

SECTION '2' – Applications meriting special consideration

Application No : 13/00188/FULL6

Ward:
Chelsfield **And** **Pratts**
Bottom

Address : **Flintlock Norsted Lane Orpington BR6**
 7PQ

OS Grid Ref: **E: 547005 N: 161985**

Applicant : **Mr And Mrs A Harding**

Objections : NO

Description of Development:

Retention of detached garage to front

Key designations:

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

Proposal

Retrospective permission is sought for the retention of an existing single storey garage to the front of the curtilage. The garage has a depth of between 6.8 metres and 4.7 metres with a width of between 4.9 metres and 5.9 metres. The garage has a height of 2.6 metres to a flat roof.

Location

The application site is located to the eastern edge of Norsted Lane and features a detached two storey dwelling. The site is located within the Green Belt.

Comments from Local Residents

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

Comments from Consultees

Highways have raised no objections

Planning Considerations

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

BE1 Design of New Development
G1 The Green Belt
T3 Parking
T18 Road Safety

Supplementary Planning Guidance 1 and 2

National Planning Policy Framework

Planning History

Application reference 12/00500 for the same structure was refused.

Application reference 86/02436 granted permission for a single storey front and rear extension with dormers, although there is no record of this being implemented.

Application reference 88/03655 granted permission for a two storey front extension with a single storey side extension and dormers. Building Control records indicate this work was completed. A similar scheme was refused under application 88/00314 and dismissed at appeal.

In 2007 retrospective permission was refused for gates, wall and piers to a height of 2.6 metres under application 07/02034. However, it is clear that this enclosure remains.

Of particular relevance to this application is the refusal of application reference 12/00500 for the removal of an unauthorised car port and garage and the erection of a single storey garage. The unauthorised structures have been removed and the garage that is the subject of this application has been erected. The grounds of refusal were:

“The site is located in the Green Belt wherein there is a presumption against inappropriate development and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan

The proposed detached garage would, by reason of its position forward of the principal elevation, appear incongruous and harm the visual amenities of the street scene, contrary to Policy BE1 of the Unitary Development Plan.”

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the Green Belt and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The previously refused garage was of a greater scale than that erected, with a pitched roof and a height of between 2 metres and 3.1 metres with a uniform footprint 5.2 metres in width. The current garage has a height of 2.6 metres with the majority of the structure having a width of 4.9 metres. Due to the change in design the garage is unseen from the highway and is screened almost entirely by the boundary wall and vegetation present. Whilst consideration must be given to the possibility that this planting may be removed at some point in the future, it is considered that, on balance, the garage as erected is not harmful to the streetscene and overcomes the second refusal ground.

It therefore falls to be considered whether the changes made overcome the harm to the Green Belt cause by the previous structure with an absence of very special circumstances being demonstrated at that time. The applicant has pointed out that a similar, if not larger, structure could be erected under permitted development to the rear of the property and are of the view that the current garage is only unacceptable within the Green Belt due to its location as opposed to scale. However, if this position is not accepted and the development as erected must be assessed as an outbuilding forward of the principle elevation. It is noted, however, that the design has been reduced in size over the previously refused scheme and the applicant has offered to have permitted development rights under Class E of the GPDO removed.

Inappropriate development within the Green Belt should only be permitted where very special circumstances are demonstrated that outweigh the harm to the green Belt and any other harm. Members should consider whether such circumstances exist as a result of the level of screening afforded to the garage together with the removal of permitted development rights relating to outbuildings. It is considered that the scale and screening of the garage do not lead to a detrimental impact upon the street scene or neighbouring residential amenity.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00188 and 12/00500, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACC04 Matching materials
ACC04R Reason C04
- 2 ACK01 Compliance with submitted plan
ACC01R Reason C01
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class E of Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected

or made within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the visual amenity and openness of the Green Belt.

