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**East Peckham**  
East & West Peckham  
Mereworth And Wbury

**14 JANUARY 2026**

**TM/25/01509/PA**

**Location:** ALLENS OAST 4B OLD ROAD EAST PECKHAM TONBRIDGE TN12  
5ER

**Proposal:** Erection of a summerhouse (Retrospective)

**Go to:** [Recommendation](#)

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### **1. Description of Proposal:**

- 1.1 The proposal seeks retrospective permission for the erection of a summerhouse outbuilding. The proposal is similar to an approved summerhouse outbuilding (under ref: 24/00446/PA), however this proposal has a small projection to the rear. The main summerhouse outbuilding is 6m wide and 4.2m deep. The rear projection measures 2.5m by 1.5m and contains a toilet, sink and shower. The overall footprint is 28.95m<sup>2</sup> and it is located within the rear garden of the dwelling.

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

- 2.1 The application has been called in to the Area 2 Planning Committee by Councillor Boughton to allow for the consideration of the impact of the proposal on the adjacent Grade II listed building and wider heritage impacts, and its impact on flood risk.

### **3. The Site:**

- 3.1 The summerhouse is within the residential curtilage of Allens Oast, a detached dwelling that was converted under application ref: 84/11098/FUL an amendment to the previously approved application ref: 82/10931/FUL. Further garden land was added from No.20 Old Road in 2021. The summerhouse is approximately 28.5m from the main dwellinghouse.
- 3.2 A summerhouse could ordinarily be considered as permitted development, but this is not the case on this site, as Condition (vi) on the original planning permission (ref: 84/11098) states that '*Notwithstanding the provisions of the General Development Orders 1977-1981, no further alterations or extensions to either oasthouse, nor other development within their curtilages shall be undertaken without the prior consent in writing of the District Planning Authority. Reason: In the interests of visual and residential amenity*'.
- 3.3 The site is in Flood Zone 2 and the Green Belt.

3.4 There is a Grade II listed building (4 Old Road) to the north west, but this is over 80m away from the summerhouse and concealed from it by the existing dwelling of Allens Oast. Strettitt Place is a Grade II listed building approximately 20m to the east of the summerhouse. Its official listing is: *House. Early C19 elevation to older building. Painted brick with plinth and band. Wide flat projecting eaves with boarded soffit and coupled brackets to plain tiled, hipped roof. 2 dormers. 2 storeys, 5 windows, glazing bar sashes. Central half-glazed and panelled door with projecting Ionic columned porch. House L-shaped in plan, C18 to rear. 2-storey early C19 bow to west and canopied veranda.*

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

##### **24/00446/PA**

Approved - 07 June 2024  
Erection of a summerhouse

##### **89/11640/FUL**

Grant With Conditions - 25 May 1989  
Garage

##### **84/11098/FUL**

Grant With Conditions - 24 February 1984  
(a) alterations to development previously approved under ref. TM/82/258 to provide ground floor lounge in place of integral garage and to provide two additional bedrooms on first floor, (b) erection of a detached, pitched roof double garage

##### **82/10931/FUL**

Grant With Conditions - 20 July 1982  
Conversion of two former oast houses into dwellings

#### 5. Consultees:

5.1 **East Peckham Parish Council:** The Council opposes and has concerns around how it encroaches on the privacy of neighbours. TMBC need to take this to area planning.

5.2 **Conservation officer:** Raised no objection stating that "*The permitted Summerhouse and the unauthorized addition feature in glimpsed, south-westerly views from the listed building. The addition is largely screened by intervening shrubbery and although of unsympathetic form, the diminutive new structure is of matching materials, and it remains below the eaves level of the Summerhouse. The modest presence of the addition causes no harm to the significance the adjacent designated heritage asset through very minor change within the setting*"

5.3 **Private rep:** Objection because the proposal would adversely impact the setting of a listed building.

5.4 **Private rep:** Objection due to its external appearance (exterior colour, roof tiles, flat roof section). Concerns about the negative impact on the setting of a listed building.

Does not want the summerhouse to become habitable accommodation. Various non-material planning considerations have been raised such as the location of drainpipes, foul drainage and fascia boards.

- 5.5 **Private rep:** Objection due to its size and design. Concerns about it becoming self-contained accommodation in the Green Belt, as well as its impact on the listed building

## 6. **Determining Issues:**

### Policy Guidance

- 6.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Local Planning Authority is required to determine planning applications and other similar submissions in accordance with the Development Plan in force unless material considerations indicate otherwise.
- 6.2 The Development Plan currently comprises the Tonbridge and Malling Local Development Framework Core Strategy (TMBCS) adopted in September 2007, the saved policies of the Tonbridge and Malling Borough Local Plan 1998 (TMBLP), Development Land Allocations DPD (DLA DPD) adopted in April 2008 and the Managing Development and the Environment DPD (MDE DPD) adopted April 2010.
- 6.3 The National Planning Policy Framework (“NPPF Dec 2024”) and the associated National Planning Practice Guidance (“NPPG”) are also important material considerations together with Kent Design Guide.

