrs F A Kemp, Cllr P J Montague, Cllr W E Palmer, Cllr J L Sergison, Cllr N G Stapleton, Cllr K B Tanner and Cllr M Taylor

Councillor D Davis participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J A Anderson and S A Hudson

#### PART 1 - PUBLIC

##### **AP2 22/28 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

##### **AP2 22/29 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 29 June 2022 be approved as a correct record and signed by the Chairman.

##### **AP2 22/30 GLOSSARY AND SUPPLEMENTARY MATTERS**

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. There were no supplementary reports circulated in advance or tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN  
ACCORDANCE WITH PART 3 OF THE CONSTITUTION  
(RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

**AP2 22/31 TM/21/01856/FL - LAND SOUTH WEST OF CLAYGATE HOUSE,  
WINFIELD LANE, BOROUGH GREEN**

Conversion of existing redundant building to a single dwelling, revision to that submitted under reference TM/21/00147/FL at Land South West of Claygate House, Winfield Lane, Borough Green.

**RESOLVED:** That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health and subject to the addition of Conditions:

11. If during construction works items or features of archaeological and historic importance are discovered, all development shall cease. It will then be necessary for the applicant, or their agents or successors in title, to secure 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 submitted to Local Planning Authority immediately on discovery of any historic item or feature for approval and works subsequently undertaken shall be in strict accordance with the approved brief.

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

12. Prior to the first occupation of the dwelling hereby approved, all non-domestic paraphernalia and/or items and vehicles shall be removed from the land edged in blue as referenced in drawing number no. 2017-025v4-Location received 1 July 2021.

Reason: In the interests of the residential amenity of future occupiers of the dwelling.

13. No open storage of any kind shall be undertaken on the land edged in blue as referenced in drawing no. 2017-025v4-Location received 1 July 2021.

Reason: In the interest of the residential amenity of future occupiers of the dwelling.

[Speakers: Mr M Brewin, representing Plaxtol Parish Council, addressed the Committee in person and Mr S McKay (agent) addressed the Committee via MS Teams]



**AP2 22/32 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.20 pm

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## **GLOSSARY of Abbreviations used in reports to Area Planning Committees**

### **A**

AAP	Area of Archaeological Potential
AGA	Prior Approval: Agriculture (application suffix)
AGN	Prior Notification: Agriculture (application suffix)
AODN	Above Ordnance Datum, Newlyn
AONB	Area of Outstanding Natural Beauty
APC1	Area 1 Planning Committee
APC2	Area 2 Planning Committee
APC3	Area 3 Planning Committee
AT	Advertisement consent (application suffix)

### **B**

BALI	British Association of Landscape Industries
BPN	Building Preservation Notice
BRE	Building Research Establishment

### **C**

CA	Conservation Area (designated area)
CCEASC	KCC Screening Opinion (application suffix)
CCEASP	KCC Scoping Opinion (application suffix)
CCG	NHS Kent and Medway Group
CNA	Consultation by Neighbouring Authority (application suffix)
CPRE	Council for the Protection of Rural England
CR3	County Regulation 3 (application suffix – determined by KCC)
CR4	County Regulation 4 (application suffix – determined by KCC)
CTRL	Channel Tunnel Rail Link (application suffix)

## **D**

DCLG	Department for Communities and Local Government
DCMS	Department for Culture, Media and Sport
DEEM	Deemed application (application suffix)
DEFRA	Department for the Environment, Food and Rural Affairs
DEPN	Prior Notification: Demolition (application suffix)
DfT	Department for Transport
DLADPD	Development Land Allocations Development Plan Document
DMPO	Development Management Procedure Order
DPD	Development Plan Document
DPHEH	Director of Planning, Housing & Environmental Health
DR3	District Regulation 3
DR4	District Regulation 4
DSSLT	Director of Street Scene, Leisure & Technical Services

## **E**

EA	Environment Agency
EIA	Environmental Impact Assessment
EASC	Environmental Impact Assessment Screening request (application suffix)
EASP	Environmental Impact Assessment Scoping request (application suffix)
EH	English Heritage
EL	Electricity (application suffix)
ELB	Ecclesiastical Exemption Consultation (Listed Building)
EEO	Ecclesiastical Exemption Order
ELEX	Overhead Lines (Exemptions)
EMCG	East Malling Conservation Group
ES	Environmental Statement
EP	Environmental Protection

**F**

FRA	Flood Risk Assessment
FC	Felling Licence
FL	Full Application (planning application suffix)
FLX	Full Application: Extension of Time
FLEA	Full Application with Environmental Impact Assessment

