

SECTION '2' – Applications meriting special consideration

Application No : 12/03191/FULL1

Ward:
Darwin

Address : Silverstead Annexe Silverstead Lane
Westerham TN16 2HY

OS Grid Ref: E: 545218 N: 156999

Applicant : Mr And Mrs Mark Winsper

Objections : NO

Description of Development:

Demolition of annexe and outbuildings and erection of a single storey three bedroom detached dwelling and store outbuilding

Key designations:

Area of Outstanding Natural Beauty Area Of Outstanding Natural Beauty 02
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation

Proposal

- The proposal seeks to remove all existing structures including the annexe and associated outbuildings.
- The replacement three bedroom building will have a maximum height of 4.2m and will be single storey.
- The building will have a length of 20.5m and a width of 11.5m.
- The existing structure has a height of approximately 3.3m and a length of approximately 14m.
- A garden and recycle store building with attached carport will also be provided with hardstanding to the front and the existing access onto Silverstead Lane.

Location

The application site is located on the southern side of Silverstead Lane and is isolated within an area of open countryside which falls within the Green Belt. The land is also within the North Kent Downs Area of Outstanding Natural Beauty.

The site contains a single storey flat roofed detached building which has been used as a separate detached dwelling. The site forms part of the residential curtilage of the main dwelling at Silverstead.

Comments from Local Residents

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

Comments from Consultees

Technical drainage comments have been received suggesting conditions.

The Environment Agency has not commented on the application.

No Thames Water objections are raised subject to an informative.

Technical highways comments have been received stating that due to the nature of the lanes leading to the site there is the need to condition routes/types of vehicle to be used etc during the demolition and construction phase. It is not clear if the access is suitable for use by construction vehicles and any changes need to be included in the Construction Management Plan. Conditions are suggested.

Waste Services has advised that refuse and recycling should be left at edge of curtilage.

Environmental Health (Housing) comments have been received regarding the need for suitable lighting and ventilation and these comments have been passed on to the applicant.

Environmental Health (Pollution) has commented suggesting informatives.

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design Of New Development), H7 (Housing Density And Design), G1 (Green Belt), G5 (Dwellings In The Green Belt Or On Metropolitan Open Land), NE2 (Development And Nature Conservation Sites), NE7 (Development And Trees) and NE11 (North Kent Downs Area Of Outstanding Natural Beauty (AONB)).

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments

London Plan Policy 7.16 Green Belt

London Plan Policy 7.8 Heritage Assets And Archaeology

London Plan Policy 7.21 Trees And Woodlands

The National Planning Policy Framework and the Council's adopted SPG guidance are also considerations.

Planning History

A Certificate of Lawfulness application was granted under ref. 03/04524 to convert the annexe to separate dwellinghouse.

Conclusions

The main issues relating to the application are the effect that it would have on the rural character and openness of the Green Belt, the impact on the nearby Area of Outstanding Natural Beauty (AONB), the impact on highway safety and the impact on nearby residential amenities. The impact on trees is also a consideration.

Silverstead Annexe benefits from a certificate of lawfulness under ref. 03/04524 which was granted for "Convert annex to separate dwellinghouse CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE". However there is no established separate residential curtilage for the Annexe which stands in the residential curtilage of the main dwelling without physical separation. The existing dwelling is a simple flat roof building approximately 3m high which has a floorspace of approximately 100sqm, There are additionally two sheds and a garage which have a total floorspace of 57sqm and are also a maximum of 3m high as shown on the submitted plans. The total amount of built development at the application site (to be demolished) is therefore 162sqm.

The proposal includes the formation of a residential curtilage and construction of a new dwelling and outbuilding with attached car port. The new dwelling features two single pitch sloping roof elements and the building rises to just over 4m high on one side and slopes down to an eaves around 2.6m, with some other flat roof areas around 3m high. The new dwelling has a floorspace of approximately 164sqm. The outbuildings have a floorspace of 11sqm and the car port has a floorspace of approximately 30sqm. The total amount of new built development at the application site is therefore 205sqm. Although the agent has not included the car port in their calculations, this is considered to constitute floorspace for the purposes of considering whether the proposed development is materially larger than what it replaces and in assessing how the proposal will impact on the openness of the Green Belt. The replacement building will be around 6m wider. Additionally there are deck and terrace areas proposed around the building, with extended walls which will partially enclose these areas and will also impact on openness.

The NPPF (para 89) states that the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, can constitute appropriate development in the Green Belt. It also states that limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development can also be appropriate development. Should a proposal be inappropriate in the Green Belt, very special circumstances must be demonstrated to outweigh any harm caused. The current Bromley Unitary Development Plan defines a material increase as 10% in Policies G4 and G5.

The redevelopment of this site will result in a materially larger dwelling than currently exists, and the overall built development will increase from 162sqm to 205sqm, an increase of 26.5%. The maximum height of the development at the site will increase by approximately 1m. Coupled with the formation of a new residential curtilage and the extended walls proposed adjacent to terrace and decked areas, it is considered that the proposal will have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development and that the replacement building will be materially larger than what it replaces. The proposal is therefore considered to be inappropriate development in the Green Belt. No very special circumstances have been put forward to outweigh the harm caused by reason of inappropriateness.

