

Committee Date	11.07.2024	
Address	Luxted Farm Barn Luxted Road Downe Orpington BR6 7JT	
Application Number	24/01828/FULL6	Officer - Robin Evans
Ward	Darwin	
Proposal	Erection of single storey front extension to existing dwelling.	
Applicant	Agent Mr Peter Hadley	
Rushmore Hill Knockholt Sevenoaks Kent TN14 7NS	Downe House 303 High Street Orpington BR6 0NN	
Reason for referral to committee	Call-In	Councillor call in Yes - Cllr Andrews: Proposals to extend converted or replacement Green Belt dwellings will not normally be permitted.

RECOMMENDATION	GRANT PLANNING PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Special Advertisement Control Area Biggin Hill Safeguarding Area Green Belt London City Airport Safeguarding Statutory Listed Buffer</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3 Residential	366

Proposed	C3 Residential	399
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Representation summary	Neighbour letters sent 13.05.2024 Press advert published 15.05.2024 Site notice displayed 17.05.2024	
Total number of responses	0	
Number in support	0	
Number of objections	0	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would not comprise inappropriate development in the Green Belt,
- The proposal would not detract from the character and appearance of the area,
- The proposal would not detract from neighbouring residential amenities,
- There would be no other adverse impacts.

2. LOCATION

2.1 The application site is a parcel of land located on the southern side of Luxted Road, near to the junction with Birdhouse Lane, abutting the southern boundary of Luxted Farm Cottages and south east of Luxted Farm. The site is accessed via a single lane track between Luxted Farm Cottages and south east of Luxted Farm and which also has a public right of way footpath. The land was formerly occupied by a barn however it has since been demolished/dismantled and re-built as a dwellinghouse (21/01062/FULL1). The application site lies within the Metropolitan Green Belt, which is formed of open rural fields with limited built development, although that development is characterised by scattered clusters/rows of sporadic residential development along the highways. The application site itself is not listed and does not lie within a Conservation Area or an area of special residential character although the nearby Luxted Farm is Grade II listed.



Figure 1. Site location plan.



Photo 1 Existing rear elevation.

3. PROPOSAL

3.1 Planning permission is sought for erection of single storey front extension to existing dwelling.

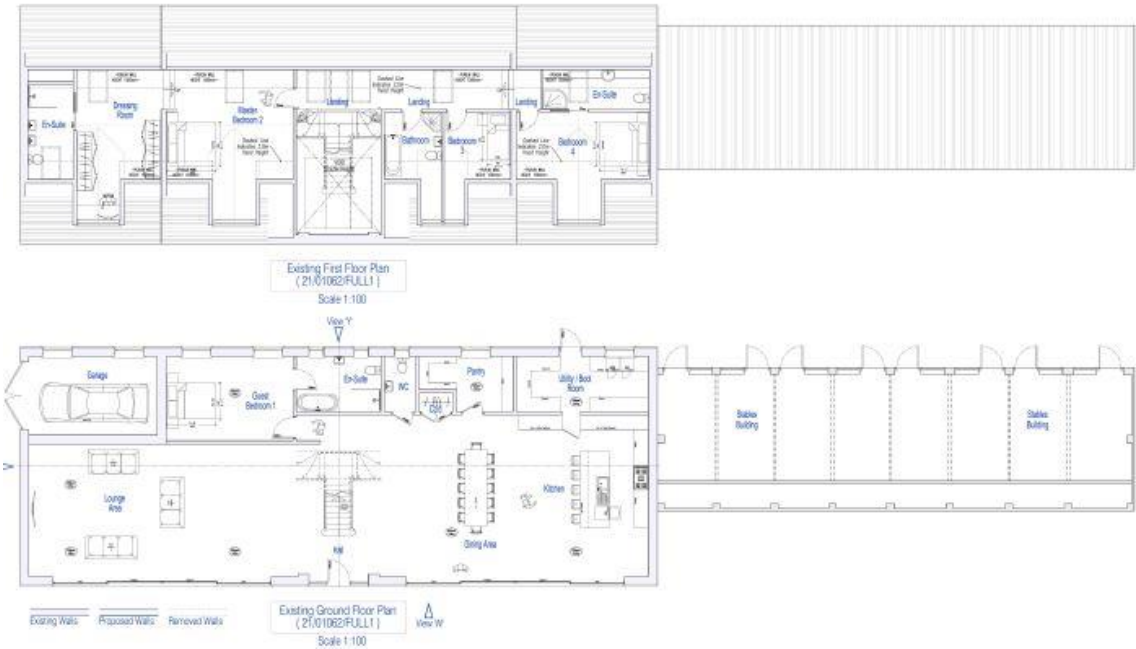


Figure 2. Existing floor plans.

