

SECTION '2' – Applications meriting special consideration

**Application No :** 10/03467/FULL1

**Ward:**  
**Cray Valley East**

**Address :** Marie Louise Barn Cockmannings Lane  
Orpington BR5 4FF

**OS Grid Ref:** E: 548231 N: 166743

**Applicant :** Fernham Homes

**Objections : NO**

**Description of Development:**

Detached single garage and turning head

Key designations:

Green Belt

**Proposal**

The proposed garage will be sited approximately 4m to the south of the host property – a detached barn conversion (permitted under ref. 09/02841) – and incorporate a footprint measuring approximately 6.0m x 3.5m (w). It will rise to a maximum height of 3.5m. The walls will incorporate a timber boarding finish whilst clay tiles are to be used for the roof.

It is proposed to demolish half a double garage at the neighbouring at Cockmannings Farm to offset against the single garage proposed at Marie Louise Barn in an attempt to justify the application with regard to Green Belt policy.

**Location**

The application site is situated within the Metropolitan Green Belt along the northern end of Cockmannings Lane. This corner property is bounded by Cockmannings Road along its northern boundary and Cockmannings Lane along its western boundary.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

**Comments from Consultees**

Not applicable

## **Planning Considerations**

Policies BE1 (design and layout of new development), G1 (The Green Belt) and G4 of the Unitary Development Plan (dwellings in the Green Belt) apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design and to preserve the character and openness of the Green Belt in respect of residential development.

## **Planning History**

Under ref. 09/02841, planning permission was granted for elevational alterations and for the conversion of an existing barn into a three bedroom dwelling with associated car parking (work has commenced on this conversion). Condition 7 of the Decision Notice removed Permitted Development rights in order to prevent an overdevelopment of the site in accordance with Green Belt policy.

Under ref. 10/00711 a detached double garage block and turning head proposed within a similar position was refused on the following grounds:

The proposed garage building constitutes inappropriate development within the Green Belt and in the absence of very special circumstances would be contrary to Policies G1 and G4 of the Unitary Development Plan.

The proposed garage building, by reason of its size and location, would be harmful to the visual amenity and openness of the area and would thereby be contrary to Policies G1, G4 and BE1 of the Unitary Development Plan.

More recently, under refs.10/02690 and 10/02691, tandem applications concerning the erection of detached garages on the site were refused on similar grounds to the above scheme. Whilst the applicant offered to demolish half a double garage at the neighbouring Cockmannings Farm to offset against the single garage proposed at Marie Louise Barn the planning status of the existing garage was questioned and, as such, this was not considered to be adequate justification.

## **Conclusions**

The main consideration in this case relates to the impact of the development with regard to the character and openness of the Green Belt.

Since the dwelling is a converted building in the Green Belt, and the proposed garage is within 5 metres of the dwelling, the garage is regarded as an extension to the dwelling which is generally not permitted by Policy G4 since it would be inappropriate by definition. The question is therefore whether any very circumstances have been demonstrated which warrant the setting aside of this policy.

As noted above under refs.10/02690 and 10/02691, tandem applications concerning the erection of detached garages on the site were refused on similar

grounds to the above scheme. Whilst the applicant offered to demolish half a double garage at the neighbouring Cockmannings Farm to offset against the single garage proposed at Marie Louise Barn the status of the existing garage was unclear and, as such, this was not considered to be adequate justification. Following the submission of additional information, it has been demonstrated that the existing garage block is in fact lawful and taking this into account, and following the re-siting of the proposed garage to a more central position closer to the host dwelling, the applicant considers that the previous refusal grounds have been overcome. The proposed garage will appear more as an existing cluster of development and will appear less prominent within the site.

However, the Council does not normally accept 'trade-offs' for Green Belt floorspace, in particular where the building in question is not located within the application site. It would therefore be unusual to accept such an argument as a very special circumstance and a legal agreement under Section 106 of the Planning Act would be required to ensure the removal of the garage as it lies outside the application site. Should this be considered to constitute a very special circumstance to warrant an exception to Green Belt policy, Members would also need to be content that the proposed garage would not harm the openness of character of the Green Belt. Members will also need to consider whether the changes to the location of the proposed garage and the consequent reduction in hardstanding are sufficient to overcome the previous grounds of refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02841, 10/00711, 10/02690, 10/02691 and 10/03467, excluding exempt information.

### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |   |                 |  |
|---|-----------------|--|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested:   |
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years   |
| 2 | ACC07<br>ACC07R | Materials as set out in application<br>Reason C07  |
| 3 |                 | Prior to work commencing on the proposed detached garage, part of the existing double garage at Cockmannings Farm (as shown on drawing ref. 3488-PD103) shall be demolished, and all rubble removed from site. |

**Reason:** In the interest of the openness of the Green Belt and to comply with Policies G1 and G4 of the Unitary Development Plan.

