

SECTION '2' – Applications meriting special consideration

**Application No :** 11/01713/FULL1

**Ward:**  
**Darwin**

**Address :** Fox And Hounds 311 Main Road Biggin Hill TN16 2HN

**OS Grid Ref:** E: 543187 N: 157863

**Applicant :** Mitchells And Butlers

**Objections :** YES

**Description of Development:**

Demolition of existing side extension, covered yard, store and garage and erection of a replacement single storey side extension; alterations to elevations to include installation of replacement 'French' style patio doors to South Elevation; creation of new service yard to include dry store and walk-in chiller/freezer; installation of new kitchen ventilation system; external works to include paved patios to front and side and ramp to front entrance.

Key designations:

Green Belt

**Proposal**

The proposal involves substantial alterations aimed at enhancing this public house to provide a more diverse food offer and diversify away from being a drinks led business. The main works involve:

- the demolition of an existing side extension, garage and store, and covered yard located to the southern side of the main building, and their replacement with a new single storey extension which will project approximately 6.4m beyond the main building
- creation of a new kitchen yard to the north of the main building to include dry store, walk-in chiller/freezer store and kitchen ventilation equipment
- creation of a ramped access to the main entrance and customer terraces to the front and side elevations of the building
- various internal alteration will also be carried out within the existing building and fenestration changes will be made to the ground floor southern elevation

**Location**

The application site is located within the Metropolitan Green Belt and is situated along the eastern side of Main Road. The site is surrounded to the north and south

by dense clusters of trees whilst the surrounding areas to the north, south and east are undeveloped and largely open in character; the facing side of the road is characterised by a long line of ribbon development. The existing premises are dominated by a substantial two storey building fronting Main Road which appears to have been extended intermittently.

### **Comments from Local Residents**

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

- plans smarten up the garage side of the pub
- preferable that the alfresco dining area is removed from the front of the building to reduce noise
- unclear how far alfresco area will extend into the forecourt

### **Comments from Consultees**

No technical Highways or Environmental Health objections raised.

### **Planning Considerations**

Policies BE1 (Design of New Development), G1 (The Green Belt), S9 (Food & Drink Premises), NE7 (Development and Trees), and T3 (Parking) and national Planning Policy Guidance 2 – “Green Belts” apply to the development and should be given due consideration.

No objection has been raised by the Trees officer subject to conditions.

### **Planning History**

The original pub building is thought to have been constructed circa 1900. In the intervening years, the original structure has been subject to a number of alterations and various additions. Most recently, under ref. 08/01136 planning permission was granted for a covered shelter.

### **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.

Under Policy G1, the construction of new buildings on land falling within the Green Belt is considered inappropriate and by definition harmful to the Green Belt unless for specified purposes such as agriculture. It is for the applicant to show what very special circumstances exist to warrant permission being granted. Paragraph 3.2 of PPG2 states that “very special circumstances to justify inappropriate development will not exist unless the harm caused by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.” The applicant has

raised various points arguing in favour of very special circumstances which are considered in the following paragraphs.

Within the supporting statement it is argued that the harm caused to the Green Belt will be outweighed by other considerations; these include the net decrease in built footprint, the reduction in the amount of built development that can be viewed from Main Road, the design of the extension which will be more in character and appearance of the public house than are the existing blocks to be demolished, and the removal of existing structures, including an enclosed yard and play equipment.

In terms of floor area, which constitutes an important Green Belt consideration, the cumulative floor area of the proposed side extension, chiller/freezer and dry room will be similar to that of the demolished structures. Based on floor area calculations there will be no net increase in floor area. Furthermore, it is not considered that the outdoor dining area will undermine the openness of the site. Whilst the proposed side extension will form a prominent addition to the existing building, given the improvement in the overall appearance in the building, this development is on balance considered acceptable. In addition, its roof height has also been reduced following the submission of amended plans. These grounds are considered to constitute very special circumstances so as to justify this scheme in Green Belt terms.

Turning to residential amenity issues, concerns have been raised in relation to the provision of an alfresco dining area to the front of the building. Although no enclosed seating area is currently provided, a number of benches have been placed to the front and side to accommodate outdoor drinking/dining for which planning permission would not normally be required. Whilst it is noted that there are a number of residential properties located along the opposite side, occupants of these properties no doubt experience noise and disturbance from the existing evening and late night uses as would be expected from an established use of this nature. It is not considered that the proposal would result in a material increase in noise and disturbance so significant over and above that which already exists and is to be expected in this particular location to warrant refusal. It is also noted that the refurbished premises will increase the food offer and diversify away from being a drink led business which may influence the nature of patronage.

