
Platt
Borough Green And Platt

17 September 2025

TM/24/01632/PA

Location: 2 Keepers Cottage Swanton Valley Lane West Peckham Tonbridge
Sevenoaks TN15 8TA

Proposal: Proposed demolition of existing garage/workshop/store and replace with new

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1. Description of Proposal:

- 1.1 Planning permission is sought for the demolition of the existing outbuildings and erection of a replacement single building to provide garaging and workshop/storage in association with the existing residential dwelling. The intention is to use timber or profiled metal sheeting for the walls with a fibre cement or concrete roof tile.

2. Reason for reporting to Committee:

- 2.1 At the request of Councillor Wendy Plamer for the following reasons:

‘Concerns over impacts of the proposal upon the Green Belt’

3. The Site:

- 3.1 The site lies in the countryside, within the green belt. The site lies within an area of ancient woodland and local wildlife site. A PROW MR306 runs to the eastern site boundary.
- 3.2 The site comprises a semi-detached cottage set in woodland. The residential curtilage stretches to the south with a detached annex. The buildings to which the application relates are a series of single storey outbuildings located in the south east corner of the site.

4. Planning History (relevant):

23/01926/FL

Approved - 22 May 2024

Alterations to existing ancillary domestic accommodation. (New garage doors and kitchen window to existing Annexe) For use in accordance with the proposed plans and elevations strictly ancillary to the use of 2 keepers cottage.

20/01398/LDE

Refuse - 30 October 2020

Lawful Development Certificate Existing: erection of building, the subject of ENI issues on 16.06.2009

19/02639/FL

Refuse - 02 January 2020

Extension and alterations to dwelling

19/00808/FL

Refuse - 10 June 2019

Extension and alterations to dwelling

15/00876/FL

Refuse - 14 July 2015

Use of part of ground floor and whole of first floor of existing detached building as a living room, 2 bedrooms, bathroom and utility room as part of 2 Keepers Cottages

10/03410/FL

Refuse - 09 May 2011

Single storey side extension and retention of wall

10/03036/FL

Non-determination Appeal - 06 May 2011

Use of part ground floor and first floor of existing detached building as annexe

10/00525/FL

Refuse - 28 April 2010

Change of use to Holiday Let of an existing outbuilding within the curtilage of 2 Keepers Cottage.

08/01974/FL

Refuse - 16 April 2009

Retrospective application for a triple carport with annex, residential accommodation above

06/03316/FL

Approved - 06 December 2006

Triple carport and stable with first floor storage

88/10123/FUL

Grant With Conditions - 30 March 1988

Conversion of single dwelling into two.

5. Consultees:

5.1 **PC:** No response

5.2 **Councillor Palmer:** Riase concerns over impacts on the Green Belt

5.3 **Neighbours:** No response

5.4 **Site Notice:** No response

6. Relevant Policy Considerations

6.1 The Adopted Local Development Plan comprising:

Tonbridge & Malling Borough Core Strategy (2007)

Managing Development and the Environment DPD (2010)

Saved Policies (Local Plan) (1998)

Relevant Material Considerations

National Planning Policy Framework 2024

National Planning Policy Guidance

7. Determining Issues

Principle of Development

7.1 The application site lies within the countryside. Policy CP14 of the Core Strategy seeks to restrict development in such areas in order to protect their character. The site also lies within the Metropolitan Green Belt. For the development to be acceptable in principle, it must be in accordance with Policy CP3, which states that National Green Belt Policy will be applied to proposals within the Green Belt.

- 7.2 Paragraph 142 of NPPF asserts that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 7.3 Paragraphs 153 and 154 of the NPPF determine that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.4 Paragraph 143 of the NPPF establishes that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.5 Paragraph 154 of the NPPF establishes that development in the Green Belt is inappropriate unless one of the following exceptions applies. Exceptions to this are:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- 7.6 In this instance, it is considered that the relevant exemptions would be Paragraph 154 (d) and (g), these will be considered below. Paragraph 154 (d) allows for the

replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

- 7.7 The NPPF does not define 'materially larger' and it is therefore a matter of planning judgement. Furthermore 'larger', which is the test in the NPPF can reasonably be taken to include such factors as volume, height, external dimensions, visual perceptions etc.
- 7.8 There would be as a result of the proposal an increase in footprint over the existing building. The table below compares the dimensions of the existing and proposed resultant building.

Ridge Height

Existing:	3.2m
Proposed:	5.6m
Increase:	2.4m (or 75%)

Footprint

Existing:	80 square metres
Proposed:	90 square metres
Increase:	12.5%

- 7.9 The proposal would meet the 'use test' as part of exemption d), in that the proposal would replacement an existing garage and be used for the same purposes. The second part of the test relates to the scale of the proposed building. In this instance, the increase in the footprint of the building is relatively modest, however when combined with the height increase of 75% over the previous ridge height, as a matter of judgement, it is considered that the proposal would result in a 'materially larger' replacement building. The proposal therefore fails Paragraph 154 d).
- 7.10 With regards to Paragraph 154 g) which allows limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- 7.11 As above, the proposal would result in a materially larger replacement outbuilding, however, the proposal would be situated upon what is considered to be previously developed land.
- 7.12 The NPPF defined previously developed land as:

"Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of

fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.”