### Emerging Local Plan

- 6.4 On the 21 October 2025 the Housing and Planning Scrutiny Select Committee, recommended to the Council’s cabinet that the next stage of the emerging draft Local Plan is moved forward, paving the way for the formal public consultation which commenced on 10 November 2025.

### Principle of development

- 6.5 Policy CP3 in the local core strategy states that the National Green Belt policy will apply to development in this context. This is now section 13 of the NPPF. Paragraph 142 emphasises the importance attached to Green Belt land and states that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 154 outlines exceptions to the restrictions imposed by the Green Belt on development. 154(c) allows 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.

- 6.6 It is also noted that there is case law, which has established, that an outbuilding can be considered as an addition to a property (an adjunct) having regard to its function, the size of the structure and relationship with the host dwelling.
- 6.7 In this instance it is noted that Allens Oast was created as a residential property following conversion in the 1980s. Since then, it appears that permission has been granted for a garage.
- 6.8 Below is a table with comparative footprint calculations for the additions to the original dwelling:

	Footprint (m <sup>2</sup> )	Cumulative footprint in m <sup>2</sup>	Percentage increase incl. extant garage	Percentage increase excl. extant garage
House approved under 84/11098/FUL	150	150	N/A	N/A
Garage approved under 84/11098/FUL (extant permission)	35	185	N/A	N/A
Porch approved under 84/11098/FUL	3.2	188.2	2%	2%
Garage approved under 89/11640/FUL	40	228.2	23%	29%
Summerhouse approved under 24/00446/PA	25.2	253.4	37%	46%
Proposed summerhouse including rear projection 25/01509/PA	28.95	257.2	39%	48%

- 6.9 The summer house now proposed is considered to be of relatively modest proportions, having regard to the size of the curtilage. The structure would be sited on land that has been in garden use, albeit with a different property until more recent times, and is now considered to have a functional relationship with Allens Oast.
- 6.10 The physical and functional relationship with the main house, means that the proposal could be considered a modest sized extension to the original building in the Green Belt. The size and design are considered to be appropriate for this location and do not cause any harm to the visual amenities of the locality.
- 6.11 In this instance the proposed extension to the outbuilding, described as a summer house, would appear to be for private domestic purposes normally associated with a residential property and would not (together with previous permissions) constitute a disproportionate addition over and above the size of the original building. Hence it would benefit from the exception in Paragraph 154(c) of the NPPF and therefore would not be inappropriate development within the Green Belt.
- 6.12 Furthermore, it should be noted that there is extant permission from 84/11098/FUL for a detached, pitched roof, double garage which was not constructed as part of the conversion of the building to a dwelling. This extant permission is a material consideration for this current application.
- 6.13 Allens Oast and its curtilage lie just outside of the rural service centre of East Peckham. Therefore, it is considered as development in the countryside. This means that policy CP14 in the core strategy will also apply, but this allows an appropriate extension of an existing dwelling. The proposed outbuilding is an appropriate extension to the dwelling and would comply with policy CP14.
- 6.14 In conclusion, the outbuilding is a proportionate extension of the original dwelling, and therefore not inappropriate development within the Green Belt and therefore the principle of development is acceptable and would comply with Policy CP3 and the NPPF.

#### Residential amenity

- 6.15 Policies CP24, P4/12 and PA4/12 explain the importance placed upon development to respect its site and surroundings. P4/12 specifically states that consideration should be given to the potential impacts that a development may have on neighbouring properties.
- 6.16 The previous approval for the summerhouse stated that *'The comments of the neighbour are noted and have been given careful consideration. The summer house would be positioned between 2 and 5 metres from the eastern side boundary and 20m from the nearest part of Strettitt Place. As a result, whilst it may be partly visible from Strettitt Place, it should not unduly affect outlook from the neighbouring property. It is concluded that the proposal would not have an unacceptable impact*

*on the amenities of occupants of neighbouring properties having regard to the policy context outlined above.'*

6.17 This assessment has not changed, as the additional 3.75m<sup>2</sup> rear projection does not have any windows, and is no taller than the eaves of the approved summerhouse. The separation distances to Strettitt Place and other neighbours remain similar to the previously approved outbuilding. Therefore, it will not create any additional adverse impacts on the outlook, privacy or overshadowing for the adjacent neighbours and would not harm their amenity. As such the proposal would comply with policies CP24, P4/12 and PA4/12.

