

**TOWN AND COUNTRY PLANNING ACT 1990 – APPLICATION FOR
PLANNING PERMISSION**

Site at

THISELDOME FARM TATSFIELD LANE WESTERHAM TN16 2EQ

Proposal

**DETACHED DWELLING WITH INTEGRAL GARAGE (REDESIGN OF
20/02018/FULL1)**

**PLANNING STATEMENT
DESIGN AND ACCESS STATEMENT
ACCESSIBLE AND ADAPTABLE HOMES STATEMENT**



January 2024

1. INTRODUCTION

Purpose of Statement

1.1 This statement relates to a planning application for a redesign of the self-build dwelling permitted under planning permission DC/20/02018/FULL1 dated 23rd January 2023. It provides the design and access information for the application and considers the extent to which the proposal complies or not with the terms of S38(6) of the Planning and Compulsory Purchase Act 2004. This part of the Act states that to the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

1.2 The National Planning Policy Framework Dec. 2023 stresses the importance of having a planning system that is genuinely plan-led. It states that where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at para.11 of the NPPF.

1.3 Where the development plan is absent, silent or the relevant policies are out of date, para. 11 also requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

Application Type

1.4 This is a full planning application to replace the permission granted approximately one year ago.

1.5 There is an extant S106 Agreement in force that ensures that a separate garage belonging to a part-implemented permission for the replacement dwelling is not built, as the garaging is now integral. This S106 restriction needs to be maintained, as in the redesign the garaging is staying within the dwelling.

Application Documents (see also separate list)

- The application comprises 1APP form and ownership certificate.
- Statutory Fee
- CIL Form for Self-Build Proposal
- 1115.001 Site Location Plan and Layout Block Plan
- 1115.002 Floor Plans
- 1115.003 Sections
- 1115.004 Proposed Elevations

- TC.TSP.1814.01 Tree Survey Plan, Silvanarb Arboricultural Consultants
- Arboricultural Report, Silvanarb Arboricultural Consultants
- Planning, Design and Access Statement (this report) January 2024

Thiseldome Farm Cottage – Site Description

1.6 Thiseldome Farm is located on the north side of Tatsfield Lane just inside Bromley Council's administrative area. The lane runs west from the A233 at Hawley's Corner, to Tatsfield. From the A233 to the farm entrance the lane runs between strong hedgerows containing mature trees and has a series of bends, on which the site for the permitted and proposed redesigned replacement dwelling is situated. Further to the west the lane is more open before entering another enclosed stretch.

1.7 Thiseldome Farm is family-owned by Mr Oliver Smith. It is an all grass holding of approximately 49 hectares (120 acres) purchased in 2007 and with rented land the total productive area is approximately 255ha (630 acres). There is a current application for a hay barn and machinery store – see planning history below.

Relevant Planning History

SE/85/1926 Replacement dwelling, permitted Feb 1986 (commenced, not completed).

06/04589 detached chalet bungalow, permitted 2006 (lapsed).

14/05020 detached chalet bungalow, permitted 2014 (lapsed).

17/00934/RECON Variation of Condition 2 of 14/05020 to relocate garage to adjoin dwelling (minor material amendment), no further action 30th March 2022.

DC/17/04138/AGRIC proposed erection of barn for use as storage (prior approval under agricultural permitted development), refused 28.09.17.

DC/18/01894/FULL1 Erection of Hay Barn, permitted 25th July 2018, completed.

DC/20/02018/FULL1 Erection of detached chalet bungalow and attached garage. Permitted 25th January 2023.

DC/23/04824/FULL1 Erection of hay barn and agricultural machinery store. Submitted 20.12.23. Undetermined as at current date.

History Summary

1.8 The planning history relevant to the application site can be summarised as follows:

1.9 Permission was originally granted by Sevenoaks District Council under reference SE/85/1906 (in February 1986) for a replacement dwelling. The Local Authority boundary changed after this and the site now falls within the London Borough of Bromley. The originally approved dwelling was not completed, but the development was started and is therefore an extant permission, which was agreed by LBB when the 2006 planning application was submitted.

