

SECTION '2' – Applications meriting special consideration

Application No : 14/04878/FULL1

Ward:
Darwin

Address : Trowmers Luxted Road Downe
Orpington BR6 7JS

OS Grid Ref: E: 543102 N: 161551

Applicant : Mr E Bullion

Objections : YES

Description of Development:

Detached two storey 4 bedroom dwelling with attached double garage and vehicular access from Luxted Road on Land Adjacent to Trowmers.

Key designations:

Conservation Area: Downe Village
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 erect a detached two storey dwelling on this site which would lie between the existing dwelling at Trowmers and Downe Baptist Church to the north-east. The proposals would include the creation of a separate vehicular access onto Luxted Road which would require the removal of a section of the 2.5m high flint boundary wall, and the reduction in height of a further section to 1m in order to provide visibility.

The new dwelling would be set back approximately 16m from the front boundary, but a single storey double garage and utility room would project 7m further forward, giving a 9m separation to the front boundary. The dwelling would be 8.9m in height, and would be set back 1.9m from the south-western flank boundary with Trowmers and 2.4-3m from the north-eastern flank boundary with Down Baptist Church.

It is also proposed to demolish the existing detached garage to Trowmers which currently extends into the application site, and re-build a smaller detached garage within the new boundary of Trowmers, an application for which is to be submitted at a later date.

Location

The application site is located on the south-eastern side of Luxted Road within Downe Village Conservation Area. It falls within an Area of Archaeological Significance and also lies within the Green Belt. The site currently forms part of the side garden of Trowmers, a locally listed building, and would have a frontage onto Luxted Road of approximately 16m, and a depth of 52m.

Comments from Local Residents

A number of letters objecting to the proposals have been received from local residents, including one from Downe Residents' Association, and the main points raised are summarised as follows:

- inappropriate development in the Green Belt - could set a precedent for future undesirable residential development in the Green Belt
- no very special circumstances exist to justify inappropriate development
- detrimental to the character and appearance of the Conservation Area
- the proposed house would be higher than the Baptist Church adjacent and would visually dominate it
- detrimental impact of the loss of part of the historic flint wall which adds to the streetscape and ambience of this rural village - the wall was singled out for comment during the bid for World Heritage status
- development may affect future consideration of Downe for World Heritage status
- loss of on-street parking which would add to congestion in the area
- road is very narrow at this point - difficulty for construction traffic to access the site
- would be poor sightlines from the access as the road is heavily parked
- any access gates should be set back from the road to avoid obstructing the footway
- a recent appeal was dismissed for a house in the rear garden of Trowmers - the same considerations apply in this case
- noise and general disturbance during construction works

Several letters in support of the proposals have also been received.

Comments from Consultees

The Council's Highway Engineer has commented that the internal depth of the double garage at 5.4m is below the required internal depth of 6m. However, there would be adequate room for on-site parking, and on-site turning is provided which would allow access and egress to the highway in forward gear, therefore no highways objections are seen to the proposals.

The Advisory Panel for Conservation Areas considers that the quality of the architectural design needs to be much improved as it currently pays no respect to the design of the original building at Trowmers which is locally listed. The

demolition of part of the flint wall is contrary to the SPG, and the current proposals would not preserve or enhance the Conservation Area.

There are no drainage objections to the proposals in principle subject to the submission of further details of surface water drainage as there is no public surface water sewer near to the site. Thames Water raise no concerns.

Any comments received with regard to important trees on the site, along with any comments from English Heritage will be reported verbally at the meeting.

Planning Considerations

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

- G1 The Green Belt
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- H7 Housing Density & Design
- H9 Side Space
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

The NPPF is also an important consideration.

Planning History

Outline permissions were refused in 1985 (ref. 85/02568) and 1994 (ref. 94/02057) for residential schemes involving land at Trowmers, and the subsequent appeals were dismissed.

