

SECTION '2' – Applications meriting special consideration

Application No : 12/00013/FULL3

Ward:
Copers Cope

Address : 4 Limes Road Beckenham BR3 6NS

OS Grid Ref: E: 537991 N: 169373

Applicant : Miss Simone Riley

Objections : YES

Description of Development:

Change of use from B1 to residential. Demolition of existing covered area to facilitate single storey front extension, provision of parking area, new boundary wall and front gates. New slate roof to existing first floor with provision of velux windows.

Key designations:

Conservation Area: Chancery Lane

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Proposal

This application proposes a change of use from commercial to residential. The scheme proposes the removal of the front entrance gates and covered roof area to create a parking area and entrance (along with elevational alterations) to the proposed residential accommodation; further into the site it is proposed to remove a corrugated plastic type roof to an enclosed yard area in order to form part of the overall residential accommodation by replacement with a hipped, slated roof. There will be some insertion of roof lights and reconfiguration of windows at first floor level.

Location

The site is located on the north side of Limes Road just at the point where there is virtually a 90 degree turn in the road. It is within the Chancery Lane Conservation Area (but just outside of the identified Article 4 area).

Comments from Local Residents

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

- query impact on laurel tree on adjacent site
- could be used as 2 bedroom dwelling – concerns over consequent impacts on parking
- overlooking into new dwelling from existing adjacent amenity space
- concerns over access to property while building works are carried out
- loss of commercial use
- impact of change of use on nature of conservation area
- use of appropriate materials
- impact on adjacent bushes
- concern over limited notification area
- detail of design/materials

Comments from Consultees

Thames Water raises no objection to the proposal.

The Advisory Panel for Conservation Areas (APCA) raise no objection in principle to the change of use but are concerned that the design should comply with requirements of the Supplementary Planning Guidance.

From a Highways point of view it is noted that the area has high on street parking occupancy with little parking available. On the basis that the proposal offers one car parking space it is considered that the development would not have more impact on the traffic in the surrounding road network and no Highway objection is raised. Appropriate conditions are suggested in the event of a planning permission.

Comments in respect of Environmental Health (Housing) raise concerns with the means of escape proposals and note that in the event of a planning permission development will need to meet or exceed building regulation standards for improved thermal efficiency of the building.

Cleansing comments note refuse and recycling are to be left at edge of curtilage with unrestricted access.

From a Conservation point of view concerns are raised over the proposed design. It is noted that the building is within a section of the conservation area that has a historic mews character of former commercial workshops and it is considered that the proposed design does not reflect or take account of this heritage but offers a more bungalow type appearance inappropriate to the character of the area. Additionally, the opening up to the front of the site creates a 'suburbanising' effect, removing the sense of enclosure which defines the area. No objection to the principle of converting this building to residential is raised.

Planning Considerations

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

H7 Housing Density and Design

H12 Conversion of Non-Residential Buildings to Residential Use
T3 Parking
T18 Transport and Road Safety
BE1 Design of New Development
BE11 Conservation Areas
EMP5 Development Outside Business Areas

Chancery Lane Supplementary Planning Guidance

Planning History

The site, it seems, previously included the adjacent, adjoining buildings. The planning history shows an application in 2007 (ref. 07/00324) at Unit One, Limes Road to subdivide the site to form residential space. The scheme was allowed on appeal in November 2007.

Conclusions

The main issues relating to the application are the loss of a commercial unit, the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties and whether a satisfactory quality of accommodation and amenity can be achieved.

Regarding the loss of a business unit, which is in neither a primary nor secondary location, the applicant has stated that the unit has not been used commercially for approximately 18 years and over this period has been used by the owner as a private workshop to accommodate his hobby of working on cars. The supporting statement highlights that it ‘...has laid redundant for at least 5 years...’. The unit has not been marketed at all throughout its period of non-occupation and therefore this proposal cannot technically evidence the requirements contained in Policies H12 and EMP5. The applicants submit that ‘...because of its non-use over this period of time and the proposed design ... this application complies with requirements of policy H12’. The photographs available on file and the site visit reveal that the accommodation is not particularly robust in nature and would require substantial input to accommodate modern day working requirements.

It is noted in the Inspector’s decision relating to Unit One (see under planning history above) that due to the property being in a tertiary location and additional access restrictions it would be a low priority for a business use in the area. It was the Inspector’s view that a new business use would add to the area’s traffic circulation difficulties and not enhance the character of the Conservation Area; the Inspector opined that these considerations helped to outweigh the policy requirement to undertake a full and proper marketing exercise.

The Supplementary Planning Guidance (SPG) for Chancery Lane Conservation Area states that ‘changes of use will be acceptable only where, in the opinion of the Council, they would have no detrimental effect on the character of the area’ and para 3.2 states ‘Neither Chancery Lane or Limes Road carry any through traffic, and there is a pleasant sense of enclosure and tranquillity’. It should be remembered that this specific site has not been commercially used for the last

eighteen years and with the latter five of these there has been no activity at all. Whilst local concerns have been raised in respect of the loss of commercial use, given the Inspector's observations referred to above and the SPG it may be considered that in this particular circumstance the change of use of the site to residential would not have a detrimental effect on the character of the area but rather help to contribute to the tranquillity that the area currently enjoys.

Regarding the impact that it would have on the amenities of the occupants of surrounding residential properties and whether a satisfactory quality of accommodation and amenity can be achieved neighbour concerns are noted in respect of overlooking into the unit via the proposed velux windows. The existing window configuration to the first floor level allows for a level of overlooking into the garden/amenity areas to the east of the site; as is evident from the photos due to the nature of the relationship of buildings in the vicinity overlooking appears to be a common feature. A small level of amenity is provided within the scheme.

In terms of the design and its impact on the character and appearance of the area the current building exudes a utilitarian, workshop appearance. The part demolition of the existing mono pitch structure allows for the rebuild of a dual pitch habitable element which is pulled back from the front of the site to make way for a parking/amenity area. Policy BE1 requires new development to be imaginative and attractive to look at and Policy BE11 seeks to preserve or enhance the character or appearance of conservation areas. Policy BE11 states 'existing features that contribute to the character of the area should be incorporated in to the design'. The SPG states that 'The Council will expect all proposals for new development to conform with the character of that section of the conservation area surrounding the proposal site and with the general character of the area, especially in regard to ... design and materials used. It is hoped that all improvement works will take account of the character of the buildings and alter them as little as possible'. It is considered that the proposed design does not address these policy requirements in that it does not reflect the existing building's heritage and would have an unwelcome suburbanising effect on the character and appearance of the area.

If Members are inclined to accept the particular considerations as put forward in respect of the change of use it may be considered that the use of this particular unit for residential is, in principle, acceptable. It is rather the design considerations that raise specific planning concern which the suggested grounds of refusal reflect.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00013 and 07/00324, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed design would be harmful to the character and appearance of the Conservation Area by way of its bungalow type appearance and removal of sense of enclosure which defines the area, contrary to Policies BE1, BE11 and Chancery Lane Supplementary Planning Guidance.

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