

Examination of the Tunbridge Wells  
Borough Local Plan

**Tunbridge Wells Borough Council  
Hearing Statement**

**Matter 8: Meeting Housing  
Needs (Policies H1, H2, H3,  
H4, H5, H6, H7, H8, H9, H10,  
H11 and H12)**

**Issue 10: Residential Extensions,  
Alterations, Outbuildings and  
Annexes**

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# Matter 8 – Meeting Housing Needs (Policies H1, H2, H3, H4, H5, H6, H7, H8, H9, H10, H11 and H12)

## Issue 10 – Residential Extensions, Alterations, Outbuildings and Annexes

### Inspector’s Question 1: [justification for restricting the size of extensions outside the LBD]

*What is the justification for restricting the size of extensions outside the  
Limits to Built Development as set out in Policy H11 criterion a) – b)?*

#### **TWBC response to Question 1**

1. Firstly, it is recognised at paragraph 6.405 in the supporting text to the Submission Local Plan (SLP) Policy H11 [see page 422 of [CD 3.128](#)] that it is possible to extend/make alterations to a residential property and build other outbuildings incidental to it as ‘permitted development’ under the Town and Country General Permitted Development Order 2015 (as amended), without needing to obtain full planning permission. However, as stated at paragraph 6.406, where proposals fall outside these permitted development rights (or any subsequent changes to them), such as for properties located in the Area of Outstanding Natural Beauty (AONB), and require full planning permission, the Council will apply the approach set out under Policy H11 in assessing proposals for extensions/alterations and other ancillary outbuildings, such as garages and annexes.
2. Criteria a) and b) of Policy H11 on pages 427 and 428 of the Submission Local Plan (SLP) [[CD 3.128](#)] are as follows:

*“In addition to the above criteria, residential extensions outside the Limits to Built Development, as defined on the Policies Map, shall only be permitted where:*

- a) *the scale, form, and massing of the proposal would not result in a disproportionate addition over and above the size of the original dwelling (the building as it existed on 1 July 1948, or, in the case of a building constructed after 1 July 1948, as it was first built) and would not detract from its rural setting and the visual amenities of the surrounding countryside; and*
- b) *proposed extensions, including any previous additions to the property, would not result in an increase of more than 50 percent of the gross volume to the dwelling (based on external measurements taken above ground level and including the volume of the roof) of the original dwelling, subject to a maximum of 250 cubic metres (gross). All other existing detached outbuildings, including garages, will be excluded from the calculation of the volume of the original dwelling. In the case of a dwelling already having been extended by 50 percent (or more) above the original, then no further increase in volume will be permitted and permitted development rights for further extensions/structures may be removed.”*

3. As set out in paragraph 6.429 in the supporting text to Policy H11 on page 426 of the SLP, the Council seeks to minimise the impact of built development in rural areas to protect the intrinsic beauty and landscape character of the countryside and the openness of the Green Belt. Therefore, the erection of extensions and other outbuildings will be strictly controlled in areas outside the Limits to Built Development (LBD). This approach is especially important as almost 70% of the borough is designated as High Weald AONB, which is of national significance and recognised as an important medieval landscape, and around 22% of the western part of the borough is designated as Green Belt. Together, the AONB and Green Belt cover 75% of the borough, with substantial overlaps.

4. This approach of protecting the wider countryside is advocated by paragraphs 174 a) and b) of the NPPF, which state that:

*“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) *protecting and enhancing valued landscapes...;*
- b) *recognising the intrinsic character and beauty of the countryside...”*

and paragraph 176 of the NPPF, which for proposals in the AONB, states:

*“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues”*

5. In addition, for proposals in the Green Belt, paragraph 149 (c) of the NPPF states that:

*“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*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;”*

6. Paragraph 6.430 of the supporting text to Policy H11 advises that, in considering proposals for residential extensions and other outbuildings, the Council will have regard to the mass, scale, and prominence of the development proposal in terms of its impact on the character of the existing dwelling, the visual amenities of the rural area, and openness of the Green Belt, including any cumulative impact. Proposals must also be in keeping with the design and external appearance of the main dwelling. Criteria a) and b) make further provision for this:
7. Criterion a) makes provision for the scale, form, external appearance, height, and massing of a proposal and advises that proposals should not result in ‘disproportionate’ additions over and above the size of the original dwelling and should have minimal impact on the visual amenity and setting of the surrounding rural landscape. It also assists in clearly defining what is considered to be the original dwelling (as defined by the NPPF) to work with as a starting point.
8. Criterion b) sets out the volumetric limits to assist in assessing whether proposals (in both the Green Belt and other areas outside the LBD) would be a ‘disproportionate’ addition (see criterion a) above) over and above the size of the original dwelling/building, in accordance with NPPF paragraph 149 (c) above. This volumetric limit allows a dwelling to be extended by up to 50% with a maximum of 250 cubic metres. The Council has been applying the same 50% with a maximum of 250 cubic metre limit for some time (as set out in paragraph 6.115 (page 6-28) in the supporting text to existing 2006 Local Plan Policy H11: Extensions to dwellings outside the defined

Limits to Built Development (see [Chapter 06 Housing Tunbridge Wells Local Plan 2006](#)). It is found to provide a useful tool, especially at the pre-application stage, prior to the submission of a planning application, in setting out expectations and clear parameters of how much a dwelling may be extended by and has subsequently resulted in the successful approval of such proposals. Moreover, this threshold is also considered to provide an appropriate limit to minimise the visual impact of any such proposals on the surrounding rural landscape.

## **Conclusion**

9. In summary, it is considered that Criteria a) and b) of Policy H11 are justified in that they seek to minimise the visual impact of a proposal on the surrounding countryside in terms of its scale, form, massing and siting, in the interests of protecting and conserving the intrinsic beauty, value, and locally distinctive character of the rural landscape (both inside and outside the AONB) and the openness of the Green Belt.