

ET Planning

The demolition of an existing dwelling alongside 6 outbuildings associated with an existing commercial business (Class E Dog Kennels)

Client:

Mr and Mrs Willy

115B Tile Kiln Lane,

Bexley, DA5 2BD

The proposal is located within the Green Belt and this statement refers to the submissions compliance with policy.

Sam Peacock **BA (Hons) MSc**

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1. Introduction

- 1.1 This statement is produced to support a planning application for the demolition of a dwelling and multiple buildings on site associated with an existing dog kennel business, with the erection of 5 dwellings being proposed in place of the existing buildings.
- 1.2 The application is in relation to 115b Tile Kiln Lane as well as Birchwood Boarding Kennels located to the south. This is submitted to Bexley Borough Council.
- 1.3 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.4 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents prepared by 2-4c Architecture.
 - 1:2500 Location Plan
 - 1:1250 Proposed Site Location Plan
 - 1:1250 Existing Site Location Plan
 - 1:500 Block Plan
 - 1:100 Proposed Ground Floor Plan
 - 1:100 Proposed First Floor Plan
 - 1:100 Proposed Roof Plan

- 1:100 Proposed Side and Front Elevations
- 1:100 Proposed Side and Rear Elevations
- 1:500 Street Scene Views (North/entrance, west, and east)
- Site Perspective Pictures
- Existing Volumes and Floor Area figures
- Proposed Volume and Floor Area figures
- 1:100 Bin Store Location

1.5 The relevant application fee will be submitted by the applicant separately.

2. Site Location and Description

2.1 The site is located at the end of a private driveway which takes access off Tile Kiln Lane. The site is in close proximity to large residential development, by which it is surrounded to the north and east. Immediately south and west of the site is a large expanse of Greenland and woodland.

2.2 The site is currently a mixed used of residential and commercial uses. The application site currently contains two residential dwellings, one being a large two storey house and the other being a bungalow. However, another residential dwelling is also located at the end of the access but is not included within the red line of this planning application after the dwelling has been sold to a separate owner.

- 2.3 The site also contains 6 buildings utilised by the existing a dog day-care service, Birchwood Boarding Kennels. These buildings include three large kennel buildings alongside 3 other outbuildings.
- 2.4 The site is in close proximity to local schools, supermarkets, and leisure facilities. Multiple bus routes also stop on Tile Kiln Lane within a 2-minute walk of the application site. Therefore, the site has access to suitable facilities and transport links.
- 2.5 The site is location within the Green Belt but is not located within a Conservation Area or within proximity to any listed buildings.
- 2.6 The site measures approximately 1.28 hectares in size.

3. Planning History

- 3.1 A table of relevant planning history is provided below.

Reference	Description	Date
22/02746/LDCE	Lawful Development Certificate (Existing) for the continued use of the cattery building as an independent dwelling	Granted 23/01/2023
08/00847/FUL	Erection of a replacement detached 4-bedroom dwelling incorporating a basements area with provision of 2 car parking spaces.	Granted 17 March 2008
07/04176/FUL	Erection of a replacement detached 4-bedroom bungalow.	Granted 26 September 2007

08/08039/FUL	Erection of a replacement detached 4-bedroom dwelling incorporating a basement area.	Granted 11 November 2008
99/00156/OUT	Erection of two detached bungalows	Refused 08 July 1999

3.2 The most recent application, 22/02746/LDCE, sought permission to confirm that one of the outbuildings had been utilised as a dwelling for in excess of 4 years. Therefore, an application was made to confirm the lawfulness of the dwelling.

3.3 The following 3 applications listed in the table above relate to the replacement dwellings alongside the replacement of buildings to create dwellings. Due to the approval of previous permissions, 3 dwellings are located off this independent access road and are served by the existing access.

4. Development Proposals

4.1 The National Design Guide (2019) identifies that “well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and well-being of their users and all who experience them. They meet the needs of a diverse range of users, taking into account factors such as the ageing population and cultural differences. They are adequate in size, fit for purpose and are adaptable to the changing needs of their occupants over time” (para 120-121).