**G**

GDPO	Town & Country Planning (General Development Procedure) Order 2015
GOV	Consultation on Government Development
GPDO	Town & Country Planning (General Permitted Development) Order 2015 (as amended)

**H**

HE	Highways England
HSE	Health and Safety Executive
HN	Hedgerow Removal Notice (application suffix)
HWRC	Household Waste Recycling Centre

**I**

IDD	Internal Drainage District
IDB	Upper Medway Internal Drainage Board
IGN3	Kent Design Guide Review: Interim Guidance Note 3 Residential Parking

**K**

KCC	Kent County Council
KCCVPS	Kent County Council Vehicle Parking Standards: Supplementary Planning Guidance SPG 4
KDD	KCC Kent Design document

KFRS Kent Fire and Rescue Service  
KGT Kent Garden Trust  
KWT Kent Wildlife Trust

## **L**

LB Listed Building Consent (application suffix)  
LBX Listed Building Consent: Extension of Time  
LDF Local Development Framework  
LDLBP Lawful Development Proposed Listed Building (application suffix)  
LEMP Landscape and Ecology Management Plan  
LLFA Lead Local Flood Authority  
LMIDB Lower Medway Internal Drainage Board  
LPA Local Planning Authority  
LWS Local Wildlife Site  
LDE Lawful Development Certificate: Existing Use or Development (application suffix)  
LDP Lawful Development Certificate: Proposed Use or Development (application suffix)  
LP Local Plan  
LRD Listed Building Consent Reserved Details (application suffix)

## **M**

MBC Maidstone Borough Council  
MC Medway Council (Medway Towns Unitary Authority)  
MCA Mineral Consultation Area  
MDE DPD Managing Development and the Environment Development Plan Document  
MGB Metropolitan Green Belt  
MHCL Ministry of Housing, Communities and Local Government  
MIN Mineral Planning Application (application suffix, KCC determined)  
MSI Member Site Inspection

MWLP Minerals & Waste Local Plan

## **N**

NE Natural England

NMA Non Material Amendment (application suffix)

NPPF National Planning Policy Framework

## **O**

OA Outline Application (application suffix)

OAEA Outline Application with Environment Impact Assessment (application suffix)

OAX Outline Application: Extension of Time

OB106D Details pursuant to S106 obligation (application suffix)

OB106M Modify S106 obligation by agreement (application suffix)

OB106V Vary S106 obligation (application suffix)

OB106X Discharge S106 obligation (application suffix)

## **P**

PC Parish Council

PD Permitted Development

PD4D Permitted development - change of use flexible 2 year

PDL Previously Developed Land

PDRA Permitted development – change of use agricultural building to flexible use (application suffix)

PDV14J Permitted development - solar equipment on non-domestic premises (application suffix)

PDV18 Permitted development - miscellaneous development (application suffix)

PDVAF Permitted development – agricultural building to flexible use (application suffix)

PDVAR Permitted development - agricultural building to residential (application suffix)

PLVLR	Permitted development - larger residential extension (application suffix)
PDVOR	Permitted development - office to residential (application suffix)
PDVPRO	Permitted development - pub to retail and/or office (application suffix)
PDVSDR	Permitted development storage/distribution to residential (application suffix)
PDVSFR	Permitted development PD – shops and financial to restaurant (application suffix)
PDVSR	Permitted development PD – shop and sui generis to residential (application suffix)
POS	Public Open Space
PPG	Planning Practice Guidance
PWC	Prior Written Consent
PROW	Public Right Of Way

## **R**

RD	Reserved Details (application suffix)
RM	Reserved Matters (application suffix)

## **S**

SDC	Sevenoaks District Council
SEW	South East Water
SFRA	Strategic Flood Risk Assessment (background for the emerging Local Plan)
SNCI	Site of Nature Conservation Interest
SPAB	Society for the Protection of Ancient Buildings
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SW	Southern Water

## **T**

TC	Town Council
TCAAP	Tonbridge Town Centre Area Action Plan



TCS           Tonbridge Civic Society  
TEPN56/TEN Prior Notification: Telecoms (application suffix)  
TMBC         Tonbridge & Malling Borough Council  
TMBCS       Tonbridge & Malling Borough Core Strategy 2007  
TMBLP       Tonbridge & Malling Borough Local Plan 1998  
TNCA         Notification: Trees in Conservation Areas (application suffix)  
TPOC         Trees subject to TPO (application suffix)  
TRD           Tree Consent Reserved Details (application suffix)  
TRICS        Trip Rate Information Computer System  
TWBC         Tonbridge Wells Borough Council