More recently, permission was refused in January 2014 (ref.13/03906) for the erection of a detached dwelling on part of the rear garden of Trowmers with access from Cudham Road, on grounds relating to inappropriate development in the Green Belt, detrimental impact on the character and spatial standards of Downe Village Conservation Area, and detrimental impact on neighbouring properties.

The subsequent appeal was dismissed in June 2014.

Conclusions

The main issues relating to the application are; whether the revised proposals constitute inappropriate development in the Green Belt, and if so, whether very special circumstances exist that outweigh the harm by reason of inappropriateness; the impact on the open character and visual amenities of the Green Belt; the impact on the character and appearance of Downe Village

Conservation Area; and the impact on the amenities of the occupants of surrounding residential properties.

UDP Policy G1 states that the construction of new buildings within the Green Belt is inappropriate unless it is for purposes including agriculture, forestry, essential facilities for outdoor sport and recreation, and limited extensions and alterations to existing dwellings or for replacement dwellings. The proposed subdivision of the site and the erection of a new dwelling would not, therefore, fall within any of these categories.

However, para. 89 of the NPPF allows for "limited infilling in villages" within the Green Belt, and although the Inspector in the previous appeal considered that a dwelling in the large rear garden area of Trowmers would not constitute an "infill" development, the current proposals are for a dwelling which would sit within the line of existing buildings along Luxted Road. The current application does not intrude into the open land to the rear of Trowmers, and it would therefore more closely conform to the generally accepted definition of infill development as it will occupy the space between existing buildings within a pattern of existing development adjacent to the road.

Although the proposals could be considered to constitute limited infilling within this part of Downe Village under the NPPF, the impact on the openness of the Green Belt and on the character and appearance of Downe Village Conservation Area also need to be taken into consideration.

The proposed dwelling would be a two storey building with a single storey garage wing projecting forward of the house, and it would reach a height of 8.9m. It would extend across much of the width of the subdivided site, and would not appear as a modest subservient infill development within the street scene. It is therefore considered to have a harmful impact on the open nature of the Green Belt due to its overall scale and size.

Trowmers is a very significant house in Downe Village, and makes a strong contribution to the Conservation Area. It is set within a large plot, and has a character more distinctly rural to that of the High Street, and this serves as an important buffer in the transition between village and country side. A development of the size proposed on this subdivided plot would significantly erode this character, and would be detrimental to the character and spatial standards of the Conservation Area and harmful to the spacious setting of the locally listed building.

An additional concern is the impact of the break in the continuous frontage of the flint wall (and the lowering in height to 1m of a further part of the wall) in order to provide vehicular access, as the wall currently makes a strong contribution to the streetscape within this part of the Conservation Area, and to the setting of the locally listed building. Construction traffic could also lead to further loss of the flint wall. UDP Policy BE7 seeks to ensure the retention of walls where they form an important feature of the streetscape, and the proposals would therefore be contrary to this policy.

With regard to the impact on neighbouring properties, the dwelling would lie adjacent to the Baptist Church to the north, and would be sufficiently separated from Trowmers to the south-west to ensure no loss of privacy or outlook to residents.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposals would , by reason of their size and scale, be harmful to the openness of the Green Belt, and would have a detrimental impact on the character and spatial standards of Downe Village Conservation Area, and on the spacious setting of the adjacent locally listed building, thereby contrary to Policies G1, BE1, BE10, BE11, H7 and H9 of the Unitary Development Plan.
- 2 The proposed removal of part of the flint wall and the lowering in height to 1m of a further part of the wall in order to provide vehicular access and sightlines, would have a detrimental impact on the street scene of this part of Downe Village Conservation, and on the setting of the locally listed building, and would thereby be contrary to Policy BE7 of the Unitary Development Plan.

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)).