- 7.13 The application site contains both existing built form and an area of hardstanding which were permitted in 2006 under application reference 06/03316/FL. The site therefore in this instance is considered to constitute previously developed land. The second test as part of g) relates to the proposal would not cause **substantial harm** to the openness of the Green Belt.
- 7.14 There are spatial and visual aspects to the assessment of the openness of the Green Belt. In spatial terms, as noted above, the proposed increase in size of the building is whilst considered to be materially larger (as outlined above), as such it could not be said in spatial terms there would be substantial harm to the openness of the Green Belt. The application site is relatively well contained, and the proposal would be partially obscured by the existing built form on the site when travelling from the north of the site and is enclosed in part to the south by the woodland. As such, the visual change and loss of openness in spatial terms, as a result of the development is largely localised. However, this spatial aspect should not be considered in isolation.
- 7.15 With regards to the visual aspect, whilst there would be external changes to the building it would not result in a significant increase in bulk. The orientation of the outbuilding has been changed so that the side elevation presents to the passing highway (as opposed to facing the highway). It is considered this would alter and improve the perceived massing of the outbuilding over the existing massing, when viewed from the highway to the west of the site. Further, there is already built form upon the site and whilst the building is larger, the perceived impacts of this upon the Green Belt would not adversely impact to a substantial degree upon the openness of the Green Belt.
- 7.16 The proposal, albeit larger in size, would create a more compact and consolidated built form so visually the spread of building would be reduced notably from a maximum of 18.0m to 15.6m. Whilst it is acknowledged there would be a change to the site and that the proposal is a larger addition to the site, it is considered overall as a matter of planning judgement that this change would not result in substantial harm to the openness of the Green Belt.
- 7.17 The application was received and validated on 9 October 2024 and 6 November 2024, and was subsequently subject to statutory consultation between 21 November 2024 and 12 December 2024. On the final day of that consultation period, the revised NPPF was published, introducing significant changes to several policies, including those relating to the Green Belt. Of particular relevance is the amendment to paragraph 154(g), where the threshold for disqualifying redevelopment on previously developed land has been raised from “causing a greater impact” to “causing substantial harm.” This represents a paradigm shift in policy direction for proposals of the type now under consideration.

- 7.18 Having regard to the updated NPPF, specifically Chapter 13, it is considered that the proposal may now be regarded as an exception under paragraph 154(g), and therefore would not constitute inappropriate development in the Green Belt. However, in order to preserve openness, it is necessary to impose a condition requiring the demolition of the existing outbuilding identified for removal on the proposed site layout, and the restoration of the land to garden use, prior to the occupation of the replacement outbuilding. With such a condition in place, the development would accord with the relevant policies of the NPPF and Policy CP3 of the TMBCS, which safeguard the Green Belt. Accordingly, there is no requirement to consider whether very special circumstances exist.
- 7.19 The proposal would result in a one for one replacement that would have no adverse impact on the intrinsic character and beauty of the countryside. The principle of the development is deemed acceptable in respect of Policies CP3 and CP14 and the NPPF.

Residential Amenity

- 7.20 Policy CP24 of the Core Strategy requires that all development must be well designed and respect the site and its surroundings. It also outlines that development by virtue of its design which would be detrimental to amenity will not be permitted.
- 7.21 The proposal is set a reasonable distance from neighbouring properties being circa 60 metres from the closest property. However, a building on the same site already exists and the relationship with nearby residential properties would not significantly change in this regard. Whilst there would be changes to the building, including raising the eaves and ridge height and altering the pitch, it is considered that this would not result in any adverse impact on the residential amenities of adjacent properties by reason of overlooking or overbearance. The use of the building would not significantly increase activity around the building so as to result in any adverse impact on residential amenity.

Design, materials, streetscene and character of the area

- 7.22 Policy CP24 of the TMBCS outlines the need for development to be well designed and of high quality. It should respect the site and its surroundings.
- 7.23 The proposal uses materials and details to match the existing building. The form of the proposal would alter the current appearance of the site albeit it would result in a modest increase in eaves and ridge height and overall massing. The design would retain the rural building appearance.
- 7.24 A PRoW runs along the eastern boundary of the application site. As such, views towards the existing properties and proposed development would be possible. It is considered that such views would be read against the existing built form and whilst there would be a change to the appearance of the site, the proposal would integrate

into the site to an acceptable level and would not result in significant harms to the enjoy of this PRoW or the character of the area.

- 7.25 Overall, the design of the proposals is considered acceptable and would not result in any adverse impact on the character of the area or the visual amenities of the street scene and would accord with Policy CP24 of the TMBCS.