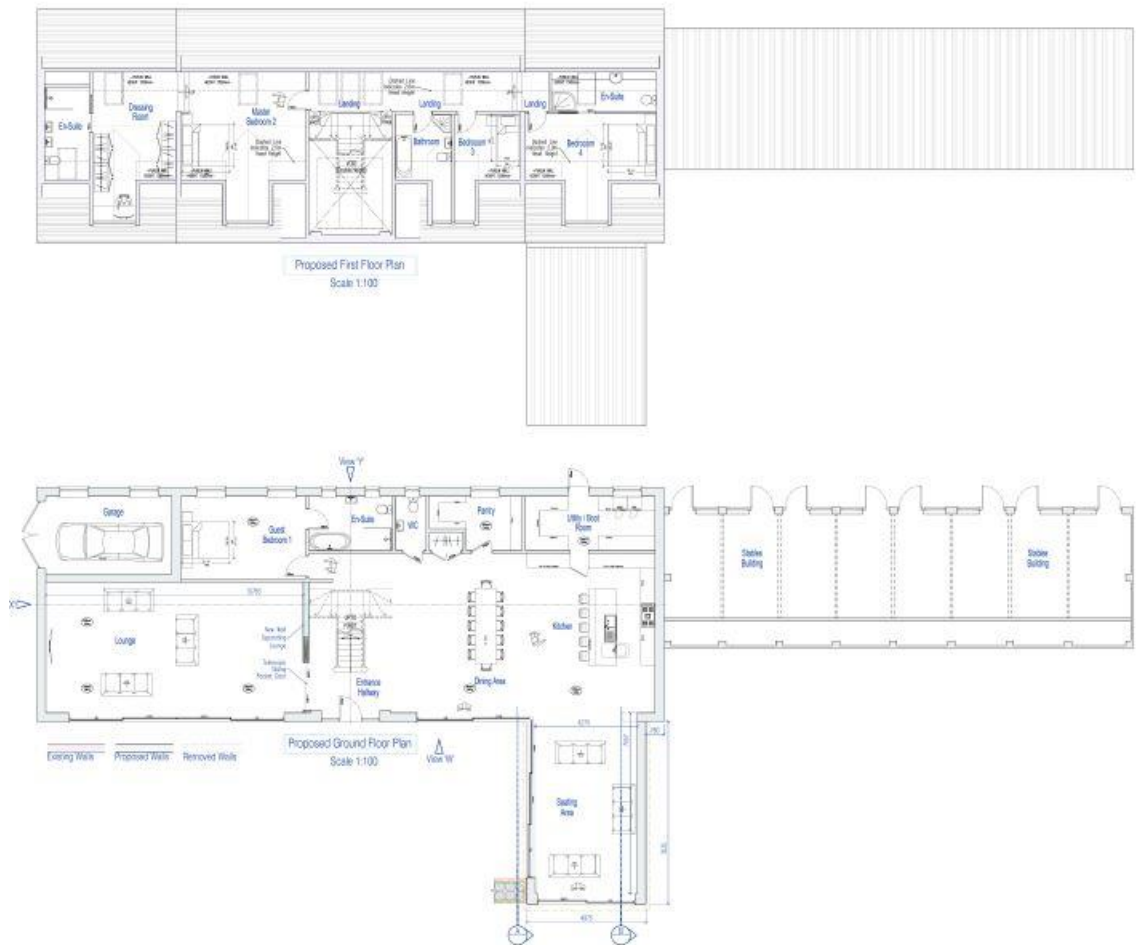


Figure 3. Proposed floor plans.



Figure 4. Existing and proposed elevations.

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history relating to the application site is summarised as follows:

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, location and siting, external appearance under Class Q of Part 3 of schedule 2 of the GPDO 2015) was approved on 15 October 2018.