**U**

UCO           Town and Country Planning Use Classes Order 1987 (as amended)  
UMIDB        Upper Medway Internal Drainage Board

**W**

WAS           Waste Disposal Planning Application (KCC determined)  
WTS           Waste Transfer Station

(Version 2/2021)

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**East Peckham**  
Hadlow And East  
Peckham

**22 December 2022**

**TM/22/02850/FL**

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Proposal: Demolition of existing garage and agricultural barn and construction of one single storey dwellinghouse and associated landscaping

Location: Land South Of 111 Church Lane East Peckham Tonbridge Kent TN12 5JJ

Go to: [Recommendation](#)

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## 1. Description:

- 1.1 Planning permission is sought for the demolition of the two existing structures and erection of a detached dwelling and integral garage. The proposed dwelling has been designed in two sections with an entrance hallway linking the structures.

## 2. Reason for reporting to Committee:

- 2.1 Called into Planning Committee by the Ward Member Councillor Sergison to allow the Committee to consider whether the application meets the tests of very special circumstances for development in the green belt.

## 3. The Site:

- 3.1 The site lies in the countryside, within the green belt. The site lies on the edge (within) a Flood Zone 2 and Area of Archaeological Potential. There are two existing buildings at the site, one of which benefits from prior approval for the conversion to residential under Class Q, Part 3.

## 4. Planning History (relevant):

TM/21/02321/PDVAR	Prior Approval Approved	12 October 2021
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Prior Notification: change of use of agricultural building to residential (Part 3 Class Q) and land within its curtilage together with building operations reasonably necessary to convert the building

## 5. Consultees:

- 5.1 PC: Awaited
- 5.2 EA: Refer to standing advice
- 5.3 EP: Recommend conditions relating to noise, foul water disposal and potential land contamination

5.4 Waste: Recommend informatives

5.5 Neighbours: Letter of objection raising the following points

- There has been no conversation regarding access to the amenities; water and sewage connection; along the privately owned access lane for this planning proposal. The same applied when change of use to the asbestos barn was granted for use as a residential dwelling. No conversation or permissions have been sort. This remains unresolved.
- The boundary to the South of the dwelling needs to be agreed according to Land Registry documents.
- The demolition of an existing building/buildings renders any previous permission null and void.
- The asbestos material of the main barn needs to be properly disposed of in an environmentally safe way with consideration of all neighbouring properties protected fully.
- Windows and doorway on the South elevation, at this stage, are approximately one metre from the boundary and all overlook private property.
- The proposed access to the property is through an existing and historic fence. The permissible access exists and should be the access used.

5.6 Site Notice: No response

## 6. Determining Issues:

### *Principles of development*

- 6.1 The proposal relates to the provision of a dwellinghouse. TMBC cannot presently demonstrate a five year supply of housing and consequently, in accordance with paragraph 11 d) of the NPPF, much of the development plan is out of date for the purposes of determining applications for new housing development.
- 6.2 Paragraph 11 d) of the NPPF sets out that planning permission should be granted unless the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 6.3 Footnote 7 provides a list of those polices that relate to protected areas and assets of particular importance. These include the green belt and areas at risk from flooding. The application site lies within the green belt and Flood Zone 2. It must therefore firstly be established whether the proposal is acceptable in terms of

green belt policy and flood risk, in order to determine whether the presumption in favour of sustainable development applies.

*Green belt planning policy*

- 6.4 The site lies within the green belt. Paragraphs 147 – 150 of the NPPF relate specifically to proposals that affect the green belt. There is a presumption against development in the green belt. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. This is supplemented by paragraph 148 which states that substantial weight should be given to any harm to the green belt, and that very special circumstances will not exist unless potential harm to the green belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.5 Paragraph 149 of the NPPF requires the Council to regard the construction of new buildings in the green belt as inappropriate development. However, this paragraph and paragraph 150 lists a number of exceptions. The agent acknowledges that the proposal does not fall within one of these exceptions and therefore seeks to demonstrate that very special circumstances exist to outweigh the potential harm to the green belt.