- 4.2 Regarding the requirements of NPPG Paragraph: 029 Reference ID: 14-029-20140306 in respect of Design and Access Statements, the proposal is described as follows:
- 4.3 **Use and Amount:** The two existing two-storey dwellings located to the west of the access are proposed to be retained within this submission. However, additional garden space is proposed for the existing dwelling, 115b Tile kiln Lane which is included within the red line of this submission.
- 4.4 The bungalow subject to application 22/02746/LDCE is sought to be demolished and replaced.
- 4.5 The remaining 6 buildings associated with Birchwood Boarding Kennels are proposed to be demolished.
- 4.6 Following the demolition of these existing buildings, 5 dwellings are proposed to be erected.
- 4.7 Including the dwelling outside of the red line, currently 3 dwellings are multiple buildings associated with the business are located on site. Following demolition 7 dwellings are proposed to be on site.
- 4.8 A bin store is also proposed with this being located halfway down the access road, in line with Wick steed Close. Currently the occupiers of the existing 3 dwellings that utilise this access road have to walk their rubbish circa 200metres to the front of the access road, which is in conflict with existing planning policies and is detrimental to the existing standard of living.
- 4.9 In response to this the proposed bin store ensures that the existing and proposed dwellings can utilise this bin store, which is significantly closer to their homes, whilst a gate is then proposed so that the rubbish can be left for collection at the end of Wicksteed Close for suitable collection.

- 4.10 **Layout and Scale:** The proposed dwellings are all proposed to be family 4-bedroom dwelling houses which are all of a matching design. The size of the proposed dwellings has been kept to a minimum to ensure that they match the size of surrounding dwellings in the locality whilst meeting the need for family sized housing within the borough.
- 4.11 The ground floor is proposed to contain a separate lounge with an open plan living, dining and kitchen area. A utility room, hallway and downstairs toilet are also proposed on the ground floor.
- 4.12 On the first floor 4 bedrooms are proposed with a family bathroom. The master bedroom is proposed to contain an ensuite.
- 4.13 The volume and floor area of the existing buildings to be demolished are provided below.

Building	Volume (m3)	Floor Area (sqm)
1 (Bungalow Dwelling)	416	145
2 (Large kennel)	963	245
3 (Large kennel)	1140	417
4 (Office)	80	24
5 (Small workshop)	142	68
6 (Large kennel)	516	310
7 (Small Outbuilding)	54	36
Total:	3388 m3	1245 sqm

4.14 In comparison the volume and floor area of the proposed dwellings are shown in the table below.

Dwelling	Volume (m3)	Floor Area (sqm)
Dwelling 1	743	120
Dwelling 2	743	120
Dwelling 3	743	120
Dwelling 4	743	120
Dwelling 5	743	120
Total	3715 m3	600 sqm

4.15 Therefore, the proposed built form consists of a slight increase in volume, with this being 327m³. However, this increase only constitutes a 9.7% increase over the volume of the existing built form on site.

4.16 To compensate for this slight increase in volume, the floor area has been reduced by 645 sqm. This is a reduction in floor area of 52% ensuring that the spread of development on the site is vastly reduced.

4.17 The ridge height of the proposed dwellings is circa 8.75 metres with a ridge height of circa 4 metres.

4.18 Dormers and gables are utilised to propose dwellings which have a reduced height, whilst these features have been proposed to ensure

that the dwellings have a smaller size and volume to reduce their impact on the Green Belt.

- 4.19 **Landscaping:** The site currently is mixed use and contains two residential dwellings alongside the commercial kennels. Due to the existing business, there is currently large amounts of commercial paraphernalia associated with this use scattered over the site.
- 4.20 This paraphernalia will be removed from the site with a more organised linear pattern of development being created around a central courtyard and area of hardstanding.
- 4.21 Regarding hardstanding currently hardstanding extends all the way across the site at the end of the access. Portions of this hardstanding are sought to be removed to provide additional garden space for the existing dwellings alongside front and rear garden space for some of the proposed dwellings.
- 4.22 Therefore, there is a slight increase in the amount of hardstanding on site; however, this is extremely minor (circa 5% increase) and is deemed to have little impact due to the improved layout of the site.
- 4.23 A small number of trees are proposed to be removed, with these shown on the tree protection plans which accompany this submission.
- 4.24 The trees lost are trees located to the south of the site (T8, T9, T10) which are all birch trees whilst two groups of Leyland Cypress Trees (G1 and G2) are removed along the north boundary to the east of the site. The group of trees that are to be removed are located immediately adjacent to an existing building in which the existing built form is located within the RPA of the trees.
- 4.25 The quality of trees has been assessed and all of the trees that are to be removed are category C trees. This ensures that these trees are replaceable on site.