19/00509/FULL1 – 4 dormer extensions and elevational alterations to include enlarged doors, glazed roof panels and alterations to windows was approved on 13.06.2019.

21/01062/FULL1 – Rebuild and restoration of barn, erection of dormer windows and fenestration alterations; including enlarged doors, glazed roof panels and alterations to windows, in connection with change of use from agricultural barn to dwellinghouse and integral garage (RETROSPECTIVE) was approved on 27.05.2022 subject to conditions including the following, and it is understood that this development has been constructed:

13. 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, extension, enlargement or alteration permitted by Class A, AA, B, C, D, 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 the interests of preserving the openness of the Green Belt and protecting the character of the area and residential amenity of neighbouring properties in accordance with Policies 37 and 49 of the Bromley Local Plan 2019.

5. CONSULTATION SUMMARY

A) Statutory

n/a

B) Local Groups

No comments received

C) Adjoining Occupiers

No comments received

6. POLICIES AND GUIDANCE

National Policy Framework 2019

NPPG

The London Plan 2021

D1 London's form, character and capacity for growth

D4 Delivering good design

G2 London's Green Belt

Mayor Supplementary Guidance

Housing Design Standards LPG
Optimising Site Capacity: A Design-led Approach LPG
The control of dust and emissions in construction SPG
Urban greening factor LPG (February 2023)

Bromley Local Plan 2019

6 Residential Extensions
8 Side Space
30 Parking
37 General Design of Development
49 Green Belt
51 Dwellings in the Green Belt or on Metropolitan Open Land
69 Development and Nature Conservation Sites
73 Development and Trees

Bromley Supplementary Guidance

Urban Design Supplementary Planning Document (Bromley, 2023)

7. ASSESSMENT

7.1 Metropolitan Green Belt – Acceptable

- 7.1.1 The London Plan and Bromley Local Plan Policies confirm that Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt and advise that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. As such MOL is treated as if it were Green Belt and references in this assessment to Green Belt are to be interpreted as MOL.
- 7.1.2 NPPF paragraphs 142–156 set out the Government’s intention for Green Belt. The Government attaches great importance to Green Belts. 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.
- 7.1.3 NPPF paragraph 143 states that 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.
- 7.1.4 NPPF paragraphs 152–156 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.

- 7.1.5 Therefore, the main issue in relation to the Green Belt is whether the proposal would represent inappropriate development and if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.
- 7.1.6 Inappropriate development in the Green Belt is harmful by definition (in principle) and should not be approved except in very special circumstances. Therefore, the harm to the Green Belt in principle remains even if there is no further harm to openness arising from the development. Local planning authorities should give substantial weight to any harm to the Green Belt. “Very special circumstances” (VSCs) will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. VSCs by their nature will also often be unique to the application site and will not be capable of being easily repeated as the effect of such inappropriate development would be cumulatively harmful throughout the Green Belt area.
- 7.1.7 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form, it has been described by Appeal Inspectors as an “absence of development”, and therefore any new development, built form or a more intensive use of land in the Green Belt is likely to have a greater effect on openness than the current situation. Openness takes into account the effect of built form on the otherwise open landscape and therefore the three dimensional mass of a building, as compared with a two dimensional form of a flat surface, is a critical element of this part of the assessment. This may be concluded to compromise openness and conflict with the purpose(s) of including land within Green Belts; in this case assisting in safeguarding the countryside from encroachment. With regard to “openness” the Supreme Court has also recently ruled, clarifying that “matters relevant to openness in any particular case are a matter of planning judgement, not law” and that “visual effects” are a relevant material consideration. However as mentioned above, even if there is absence of harm to openness, there may still be harm in principle to the Green Belt by reason of inappropriate development. Furthermore, it is established in the assessment of the impact of new development on the openness of the Green Belt that the land in question does not need to be prominent or visible from the public realm; as the mere fact that the development exists in the Green Belt at all is inherently harmful to openness as compared with the same land that is absent of the proposed development in question. *Notwithstanding this, however, with regard to ‘openness’, the Supreme Court has ruled that ‘matters relevant to openness in any particular case are a matter of planning judgement, not law and that “visual effects” are a relevant “material consideration”.*
- 7.1.8 The London Plan Policy G2 and the Bromley Local Plan Policy 49 provide the same level of protection to Green Belt as the NPPF.

