

SECTION '2' – Applications meriting special consideration

**Application No :** 13/01068/MATAMD

**Ward:**  
**Darwin**

**Address :** Petleys Farm House Luxted Road  
Downe Orpington BR6 7JS

**OS Grid Ref:** E: 543040 N: 161600

**Applicant :** South Darenth Farms & Cold Store Co. **Objections :** NO  
Ltd.

**Description of Development:**

Change of use of part of existing outbuilding from car parking to purpose ancillary to the main residential use including elevational alterations  
(MINOR MATERIAL AMENDMENT TO APPEAL PERMISSION 09/00145/FULL2)

**Key designations:**

Conservation Area: Downe Village  
Areas of Archeological Significance  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
London City Airport Safeguarding

**Proposal**

This application seeks a minor material amendment to conditions 6 and 9 of permission 09/00145 which was granted at appeal for the conversion of a barn to a residential dwelling with associated outbuilding. The amendment is sought to the permission to alter the use of part of the outbuilding currently dedicated to car parking as part of the main residential use. This will involve some minor elevational changes including the installation of glazing to the front elevation, and the displacement of parking provision to a barn proposed to be converted as part of application 13/01069 also on this agenda

**Location**

The site is located within a farm yard in the Green Belt and within the Downe Village Conservation Area

**Comments from Local Residents**

At the time of report writing no representations had been received from local residents.

From a Highways aspect there is no objection to the proposal.

### **Planning Considerations**

The application falls to be considered with regard to Unitary Development Plan Policies T3 (Parking), BE1 (General Design of Development), BE11 (Conservation Areas) and Policy G4 (extensions and alterations to dwellings in the Green Belt)

The National Planning Policy Framework 2012 is also relevant.

### **Planning History**

Under ref. 00/00141, an agricultural occupancy condition was transferred from a 1970 house adjacent to the farm to Petleys Farm House which is adjacent to the farm yard.

Under refs. 08/00205 and 09/00145, permission was refused for the conversion of an existing barn and outbuilding to dwelling. Ref. 09/00145 was subsequently allowed at appeal and is currently being implemented.

Under ref. 09/00465, the agricultural occupancy tie attached to Petleys Farm House was sought to be removed. This was refused

Application ref. 10/02967 sought permission for an alternative access to Petleys Farm from Rookery Road / High Street opposite North End Lane but this was withdrawn.

Application ref. 13/01069 is also on this agenda for Change of use of 2 agricultural buildings to provide 4 stables, feed room, tack room and associated storage and change of use of land for the private keeping of horses. Change of use of part of agricultural building for car parking for existing residential use at Petleys Farm and re cladding of buildings.

### **Conclusions**

The primary issues for consideration for this application are the loss of covered parking provision and any impact this has on parking provision within the site, and additionally whether this change has an acceptable impact on the openness and character of the Green Belt and area in general.

It is proposed that the parking be displaced to a barn which falls outside of the permitted residential curtilage, a proposal which forms part of a current application also on this agenda for the conversion of an adjacent barn and land for private keeping or horses. It is therefore not possible to rely on that parking being available as it has at the time of writing not been granted permission. However, it appears that there is space for parking within the existing residential curtilage on hardstanding. There is no restriction on the use of this area for parking currently

and it could accommodate the likely number of vehicles associated with the residential use. The proposal would comply with Policy T3 of the Unitary Development Plan.

With regard to the elevational changes, these are considered acceptable with regard to the overall character and appearance of the dwelling and the area in general. This would comply with Policies G4, BE1 and BE11 of the Unitary Development Plan.

Although the proposal may give rise to a modest increase in external parking, there is no current requirement for the previously proposed covered barn to be solely used for car parking, nor any restriction that would prevent the use of the hardstanding for parking. On this basis given the limited impact, the proposal can be considered to accord with Policy G4.

It is therefore recommended that permission be granted.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 AC102 Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to prevent inappropriate development in the Green Belt and in the interests of the character and appearance of the Conservation Area to comply with Policies G1, BE1 and BE11 of the Unitary Development Plan and the NPPF.

- 2 The single storey detached building, hereby approved, shall only be used for purposes incidental to the residential use of the approved dwelling and for no other purpose other than those expressly permitted under the terms of this permission.

**Reason:** In order to prevent inappropriate development in the Green Belt and in the interests of the character and appearance of the Conservation Area to comply with Policies G1, BE1 and BE11 of the Unitary Development Plan and the NPPF.

- 3 Details of landscaping, materials, scheme of work for demolition, boundary enclosures, and surface water drainage approved pursuant to conditions 4, 5, 7, 8 and 13 of appeal decision 2114806 shall be carried out and retained as approved unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the amenities of the area.

- 4 Demolition and construction works shall not take place outside 08.30 hours to 18.00 hours on Mondays to Fridays and 09.00 hours to 13.00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

**Reason:** In the interests of the amenities of the area.

- 5 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a scheme to be submitted to, and approved by, the Local Planning Authority and, where remediation is necessary, a remediation scheme must be prepared in accordance with details to be

submitted to, and approved in writing by, the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and approved in writing by the Local Planning Authority before the dwelling, hereby permitted, is first occupied.

**Reason:** In the interests of preventing contamination risk.

6 ACK01 Compliance with submitted plan

**Reason:** In order to prevent inappropriate development in the Green Belt and in the interests of the character and appearance of the Conservation Area to comply with Policies G1, BE1 and BE11 of the Unitary Development Plan and the NPPF.

7 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the elevation(s) of the outbuilding hereby permitted, without the prior approval in writing of the Local Planning Authority.

ACI17R 117 reason (1 insert) BE1 and G4

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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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