

SECTION '2' – Applications meriting special consideration

**Application No :** 14/02178/FULL1

**Ward:**  
**Bromley Common And**  
**Keston**

**Address :** The Cabin Jackass Lane Keston BR2  
6AN

**OS Grid Ref:** E: 540907 N: 163859

**Applicant :** Mr & Mrs Andrew Pearce

**Objections :** NO

**Description of Development:**

Demolition of existing dwelling and ancillary outbuildings and mobile home and erection of a detached two storey three bedroom house and detached garage

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Local Distributor Roads

**Proposal**

It is proposed to demolish the existing dwelling and mobile ancillary outbuilding and mobile home and construct a detached two storey four bedroom house and single garage at the site.

**Location**

This site is located on the southern side of Jackass Lane within the Green Belt, and occupies a site area of 0.04ha.

The site is accessed via an access point on Jackass Lane and sited behind Walnut Tree Cottage. The access drive is in the region of a hundred metres site the plot approximately 45 by 45 metres.

The site currently has the house (The Cabin) and a number of outbuildings as mentioned above.

**Comments from Local Residents**

There have been several letters of support in favour of this proposal. These are on file to view.

### **Comments from Consultees**

No objections are seen to the proposals from a highways point of view.

Surface water will have to be drained to soakaways.  
Thames Water have no objections

The site is located within an area of High Archaeological Potential as defined by borough policy. It is concluded that no fieldwork needs to be undertaken prior to the determination of this application but the archaeological position reserved by condition.

### **Planning Considerations**

The proposal falls to be considered primarily with regard to the following policies:

BE1 Design of New Development  
H7 Housing Density & Design  
G1 The Green Belt  
G5 Dwellings in the Green Belt  
T3 Parking  
NE7 Development and Trees

### **Planning History**

With regard to the recent history of the site, under ref.12/01080, a Certificate of Lawfulness for use as a dwelling house was granted.

A curtilage around the building was granted at appeal under ref. 12/02978. This appeal established that three ancillary buildings all with 5 metres of the cabin are within the planning unit and are used for purposes incidental and ancillary to the main building.

Under ref.14/00376, a Certificate of Lawfulness for a single storey side and rear extension, porch, rear dormer extension and triple detached garage was granted.

### **Conclusions**

The site is located within the Green Belt, and the main issues are; firstly, whether the proposals comprise inappropriate development, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness or any other harm; and secondly, whether the proposals would be harmful to the character or appearance of the surrounding area, or detrimental to the amenities of nearby residential properties.

The National Planning Policy Framework (NPPF) contains a general presumption against inappropriate development within the Green Belt. Paragraph 87 states that

such development should not be approved except in very special circumstances, while paragraph 89 sets out a number of exceptions, including the replacement of a building where the new building is in the same use and not materially larger than the one it replaces, and the provision of appropriate facilities for outdoor recreation.

Policy G1 of the UDP allows for the construction of new buildings within the Green Belt where they are inter alia for essential facilities for outdoor sport or recreation, and limited replacement of existing dwellings. Such proposals should not be harmful to the openness or visual amenity of the Green Belt.

Policy G5 of the UDP allows for a replacement dwelling in the Green Belt provided that the resultant dwelling would not result in a material net increase in floor area compared with the existing dwelling (an increase of over 10% would normally be considered material, depending on design issues), and that the size, siting, materials and design of the replacement dwelling would not harm the visual amenities or the open or rural character of the locality.

The existing building on site are substantial . The application represents an alternative development rights.

In terms of comparable sizes the total floor space afforded by the Certificate of Lawfulness would amount to 243.4 sqm. The proposed dwelling would have a footprint of 134.4 sqm representing an overall reduction of 109 sqm. It would reduce the spread of the development over the site. In terms of floor area the proposed dwelling would be 225.4 and that would represent a reduction by 18.4sqm

As a whole, in relation to the approved Certificate of Lawfulness the proposals would result in an overall in site coverage. It will also result in the removal of a spread of buildings on the site

It is therefore considered, on balance, that there is sufficient justification to allow the current proposals which would result in an acceptable form of redevelopment, and would adequately protect the open and rural nature of the site along with the visual amenities of the surrounding area.

With regard to the impact on neighbouring properties, the replacement dwelling would be sited well away from the adjacent properties to not result in a harmful impact on residential amenity. The proposals are not, therefore, considered to result in any undue loss of light, privacy or prospect to the adjacent property.

