

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03388/FULL1

**Ward:**  
**Darwin**

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

**OS Grid Ref:** E: 543624 N: 159921

**Applicant :** Mr Francis Carlton

**Objections : NO**

### **Description of Development:**

Demolition of existing bungalow and the erection of a detached four bedroom dwelling house.

Key designations:

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 in a slightly more centralised position within the plot. The proposed dwelling would have a smaller footprint than the existing bungalow (80.51sq.m as opposed to 104.5sq.m.), but would contain first floor accommodation within the roof giving a total floor area of 161.02m. A single storey detached garage is also to be removed which has a floor area of 36.02sqm.

The new dwelling would be set back 12m from the front boundary of the site (as opposed to 8m as existing), and would project slightly further to the west. Separations of 6m to the south-eastern flank boundary and 9m to the north-western flank boundary are proposed.

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.

### **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.

## **Consultations**

Nearby owner/occupiers were notified of the application and the following comments were received:

- No objection. The proposed development appears to be in keeping with the area and can only improve the present site.
- Support the application on the basis that it is erected 12m from the boundary.

Highways - No parking layout is included with the submitted documents however this can be conditioned. No objections.

Drainage - The proposed works appear to be very close to or over existing public sewer(s); the applicant should be advised to consult TWU as soon as possible to ascertain the exact sewer locations and to establish what protection measures may be required. No objections subject to conditions.

Environmental Health (Housing) - No objections subject to informatives

Environmental Health (Pollution) - Comments have been received as to concerns regarding ventilation and natural light. Bedroom 4 is also below the London Plan bedroom size standards.

## **Planning Considerations**

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

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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.

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG No.1 - General Design Principles  
SPG No.2 - Residential Design Guidance

London Plan (July 2015)

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.14 Water quality and wastewater Infrastructure  
Policy 5.15 Water use and supplies  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.16 Green Belt  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance.

### Planning History

15/03262/FULL1 - Demolition of existing bungalow and garage and erection of detached two storey 4 bedroom dwelling with detached garage – Permitted (12.11.2015)

### **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.

A similar proposal has been previously approved under reference 15/03262/FULL1. The current application proposes the following amendments:

- The proposed house is to measure 161sqm externally in replacement to the recently approved 143.42sqm dwelling with 18sqm detached garage;
- Increase of 0.2m in height;
- Increase of 0.3m in depth;
- Amendments to the design of the proposed dwelling inclusive of increased eaves height, removal of dormers and erection of a full first floor level;

- Re-siting of the dwelling within a more centralised position within the plot, increasing the space provided between the flank elevations and the boundary; and
- The dwelling is to be sited 12m from the front of the plot, rather than the 8m previously proposed.

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 total floor area of 161sqm. This would result in an increase in floor area of 20.5sq.m., which equates to a 14.5% increase, 0.3% less than previously permitted. This would be slightly above the 10% normally seen as not constituting a material net increase in floor area compared with the existing dwelling. It should be noted that the overall site coverage by buildings would be significantly reduced, with the built form on the site now being consolidated into one area. The height of the replacement building is proposed to be increased from that as previously permitted however, this is only by 0.2m, increasing by only 2.3m over the existing bungalow. Whilst it is acknowledged that the overall form of the dwelling has altered, and now proposes to appear as a more traditional two storey dwelling with a higher eaves height, rather than a dormer bungalow, the reduction in the amount and prominence of the dormer windows is considered to reduce some of the bulk of the dwelling from the original submission. 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. It is acknowledged that the first floor accommodation has been increased from the previously approved application, however given that the built form on the site has been consolidated which improves the overall openness of the site to accommodate this increase, on balance it is considered that the proposal is acceptable and in keeping with the principles of the Green Belt setting. Furthermore, good separations would be provided to the side boundaries, increasing over the previously approved application so that the dwelling is now sited 12m back from the front elevation and between 6-9m from the flank elevations. There are a number of two storey dwellings in the close vicinity, and the proposals is therefore considered not to

have a detrimental impact on the visual amenities and open and rural character of the Green Belt.

#### Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the UDP states that the development should respect the amenity of occupiers of future occupants.

There is a requirement for a Gross Internal Area of 115m<sup>2</sup> for a 4 bedroom 7 person unit within the London Plan and on this basis the floorspace provision is considered acceptable. The London Plan also requires a floor space provision of 11.5sqm for double bedrooms and 7.5sqm for single bedrooms. Whilst the Master bedroom, bedroom 2 and 3 adhere to these standards, bedroom 4 does not meet the minimum baseline for a single bedroom at 5.75sqm. Whilst this is under the minimum requirement, given the acceptability of the size and scale of the rest of the dwelling and the possibility that it may be used as a room other than a bedroom, on balance this is considered acceptable.

None of the rooms would have a particularly convoluted shape which would limit their specific use. All habitable rooms are provided with a reasonable outlook. In terms of amenity space, the dwelling is sited within a large plot where it is considered adequate amenity area exists for the purpose of a four bedroom dwelling house.

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. Bell Cottage to the south is a statutory listed building and is located approximately 25m from the front boundary of the site. Given the proximity of the new dwelling to the Bell Cottage, it is not considered that the development would result in any harm to the neighbouring dwelling nor its setting. 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. A scheme of landscaping can be conditioned to be submitted should permission be forthcoming in order to soften the impact of the proposed dwelling upon the verdant, rural setting of the wider locality.

#### **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** 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.

- 5** 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.

- 6** 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.

**7 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.

**8 Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 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.

**9 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.**

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

**10 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such**

positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

**11** Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

**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.

**12** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

**Reason:**To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan

- 13** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

**REASON:** To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants

You are further informed that :

- 1** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

- 2** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development