1.10 In 2006, permission was granted under reference 06/04589 for a detached chalet bungalow and detached garage with associated access. This approval was not implemented. In 2014, a further application was submitted under 14/05020 for a scheme identical to that. Neither were implemented, leaving the original commencement intact.

1.11 A further application was submitted (17/00934) that sought to alter the previously approved scheme by attaching the garage to the host dwellinghouse. It was resolved to grant permission subject to a S106 legal agreement to clarify that the detached garage structure approved as part of the original applications, would not be built as well, i.e. to prevent overdevelopment within the site due to the Green Belt designation of the land. However, the legal agreement appears to have not been completed and the decision on this application was not issued.

1.12 Application 20/02018/FULL1 which is for the same scheme as was resolved to be approved on the 2017 application, was granted planning permission on 25th January 2023 following signing of the relevant S106 Agreement.

1.13 Other applications on land in the applicant's ownership more recently relate to agriculture.

2. THE PROPOSAL - DESIGN AND ACCESS STATEMENT

Purpose

2.1 The proposal is for a further redesign of the dwelling within its currently permitted volume and height, but with better use of floorspace. As a self-build project, the applicant has prepared the scheme to suit household circumstances.

Dimensions

2.2 The proposed dwelling is 24.69m long inclusive of the garage (of 4.93m). It has a shallow plan with a front to back depth of 6.35m.

2.3 The height to ridge is 6.13m. The height to the frontage eaves is 2.26m and to rear eaves, 4.92m. The front pitch is 45 degrees and rear 15 degrees. The 2023 permission ridge height was also 6.13m.

2.4 The overall footprint including garage now proposed, is 156.78 m². This is reduced from the 2023 planning permission, which has a footprint of 182.35 m².

Floor Areas

2.5 The proposed gross external floor area is 241m² inclusive of both floors and the integral garage.

2.6 The proposed gross internal floor area is 204.91m².

Built Volume

2.7 The proposed volume of building is 798m³. The volume of the 2023 permission is 800m³.

Room Sizes

2.8 For assessment against the 2015 Government Technical Standards and London Plan SPG: there is a proposed Main Room 56.06m², Bed 1 19.44m², Bed 2 15.3m², Bed 3 12.06m² (Playroom 19.8m²). Study and bathrooms/circulation not relevant.

2.9 Room heights are Ground Floor 2.4m and First Floor 2.3m.

Curtilage

2.10 The domestic curtilage remains as per the implemented 1985 scheme, which used the former garden. This curtilage was retained in the 2023 permission (and was also used in previous proposals).

Siting

2.11 The redesigned self-build dwelling is in the form of a long cottage. Where it is closest to the Tatsfield Lane frontage it would be 13.6m further away from the lane than the 2023 planning permission. Due to its L-shaped plan that permission presents the cottage as close as 2.1m from the public road.

2.12 The back wall is to line up with the back wall of the part implemented 1985 permission but this is 1m further away from the back (north) boundary of the

curtilage in comparison with the 2023 permission (the simpler rectangular cottage floor plan allows this).

2.13 The reasons for this siting and the implications of doing so are: -

- a) To achieve better internal space utilisation by designing in cottage form as opposed to an L-shaped plan form. The frontage is single storey with dormers. The rear is two storeys under a shallow roof. (This allows a corridor, so all the bedrooms are upstairs rather than parents and one child upstairs with the other downstairs). The same volume can thus be used more efficiently. The footprint reduces in comparison with the Jan 2023 permission.
- b) To move the cottage back from the public highway in comparison with the 2023 permission. That consent has only a 900mm hedge and from 2.1m to 4m distance between the building and the lane. It would be more prominent as an urbanising feature in this otherwise hedge bound and winding section of Tatsfield Lane than the redesign now proposed. Due to the bends in the lane and being further away from it, visibility of the proposed dwelling will be limited to a short distance of lane only.
- c) Although moved back from the public highway, it will still be less close to open fields by a small margin of 1m on the north side.