Background papers referred to during production of this report comprise all correspondence on file ref. 14/02178 and all history files excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs

- |    |        |   |
|----|--------|---|
|    | ACA01R | A01 Reason 3 years  |
| 2  | ACA04  | Landscaping Scheme - full app no details  |
|    | ACA04R | Reason A04  |
| 3  | ACA07  | Boundary enclosure - no detail submitted  |
|    | ACA07R | Reason A07  |
| 4  | ACC01  | Satisfactory materials (ext'n'l surfaces)   |
|    | ACC01R | Reason C01  |
| 5  | ACD02  | Surface water drainage - no det. submitt  |
|    | AED02R | Reason D02  |
| 6  | ACD04  | Foul water drainage - no details submitt  |
|    | ADD04R | Reason D04  |
| 7  | ACH02  | Satisfactory parking - no details submit  |
|    | ACH02R | Reason H02  |
| 8  | ACH16  | Hardstanding for wash-down facilities   |
|    | ACH16R | Reason H16  |
| 9  | ACH27  | Arrangements for construction period  |
|    | ACH27R | Reason H27  |
| 10 | ACI02  | Rest of "pd" Rights - Class A, B,C and E  |
|    | ACI03R | Reason I03  |
| 11 | ACK01  | Compliance with submitted plan  |
|    | ACK02R | K02 reason (1 insert) G5  |
| 12 | ACK05  | Slab levels - no details submitted  |
|    | ACK05R | K05 reason  |
| 13 |        | Before commencement of the development hereby permitted, the existing dwelling and outbuildings shown on Plan No.2103-14-PL601 Rev P2, shall be demolished and the site cleared of all waste material, unless previously agreed in writing by the Local Planning Authority.   |
|    | ACK04R | K04 reason  |
| 14 |        | No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been approved by the Local Planning Authority. The development shall only take place with a detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority. |
|    | ACK08R | K08 reason  |
| 15 | ACK08  | Archaeological access   |
|    | ACK04R | K04 reason  |

### 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.

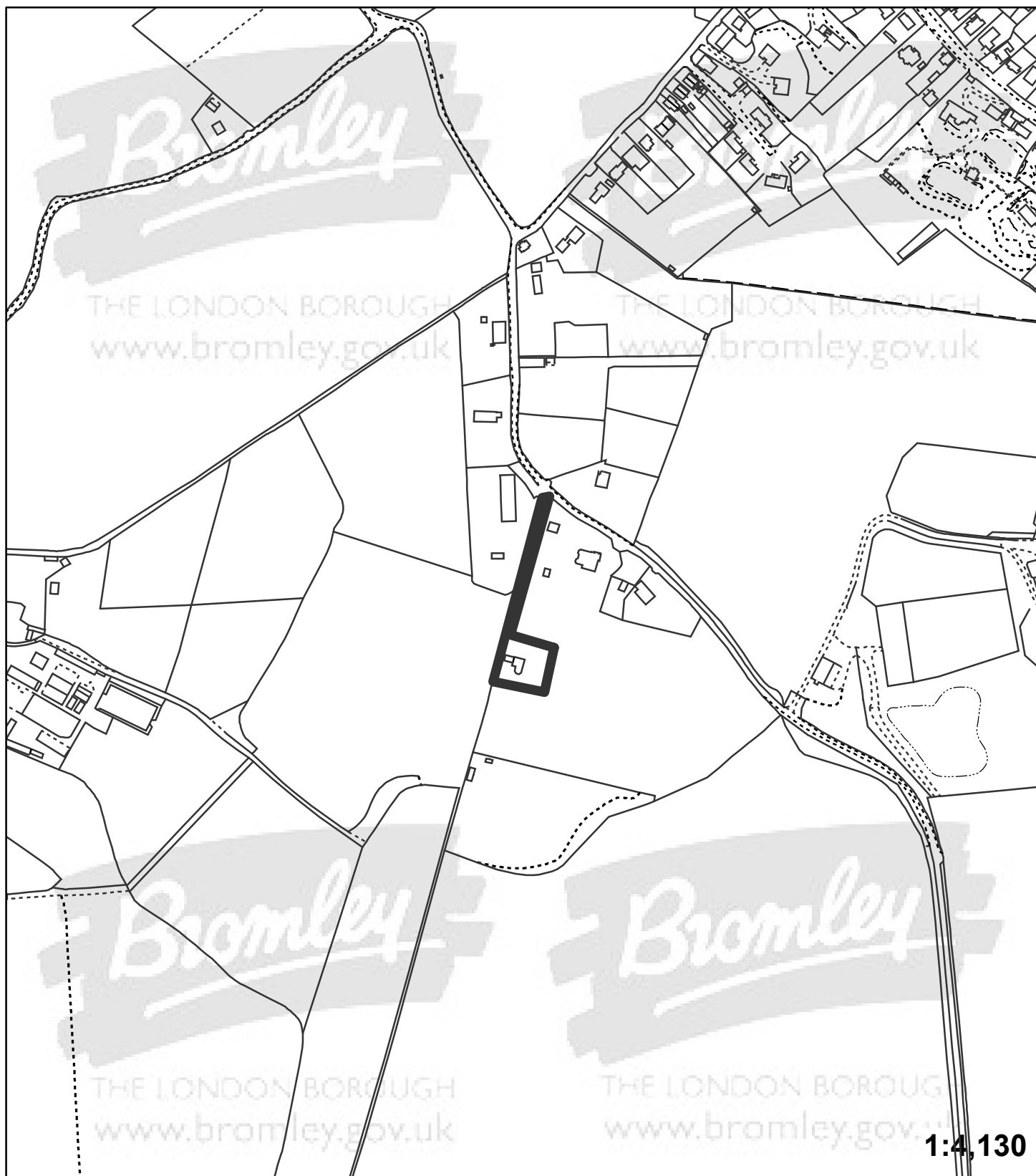
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

- 2 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.

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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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