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- |     |   |
|-----|---|
| BE1 | Design of New Development                             |
| G1  | Green Belt  |
| G4  | Extensions/Alterations to Dwellings in the Green Belt |

The development is considered satisfactory in relation to the following:

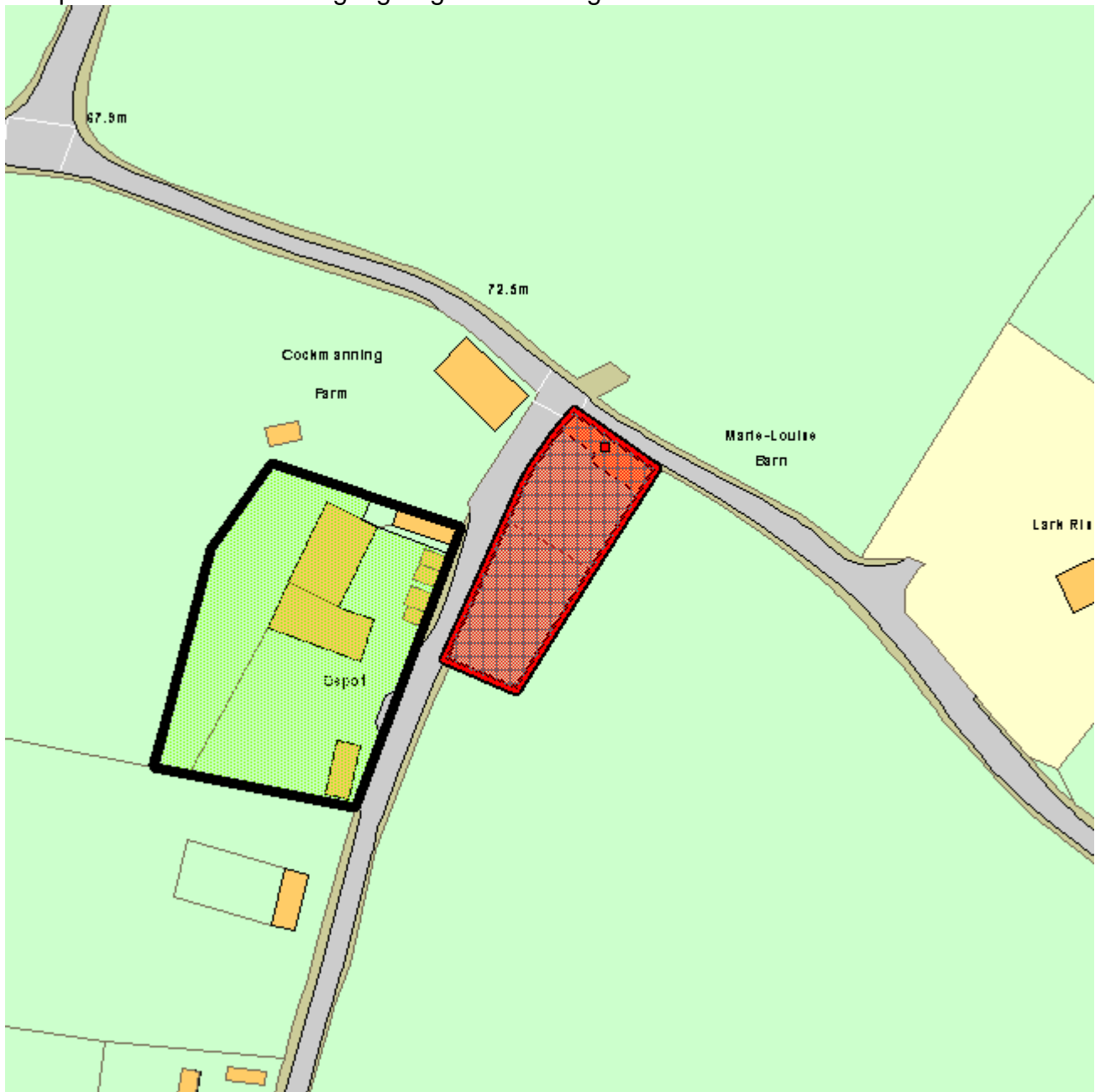
- (a) the character of the development in the surrounding area;
- (b) the impact of the development on the character and openness of the Green Belt

and having regard to all other matters raised.

D00003        If Members are minded to refuse planning permission the following grounds are suggested:

- 1        The proposed garage is inappropriate development and harmful to the visual amenities and openness of the Green Belt by reason of its size and siting, therefore contrary to Policies G4 and G1 of the Unitary Development Plan.

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Proposal: Detached single garage and turning head



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