- 4.26 Following the removal of these trees, 5 trees are proposed to the south of the site. This ensures that higher quality trees can be erected in a more suitable location.
- 4.27 These trees also ensure that the site is fully enclosed by trees, providing a significant rural character which is desired within the Green Belt.
- 4.28 **Appearance:** The proposed dwellings are to be in matching materials to the existing two-storey dwellings on site. Similar materials will be utilised to ensure that the character of the area is retained.
- 4.29 The existing outbuildings to be demolished are of brick and concrete construction. Due to the existing materials, it was not felt that any cladding of wood was required within the design as this was not within the original character.
- 4.30 In addition, the commercial business will be removed from the site. As this was a dog kennels in close proximity to surrounding dwellings, often barking and noise implications arose alongside paraphernalia associated with the commercial use. This submission ensures that these visual and noise implications are removed.
- 4.31 **Access & Parking:** The private access to the site extends off Tile Kiln Road and provides access to 3 dwellings and the existing business. This access will be retained.
- 4.32 As mentioned above, a bin store will be erected circa halfway up the access to provide a suitable location for bin storage and collection which significantly improves the existing situation on site.
- 4.33 In regard to parking, two parking spaces are proposed for each dwelling. The parking spaces are located to the right of each dwelling when you are looking directly at the principal elevation.

5. Policy Assessment

- 5.1 **National Guidance:** The National Planning Policy Framework (NPPF) is a relevant material consideration to the application.
- 5.2 The purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 38 of the NPPF states that “Local planning authorities should approach decision on proposed development in a positive and creative way” and “at every level should seek to approve applications for sustainable development where possible”.
- 5.3 Paragraph 119 of the NPPF comments that planning should “make effective use of land” in “meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions”.
- 5.4 Paragraph 60 confirms the Government’s objective to boost the supply of housing, and paragraph 8 identifies the three objectives of sustainable development, as economic, environmental, and social.
- 5.5 Paragraph 126 identifies that “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”, whilst paragraph 134 states that significant weight should be given to “outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”

- 5.6 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.7 The latest 5-year housing supply document for Bexley states that the Council has a 5.25 housing supply including the 5% uplift within the NPPF. Therefore, Bexley are currently meeting their housing supply as per last year's documentation. The 2023 document has not been realised; therefore, it is questioned whether the borough is still meeting the housing land supply due to the lack of delivery which has occurred within the area.
- 5.8 In addition, the 2022 housing supply included 610 windfall sites that would come forward to contribute to the figure. Therefore, it is argued that for the Council to only just meet their requirements, windfall sites are required. This is a site which should be utilised as a contribution due to its suitable location and compliance with policy.
- 5.9 Therefore, the provision of housing is required within the borough to meet the Council's needs, the tilted balance is not engaged in this instance, but it is argued that strong consideration should be given to the provision of 4 additional residential units.
- 5.10 Bexley have no planning policies that are in relation to the loss of commercial businesses outside of the town centre locations within the borough. Therefore, the Council only provides measures in accordance with Class E provision within the Town Centre boundaries. Therefore, there is no barrier to the redevelopment of the existing commercial business in this regard.
- 5.11 In addition, the kennels on site used to be licenses to house 101 dogs, however, in May 2022 this was reduced to 44 dogs due to Bexley Council changing the kennel regulations as kennels could not

be utilised without outside runs. This has resulted in one of the kennel blocks being unusable for the last circa 8 months. This has seriously impacted the profitable nature of the business which has resulted in the applicants seeking to redevelop the site.

5.12 This highlights that the use is not desired within the borough whilst it is not effective and profitable for the business to continue to operate.

5.13 The principle of development is largely covered within Green Belt policy, due to the application site's location within the Green Belt. Therefore, this will be covered in a separate section below for clarity.

5.14 **Green Belt:** The site is located within the Green Belt. The fundamental aim of the Green Belt is specified "to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence" as stated in paragraph 137.

5.15 Therefore, it is clear that the purpose of Green Belt policy is to prevent sprawl and keep land "open".

5.16 Paragraph 138 of the NPPF goes on to state the five purposes of the Green Belt with these being.

- 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.

