

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 13/02344/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** Simpsons Cottage Five Elms Road  
Hayes Bromley BR2 7AD

**OS Grid Ref:** E: 541300 N: 165298

**Applicant :** Mr H Des forges

**Objections :** YES

**Description of Development:**

Conversion of detached garage and playroom into annexe and extension to existing summer room to link annexe building to main dwelling house

Key designations:

Conservation Area: Bromley Hayes And Keston Commons

Areas of Archaeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Sites of Interest for Nat. Conservation

**Proposal**

The proposal is for the conversion of the detached garage and playroom into an annexe, to enable the applicant, who is in deteriorating health, to be cared for at home in the future.

The proposal comprises of a single storey extension of 9m<sup>2</sup> to extend the existing summer room. The proposed extension is in the location of an existing canopy that provides a walkway between the existing buildings. The extension will provide access into an existing garage that will be converted to form habitable accommodation.

The annex will remain part of the existing dwelling, and the applicant is happy for a condition to be imposed on the permission that will prevent the building from being severed to form a separate unit.

**Location**

The application site is located to the north east of Five Elms Road, accessed from an unmade road, and comprises of a detached dwellinghouse. The site is not visible from the road.

The site is located in the Green Belt and the Bromley, Hayes and Keston Commons Conservation Area.

### **Comments from Local Residents**

A letter has been received from the occupiers of The White House which is located to the west of Simpsons Cottages. The boundary of The White House runs adjacent to the site of the proposed works. The letter confirms that the occupiers of the White House have no objection to the proposed extension that is designed to link the annexe to the main house, provided that the annexe is not severed to form a separate unit. They indicate in their letter that they assume that any permission will be conditioned to prevent this from happening.

A letter has been received from the Hayes Village Association (HVA) highlighting that the site is in the Green Belt and borders a Conservation Area and objecting to the proposal on the grounds that the house is a replacement dwelling and the floorspace of the existing dwelling is already the maximum allowed for a dwelling in the Green Belt. The HVA considers that the proposed extension will substantially increase the floorspace and be contrary to Policy G4 of the UDP.

The HVA also objects on the grounds that the proposed works would enable part of the building to operate as a separate unit, which will effectively create a new dwelling in the Green Belt contrary to policies G1 and G4.

### **Comments from Consultees**

Highways - no in principle objection to the proposal.

Heritage and Urban Design - considers that the proposal will not have a harmful impact on the character and appearance of the Conservation Area, and has no objection subject to matching materials.

APCA - No objections subject to matching materials.

### **Planning Considerations**

Planning Policies:

BE1 Design of New Development  
BE11 Conservation Areas  
H8 Residential Extensions  
G4 Green Belt

### **Planning History**

Planning permission (ref. 99/02779) was granted for the demolition for the demolition of the existing terrace of four cottages and erection of a detached 5 bedroom house with attached double garage in March 2000.

An application (ref. 00/03952) seeking the removal of Condition 11 of permission ref. 99/02779 which required that the double garage and its forecourt be permanently provided, together with a proposal for alternative garaging) was granted in August 2001.

Planning permission was also granted for replacement outbuildings in December 2002 (ref. 02/03511) and April 2003 (ref. 03/00934).

Other minor applications include planning permission being granted for:

- Front entrance porch and garden pergola at rear (ref. 01/01914)
- Tile hanging to the front and flank elevations and new windows to west flank elevation (ref. 02/00335)
- Attached building for garden store (ref. 02/00340)

The applicant sought pre-application advice from the Council in respect of the application proposals to which this report relates in February 2013, without prejudice to the consideration of any future application.

## **Conclusions**

The main issues for consideration in this case include the impact of the proposal on the Green Belt and the Bromley, Hayes and Keston Commons Conservation Area and any potential impacts on the amenities of the neighbouring properties (i.e. in respect of the relationship to the adjoining buildings, overlooking, noise, disturbance, etc.), impact on the host property and impact on the character of the area generally.

### Green Belt

The dwelling is located within the Metropolitan Green Belt. Policy G4 of the Council's Unitary Development Plan requires that; "proposals to extend converted or replacement dwellings will not normally be permitted". The purpose of this policy is to ensure that subsequent extensions to dwellings do not jeopardise the open nature of the countryside. Where an application is submitted it is expected that very special circumstances are demonstrated in order to justify the proposals.

