

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

Application No : 19/00509/FULL1

Ward:
Darwin

Address : Luxted Farm Luxted Road Downe
BR6 7JT

Objections: Yes

OS Grid Ref: E: 543342 N: 160223

Applicant : Mr Kenny Love

Description of Development:

4 dormer extensions and elevational alterations to include enlarged doors, glazed roof panels and alterations to windows

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

Planning permission is sought for the provision of 4 dormer extensions within the southern roof structure of the existing barn building. Additional elevational alterations include the provision of large ground floor windows, garage door and glazed panels and rooflights on the elevations of the roof.

Prior Approval was granted under ref. 18/03033 for the conversion of the building to a residential dwelling, however this has not been implemented. The application in this case should therefore be considered in regards to the extension of the barn and the proposed works should relate only to the existing barn at this stage.

Location and Key Constraints

The site is located on the southern side of Luxted Road and comprises a group of residential and agricultural buildings. The wider area is rural in character and has a mix of dwellings and farm land. The site is located in the Metropolitan Green Belt.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations received are summarised as follows:

Groups:

- The Downe Residents' Association has objected on the basis that the proposed dormers fall outside of Class Q of Part 3 of the GPDO

Comments from Consultees

None.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan Policies

- 7.4 Local Character
- 7.6 Architecture
- 7.16 Green Belt

Bromley Local Plan

- 37 General Design of Development
- 49 Green Belt

Supplementary Planning Guidance

SPG1 – General Design Principles

Planning History

18/03033/FLXAG - Change of use of Agricultural Building to Class C3 Dwellinghouse (56 day application for prior approval in respect of transport and highways, noise, contamination, flooding risks, under Class Q(a) of Part 3 of schedule 2 of the GPDO 2015). – PRIOR APPROVAL GRANTED

01/00173/FULL1 - Single storey side and rear extensions - Permitted

95/01922/LBCALT – Renewal of slate roof and demolition of attached sheds LISTED BUILDING CONSENT - Permitted

92/00841/FUL – Elevational alterations to barn and conversion into 1 two bedroom and 1 three bedroom dwellings with 4 car parking spaces - Permitted

90/02820/FUL – Elevational alterations to barn including provision of 4 additional dormers and conversion into 1 single storey two bedroom dwelling and 1 two storey 3 bedroom dwelling with 4 car parking spaces - Refused

89/01441/FUL – Temporary siting for residential caravan - Refused

89/01440/FUL – Increase in roof height incorporating front rear dormer extensions conversion of barn comprising one single storey two bedroom one two storey three bedroom dwelling 4 car parking spaces - Refused

87/03969/FUL – Change of use of barn to two dwellings for family occupation - REFUSED

Considerations

The main issues to be considered in respect of this application are:

- Green Belt
- Design
- Neighbouring amenity
- CIL

Green Belt

Paragraphs 133 - 147 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt is intended to serve five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraphs 143 – 147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraphs 145 states A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions are stated, the most relevant of which to this application is

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

Bromley Development Plan Policies provide the same level of protection to Green Belt as the NPPF.

Point C of Para 145 relates to the extension of a building and outlines that this is not inappropriate provided that it does not result in a disproportionate additions over and above the original building. This guidance is reflected in Policy 49 of the Bromley Local Plan.

The proposed dormers will be sited within the roof space of the existing barn, which is in its original form. The dormers will be small, each with a pitched roof and each sited comfortably within the existing roof of the barn. It is considered that the four additions to the roof collectively would not result in disproportionate additions over and above the original building. The overall footprint, external appearance and scale of the building would not be significantly altered by the proposal and therefore it is considered that the proposal would not be inappropriate in the Green Belt as outlined by Policy 49 of the Bromley Local Plan.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed dormer extensions will have a traditional appearance with pitched roof design and will be modest in scale, sitting comfortably within the roof space of the building without dominating it or competing with its character. The proposed elevational alterations are sought with regard to the planning history, which grants prior approval under ref. 18/03033 for the conversion of the building into a residential dwelling. Whilst the changes will move the appearance of the building away from a rural barn and more towards that of a dwelling, these are mainly focused to the southern elevation, with a garage door on a side elevation and minor fenestration changes to the other elevations. On balance, the rural character of the structure would not be drastically altered, and the use of brickwork, cladding and roof tiles will respect the inherent character of the barn.

Having regard to the form, scale, siting, proposed materials and planning history at the site it is considered that the proposed extension would be acceptable in design terms and would comply with Policy 37 of the Local Plan.

Neighbouring amenity

Policy 37 of the Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The building is sited to the south of the dwellings known as Luxted Cottages and the 4 dormers will be constructed within the southern roof space, overlooking fields to the south. It is therefore considered that the proposed additional bulk will have no direct impact either in terms of visual impact or overlooking. On the northern elevation, it is proposed to alter some of the positioning of the rooflights approved under ref. 18/03033, however this is not considered to introduce additional opportunity for overlooking.

On balance it is considered that the development would not impact detrimentally on the amenities of neighbouring properties and would comply with Policy 37 of the Local Plan.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

This application relates only to works to the existing barn building and as such must be considered on its own planning merits (outside of the previously approved prior approval application for residential conversion).

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a harmful impact on the openness and visual amenity of the Green Belt and will not impact on neighbouring residential amenities.

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

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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

Informative

The applicant is advised that the planning permission hereby granted relates solely to the extension of the existing barn building. The applicant should satisfy themselves that any future conversion of the building benefits from the required prior approval or lawful development certification.