- 5.17 In this instance the site is already utilised by residential dwellings within the Green Belt alongside a larger commercial business. The existing buildings extend further to the south (away from the adjacent settlement) than the proposed built form. Therefore, it is argued that the spread and sprawl of development is reduced.
- 5.18 As per the above, the spread of built form and its distance from the adjacent settlement is reduced, lowering the impact of merging and encroachment.
- 5.19 Therefore, the proposal complies with all of the purposes of the Green Belt above, irrespective of complying with the individual policies which will be discussed below.
- 5.20 Paragraph 149 and 150 of the NPPF list exceptions of development that is acceptable in the Green Belt. Relevant to this submission is paragraph 149g) which states:
- "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;**"*
- 5.21 The land is currently utilised by a commercial kennel business, ensuring that the land is previously developed land in nature whilst all the buildings are lawful and of permanent and substantial construction.
- 5.22 As discussed within paragraphs 4.13 to 4.16 of this statement, the proposed dwellings only constitute a 9.7% in volume when compared to the existing built form whilst there is a 52% reduction in floor area when compared to the existing built form.

- 5.23 It is strongly argued that even though there is a 9.7% increase in volume and a circa 5% increase in hardstanding, the severe reduction in floor area/footprint is significant. The reduction in footprint/floor area ensures that less buildings cover the Green Belt, the spread of development is significantly less, the sprawl of built form is less, the merging of towns is improved and encroachment into the countryside is improved.
- 5.24 Less built form protrudes outward toward the rural landscape to the south of the site.
- 5.25 In addition, the existing use of the site is relevant in that a vast number of commercial paraphernalia is to be removed from the site, with this including significant pieces of equipment and outside pens and cages. The site will be redeveloped to remove paraphernalia associated with the commercial use drastically improving the appearance of the site.
- 5.26 Finally, residential development is already located within the application site and within the Green Belt. Therefore, it is a suitable use within this portion of land and the redevelopment to residential simply conforms the use of the area in accordance with neighbouring uses.
- 5.27 When the above points are considered in balance, due to the vast reduction in floor area it is strongly argued that the proposal does not have a greater impact on the openness of the Green Belt when compared to the existing development.
- 5.28 The proposal complies with Policy SP8 of the Bexley Local Plan in which the policy states that the proposal must be in line with the requirements of the NPPF, in which it clearly is as stated above.

5.29 In Green Belt terms the development is to be regarded as an appropriate form of development and accordingly, no very special circumstances are necessary.

Relevant Fall-Back Positions

5.30 Finally, there are relevant fall-back positions that must also be considered in this instance. Firstly, paragraph 150d) of the NPPF stated that buildings can be "re-used" as long as they are of substantial construction.

5.31 All of the commercial buildings on site are concrete and brick buildings that are in good condition due to their constant commercial use. Therefore, it would be in accordance with Green Belt policy for the buildings to be converted into dwellings under paragraph 150d. The buildings are of substantial size that this would be possible and also within character due to the existing bungalow which is located on site.

5.32 The commercial buildings could also be converted under permitted too residential. Use Class E C(ii) states that class E includes use of part use of buildings for "*professional services (other than health of medical services) for visiting members of the public*". Therefore, the buildings are utilised by the public for a professional service.

5.33 Therefore, whether through a full planning application in relation to paragraph 150d) or under permitted development it would be possible to convert the buildings into residential dwellings on site. Subject to this conversion paragraph 149d of the NPPF for replacement dwellings could be utilised to provide detached dwellings which is not "*materially larger*" than the existing building it replaces.

5.34 In this example the buildings would be able to be increase in size of 30% in relation to volume and floor area as this does not constitute

“materially larger” This also justifies the proposed development in which floor area is reduced by 50% and the increase in volume is less than 10%.

5.35 In accordance with established case law [*Mansell V Tonbridge and Malling Borough Council - 2017*], a fallback position is a viable material consideration which should be accounted for, within the determination of planning applications.

5.36 More recently, *Widdington Parish Council v Uttlesford District Council* [2023] sets a further, recent case for the validity of the fall-back position. Paragraph 30 summarises the legal principles of applying a fallback position from relevant case law:

A "fall-back" (i.e. development which an applicant could take without a further grant of planning permission) is capable of being a material consideration in favour of granting planning permission. The law as to how a decision maker should consider this is well settled. The relevant propositions can be derived from the decision of the Court of Appeal in R (Mansell) v Tonbridge and Malling BC [2019] PTSR 1452 at para 27 and the decision of Dove J in Gambone v SSCLG [2014] EWHC 952 (Admin) at paras 26-28 which draw on earlier cases.