Planning permission (ref. 99/02779) was granted for the demolition of the existing terrace of four cottages and erection of a detached 5 bedroom house with attached double garage in March 2000. Policy G4 of the UDP requires that "the net increase in the floor area over that of the original dwellinghouse is no more than 10% as ascertained by external measurement". The replacement dwelling used up this floorspace.

Since the permission was granted but prior to the demolition of the cottages a double garage was built under permitted development rights, situated to the rear of

the site of the previous dwelling adjacent to the boundary with The White House. An application (ref. 00/03952) seeking the removal of Condition 11 of permission ref. 99/02779, which required that the double garage and its forecourt be permanently provided, together with a proposal for alternative garaging was granted in August 2001. As a result, the original double garage was converted into residential accommodation.

The floorspace of this proposal will therefore exceed that permitted for extensions or alterations to dwellings in the Green Belt under Policy G4. A very special circumstances case is therefore required to justify any additional floorspace associated with this dwelling.

In terms of very special circumstances, the applicant has indicated that the proposed alterations and extension is required as a result of his deteriorating health and will enable him to be cared for at home in the future when the need arises. A confidential personal statement has been submitted to the Council setting out the applicant's personal circumstances, and he has indicated that he is willing for this to be made available to Councillors.

The proposed extension and alterations will provide access between the main house and the proposed annexe and provide space for a carer to sleep overnight when required. There are also existing pressures on the family due to the health of the applicant's daughter, which mean that altering the layout of the existing house to provide the single level accommodation that the applicant requires would be difficult.

The proposed single storey rear extension to the building has a floorspace of approx. 9.m2. This extension is located to the rear of the existing buildings and will not be visible from the nearest public road or the track that leads to the property. The proposed works will also not bring the development closer to the boundary with The White House than the existing buildings. The proposed extension is considered to be sensitively sited and relatively compact. Due to the fact that it will not be visible from any public vantage point it is not considered that the proposed extension will have any impact on the openness of the Green Belt.

The elevational alterations to the existing garage will not increase the footprint of the building, and will only result in a very minor change to the appearance of the dwelling when viewed from the track, they are not therefore considered to be detrimental to the streetscene or the wider objectives of the Conservation Area or the Green Belt.

The property forms part of the Hayes, Keston and Bromley Commons Conservation Area.

The Council's Heritage and Design officer has advised that he considers that the proposal will not be harmful to the character and appearance of the Conservation Area. The Advisory Panel for Conservation Areas has also raised no objection to the proposal.

Whilst the property is not subject to any listings, the adjoining properties (The White House and Brackdene) are both locally listed. Taking into account the mature boundary screening and the fact that the single storey rear extension will not bring the built development closer to the adjoining dwellings than the existing, the proposal is not considered to be harmful to the residential or visual amenities of the adjacent dwellings.

### Severance

The plans indicate a two bedroom annexe with a separate front door. Whilst the annexe could theoretically be severed to form a separate unit, the applicant has indicated that it is his intention that the proposed annexe will always remain attached to the main dwelling and he is willing to accept a planning condition that will prevent any future severance.

In summary, it is considered that the proposed extension to the existing dwelling (at 9m<sup>2</sup> ) is relatively small, it is also sensitively sited to the rear of the existing buildings and will not be visible from the nearest public highway, or the track that leads to the house. The elevational alterations to the existing double garage will only result in a very minor change to the appearance of the dwelling when viewed from the track.

Whilst it is accepted that a proposal for any additional floorspace to this dwelling is contrary to Policy G4 of the UDP, as the replacement dwelling on the site already exceeds the maximum threshold acceptable under this policy, the purpose of the policy is to protect the openness of the Green Belt. In terms of impact on the openness of the Green Belt, the proposal is not visible from the nearest public highway and the single storey extension will not be visible from the track that leads to the property. The proposal is therefore not considered to result in any material harm to the Green Belt.

The applicant has set out the very special circumstances that he considers exists in this case to justify the development. These relate to his deteriorating health and the need for him to have single level self-contained accommodation that will enable him to continue to be cared for at home in the future.

Whilst personal circumstances are not necessarily a reason to justify unacceptable or harmful development in the Green Belt, it is considered that the proposal will have no impact on the openness of the Green Belt or the amenities of the Conservation Area. The proposal will also have no material impact on the amenities of the adjoining properties.

On balance, in view of the very special circumstances that have been outlined in this case and the fact that the proposal is not considered likely to result in any material impact on the Green Belt, Conservation Area or the amenities of the occupiers of the surrounding properties, it is recommended that the application should be granted planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02344, excluding exempt information.