7.1.9 Whether the proposal would represent inappropriate development in the Green Belt

7.1.10 NPPF paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- 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;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.1.11 Local Plan Policy 51 deals specifically with extensions or alterations to dwellings in the Green Belt. The policy states that proposals will only be permitted if:

- (i) the net increase in the floor area over that of the original dwelling house 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.

7.1.12 NPPF paragraph 155 provides for certain other forms of development which are also not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.1.13 Analysis

7.1.14 For the purposes of the Green Belt the "original dwelling" is as it stood from July 1948. As mentioned in the planning history, and in the Council's previous reports thereto, the dwellinghouse was recently constructed following the planning permission 21/01062/FULL1 dated 27.05.2022, and for the purposes of the Green Belt this constitutes the original dwellinghouse. According to the planning permission the size of the original dwelling is set out below. Condition 13 restricted the permitted development rights to extend the dwelling under the GPDO and therefore any new extension would require express planning consent and the Council's assessment however this would be assessed on its own merits and in relation to the Development Plan Policies and other material considerations.

7.1.15 There is some difference between the Applicant and the Council's figures of the size of the dwelling and proposed extension although they are not significant or determinative.

7.1.16 The proposal to extend the existing/original building and the size comparison of the existing/original dwelling and the proposed extension shown in the following table:

Built form	Floor space measured externally (sqm)	Volume (cubm)
Existing/original dwelling	406	1309
Proposed extension	38	115
Difference	+38	+115
Difference %	+9.4%	+8.8%

7.1.17 According to the figures, the proposed extension would be relatively modest in footprint and floor area as compared with the existing original dwellinghouse. Visually the proposed extension would be single storey in height with a modest monopitched (almost flat) roof which would limit its physical form/mass and three dimensional volume. Indeed, single storey mass has been found in planning and appeal decisions to have less prominence and visual impact on the openness of the Green Belt than a building of more than one storey. For these reasons, the proposed addition would not appear excessive in size in relation to the existing dwelling and would not lead to a statistically or visually disproportionate addition.

7.1.18 Summary

7.1.19 In summary, the built form of the proposal would not comprise inappropriate development in the Green Belt by definition, it would not have an actually harmful effect on the visual openness of the Green Belt, and as it would not encroach significantly into the countryside it would not conflict with the purposes of including land within the Green Belt and would be contrary to the London Plan Policy G2, Bromley Local Plan Policies 49 and 51 and NPPF paragraph 154.

7.2 Design and landscaping – Acceptable

- 7.2.1 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.
- 7.2.2 NPPF paragraph 131 states that the creation of high quality, beautiful and sustainable 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.
- 7.2.3 NPPF paragraph 135 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.
- 7.2.4 Bromley Local Plan Policy 73 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.2.5 Bromley Local Plan Policy 77 states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 7.2.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.7 London Plan Policy D3 relates to ‘Optimising site capacity through the design-led approach’ and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and

architectural features that contribute towards the local character. Development Plan policies related to density and development capacity are intended to “optimise” development on a site and not necessarily to “maximise” development on a site. A numerical calculation of density may be one consideration and it is also necessary to consider the quality of the development in relation to the surrounding context.

- 7.2.8 London Plan Policy D4 outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.2.9 Design is considered separately from the Green Belt although it can have inherent similarities. In this case, the proposed extension would remain subservient in building footprint, size, scale and mass to the constructed dwellinghouse and would not appear to overdevelop the plot, appear cramped, or the dominate the dwellinghouse. The proposed design would be more modern than the traditional design of the dwelling however this would not in itself be unacceptable, and as the dwelling is separate from its neighbours and not viewed in context to a conventional street scene, and the proposed extension would be on the opposite side and would not be viewed in context its neighbours it would not detract from a prevailing local character or setting. Notwithstanding this, the proposal would have a large flat roofed area, albeit at a shallow monopitched angle and the use of that roof as a balcony or terrace would cause it to appear more prominent in the locality detracting from the appearance of the area and this could be managed by planning condition.