Design and Materials

2.14 The frontage is single storey with dormers. The rear is two storeys under a shallow roof.

2.15 The proposal is for brick at ground floor on all elevations. At the rear the first floor is tiled, with hanging tiles to match the roof tiles and dormer tiles of the front and end elevations.

2.16 The driveway frontage is proposed to be in brindle brick paviours with a line of granite setts on the edge of the highway.

Access and Parking

2.17 By vehicle or on foot access is from the permitted access on Tatsfield Lane. Parking is as permitted in the previous scheme.

3. PLANNING CONSIDERATIONS

Main Issues

3.1 The main issues to be considered in respect of this application are, as before: -

- Planning History
- Principle
- Design
- Standard of Accommodation
- Highways
- Neighbouring Amenity

Planning History

3.2 The application follows previous applications on the site which followed the initial granting of permission for a new dwelling by Sevenoaks District Council before the Local Authority boundaries were altered. That approval was implemented but not substantially built out, so it remains extant. Permission was then granted under reference 06/04589 for a detached chalet bungalow and detached garage with associated access. This approval was not implemented. The 2014 application sought and gained approval for an identical scheme - basically it renewed the expired 2006 permission to replace the house.

3.3 A further application was submitted under ref 17/00934/RECON which sought to alter the previously approved scheme. This relocated the garage attaching it to the host dwellinghouse. The northern flank elevation facing open fields was moved slightly further northwards on the site whilst retaining a separation of 1m to the boundary (all other matters were identical to the previous permission). This application was resolved to be granted subject to a S106 legal agreement, to ensure the detached 4-car garage, approved as part of the original applications, would not be built if the attached garage scheme is implemented. The purpose is to prevent overdevelopment within the site due to the Green Belt designation of the land. The resolution to approve lapsed.

3.4 The January 2023 permission ref 20/02018/FULL1 is for a scheme identical to the 'resolution to approve' scheme under ref: 17/00934/RECON, aside from the addition of a 2m x 1m x 1.5m brick-built store with wooden opening doors for storage of refuse and recycling. The S106 Agreement is in place.

3.5 The present application retains the integral garage but seeks to change the plan form from an L-shape to a long cottage and to set it back well within the existing garden but also slightly further away from the back (field) fence. This can be achieved by its linear form.

Principle

3.6 Having regard to the part implemented permission and the recent extant permission, the completion of a dwelling at this site is acceptable in principle. Under the Self and Custom Build Action Plan policy paper 2021 the government is committed to increasing the number of self and custom build homes and to establish it as a mainstream option for people to choose to get on the housing ladder or when moving home.

3.7 There is no issue as regards the 5-year supply of available housing land save that assuming it is still as last agreed at committee on 2nd November 2021, the presumption in favour of sustainable development will still apply. In accordance with NPPF paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, permission should be granted unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

3.8 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. To deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This application includes the delivery of one additional dwelling and would represent a minor contribution to the supply of housing within the Borough. The standard of accommodation is also better than that approved as all bedrooms are at first floor.

Green Belt

3.9 The NPPF sets out the Government's intention for Green Belt. 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. Paragraph 154 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, as stated in regard to the 2023 permission, 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.

3.10 In green belt terms the current application compares with the scheme approved in January 2023 under 20/02018/FULL1 in the following respects: -

- a) There are no additions to the height or volume of the house. The former is the same and the latter is 798m³ as against the approved 800m³.
- b) The layout is changed from an L-shape dwelling to a shallow plan linear cottage. The footprint is reduced compared with the 2023 approval.
- c) The front (lane) elevation remains as a chalet with dormers, but the rear walls come up higher and have a different roof pitch to the front. However, the siting is some 13m further away from the public highway. There will have a significantly reduced urbanising effect on this section of Tatsfield Lane and the openness of the green belt will be better preserved as a result.
- d) This does not involve siting closer to open fields on the north side of the garden as the cottage will be 1m further in from this boundary than the 2023 approval.

