

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

Application No : 15/03262/FULL1

Ward:
Darwin

Address : The Warren Single Street Berrys Green
Westerham TN16 3AB

OS Grid Ref: E: 543624 N: 159921

Applicant : Mr And Mrs Nicholls

Objections : NO

Description of Development:

Demolition of existing bungalow and garage and erection of detached two storey 4 bedroom dwelling with detached garage

Key designations:

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

Proposal

It is proposed to replace the existing bungalow and garage/car port with a detached two storey dwelling and detached garage in a similar location on the site. The proposed dwelling would have a smaller footprint than the existing bungalow (79.6sq.m as opposed to 104.5sq.m.), but would contain first floor accommodation within the roof giving a total floor area of 143.4sq.m.

The new dwelling would be set back 8m from the front boundary of the site (in line with the existing dwelling), and would project slightly further to the west. Separations of 3.75m to the south-eastern flank boundary and 10m to the north-western flank boundary would be retained.

The garage/car port to be demolished has a floor area of 36sq.m. and lies adjacent to the south-eastern flank boundary with the joinery works. It would be replaced with a detached garage in the same location but with a reduced size of 18sq.m.

Location

This site is located on the north-eastern side of Single Street within a small residential enclave in the Green Belt, although it is bounded to the east by a joinery works. It is occupied by a detached bungalow and an outbuilding to the rear which comprises a garage, car port and workshop. The outbuilding lies within 5m of the dwelling.

Comments from Local Residents

No third party representations have been received to date.

Comments from Consultees

No highways objections are seen to the proposals as there would be no change to the vehicular access arrangements, and the replacement garage would be of an acceptable size with other parking also available on the site.

No drainage objections are raised to the proposals in principle, and Thames Water request that they be contacted by the applicant if permission is granted due to the close proximity of a public sewer.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
G5 Replacement Dwellings in the Green Belt
T3 Parking

The National Planning Policy Framework is also relevant.

Conclusions

The main issues in this case are whether the proposals comprise inappropriate development in the Green Belt, 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, whilst 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.

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 dwelling has a floor area of 104.5sq.m., whilst the garage/car port to be removed has a floor area of 36sq.m., giving a total floor area to be demolished of 140.5sq.m. The new dwelling would have a floor area of 143.4sq.m., whilst the new garage would measure 18sq.m., giving a total of 161.4sq.m. This would result in an increase in floor area of 20.9sq.m., which equates to a 14.8% increase. This would be slightly above the 10% normally seen as not constituting a material net increase in floor area compared with the existing dwelling, and would therefore be considered inappropriate development in the Green Belt. However, the overall site coverage by buildings would be reduced by 30%, and there would be more space between the buildings as the new dwelling would not extend so far to the rear, giving a 6m separation between the dwelling and the garage. The height of the replacement building would also be kept to a minimum, increasing by only 2.1m over the existing bungalow. These factors are considered to outweigh the small increase in the floor area normally allowed for a replacement dwelling in the Green Belt.

With regard to the impact on the character and appearance of the surrounding area, the proposed dwelling would now be two storeys in height rather than single storey, but the overall height would be kept fairly low, with first floor accommodation contained within the roof space. Furthermore, good separations would be provided to the side boundaries, and the garage would be set back 22m from the front of the site to limit its impact. There are a number of two storey dwellings in the close vicinity, and the proposals are not therefore considered to have a detrimental impact on the visual amenities and open and rural character of the Green Belt.

With regard to the impact on residential amenity, the nearest dwelling that adjoins the site is Widdershins to the north which is located some 40m away, and would not be unduly affected by the redevelopment proposals. The new dwelling would be visible from residential properties on the opposite side of Single Street, but it is not considered to result in a significant loss of outlook from these properties.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 3** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason:To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

- 4** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 5** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 6** Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

Reason: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 7** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 8** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

You are further informed that :

- 1** You are advised to contact the following address regarding alignment of, connection to or diversion of a public sewer, or adoption of a sewer -

Thames Water
1 Kew Bridge
Brentford, Middlesex
TW8 0EF
0845 850 2777
Email: developer.services@thameswater.co.uk

- 2** 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