7.3 Heritage Assets – Acceptable

- 7.3.1 NPPF Section 16 sets out the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.
- 7.3.2 NPPF paragraph 205 states that *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 7.3.3 *NPPF paragraph 206 goes on to say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*
- a) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
 - b) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

- 7.3.4 NPPF paragraph 207 states that *where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
- a) *the nature of the heritage asset prevents all reasonable uses of the site; and*
 - b) *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
 - c) *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
 - d) *the harm or loss is outweighed by the benefit of bringing the site back into use.”*
- 7.3.5 NPPF paragraphs 208-209 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.3.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 7.3.7 The application site lies close to and was formerly connected with the Grade II listed building Luxted Farm. The application site and the formation of the new dwellinghouse is now functionally and legally unconnected with the listed building, although in visual terms it may physically still appear to be connected with its setting. Nonetheless, the design of the dwellinghouse remains in keeping and consistent with its former use as a barn. The proposed extension would not appear to be excessive in size and scale in relation to the existing building and although it would have a more modern design, overall this would not necessarily detract from the setting of the listed building.

7.4 Neighbouring amenity – Acceptable

- 7.4.1 Bromley Local Plan Policies 4, 6 and 37 seek 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.
- 7.4.2 The proposed ground floor extension would be well separated from the immediately neighbouring properties and positioned on the southern side of the building it would not be overly apparent or prominent from them and given its location and single

storey height it would not appear to lead to additionally significant overbearing effect, overshadowing or overlooking to neighbouring properties.

7.5 Transport – Acceptable

- 7.5.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.5.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. NPPF paragraph 109 requires significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 7.5.3 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.
- 7.5.4 The proposed extension would not have additional highway implications.

7.6 Climate change, sustainable construction and energy saving – Acceptable

- 7.6.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and the Bromley Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 7.6.2 The London Plan encourages the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. London Plan Policy SI2 Minimising greenhouse gas emissions states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be Clean: supply energy efficiently, Be Green: use renewable energy and Be Seen: monitor those renewable energy measures.
- 7.6.3 Bromley Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.
- 7.6.4 The proposed new building would be of a modern construction; offering energy efficiency measures, and as the proposal would comprehensively redevelop this part of the site it would also offer the opportunity to incorporate renewable energy

generating technology such as ground source or air source heat pumps and/or solar panels thereby contributing towards carbon dioxide emissions savings. The proposal could also include a green roof and/or rainwater harvesting to further contribute towards water efficiency measures. Although energy efficiency and renewable technology is not a requirement for a non-major development of this size/scale it would not be discouraged.

7.7 Green Infrastructure/Natural Environment – Acceptable

- 7.7.1 NPPF paragraph 180 outlines that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.7.2 Government guidance encourages Local Planning Authorities to consider the full impact of a proposal on protected species before taking a decision on a planning application. The case of *Bagshaw v Wyre Borough Council* [2014] EWHC 508) also highlights the importance of ecological assessment surveys to establish the extent of threat to protected species before taking a planning application decision. Garden land is often important for biodiversity and there is potential for the site to accommodate habitat for protected species, including commuting and foraging bats, including the dwellinghouse.
- 7.7.3 Although the site is not a designated site for nature conservation it lies opposite open rural Green Belt land and, notwithstanding the recent construction of the new dwellinghouse, it could nonetheless potentially offer suitable habitat and/or commuting/foraging habitat and the development should be undertaken in accordance with the Natural England precautionary approach. The application site and proposed development would offer the opportunity for biodiversity enhancements including new planting and landscaping, which should be of native species, and this could be provided in an ecology and biodiversity enhancement plan as part of a planning condition.
- 7.7.4 Biodiversity Net Gain (BNG)
- 7.7.5 The application site and proposal is a householder development and is not liable for BNG.

8. CONCLUSION

- 8.1 Having regard to the above it is considered that the development in the manner proposed is acceptable in that it would not comprise inappropriate development in the Green Belt, it would not impact detrimentally on the character of the area, it would not result in a significant loss of amenity to local residents nor other adverse impacts.
- 8.2 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:

- **Standard Time Limit**
- **Standard permission in accordance with the approved details**
- **Submission of biodiversity enhancements**
- **External materials in accordance with the approved details**
- **No roof terrace/balcony**

And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.