3.11 Given the scheme works within the same volume and height, with effective improvements to siting that preserve openness, this falls within the green belt exception of extensions avoiding disproportionate additions over and above the size of the original building.

3.12 Overall, a lower level of impact would occur to the openness and visual amenity of the Green Belt as that previously considered acceptable. Having regard to this and the planning history of the site / extant permission, it is considered that the development would not result in any unacceptable harm to the openness of the Green Belt.

3.13 As the site is within the Green Belt, the existing S106 Agreement must be repeated for any permission granted. This will ensure that only one of the garages would be built on the site to safeguard the openness and visual amenity of the Green Belt. Furthermore, as with the last approval conditions to restrict permitted development rights are also considered appropriate to protect the openness of the Green Belt.

Design

3.14 London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policies 6

and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high-quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy 77 seeks to safeguard the quality and character of the local landscape.

3.15 The design of the house in terms of its scale, footprint and external materials remains the same as that permitted in January 2023, and not dissimilar to that approved in 2006 and 2014. Therefore, it is considered that the current scheme would remain acceptable in terms of its design and would not result in any unacceptable harm to the character and visual amenities of the street scene through its appearance or the indicated choice of materials (subject to conditions). The appearance of this section of Tatsfield Lane will be improved by drawing the building away from the lane frontage, in support of Policy 77.

Standard of Accommodation

3.16 In March 2015 the Government published Technical Housing Standards in the form of nationally described space standards (NDSS). It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. Part 2 of the SPG sets out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements, to reflect the Government's NDSS.

3.17 The application proposes a three-bedroom unit set over two floors. The minimum space standard expected in the NDSS would be, for 6 persons, 102sqm. The proposed dwelling at 204.91m² GIA would thus provide adequate internal space. Noting there is playroom over the garage, if this were used as a bedroom the overall requirement of 124m² GIA would be met as well. The indicated shape, room size, height and layout of the rooms in the proposed building also meet the individual standards shown in the NDSS. The dwelling would also benefit from sufficient outdoor private amenity space. Overall, a sufficient standard of accommodation would be provided for future occupants.

3.18 Having regard to London Plan Policy 3.8 regarding accessible and adaptable homes for new build residential development, the new dwelling will be designed to meet the requirements of Building Regulation M4(2) Accessible & Adaptable Dwellings. Compliance with this requirement will be achieved through the building

regulation process and the design and the follow-up inspection that is necessary to ensure that access to and the use of the building complies with the approval.

Highways

3.19 There is no change to access and parking from the January 2023 planning permission. In that permission are conditions to ensure that the development acceptable, including those relating to parking, turning areas, hardstanding, visibility, refuse storage, construction management plan and highway drainage. Furthermore, no loose materials shall be used for the surface of the parking / turning area.

Neighbouring Amenity

3.10 Policy 37 of the BLP 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 proposed dwelling would be of a similar overall scale to that previously approved on the site and given its siting there would be a significant separation distance to other nearby properties. It is therefore considered that the proposed dwelling would not result in any detrimental impact by way of loss of light, outlook, visual amenity or privacy and the policy requirements of the Local Plan are fully met.

4. CONCLUSION

4.1 The applicant's redesign of this self-build house has advantages in terms of the standard of accommodation that can be achieved within the building volume previously approved. The main changes are the raising of the rear elevation and re-siting the building significantly further away from the lane. The height remains the same as approved. The cottage form is considered an appropriate response to the surroundings. In terms of protecting green belt openness and the local landscape of Tatsfield Lane the scheme represents an improvement.

4.2 Subject to the reimposition of the current S106 Agreement so it applies to this application, and to conditions similar to those imposed in January 2023, the application is commended to the Council for a positive decision.