The site is close to the North Kent Downs Area of Outstanding Natural Beauty. Although the proposal would provide a simple design incorporating a low roof it would appear slightly bulkier than the current structure when viewed from the nearby AONB. On balance however, it is considered that the proposal would harm views from the nearby AONB and would detract from its natural beauty.

The Annexe building is currently sited a significant distance from neighbouring properties and the proposal is therefore not considered to be harmful to nearby residential amenities.

The proposal will utilise an existing access onto Silverstead Lane and it is considered that the use of this access would not be detrimental to highway safety as a dwelling already exists at the annexe.

This is a balanced case with regard to guidance in the NPPF, however it is considered that the proposal constitutes inappropriate development and no very special circumstances have been demonstrated to warrant an exception to the normal policy considerations. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03191, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal, by reason of the increased size and amount of development proposed, would constitute inappropriate development in the Green Belt, harming its openness and rural character, and would harm views from the nearby Area of Outstanding Natural Beauty, with no very special circumstances demonstrated that would outweigh the harm caused, thereby the proposal would be contrary to Policies G1 and G5 of the Unitary Development Plan and the guidance within the National Planning Policy Framework.

INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

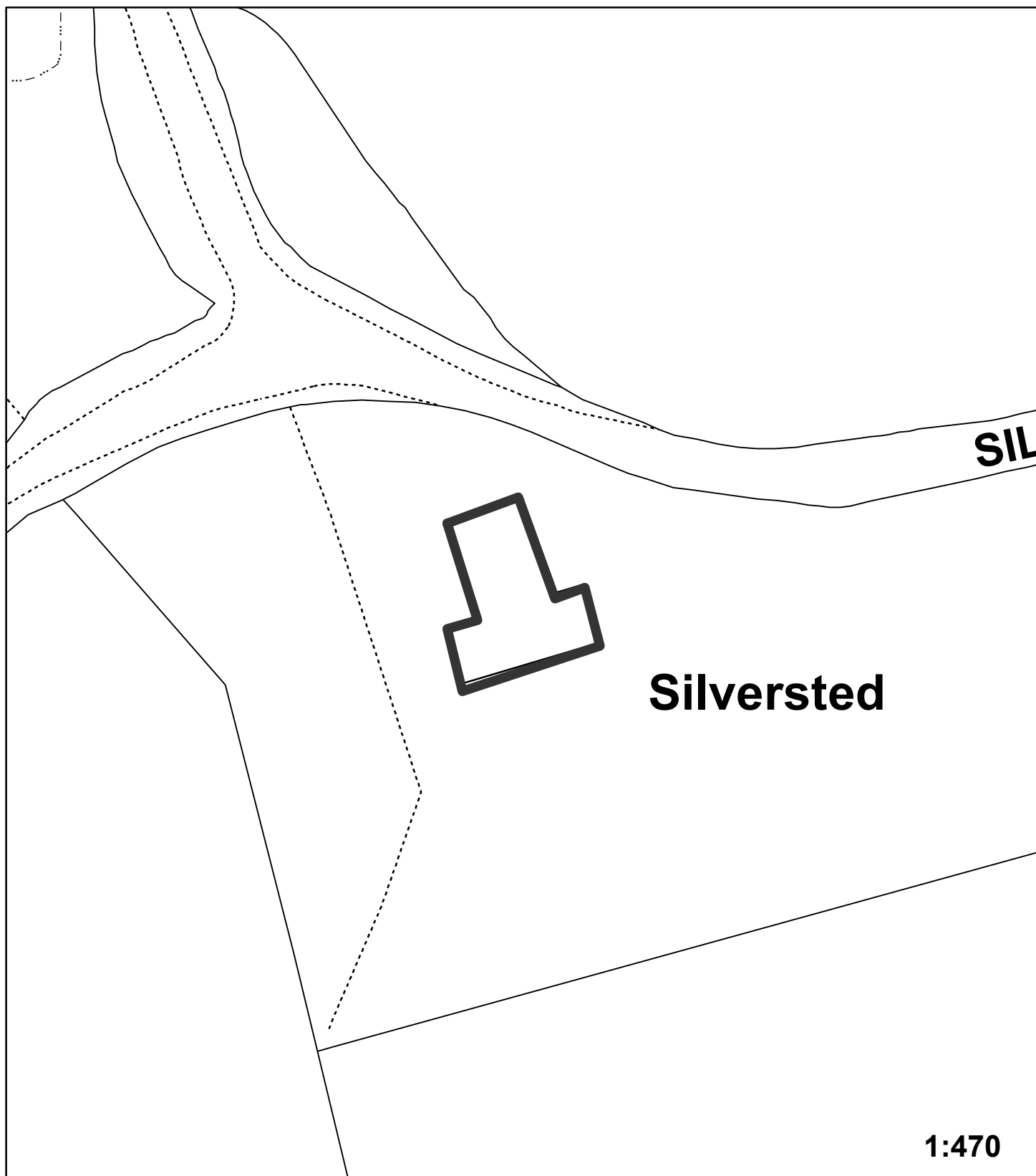
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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