5.37 *The key points (so far as material for present purposes) are:-*

a. The applicant has a lawful ability to undertake the fall-back development; Widdington Parish Council, R (On the Application Of) v Uttlesford District Council [2023] EWHC 1709 (Admin) (07 July 2023)

b. The applicant can show that there is at least a "real prospect" that it will undertake the "fall back" development if planning permission is refused. In Mansell at para 27, Lindblom LJ explained that: "the basic

principle is that "for a prospect to be a real prospect, it does not have to be probable or likely: a possibility will suffice"

c. Where a planning authority is satisfied that a fall-back development should be treated as a material consideration, the authority will then have to consider what weight it should be afforded. This will involve:

i. An assessment of the degree of probability of the fall-back occurring. As Dove J observes in Gambone at para 27, the weight which might be attached to the fall-back will vary materially from case to case and will be particularly fact sensitive; and

ii. A comparison between the planning implications of the fall-back and the planning implications of the Proposed Development: Gambone paras 26- 28.

d. The Courts have cautioned against imposing prescriptive requirements as to how and with what degree of precision the fall-back is to be assessed by the decision maker. This is in recognition of the fact that what is required in any given case is fact sensitive.

5.38 In this instance, the fall-back positions are raised above, and ET Planning can confirm that the client will undertake the above routes to obtain development on the site if full planning permission cannot be agreed.

5.39 The client seeks to not seek too much built form on site and wants to propose suitably sized houses on the previously developed land which have good amenity, garden sizes, and have minimal impact. What could be created via the fall-back position would have more impact on the Green Belt than the size of development proposed in this instance.

- 5.40 **Character and Appearance of the Area:** The proposal seeks to replace the existing built form and paraphernalia that is located on site. The proposal will ensure that the site is redesigned in an effective and attractive site layout which improves the appearance of the area.
- 5.41 The reduction in the footprint of the built form ensures that the spread of built form is reduced improving the appearance of the site.
- 5.42 The buildings will be constructed in matching materials and in a similar design to the existing dwellings located adjacent to or on the site.
- 5.43 The site is screened heavily by trees on the perimeter ensuring that the proposed development will not be visible by any surrounding dwellings on from wider viewpoints. Even though single storey built form will be removed with two storey development located in its place, the screening provided ensures that this is largely not visible.
- 5.44 The application site is set behind the frontage of the south side of Monterey Close and the new development will not be visible from the public highway.
- 5.45 In addition, two storey dwellings are already located within the Green belt within this location. This ensures that it is in character for two-storey dwellings on this nature to be proposed on this site.
- 5.46 Finally, as can be seen on the image below, in which the site is shown by the red marker, backland development is available in this location and is carried out to the rear of the existing settlement boundary.



- 5.47 **Residential Amenity:** The proposed dwellings have been designed to accord with national space standards including, size, ceiling heights and the further technical guidance.
- 5.48 The proposed dwellings are located in accordance with Bexley planning policy regarding separation distance. The windows on the side elevation will be glazed windows on the first floor and serve bathrooms and not habitable rooms.
- 5.49 Therefore, no overlooking is created on the first floor via side windows.
- 5.50 The plots are located in from the boundary of the site to ensure that there is no encroachment onto RPA areas (as discussed below), however, this also ensures that adequate light is provided to the

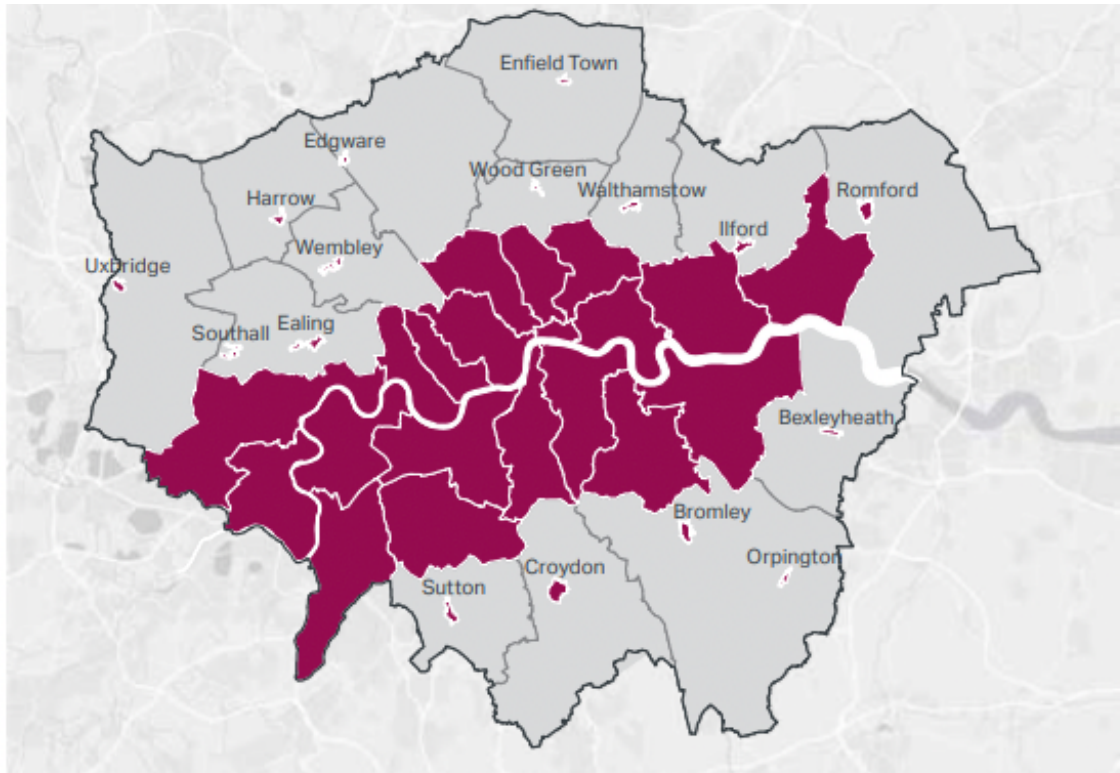
proposed dwellings and there is no additional pressure to prune or remove further trees.