*Very special circumstances*

- 6.6 The agent opines that as the proposal would result in the demolition of a barn which has prior approval for conversion to a residential dwelling, and the removal of the outbuildings which would consolidate development at the site with only a 30% increase in volume, only limited very special circumstances are required to outweigh this limited harm.
- 6.7 The Mansell v TMBC judgement concludes that is possible for an LPA to consider a position under permitted development rights, in this case Class Q, as a material consideration in assessing planning applications. However, regardless of whether this potential 'fall back' position is applicable the proposal would still result in harm to the openness of the green belt in terms of size and scale and I do not therefore agree that this constitutes very special circumstances.
- 6.8 In addition, Class Q was granted on the basis that the building was worthy of conversion and a structural report was submitted to demonstrate this. However, the agent states that a new build is now sought which is largely down to the ease of construction and the flexibility to choose materials that would be more energy efficient than would normally be available for conversion. This is noted however, this is not considered to contribute to the very special circumstances that would be needed to outweigh the harm to the green belt caused by the proposed replacement dwelling.

- 6.9 It is therefore concluded that there are no very special circumstances which would outweigh the identified definitional and physical harm to the openness of the green belt.

*Flooding issues*

- 6.10 The site lies in Flood Zone 2. Paragraph 167 of the NPPF requires local planning authorities to ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- 6.11 The submitted Flood Risk Assessment concludes that although the site lies within Flood Zone 2 it is wholly unaffected by the 1:100-year +35% climate change flood extent (defended). However, the FRA recommends the proposed dwelling should incorporate flood resilience measures, where possible, sign up to the EA Flood warning system. The existing drainage system, attenuation tank linked to the roof, and lined permeable paving on additional hardstanding areas should be utilised to better manage surface water runoff on site. I have no reason to doubt these conclusions.
- 6.12 Therefore, whilst the application may be otherwise acceptable in terms of flood risk the absence of very special circumstances to override harm to the green belt means that the presumption in favour of sustainable development fails to be applied. It is now necessary to consider the proposal with regard to local planning policy and the Framework as a whole.

*Local planning policy*

- 6.13 The site lies within the countryside. Policy CP14 of the TMBCS seeks to restrict development in such areas. Whilst a number of exceptions are listed the proposal does not fall within any in this local plan policy. I appreciate that this policy now carries reduced weight as it no longer conforms, in its entirety, with the NPPF. Notwithstanding the proposal remains contrary to this policy.
- 6.14 Policy DC2 section 1.a) of the MDE DPD allows for the replacement of buildings in the countryside providing (inter alia) that it would not be materially larger than the existing building and it would be appropriate in scale and design to its setting and any neighbouring buildings to the character of the area in which it is located. As noted above the proposed replacement building would be materially larger.
- 6.15 In addition, Policy DC2 2. relates to the replacement of non-residential buildings with residential building in the countryside. The policy notes that any such proposal will still be subject to policy CP14 and green belt policy. Again, as noted above the proposal fails to meet green belt policy and is therefore contradictory to this local plan policy.

*Other material planning considerations*

- 6.16 The existing access and levels of on-site parking provision would be acceptable.
- 6.17 A Preliminary Ecological and Roost Assessment has been submitted. This did not reveal any protected species at the site but nevertheless recommends habitat enhancements are incorporated.
- 6.18 In terms of nearby residential or general amenity I am aware of the concerns of a local resident. However, the single storey nature of the proposal and the rural setting of the site will ensure no unacceptable impact would result.
- 6.19 The design of the proposed replacement dwelling appears somewhat contemporary but would not warrant a refusal on this issue alone. However, as identified above the proposed replacement dwelling, owing to its scale and overall volume constitutes inappropriate development in the green belt.
- 6.20 With regard to the other concerns raised by the local resident, issues relating to land ownership, service provision (other than surface and foul water disposal) and the potential existence of asbestos are beyond the direct control of the planning system.

*Conclusions*

- 6.21 The proposed replacement dwelling, being greater in volume than the buildings it seeks to replace represents inappropriate development in the green belt. The proposal would have a detrimental impact on the openness of the green belt and therefore constitutes inappropriate development. There are no very special circumstances which would overcome this definitional, spatial, and visual harm. In addition, the proposal is contrary to countryside policy and local policy relating specifically to the replacement of rural buildings. Consequently, there are clear reasons for refusing the proposed development and therefore the presumption in favour of sustainable development does not apply.

