

SECTION '2' – Applications meriting special consideration

**Application No :** 12/01843/FULL1

**Ward:**  
**Biggin Hill**

**Address :** 20 - 22 Main Road Biggin Hill TN16 3EB

**OS Grid Ref:** E: 541071 N: 160399

**Applicant :** Mr Mark Watts

**Objections :** YES

**Description of Development:**

Residential scheme consisting of 9 dwellings (8x4 bed houses and 1x3 bed house), together with associated car parking, landscaping and ancillary development.

Key designations:

Biggin Hill Noise Contours  
Green Belt  
Local Distributor Roads

**Proposal**

Planning permission is sought for 9 new residential dwellings all of which will be linked and set into a valley slope, incorporating an angled southern elevation facing out across the valley to the south. The dwellings will comprise a total of 8 x two-storey four bedroom houses and 1 x single-storey three bedroom house which will be situated in the centre of this row (the latter designed as such to provide a visual break).

Access to the development will be provided via Main Road and a total of 19 off-street parking spaces will be provided. Extensive landscaping is also proposed.

The application is supported by a Design & Access Statement, Planning Statement, Acoustic Assessment, Arboricultural Assessment, Ecology Studies, Geotechnical Site Investigation and a Financial Viability Assessment.

**Location**

The application site was formerly occupied by a public house/restaurant ("The Manor"), a detached dwelling and garage now demolished, and is approximately 0.5 hectares in area. It is situated at junction of Main Road and Saltbox Hill within the Green Belt and slopes steeply downhill from Main Road. The site faces Biggin Hill Airport which is located to the eastern side of Main Road.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and a number of comments were received, both in support and objection to the scheme. These are summarised as follows:

- Biggin Hill & District Residents Association commend the application on the basis that it is sensitively designed and has a limited impact from the surrounding area, and views into the countryside; that the proposal will involve removal of hoardings which obscure views into the surrounding countryside; and that the volume of development is mitigated by its sensitive design
- overdevelopment of the usable land available
- proposed access is hazardous
- size of development could result in on-street parking which will pose a danger
- no more than 5 dwellings (as previously approved) should be built on the site
- proposal has been designed to avoid overlooking
- 8 dwellings would be preferable but is not financially viable
- poor design of development, cramped, and out of character with the area

## **Comments from Consultees**

The following points have been raised by the Council's Highways Development Engineer:

- proposal leaves only 1 space for visitors. There is no on-street parking available for some distance and so more visitor spaces should be provided.
- a swept path was provided for a refuse vehicle which was quite tight. Gradients of 1:10 are shown for the access. There should be a flatter (1:20) area at the back of the footway to allow larger vehicles to move off. This is also the pedestrian route and the maximum gradient for disabled users should be checked.
- the proposal site is within a low (2) PTAL area and although there are 4 bus routes which go past the site, there are almost no facilities within walking distance and so the number of car trips may have been underestimated.
- the main concern related to the location of the proposed access which is about 15m away from the junction of Main Road and Saltbox Hill, which is too close. This is a busy junction and right turners into and out of the proposed development will be in conflict with the right turners out of Saltbox Hill. The various turning movements should be separated although it is appreciated that moving the access will require changes to the bus stop and central island

No technical objections have been raised by the Council's Drainage Consultant or by Thames Water, subject to the imposition of conditions and informatives.

No technical objections have been raised by the Council's Refuse Advisors.

The Council's Tree Officer concurs with the arboricultural report's findings but advises that a landscaping condition should be imposed to ensure that provision is made for suitable replacement planting.

No technical objections have been raised by the Council's Environmental Health (Pollution) Officer, subject to the imposition of conditions. Comments raised by the Council's Environmental Health (Housing) Officer have been noted.

The Metropolitan Police Crime Prevention Design Advisor has recommended that a "Secure by Design" condition is attached to any permission.

Any further consultee comments will be reported verbally at the meeting.

### **Planning Considerations**

Unitary Development Plan Policies are BE1 (Design of New Development), BE13 (Development Adjacent to Conservation Areas), G1 (The Green Belt), H1 (Housing Supply), H7 (Housing Density and Design), NE3 & 5 (Protected Species), NE7 (Development and Trees), NE12 (Landscape Quality and Character), T3 (Parking) and T18 (Road Safety). The National Planning Framework also represents an important policy consideration.

### **Planning History**

Since 2001 there have been various applications for housing on this site, all of which have been refused apart from ref. 03/01213.

An application for 7 detached houses (ref. 01/03972) was refused permission in March 2002 and a subsequent appeal in respect of this scheme dismissed in September 2002. A revised application (ref. 02/01503) for 5 detached houses was also refused permission in August 2002, although no appeal was lodged. Both applications were essentially refused on Green Belt grounds – that the proposals represented inappropriate development, would result in a cramped form of development and in respect of the first scheme that the proposals would result in the loss of trees protected by a TPO.

Under ref. 03/01213, an application for 5 houses comprising 3 detached part two/three storey dwellings and 2 semi-detached part two/three storey dwellings with integral garages was permitted in November 2003. In granting approval the Council recognised that the demolition of the existing unattractive buildings would result in a visual improvement to the area and the removal of the existing Class A3 use would improve the living conditions of the occupiers of adjoining residential properties. It was also contended by the applicant that this scheme addressed concerns about the effect on openness of the Green Belt. The plans showed 3 detached houses and one pair of semi detached houses set into the slope, staggered rather than in a row, with gaps between them, allowing views to the countryside beyond. This contrasted with previous schemes that showed houses sited in a more uniform row with narrow gaps. According to the Supporting Statement attached to this current proposal development work commenced in connection with this approval, but the scheme was halted.