- 5.51 The proposed dwellings have had considering for the amenity of future occupiers alongside the amenity of the 2 retained dwellings on site. The removal of the commercial dog kennels will have a significant benefit on the existing occupiers who will not be subject to noise implications associated with the existing business.
- 5.52 Currently 44 dogs and further animals and retained on the premises in close proximity to residential development. There will be significant positive impacts that result from the disbandment of this business and its replacement with residential built form.
- 5.53 **Trees and Landscaping:** An external arboriculture assessment has been carried out in accordance with the proposed plans on site. The proposal has been designed to ensure that there is no adverse impact in regard to trees.
- 5.54 Firstly, the scheme requires the removal of three low value trees; two conifer hedges; and one tree of moderate value that has noted defects in terms of form and structure.
- 5.55 The loss of these trees/hedges will be of no detriment to the character of the site and will be of no loss to the wider setting.
- 5.56 The proposal also presents the opportunity for the LPA to secure additional landscaping and tree planting across the site that will serve to improve habitat diversity and long-term tree cover for the future. The proposal has been updated to propose the erection of trees to the south of the applicant site.
- 5.57 No development is proposed within the root protection areas of any trees ensuring that the proposal will have no impact on trees.

- 5.58 **Transport and Parking:** An external transport statement has been provided to assess the existing situation on site alongside the parking and transport situation in relation to the proposal.
- 5.59 The statement summarises that the site is within a suitable location for residential development close to public transport and the amenities required.
- 5.60 Through the provision of 10 car parking spaces on site, the development will not place any additional parking stress upon the local highway network and thus accords with Policy DP23 of the Bexley Local Plan, especially Appendix G which seeks to support family housing.
- 5.61 The proposals will not lead to any harm to the existing operation and free flow of traffic on the adjoining highway network.
- 5.62 The proposal provides suitable visibility splays off the existing access to facilitate further residential development at the end of the access road.
- 5.63 The report confirms that cars can safely pass each other along the entirety of the access road.
- 5.64 Lastly, the report states that when compared to the existing business operations, the proposed dwellings will only result in a small increase in trips down this access road.
- 5.65 Swept path analysis is also provided for the proposed car parking spaces and the report confirms that the proposal will have no adverse impact on highways.
- 5.66 **Cycle Provision:** Figure 10.3 of the London plan shows the areas in which the minimum cycle parking standards apply. The application site is located outside of this area ensuring that there is no

requirement within the London plan for cycle provision in relation to this proposed development.

Figure 10.3 - Boroughs and town centres where higher minimum cycle parking standards apply



- 5.67 Policy DP22 of the Bexley Local Plan simply states that cycle provision should be implemented in accordance with the London Plan.
- 5.68 However, cycle storage is proposed to the rear of the proposed parking spaces for each dwelling, attached to the front fence which facilitates the rear garden. Therefore, cycles can be stored on site to serve the proposed dwellings irrespective of policy.
- 5.69 **Refuse Provision:** As discussed above, refuse provision is provided halfway up the access by a bin store which can then be accessed via a gate on Wicksteed Close. This ensures that the 3 existing dwellings that are located on this assess now have a suitable bin store and do not have to walk their bins down to Tile Kiln Lane.