**RECOMMENDATION: PERMISSION**

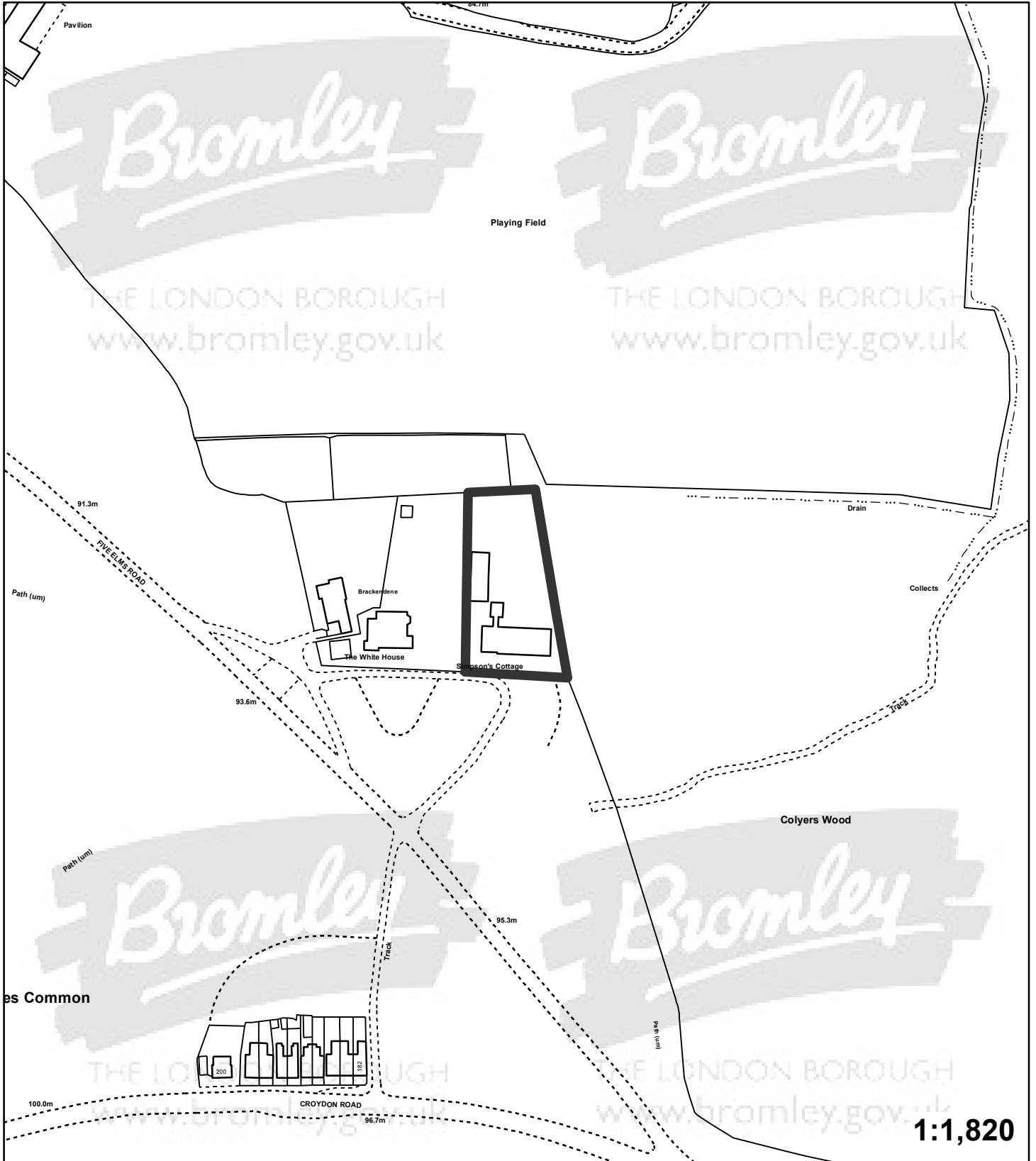
Subject to the following conditions:

- 1     ACA01       Commencement of development within 3 yrs  
      ACA01R     A01 Reason 3 years
- 2     ACC04       Matching materials  
      ACC04R     Reason C04
- 3     ACK01       Compliance with submitted plan  
      ACC01R     Reason C01
- 4     ACI07       Restrict to members of household (1 in)     at       Simpsons  
      Cottage  
      ACI07R     Reason I07

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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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