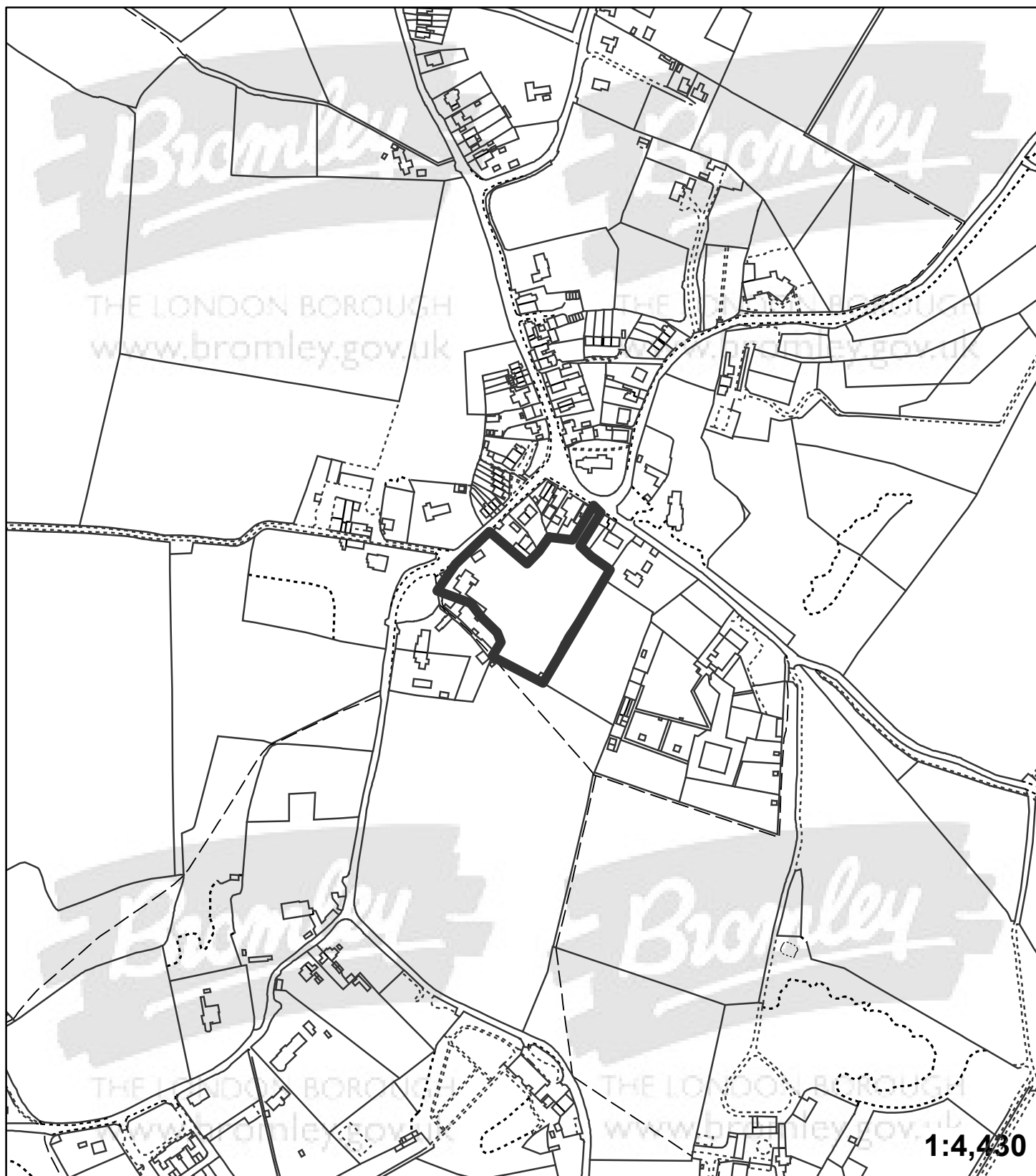
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/04878/FULL1

Address: Trowmers Luxted Road Downe Orpington BR6 7JS

Proposal: Detached two storey 4 bedroom dwelling with attached double garage and vehicular access from Luxted Road on Land Adjacent to Trowmers.



"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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