5.70 Therefore, refuse can be collected from Wicksteed Close in accordance with the normal activities on this road.

5.71 **Sustainability and Energy:** Paragraph 8 of the NPPF supports the transition of development to a low carbon future. The national Code for Sustainable Homes has now been abolished; however it is proposed that the development would conform to Part L of the Building Regulations which as of 2022 requires a 30% reduction than current standards. By way of contributing to the reduction in carbon, the proposal would also achieve current building construction standards with added sustainability measures through;

- A. The limitation of the amount of inherent material, structure and embodied energy through the employment of good building standards to create an excellent SAP rating;
- B. Use of locally sourced, recycled materials and labour where practicable;
- C. Maximizing the use of natural light through floor-ceiling windows;
- D. Reduced internal water consumption of 110 litres per person per day through the incorporation of water efficient sanitary fittings, including low flow toilets and water efficient taps for wash basins;
- E. Refuse, recycling and composting facilities to be provided to work with the Council's existing waste and recycling collection service;
- F. Secure cycle provision to encourage sustainable modes of transport;
- G. 'A' rated electrical appliances and energy saving light fittings;

- H. 'A' rated double glazed windows with natural cross ventilation provision;
- I. Water butts fitted to the rainwater down pipes for watering the garden;
- J. Recycling of waste construction materials where practicable;
- K. Permeable driveway/parking spaces to avoid increase in surface water runoff;

5.72 The proposal is therefore considered to comply with sustainability objectives in this respect.

5.73 **Ecology:** An ecological appraisal has been completed in regard to the proposed assessment. The ecological assessment provides suggestions with procurations that can be taken in construction to ensure that no damage is created. The applicant is happy to comply with the suggestions within the ecological assessment via planning condition.

5.74 The assessment goes on to state that the only provision of bats was within T1, T2 and T3 which are proposed to be retained within the proposal. Therefore, alongside careful lighting (which again can be controlled via condition), it is concluded that there will be no impact on bats.

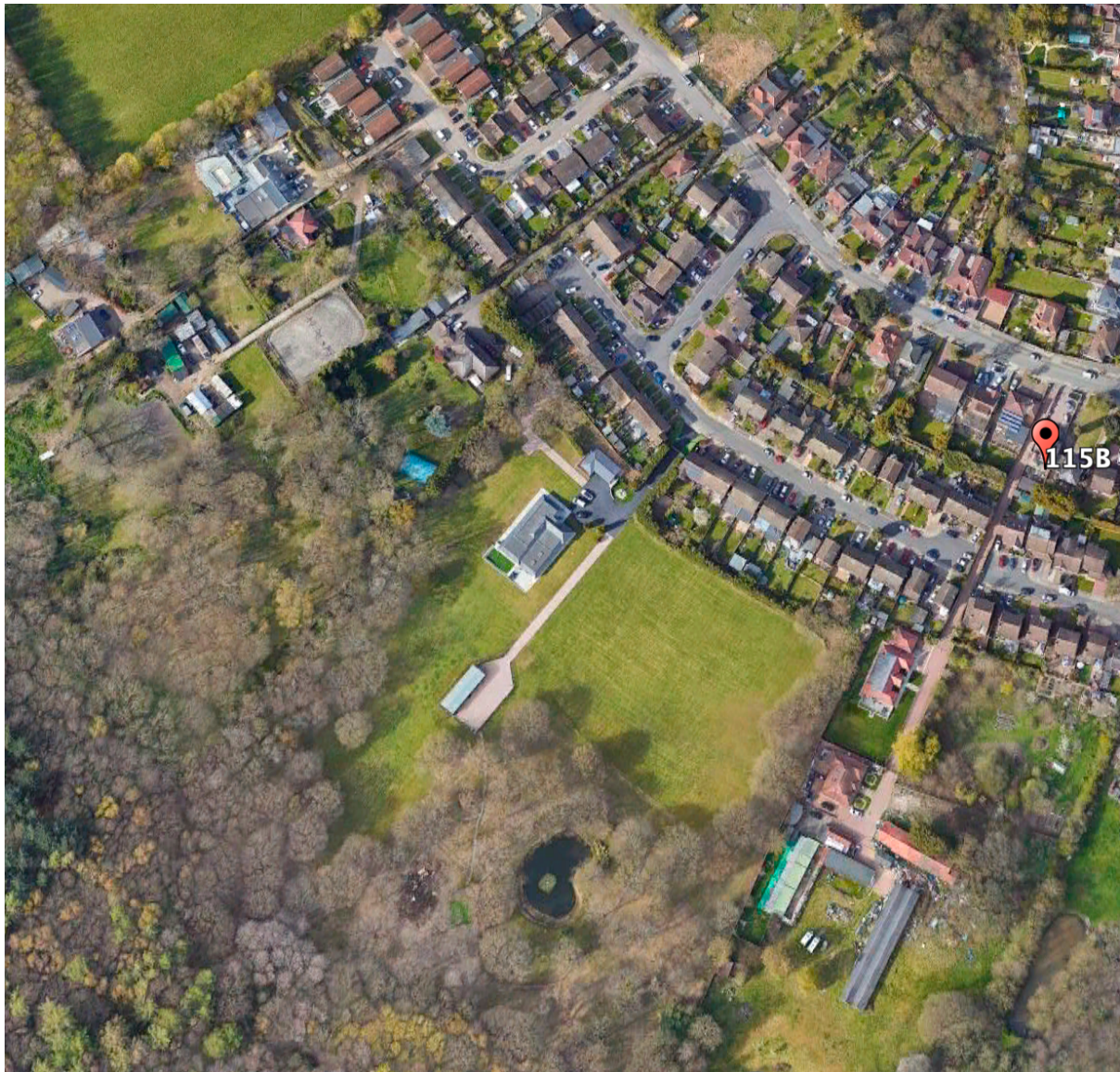
5.75 **Affordable Housing:** Policy DP1 of the Bexley Local Plan states that development proposals with a capacity of 10 or more dwellings must comply with affordable housing provisions as stated within the London Plan. However, as this proposal is for a net provision of 4 dwellings it is not subject to an affordable housing contribution.