4 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

G1 The Green Belt

T3 Parking

T18 Road Safety

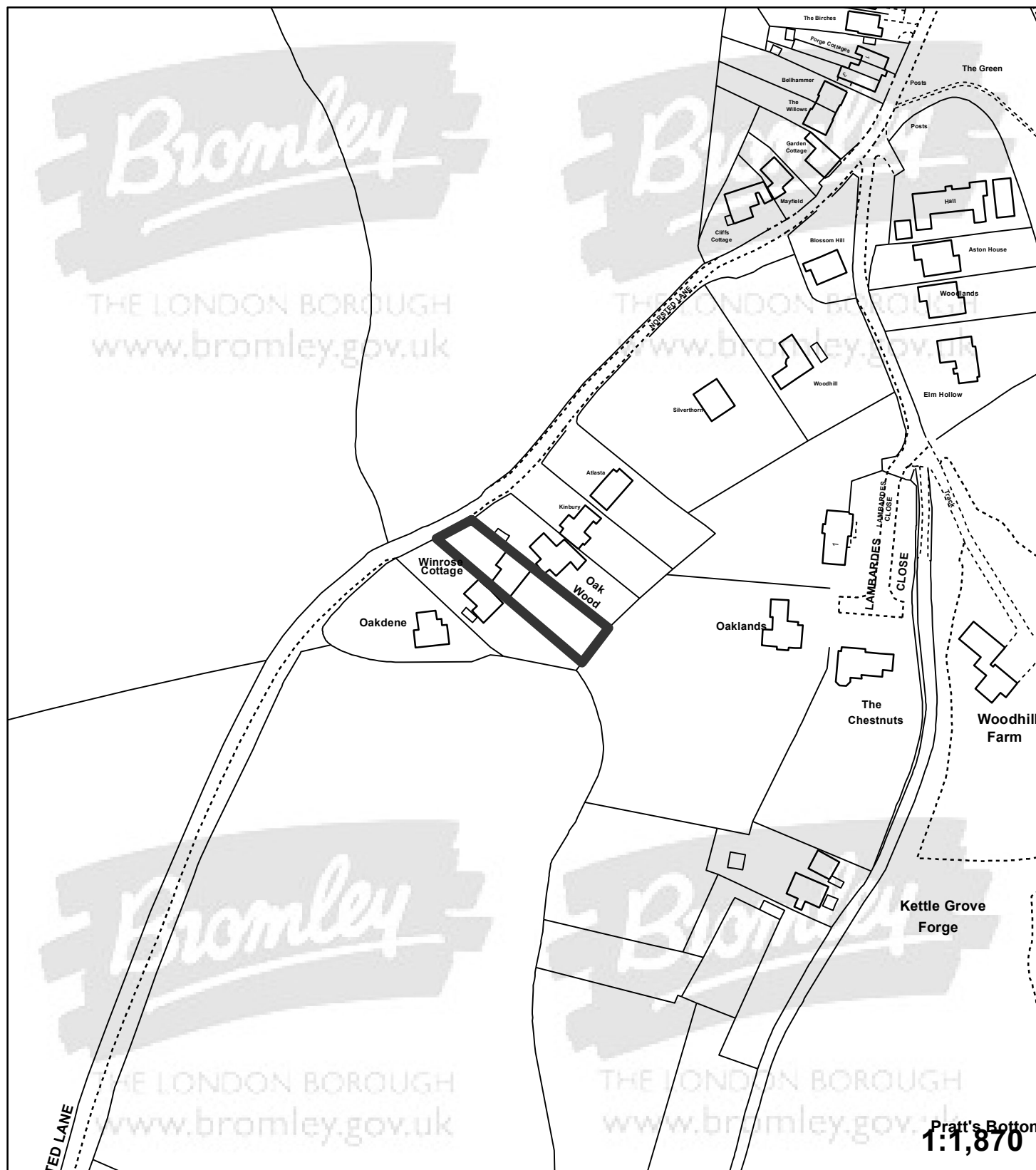
Supplementary Planning Guidance 1 and 2

National Planning Policy Framework

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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