Under ref. 05/03039, a proposal similar to the 2003 scheme was submitted, the main differences between those proposals being that all the proposed dwellings were detached. In plots 3, 4 and 5 the proposed dwellings were set further back from the access road, with a detached garage block in front, whereas the 2003 permitted scheme had integral garages.

The 2005 application was considered to be similar to the refused ref. 02/01503 scheme in that the houses were proposed to be sited in a more uniform row with narrow gaps between the dwellings ranged across the entire top part of the site. Such a form of development would create more of a physical barrier to views of the countryside beyond. It was refused on the following grounds:

“The site is within the Green Belt where there is a presumption against inappropriate residential development other than limited replacement of existing dwellings and there are no very special circumstances justifying the grant of planning permission as an exception.”

“The proposed dwellings, garage block and associated works, by reason of their siting, layout and design are detrimental to the openness, appearance, amenities and landscape character of the surrounding Green Belt.”

“The proposed dwellings and associated works, by reason of their siting, layout and design are detrimental to the amenities enjoyed by the occupants of No. 24 Main Road by reason of loss of outlook and privacy.”

More recently, under ref. 08/04036, consent was granted to fell 3 beech trees on the site, although this work has not been implemented and that permission has expired.

## **Conclusions**

The principle of residential development on this site has previously been established in the form of the permission for 5 houses comprising 3 detached part two/three storey dwellings and 2 semi-detached part two/three storey dwellings with integral garages, granted under ref. 03/01213. The main issue raised by this application is therefore whether the current proposed design, and the number of and siting of the houses has a detrimental impact on the openness of the Green Belt.

In comparison to the 2003 scheme the number of units has been increased to nine and the overall design and layout of the proposal has been accordingly revised. It is acknowledged the proposal has been imaginatively designed with the dwellings set into the valley slope with the majority of the buildings obscured from the Main Road frontage. Consequently, much of the open prospect associated with this elevated corner site will be maintained. The applicant justifies the scheme on the basis that the volume of this proposal remains similar to that approved in 2003 and that this scheme is the most economically viable for the site. The scheme is also promoted on the basis of its environmental credentials set out in numerous supporting documents.

The applicant does, however, acknowledge that this proposal will lead to an intensification of the use of the site but appears to justify this, at Paragraph 7.17 of the Supporting Statement, on the basis that the collective accommodation will be contained within buildings of equivalent volumes to those already permitted. In considering this application Members should pay particular regard to the scheme approved in 2003. As noted above, special circumstances were identified, particularly the loss of the former use of the site and associated buildings, its sensitive design, and the reduction in the number of units sought from earlier applications.

The National Planning Policy Framework acknowledges and reaffirms the importance of Green Belt policy in safeguarding open areas. Although it encourages some development of previously developed sites, the provision of new housing remains inappropriate. Policy G1 of the Unitary Development Plan similarly discourages such development and seeks to prevent development which would harm its openness and visual amenity, by reasons of scale, siting, materials or design. The essential characteristics of Green Belts are their openness and their permanence. Openness represents a fundamental consideration in assessing Green Belt development and it can be taken to mean the absence of development, regardless of whether or not this is readily visible. Openness may be associated with the intensity of a use given that this will inevitably affect the nature and character of an area. Hence the scale of development as a defining characteristics (distinct to form, bulk and site coverage) may represent an important assessment. In this case, the provision of four additional units will inevitably increase the intensity of use of the site with all the additional movements and activity associated with this number of dwellings. The houses will be most visible from views from the south and west of the site, including from Salt Box Hill. Whilst the arguments in support of this development are recognised it is considered that this proposal will fail to adequately overcome all of the key Green Belt policy objectives.

As noted above concerns have been expressed by the Council's Highways Development Engineers. These relate, in particular, to the lack of off-street parking and the proposed access off Main Road which could adversely affect road safety, particularly in view of its close proximity to the junction with Saltbox Hill.

In comparison to the 2005 application, no objections are raised on the basis of the impact of the development on neighbouring amenity given the siting and layout of the proposed houses and their relationship to surrounding houses.

Background papers referred to during production of this report comprise all correspondence on files refs. 01/03971, 02/01503, 03/01213, 05/03039, 08/04036 and 12/01843, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal will, by reason of its excessive scale and number of units, constitute inappropriate development in the Green Belt resulting in an over-intensive use of the site harmful to openness, and in the absence of very special circumstances supporting the grant of planning permission, no justification is identified to permit this development as an exception to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework.
- 2 The proposal lacks adequate on-site car parking and will be likely to lead to increased demand for on-street car parking in surrounding roads detrimental to the amenities of nearby residents and prejudicial to the free flow of traffic and conditions of general safety along the highway, thereby contrary to Policies T3 and T18 of the Unitary Development Plan.
- 3 The proposal would not be in the interests of good highway planning by reason of the proximity of the proposed access to the junction of Main Road and Saltbox Hill, which would have an adverse effect on highway safety, contrary to Policy T18 of Unitary Development Plan.

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