

SECTION '2' – Applications meriting special consideration

**Application No :** 11/03077/OUT

**Ward:**  
**Darwin**

**Address :** Arundel Berrys Hill Berrys Green  
Westerham TN16 3AE

**OS Grid Ref:** E: 543606 N: 159397

**Applicant :** Mr Stephen Bridger

**Objections :** NO

**Description of Development:**

Replacement two storey dwelling OUTLINE

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

**Proposal**

- The application seeks outline planning permission for a replacement detached two storey dwelling.
- It is proposed to demolish the existing property and outbuildings and build a two storey property more centrally in the plot.
- The proposed new dwelling would have an upper limit of 7 metres in height and would have a footprint of 120m<sup>2</sup>.
- Approval is being sought for access, layout and scale.
- The vehicular access will remain as existing.

**Location**

- The application site is located to the south east of Berrys Hill adjacent to the junction with Single Street and Jail Lane.
- The site currently accommodates a single storey dwelling and three outbuildings.
- The site is located within the Green Belt and whilst there are residential properties in the immediate vicinity, the area is mainly open Green Belt land.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

## Comments from Consultees

- Environmental Health has no objections to the proposal.
- The Highways engineers have no objections providing various conditions are attached to the permission.
- No objections are raised by the Tree Officer

## Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
G1 Green Belt  
G5 Replacement Dwellings in the Green Belt  
H7 Housing Density and Design  
T18 Road Safety

London Plan Policy 3D.9 – Green Belt

PPG 2 Green Belt

## Planning History

- 1987 – Refused DC/87/00134/OUT. Detached chalet bungalow outline adj to The Rest Berrys Hill Cudham.
- 1998 – Permission DC/98/01053/FUL. Single storey rear extension.
- 2005 – Refused DC/05/03729/FULL1. Erection of three bedroom bungalow with detached garage. Appeal Dismissed.

## Conclusions

The main issues relating to the application are whether the proposed development would constitute appropriate development within the Green Belt and, if not, whether very special circumstances exist, and the effect that it would have on the visual amenity and openness of the area.

Two previous applications have been refused at the site for an additional dwelling on the site. The current application proposes a replacement dwelling and not an additional dwelling on the site.

National policy, contained within Planning Policy Guidance Note 2: Green Belts (PPG2), contains a presumption against inappropriate development. The guidance identifies development that would be appropriate. The replacement of a dwelling need not be inappropriate providing that the new dwelling is not materially larger than the dwelling it replaces. Inappropriate development should not be approved unless there are very special circumstances so that the harm caused is clearly outweighed by other considerations. This is echoed in Policy G5 of the Unitary Development Plan.

The proposed replacement dwelling has an increase in floor area of approximately 8% over the original dwelling. Whilst the new dwelling would have two storeys, the maximum height proposed would be 7 metres and it is considered that this would not represent a materially larger property than the existing dwelling. The existing dwelling and outbuildings have a larger floor area and footprint than the proposed replacement dwelling and it is therefore considered that the proposal would result in a less harmful development in terms of its overall impact on the openness of the Green Belt, which would comply with Policy G5.

The dwelling would be located closer to the neighbouring property than the current building and would have a higher ridge line. However, the proposed replacement dwelling would be approximately in line with 'The Rest' when viewed from Berrys Hill and have a separation of approximately 8 metres. Due to the land levels, the replacement dwelling would be approximately 2 metres higher than the neighbouring property. However, given the separation, this is not considered to be unduly harmful in terms of light, prospect or visual amenity.

A S106 legal agreement is recommended to ensure the demolition of the existing buildings prior to the occupation of the new dwelling.

Background papers referred to during production of this report comprise all correspondence on files refs. 87/00134, 98/01053, 05/03729 and 11/03077, excluding exempt information.

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A S106 LEGAL AGREEMENT**

and the following conditions:

- |   |                      |   |                   |     |
|---|----------------------|---|-------------------|-----|
| 1 | ACA02<br>landscaping | Details req. pursuant outline permission  | appearance        | and |
|   | ACA02R               | Reason A02  |                   |     |
| 2 | ACA03<br>ACA03R      | Compliance with landscaping details   | 1                 |     |
|   | ACA07<br>ACA07R      | Boundary enclosure - no detail submitted  |                   |     |
| 3 | ACA07<br>ACA07R      | Reason A07  |                   |     |
| 4 | ACB01<br>ACB01R      | Trees to be retained during building op.  |                   |     |
|   | ACB01R               | Reason B01  |                   |     |
| 5 | ACI02                | Rest of "pd" Rights - Class A, B,C and E  |                   |     |
|   |                      | <b>Reason:</b> In order to comply with Policies G1, G5, H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site and protect the openness and character of the Green Belt. |                   |     |
| 6 | ACI03                | Rest on floorspace (incl. garage) (1 in)  | 240m <sup>2</sup> |     |
|   |                      | <b>Reason:</b> In order to comply with Policies G1, G5, H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site and protect the openness and character of the Green Belt. |                   |     |
| 7 | ACK04<br>ACK04R      | Demolition of existing building (see D10)   |                   |     |
|   | ACK04R               | K04 reason  |                   |     |
| 8 | ACK05<br>ACK05R      | Slab levels - no details submitted  |                   |     |
|   | ACK05R               | K05 reason  |                   |     |

9	ACH02 ACH02R	Satisfactory parking - no details submit Reason H02
10	ACH04 ACH04R	Size of parking bays/garages Reason H04
11	ACH05 ACH05R	Size of garage Reason H05
12	ACH16 ACH16R	Hardstanding for wash-down facilities Reason H16
13	ACH29 ACH29R	Construction Management Plan Reason H29
14	ACH32 ADH32R	Highway Drainage Reason H32

### **Reasons for granting permission:**

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- G1 Green Belt
- H7 Housing Density and Design
- T18 Road Safety

The development is considered to be satisfactory in relation to the following:

- (a) the relationship of the development to adjacent property
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the impact of the development on the open character of the Green Belt

and having regard to all other matters raised.

### **INFORMATIVE(S)**

- 1 RDI01 Outline Application – Detailed Plans
- 2 Public footpath 269 runs along the boundary of the application site. The applicant is advised that it is necessary to safeguard pedestrians using the route, and that it must not be damaged or obstructed either during, or as result of, the development.
- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 4 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

**Application:**11/03077/OUT

**Address:** Arundel Berrys Hill Berrys Green Westerham TN16 3AE

**Proposal:** Replacement two storey dwelling **OUTLINE**

