

SECTION '2' – Applications meriting special consideration

Application No : 11/03028/FULL2

Ward:
Copers Cope

Address : 80 High Street Beckenham BR3 1ED

OS Grid Ref: E: 537426 N: 169550

Applicant : Dr L Petrides

Objections : YES

Description of Development:

Change of use of first floor from private members club to restaurant (Class A3) and bar / drinking establishment (Class A4), use of front flat roof as garden terrace, first floor rear terrace, dumb waiter at rear, additional ventilation duct and fire escape on northern flank

Key designations:

Areas of Archeological Significance
Flood Zone 2
Local Distributor Roads

Proposal

Planning permission is sought for the following:

- use of first floor as restaurant (Class A3) and bar / drinking establishment (Class A4)
- use of front flat roof at first floor as garden terrace (Class A3/ Class A4)
- screening
- first floor rear terrace (for smoking area)
- dumb waiter at rear
- additional ventilation duct on northern
- fire escape on northern flank

The proposed operational hours are 1000hrs to midnight every day.

Planning permission was granted under ref. 09/03256 for the use of the first and second floors as a restaurant and staff accommodation and under 11/00818 for the use of the first floor flat roof area as garden terrace (Class A3). This application seeks to implement the use granted under the previous applications and to include the external area as part of the restaurant/ bar.

Location

The site is located on the western side of the High Street and is opposite the St George's Conservation Area on the other side of the road. The ground floor units currently comprise 'The Big Breakfast' café/restaurant and 'Little Lebanon' restaurant.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following representations were received:

- objections to use of terrace for eating, drinking or any other public purpose
- increase in noise

A letter of support has been submitted on behalf of the Beckenham Business Association.

Comments from Consultees

No objections have been received from the Council's Highways engineer.

At the time of writing the report, no comments have been received from the Metropolitan Police, the Council's Environmental Health Officer.

Planning Considerations

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The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

BE1 Design of New Development
BE13 Development Adjacent to Conservation Area
S9 Food and Drink Premises

Planning History

The planning history of the site is summarised as follows:

Planning permission granted under ref. 11/00818 for the use of the front roof at first floor as garden terrace (Class A3) including screening, first floor rear terrace, dumb waiter at rear, additional ventilation duct and fire escape on northern flank.

Planning permission was granted under ref. 09/03256 for the change of use of first and second floors from private members club to restaurant (Class A3) with associated store rooms and offices on second floor and ancillary accommodation for staff on third floor with ventilation ductwork at side

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area (including the St George's Conservation Area) and the impact

that it would have on the amenities of the occupants of surrounding residential properties.

It is proposed to use the first floor and area of flat roof at first floor level as part of the A3/A4 restaurant/bar now sought. Planning permission was previously granted for the use of the first floor and use of the flat roof area for A3 restaurant use under refs. 11/00818 and 09/03256. The floor plans now show that a bar area is proposed towards the front of the building, which would lead onto the roof terrace, with the restaurant proposed in the rear hall.

The site is located within a busy High Street location and is surrounded by a number of other A3 and A4 uses. The introduction of the bar area in association with the restaurant is not considered to be out of character with this part of the High Street, although careful consideration must be given to the impact of this use to nearby residents.

It is noted that there are a number of residential properties on the upper floors in the buildings surrounding the site and whilst the site is located within the High Street location and that the upper floors already benefit from A3 use, Members will need to consider the impact of the bar area and the use of the flat roof area in connection to a bar (rather than restaurant as recently permitted). The previous application (ref. 11/00818) showed tables on terrace of the approved drawings and a condition was added that the development must accord with the approved drawings. It is considered that it would be more difficult to control the numbers of people using the terrace in connection to the bar and is likely to result in a more intensive use of this area.

At the time of writing the report no comments had been received. If Members are minded to granted planning permission of the change of use it is suggested that a condition should be added restricting the time of the terrace to coincide with use of the first floor.

Given that the building is set in at first and second floors, it is considered that the design of the roof garden will not result in a detrimental impact on the appearance of the host building, nor would it compromise the views from the adjacent conservation area.

In terms of the proposed hours of operation, the Agent states that the hours of operation were not previously restricted. This is incorrect as the restaurant use was restricted to 0900hrs to 2300hrs under ref. 09/03256 and the hours of use for the garden terrace were restricted to 0900hrs and 2300hrs under ref. 11/00818. As the most recent application related to the use of the flat roof area, and did not seek to vary the use of the first floor, the conditions imposed under the initial application would still apply. Given that the proposed use would operate at first floor level, Members may consider that the hours of operation should remain as previously approved.

The other elements of the proposal include a rear terrace to be used for smoking. This area is within the existing complex of buildings on the site and will not be visible from the streetscene nor by surrounding residents. The additional ventilation

flue will be sited behind an existing flue, and the 'dumb waiter' is located to the rear of the building. The rear fire escape was added to the drawings and is stated to be required to comply with building regulations. These elements have been granted planning permission under ref. 11/00818 and are considered acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref.11/03028 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 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 3 ACK01 Compliance with submitted plan
Reason: In the interest of the visual amenities of the area.
- 4 ACI21 Secured By Design
ACI21R I21 reason
- 5 ACJ10 Ventilation system for restaurant/take-a
ACJ10R J10 reason
- 6 ACJ09 Restricted hours (restaurant use) (2 in) 09:00 23:00
ACJ09R J09 reason
- 7 No customers shall be admitted to the garden terrace before 0900hrs on any day, and all customers shall have left the garden terrace by 2300hrs.
Reason: In order to comply with Policy S9 of the Unitary Development Plan.
- 8 Details of the screening and planting for the first floor terrace shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and visual amenities of the area.

Reasons for granting permission:

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

- BE1 Design of New Development
- BE13 Development Adjacent to Conservation Area
- S9 Food and Drink Premises

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area

- (d) the impact on the amenities of the occupiers of adjacent and nearby properties

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 addition of a bar / drinking establishment (Class A4) element would result in an undesirable and overintensive use of the site, which would be detrimental to the amenities of nearby residents by reason of noise and disturbance, thereby contrary to Policy BE1 of the Unitary Development Plan.

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