**7. Recommendation:**

**7.1 Refusal** on the following basis

- 1 The site lies within the Metropolitan Green Belt where there is a strong presumption against inappropriate development, as defined in Section 13 of the National Planning Policy Framework (2021). The development constitutes inappropriate development within the Green Belt which is substantially harmful by definition. Furthermore, the development would cause material harm to openness by virtue of the amount of built form and visual harm to the countryside. No very special circumstances are considered to exist that clearly outweigh the degree of harm to the Metropolitan Green Belt. As such, the development is contrary to Policy CP3 and CP14 of the Tonbridge and Malling Borough Core Strategy 2007, Policy DC2 of the Managing Development and the Environment Development Plan

Document 2010 and paragraphs 147 to 149 of the National Planning Policy Framework 2021

Contact: Maria Brown

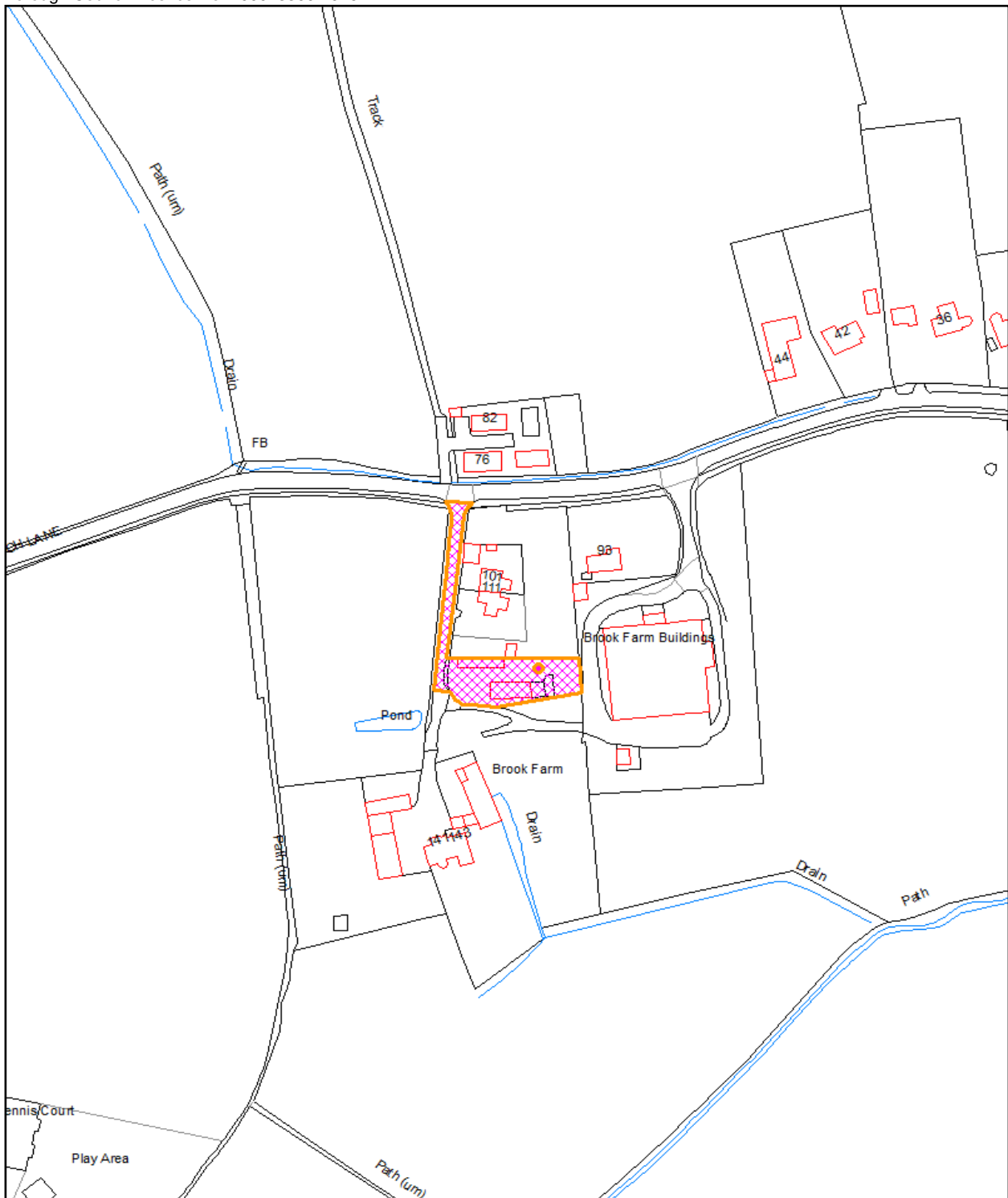


**TM/22/02850/FL**

Land South Of 111 Church Lane East Peckham Tonbridge Kent TN12 5JJ

Demolition of existing garage and agricultural barn and construction of one single storey dwellinghouse and associated landscaping

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# Agenda Item 8

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

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