- 5.76 **Community Infrastructure Levy:** Bexley Council adopted a CIL charging schedule on 30/03/2015. The application site is located within Zone 2 in which £60 per sqm is required for any development liable to CIL. However, this is not subject to the increase in the index rate which ensures that the charge is slightly more than £60 per sqm.
- 5.77 However, as the proposed buildings seek to replace the existing commercial/residential buildings (that are off a larger size); the application will not be subject to a CIL charge. The buildings are still in use ensuring that the existing floor area can be discounted.
- 5.78 **Relevant Neighbouring Development:** An application was approved under the planning reference 18/03183/FUL for the demolition of an existing dwellings and associated outbuilding with the erection of 6 2-bedroom detached bungalows with the formation of new access, parking, and amenity space.
- 5.79 This is relevant as this application is located within 300 metres of the application and it highlights that Bexley are accepting of development in this location, to the rear of the boundary. This re-establishes the principle of development within the Green Belt.



5.80 In addition, an aerial image is provided below which shows the formation of the site prior to the erection of the dwellings. The image shows a site which is extremely similar to the application site within this submission.

5.81 Therefore, this alternate example creates a severe precedent for the replacement of buildings within this location with residential development.



5.82 Finally, an image is taken of the constructed dwellings that have been approved under this alternate permission. As can be seen from the below image the constructed and approved dwellings are similar in design and appearance when compared to the dwellings proposed under this submission.



5.83 Therefore, we strongly feel that the approval of this application is relevant to the determination of this current submission.

6. Conclusion

- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land.
- 6.2 Material planning considerations have been carefully considered and analysed, as evidenced in section 5 of this statement and the supporting plans and documents. It is considered the proposed development would contribute an appropriate windfall site to the Borough's housing supply without having adverse effect on the character of the area or the amenity of neighbouring or future residents.
- 6.3 The proposal complies with Green Belt policy and is subsequently acceptable in principle.
- 6.4 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

Sam Peacock BA (Hons) MSc

Principal Planner | ET Planning

200 Dukes Ride Crowthorne RG45 6DS

sam.peacock@etplanning.co.uk 01344 508048



| CIL
| Enforcement
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| Sequential Tests
| Viability

Contact

Address

200 Dukes Ride RG45 6DS
One St Aldates OX1 1DE
32 London Road GU1 2AB
14 The Square SY1 1LH

Phone

01344 508048
01865 507265
01483 363950
01743 612043

Web & Mail

Email: office@etplanning.co.uk
ET Planning Ltd | 10646740
Web: www.etplanning.co.uk