

SECTION '2' – Applications meriting special consideration

Application No : 15/05051/FULL6

Ward:
Darwin

Address : High Elms Cottage High Elms Road
Downe Orpington BR6 7JL

OS Grid Ref: E: 544307 N: 162953

Applicant : Mr Anthony Downham

Objections : YES

Description of Development:

Replacement garage and outbuilding

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation

Proposal

The proposal involves the removal of an existing detached garage, shed and log store and the erection of an oak-framed garage, potting shed and log store which will occupy an overall area of 9.15m x 5.6m and a tiled roof with a ridge height of 3.95m.

Location

The site is located along the eastern side of High Elms Road, approximately 650 metres to the south of its junction with Shire Lane. The site is located to the south of the Statutory Listed building known as "The Clock House". The appeal site occupies a rural setting and falls within the Green Belt.

Comments from local residents

Nearby owners/occupiers were notified of the application and one representation was received, summarised as follows:

- applicant may have the intention to eventually create an office and a roof above the garage
- base of the garage is 2m above the level of a neighbouring house, the height is extremely critical
- height is suspect
- applicant is reluctant to reduce the height

Comments from consultees

No technical Highways objections have been raised.

Planning Considerations

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

BE1 Design of New Development
G1 The Green Belt
G4 Dwellings in the Green Belt

Planning history

Under ref. 15/02740 a proposed replacement garage and outbuilding was refused on the following ground:

"The proposal would, by virtue of its size and location, have a detrimental impact on the visual amenity and openness of the Green Belt, and be contrary to Policies G1 and G4 of the Unitary Development Plan."

Conclusions

The main issues relating to the application are the effect that it would have on the character and openness of the Green Belt and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The site incorporates a single dwellinghouse situated along the eastern side of High Elms Road with a sizeable garden area around the dwellinghouse. The existing detached garage is of utilitarian design. The site falls within the Green Belt.

Under the terms of Policy G1 of the UDP the openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials or design.

Policy G4 of the Unitary Development Plan concerning extensions or alterations to dwellinghouses in the Green Belt or Metropolitan Open advises that these will only be permitted if:

- (i) the net increase in the floor area over that of the original dwellinghouse is no more than 10%, as ascertained by external measurement; and
- (ii) their size, siting, materials and design do not harm visual amenities or the open or rural character of the locality; and
- (iii) the development does not result in a significant detrimental change in the overall form, bulk or character of the original dwellinghouse.

Proposals to extend converted or replacement dwellings will not normally be permitted.

This policy relates to proposals for extensions, alterations or outbuildings, which are to be sited within 5m of the existing dwelling house. However, this consideration has to be weighed carefully against the impact of any new development on the character and openness of the Green Belt.

Point (i) of Policy G4 is qualified in Paragraph 8.1 of the UDP, which advises that the 'original dwelling' in the context of this policy follows the definition of 'original building' in the Town & Country Planning (General Permitted Development) Order 1995: 'in relation to a building existing on 1st July 1948, as existing on that date and, in relation to a building built on or after 1st July 1948, as so built'.

Following the refusal of the scheme proposed under ref. 15/02741, the dimensions of the proposed outbuilding have been reduced from 9.45m(w) x 5.6m(d) and a ridge height of 4.1m to 9.15m x 5.6m and a ridge height of 3.95m. Whilst this represents a modest reduction, it is not considered that this goes far enough in addressing the Council's previous concerns.

In this case, the proposed structure will incorporate an area of approximately 51sq m, whereas the structures to be removed will measure approximately 40sq m. This will result in an overall floor area increase of approximately 11sq m, and there will be an associated increase in volume terms. Whilst the floor area increase itself amounts to a 25% enlargement, the nature of the roof design with its 4.1m ridge height is such that the replacement structure will appear a lot more prominent within the site and injurious to the openness and visual amenities of the Green Belt. This will be approximately 2m higher than the existing structure.

By definition this proposal will constitute inappropriate development in the Green Belt where planning policy seeks to allow only limited extensions to existing dwellings, and it is considered that this proposal will undermine the openness of the Green Belt.

RECOMMENDATION: APPLICATION BE REFUSED

The reason for refusal is:

The proposal would, by virtue of its size and location, have a detrimental impact on the visual amenity and openness of the Green Belt, and be contrary to Policies G1 and G4 of the Unitary Development Plan, and Section 9 of the National Planning Policy Framework - Protecting Green Belt Land.