Ancient Woodlands

- 7.26 The site is surrounded by an Ancient Woodland, whilst the site and neighbouring properties are situated outside of the Ancient Woodland, given the location, the proposal has the potential to impact upon ancient trees.
- 7.27 Paragraph 193 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:
- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;
- 7.28 Similarly, Policy NE4 3) of the Local Development Plan seeks to protect and enhance Ancient Woodlands and resist development which has adversely affect the woodland unless any benefits of the proposal would outweigh the harms.
- 7.29 The proposed form, massing, design and external materials are considered acceptable in this location. Furthermore, the proposal would move the built form further away from the site boundaries and thus the Ancient Woodland. As a result, it is considered that the proposed development would not adversely impact upon the Ancient Woodland and would therefore be acceptable.

Trees

- 7.30 As above, the proposal would move the built form away from any boundary trees and as such it is considered, there is no requirement for an arboricultural assessment to be submitted, however, to ensure the trees around the site are protected during the construction, a tree protection plan is considered to be required. This can be secured by way of a suitably worded planning condition.

Highway and Parking

- 7.31 Policy SQ8 refers to the need for parking to comply with Kent Parking Standards.
- 7.32 The proposal would not alter the parking provision at the site, and it is not considered that the additional built form would generate any significant vehicular movements so as to adversely impact upon neighbouring amenity.

Ecology

- 7.33 The existing outbuildings are in relatively good condition. However, given the location of the site within an Ancient Woodland, it is considered the site has good potential for bat roosts and for other protected species to be present within the site. Given this, it is considered reasonable to require a Preliminary Ecological Appraisal is undertaken to ensure protected species are further considered as part of this application and protected. This is to be secured by way of a suitable worded planning condition.
- 7.34 With respect to lighting, paragraph 198 of the NPPF states, inter alia, that planning decisions should limit the impact of light pollution from artificial light on, among other things, nature conservation. As such, a condition will be imposed to restrict the installation of external lighting at the site without the prior approval of the Local Planning Authority. On this basis and subject to conditions, it is considered the proposal is acceptable in this regard.

Other Matters

- 7.35 The proposal is recommended for approval on the basis that the outbuilding is to be used solely as a workshop and garage in conjunction with the host dwelling, and not as a separate planning unit. Independent occupation could give rise to additional impacts on visual and residential amenity, highway safety, and other matters that have not been assessed as part of this application. To prevent such impacts, it is considered necessary to impose a condition restricting the use of the outbuilding to purposes incidental to the enjoyment of the host dwelling, known as 2 Keepers Cottage, only.
- 7.36 Concerns have been raised with regards to the Enforcement History of the site and the applicant not complying with conditions imposed on previous applications.
- 7.37 Whilst this is noted, each application is to be determined on its own merits. Therefore, if this application is considered on its own merits to be acceptable, the enforcement history of the site should not detract or dissuade a positive decision. Enforcement matters are a separate (albeit related) process within Planning, however, concerns of future potential enforcement matters are not able to be substantiated and as such, not taken into consideration as part of this application.

Conclusion

- 7.38 The proposed demolition of the existing outbuilding and replacement with a new outbuilding would not have an adverse impact on the amenity of the neighbouring properties, the character of the area, the host dwelling, the Green Belt or the Ancient Woodland. Therefore, in light of the above considerations, it is put forward the following recommendation:

8. Recommendation:

8.1 Grant Planning Permission subject to the following conditions:

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 carried out in accordance with the following approved plans and documents:

Site Location Plan (Received October 2024)

Proposed Site Layout (Received October 2024)

Proposed Layout & Elevations (Dated December 2024)

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

3. The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse currently known as 2 Keepers Cottages, and shall not be used, let or sold as a separate unit of living accommodation or for any other purpose at any time without the prior written approval of the Local Planning Authority.

Reason: To safeguard the character and amenities of the locality.

4. Prior to the commencement of any works, including demolition or other ground works, a Preliminary Ecological Appraisal (species survey) must be undertaken by a competent ecologist to ascertain the presence of any protected species at the site. The survey must be submitted to and approved by the local planning authority. If protected species are found at the site a full habitat survey must be undertaken and any recommended mitigation measures undertaken in accordance with the approved details.

Reason: To ensure ecological protection of the site.

5. All materials used externally shall accord with the approved plans and application form.

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

6. No external lights shall be installed or erected on the outbuilding hereby approved, without the prior written approval of the Local Planning Authority.

Reason: To ensure ecological protection of the site.

7. The development hereby approved shall be carried out in such a manner that all trees are protected in accordance with the recommendations within BS 5837 – Trees in relation to design, demolition and construction.

Reason: To ensure adequate tree protection of the site.

8. The replacement outbuilding, comprising garages, workshop and store, shall not be occupied unless and until the existing outbuilding shown for replacement on the approved site layout has been fully demolished and the land upon which it stood has been restored as part of the lawn garden in accordance with the approved details.

Reason: To ensure that the impact on the openness of the Green Belt is not compounded and that any erosion is mitigated by the removal of the existing structure.

Informatives:

1. All species of bat found in the UK are protected under the Wildlife and Countryside Act 1981 (as amended) and under the Conservation of Species & Habitats Regulations 2017. Together this legislation makes it an offence to kill, capture or disturb the animal, or to damage or destroy a breeding site or resting place of such an animal. Therefore, in the event that bats or signs of bats are encountered during the development, works should be stopped immediately and advice sought from a qualified bat specialist.

Contact: Phillip Richards