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 significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the Green Belt, and very special circumstances have been demonstrated.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/01713, excluding exempt information.

as amended by documents received on 19.07.2011

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

1	ACA01	Commencement of development within 3 yrs
	ACA01R	A01 Reason 3 years
2	ACB19	Trees - App'ment of Arboricultural Super
	ACB19R	Reason B19
3	ACC03	Details of windows
	ACC03R	Reason C03
4	ACC07	Materials as set out in application
	ACC07R	Reason C07
5	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
6	ACH27	Arrangements for construction period
	ACH27R	Reason H27

**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
- S9 Food and Drink Premises
- NE7 Development and Trees
- T3 Parking

The development is considered satisfactory in relation to the following:

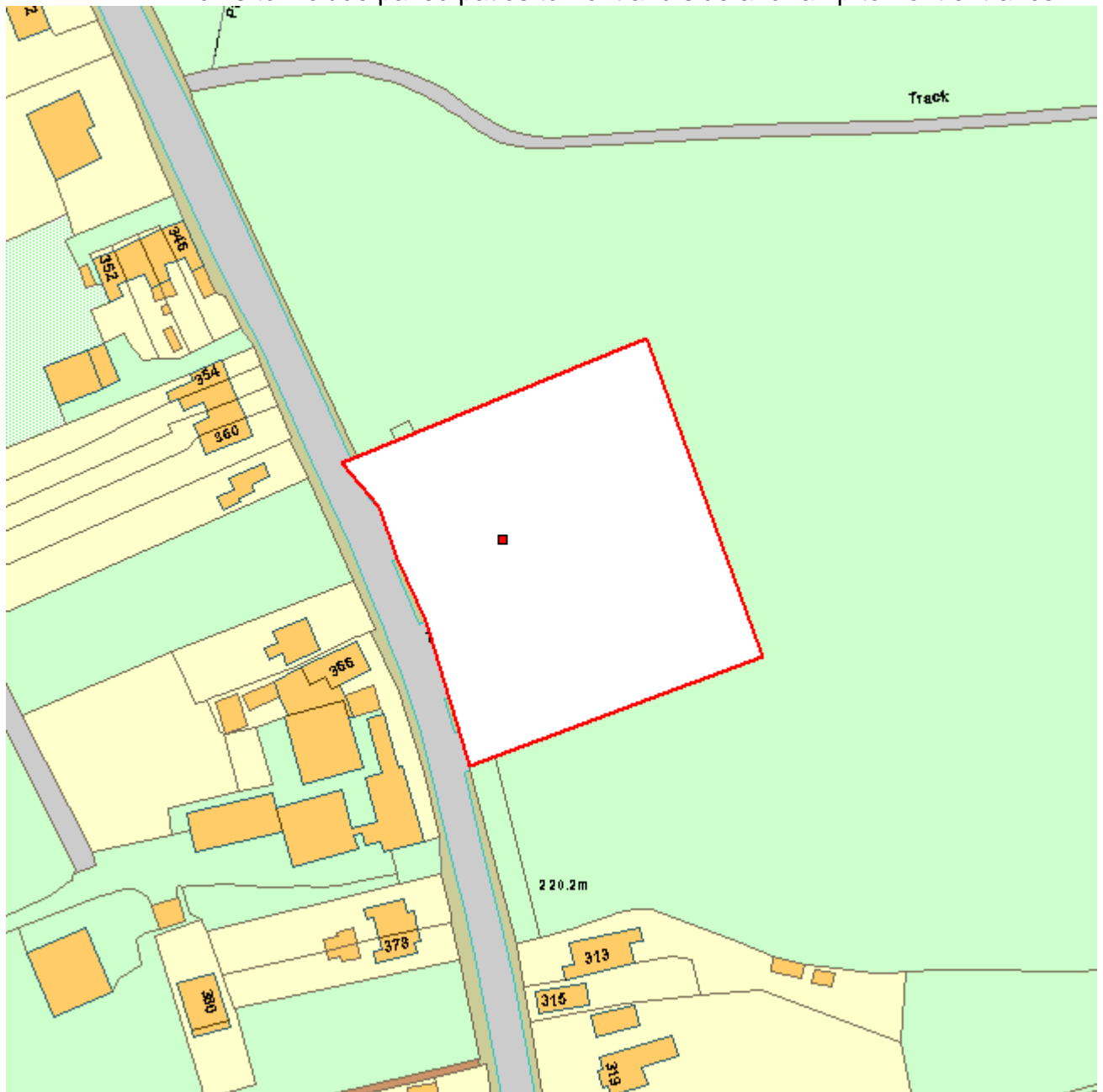
- (a) the character of the development in the surrounding area;
- (b) the impact of the development on the character and openness of the Green Belt

and having regard to all other matters raised.

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