

**Ryarsh**                                      **566516 160282**    **13 April 2016**                                      **TM/15/02814/FL**  
Downs And Mereworth

Proposal:                                      Two storey side and rear extension  
Location:                                      Fishpond Cottage Chapel Street Ryarsh West Malling Kent  
    ME19 5JU  
Applicant:                                      Mrs Katy Nunn

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**1. Description:**

- 1.1 Members will recall this application was previously discussed at the APC2 on the 16 December 2015 (Annex) with the recommendation that officers should negotiate an improved standard of design before reporting back.
- 1.2 This application seeks planning permission for a two storey 'L'-shaped side and rear extension that will wrap around the existing building incorporating a 2 storey extension dating back from the 1950's. The existing single storey side entrance is to be demolished, with the proposed two storey extension projecting a further 4.4 metres from the side wall of the dwelling.
- 1.3 The dwelling is currently a four bedroomed 1 bathroom property. The proposal will result in a six bedroomed, one with en-suite, property.

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

- 2.1 To report on design negotiated by officers.

**3. The Site:**

- 3.1 The application site lies outside the village confines, within open countryside, the Metropolitan Green Belt and an Area of Outstanding Natural Beauty. The dwelling is a detached building located within a spacious plot. Planning permission was granted for a two storey rear extension in 1949 with an amendment to this for a first floor enlargement granted in 1950.
- 3.2 Workhorse Road borders the site to the west with access to the site gained from Chapel Street to the east. The site borders agricultural land to the south with the nearest residential property being Heavers House to the north east.

**4. Planning History (relevant):**

TM/49/10218/OLD    grant with conditions                                      22 September 1949

Addition of Bedroom and kitchen to Fishpond Cottage.

TM/50/10299/OLD grant with conditions 25 May 1950

Additions of bathroom, kitchen etc.

TM/64/10764/OLD Refuse 20 February 1964

Erection of two dwellings, garages and vehicular accesses.

TM/72/10728/OLD grant with conditions 10 August 1972

Store and garage.

TM/14/01039/FL Refuse 9 May 2014

Two storey side and rear extension

## **5. Consultees:**

- 5.1 PC: No objection to the application.
- 5.2 Private Reps (2/0S/0R/0X + Site notice): No representations received.
- 5.3 No further consultation undertaken on revised scheme.

## **6. Determining Issues:**

- 6.1 This application was first reported to the Area 2 Planning Committee on the 16 December 2015. The officer recommendation for this application was for refusal as it was considered that due to the size and design of the proposed extension and the modest size of the host dwelling it would result in inappropriate development within the Green Belt, Countryside and AONB. Members resolved that officers negotiate an improved design with the applicant.
- 6.2 The revised drawings that have been received seek approval for an extension of a similar footprint to that previously submitted; however they propose a more squared floor area simplifying the south and the west elevation and the roof structure. In addition to this the eaves height of the extension is to be lower to match the existing (albeit modest) eaves height of the host dwelling with the inclusion of half and quarter hips.
- 6.3 At this time the amended plans that have been received have a minor error on the drawing in relation to the roof line of the existing flat roof extension visible from the south elevation. It is envisaged that this will be corrected before the committee meeting.

- 6.4 Although the principle of the previous scheme has been discussed before, for clarity I will assess the revised proposal against the relevant planning policy.
- 6.5 The application site lies within the Green Belt and therefore Section 9 of the NPPF applies. Paragraph 89 states that the construction of new buildings should be regarded as inappropriate in the Green Belt. However, there are exceptions and one of these includes the extension or alteration of an existing building provided that it does not result in disproportionate additions over and above the size of the original building. Policy CP3 of the TMBCS requires proposed development within the Green Belt to comply with National Policy.
- 6.6 For the purpose of making an assessment as to whether the proposed extension to the building would be a proportionate addition it must be considered against the size of the original building (as it stood in 1948) with the extension considered in addition to the existing two storey extension granted permission in 1949/1950. The proposed extensions in addition to those previously constructed would double the size of the original dwellinghouse in terms of footprint which, in my view, would not be seen as a proportionate addition.
- 6.7 Paragraph 87 of the NPPF sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations or that the proposal would not result in substantial harm to the Green Belt. The revised plans that have been submitted propose a lower ridge height of the extension, lower eaves height to better match that of the original dwellinghouse and a more simplified design which would go some way to reducing the bulk of the proposed additions.
- 6.8 Although changes have been made that would reduce the impact of the proposal on the Green Belt, in this case it is my view that it would not reduce the impact to a degree that would outweigh the harm by inappropriateness to the Green Belt or that would be considered a case of very special circumstances. When considering this application Members may wish to reach a view on whether very special circumstances should be applied in this case, certainly in light of a design improvement which will mask a poorly designed 2-storey flat roof extension.
- 6.9 Paragraph 115 of the NPPF requires weight to be given to conserving landscape and scenic beauty in AONB, which have the highest status of protection in relation to landscape and scenic beauty. Policy CP7 of the TMBCS states that development will not be permitted which would be detrimental to the natural beauty and quiet enjoyment of the AONB. The design of the proposal is such that I do not consider that it would have an adverse impact on the AONB.
- 6.10 The application site is located outside the village confines and therefore the development should be assessed against policy CP14 of the TMBCS. Policy CP14 sets out to restrict inappropriate development in the countryside but allows for the appropriate extension to an existing dwellinghouse. It also states that within the

Green Belt inappropriate development which is otherwise acceptable within the terms of policy CP14 must still be justified by very special circumstances. For the reasons given above, I do not consider this to be the case in this instance.

- 6.11 More generally, policy CP24 of the TMBCS requires all development proposals to be well designed and of a high quality. It also requires proposals to be designed to respect the site and its surroundings in terms of scale, layout, siting, character and appearance and safety of the area. Again, notwithstanding the issues discussed above, I do not consider the extension would result in harm to the character of the host dwelling or the surrounding area. Equally, the separation that exists between the cottage and its nearest neighbours would ensure that there would be no impact to residential amenity arising from the proposed development.
- 6.12 In conclusion, although the revised design would be an improvement over the previously submitted scheme, the proposed development would still be considered inappropriate by definition and would cause material harm to the openness of the Green Belt. It is my view that no very special circumstances have been identified to outweigh that harm and as such I therefore recommend that planning permission be refused.

## **7. Recommendation:**

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

#### **Reason**

- 1 The site lies within the Metropolitan Green Belt where there is a strong presumption against permitting inappropriate development, as defined in Paragraph 89 of the National Planning Policy Framework 2012. The proposed extension when viewed cumulatively with previous additions to the building would be disproportionate in size to the original dwelling and therefore constitutes inappropriate development which is harmful by definition to the Green Belt. The extension by virtue of its overall size and specific siting would also cause material harm to the openness Green Belt. No very special circumstances exist that outweigh the identified harm to the Green Belt. The proposed development is therefore contrary to the requirements of Paragraphs 87 and 89 of the National Planning Policy Framework 2012 and policy CP3 of the Tonbridge and Malling Borough Core Strategy 2007.

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