#### Design, materials, street scene and character of the area

6.18 Policies CP24, SQ1 and P4/12 request well-designed, high-quality development. The appearance of the proposal should be designed to respect the site and its surroundings.

6.19 The original approval noted that: *'The outbuilding is to be constructed of a timber frame with shiplap cladding and Kentish peg tiles or similar to the roof. The size and design are appropriate for a domestic building at the edge of the settlement. The materials identified are considered appropriate for this location without need for painting of the elevations.'*

6.20 The cladding has not been painted but is black in colour. This is appropriate for the rural context.

6.21 The materials will match those previously approved, and creates a unified appearance between the rear projection and the main summerhouse. The overall scale of the summerhouse has not changed significantly and is considered appropriate. The summerhouse is not visible from the road, so does not affect the street scene. Modern alterations have already been made to houses nearby, such as detached garages and extensions, so it will not affect the character of the area.

6.22 There are concerns about the visibility of the small extension from Strettitt Place. A landscaping and screening plan has been submitted with a strategy to screen the majority of the summerhouse and its extension from view using vegetation. This has been included as a condition to ensure it is implemented. However, it should be noted that the proposal does not affect the outlook from Strettitt Place and a view is not a material consideration in the determination of this planning application.

6.23 The materials will match the existing ones, so this creates a unified appearance between the rear projection and the main summerhouse. It will not be visible from the road, so will not affect the street scene nor would it harm the character of the area. The outbuilding would therefore comply with policies CP24, SQ1 and P4/12.

#### Setting of a listed building

- 6.24 Chapter 16 of the NPPF relates to the preservation and enhancement of the historic environment.
- 6.25 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for a development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.26 The Conservation Officer's comments summarised in paragraph 5.2 conclude by saying that the summerhouse extension causes no harm to the significance of the adjacent designated heritage asset through very minor change within the setting, and there is no objection in terms of TMBC Historic Environment Conservation Policy.
- 6.27 A similar outbuilding has been previously approved under ref: 24/00446/PA which is a material consideration for this application. The only difference between this application and the previously approved one is the small 3.75m<sup>2</sup> rear projection. Given the modest scale and the design of the addition it is considered that the proposal would not result in harm to the significance of the adjacent listed building nor would the impact be sufficiently different from that previously approved. As such the proposal is not considered to result in harm to the setting of the neighbouring listed building and would be in accordance with the NPPF and S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Flood Risk

- 6.28 The site lies within flood zone 2. Paragraph 181 of Chapter 14 in the NPPF and Policy CP10 in the TMBC Core Strategy focus on development within areas at risk of flooding. It only allows development which is appropriately flood resistant and resilient. A similar outbuilding had previously been approved (ref:24/00446/PA) and this application seeks for approval for a small addition to the approved summerhouse. The outbuilding would not be used for habitable accommodation, so does not require mitigation strategies in respect to resilience measures. Furthermore, the small addition over and above what was previously approved is not of a sufficient scale or massing to result in a significant displacement of flood waters to result in a worsening of flooding to neighbouring sites. As such the outbuilding would comply with policy CP10 and paragraph 181 of the NPPF.

#### Issues raised by reps

- 6.29 Drainpipe is in a different location. – Not a material planning consideration.
- 6.30 Uncertainty about foul drainage from the new shower block. – Not a material planning consideration and would be covered by building regulations.
- 6.31 No fascia board. – The outbuilding is considered to be of an acceptable design.

6.32 It might become habitable accommodation. – A condition can be added to ensure it remains ancillary to the main dwelling. Should the outbuilding be occupied as a separate self-contained dwelling it would require planning permission.

6.33 Roof tiles have a different appearance. – The proposal is considered to be acceptable in respect to its design and appearance, and its impact on the character of the site and surrounding area, and the setting of the neighbouring listed building.

6.34 Encroaches on the privacy of the neighbours. - There are no windows overlooking the neighbouring property and the building is only a single storey, as well as it being sufficiently far away from neighbouring dwellings to prevent adverse overlooking.

## **7. Recommendation:**

7.1 **Approved** subject to the following:

### **Conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site location plan P.3633.010.A.

Proposed block plan P.3633.030.A.

Proposed floor plan P.3633.060.A.

Proposed elevations P.3633.070.A.

Proposed landscaping and screening report, received on 26/11/25.

Planning statement.

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.

2. All materials used externally shall accord with the plans and application details hereby approved.

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

3. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development.

4. The summerhouse hereby permitted shall be occupied and used for purposes incidental to the enjoyment of the main dwelling house and for no other purposes whatsoever.

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

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