

**Application No :** 09/03593/FULL1

**Ward:**  
**Copers Cope**

**Address :** 4A Chancery Lane Beckenham BR3 6NR

**OS Grid Ref:** E: 537925 N: 169393

**Applicant :** Hugo Appleby Ltd

**Objections :** YES

**Description of Development:**

Conversion of existing office to 1 two bedroom dwellinghouse, demolition of existing kitchen at rear and elevation alterations.

Key designations:

Conservation Area: Chancery Lane  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads

**Proposal**

- The property is currently operating as a commercial unit, and the application seeks planning permission to convert the existing office into 1 two bedroom dwellinghouse, including the demolition of an existing rear appendage currently used as a kitchen for the office, plus elevation alterations.
- All external doors and windows should be retained, with the only elevations alterations being blocking up windows which are currently located in the flank elevation of the proposed ground floor bedroom and new doors to the rear wall of this room.
- Access to the dwellinghouse will be to the front of the property via the existing door, and an existing door at the bottom of the staircase will be retained for use as an emergency exit, which leads into a shared alleyway adjacent to No. 2 Chancery Lane.
- An existing rear appendage, currently used as a kitchen for the commercial unit, is to be demolished in order to allow for a larger rear garden for the residential property.
- No on-site car parking is to be provided, however there are no parking restrictions along Chancery Lane or surrounding roads, and a parking stress

survey was submitted alongside the application in order to provide supporting evidence in favour of the scheme.

- Bins and recycling boxes can be left to the front of the property on bin collection days.

## **Location**

The application site is located on the north-western side of Chancery Lane, and the entire road falls within the Chancery Lane Conservation Area.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from local residents and the Chancery Lane and Limes Road Resident's Association, which can be summarised as follows:

- concerns raised regarding the windows in the side of the ground floor kitchen and first floor bedroom in terms of privacy;
- owner of No. 4 wishes to extend in future, the current proposal may affect this;
- the application property plays an integral role of the current mix of residential and commercial properties in the area;
- the range of commercial premises that existing within the conservation area and their close association with the residential development are an essential part of the historic character of the area;
- the change of use therefore will affect the balance and ambience of the area;
- by slowly eroding the commercial sites the status of conservation area bestowed on the area will become irrelevant.

## **Comments from Consultees**

A parking stress survey was submitted as part of the application. From a Highways point of view, it was considered that there are on-street parking spaces available for additional demand during the hours of maximum residential parking demand and the area has a moderate PTAL rate. Therefore no objections were raised to the application.

Thames Water did not object to the proposal, provided access to the public sewers which cross the site is still possible.

From an Environmental Health Housing point of view, no objections were raised provided the development can meet building regulations approval.

## **Planning Considerations**

The application falls to be determined in accordance with policies BE1, BE11, H12 and EMP3 of the Unitary Development Plan.

In view of the possible impact the scheme may have upon the existing character of the Chancery Lane Conservation Area that the site is located within, it was considered appropriate that the current application be considered by Committee.

### **Planning History**

In terms of relevant planning history at the site, planning permission was granted under ref. 85/00209 for change of use from silk screen printing to design studio in 1985.

### **Conclusions**

The main issues relating to the application are the effect that the proposal would have on the character of the Chancery Lane Conservation Area that the property is located within and the impact that it would have on the amenities of the occupants of surrounding residential and commercial properties.

The application property is surrounded by residential properties to the east, north and south, with commercial properties to the west. Therefore it may be considered that the conversion of the property into residential use would not be out of keeping within the area. There are minimal elevation alterations being proposed, and although the resident of the adjoining property, No. 4, has raised objection to the existing windows in the flank wall of the property which currently serve the office and would serve the proposed kitchen, as they may lead to possible loss of privacy and a problem should the adjoining property be extended in the future, these are existing windows and are not something that can necessarily be controlled as part of the planning application.

No off-street parking for the proposed residential property is to be supplied, however a parking stress survey was submitted in support of the application and it was considered by the Highways Engineers that no objection could be raised.

The existing rear appendage is to be demolished as part of the current application and is also the subject of a separate Conservation Area Consent application. This element of the property may not be considered to be of particular architectural merit and as it is not visible from the frontage of the property it may be considered by Members that the demolition of this structure would not be unacceptable.

The actual issue of converting the property into residential is therefore the subject of Policies H12 and EMP3. Policy H12 allows for conversion of non-residential buildings to residential use where the office is genuinely redundant provided it will provide a high quality residential environment within the constraints of the existing building and will also comply with the other housing policies within the Unitary Development Plan. PPG3 (para 41) also suggests that buildings which have previously been in non-

residential use can provide important additional sources of housing. As such, a somewhat flexible approach is suggested when looking at planning standards relating to conversion into residential use, and whilst conversions are not likely to be acceptable where there continues to be a viable commercial use or demand for the premises, if it can be demonstrated that there is no local shortage of office floorspace and no likely loss of employment resulting from the proposal, such an application may be considered acceptable.

Accordingly, Members Views are requested on this matter to ascertain whether the principle of the conversion of this commercial property into residential use is acceptable in the manner proposed by providing a satisfactory quality of accommodation and amenity space for future residents, and by still retaining a mix of uses along this road, which leads to the application being worthy of permission being granted. Alternatively, Members may consider that insufficient evidence has been submitted to prove that there is no need for the commercial unit in this location, and that also allowing the conversion of this property into residential use would result in an unacceptable loss of a commercial property within the Chancery Lane Conservation Area, which would be detrimental to the mixed-use character of the area and which would set an unwanted precedent within the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03593 and 09/0594, 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 ACA07 Boundary enclosure - no detail submitted

ACA07R Reason A07

3 ACC01 Satisfactory materials (ext'nl surfaces)

ACC01R Reason C01

4 ACI02 Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to comply with Policies BE1, BE11 and H12 of the Unitary Development Plan and to protect the amenities of the residents of nearby residential properties.

5 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1, BE11 and H12 of the Unitary Development Plan, and to protect the amenities of the residents of nearby residential properties.

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  
BE11 Conservation Areas  
H12 Conversion of Non-Residential Uses

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 the adjacent properties;
- (c) the character of development in the Chancery Lane Conservation Area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
  
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties;
- (g) the housing policies of the development plan;
- (h) and having regard to all other matters raised including concerns from neighbours.

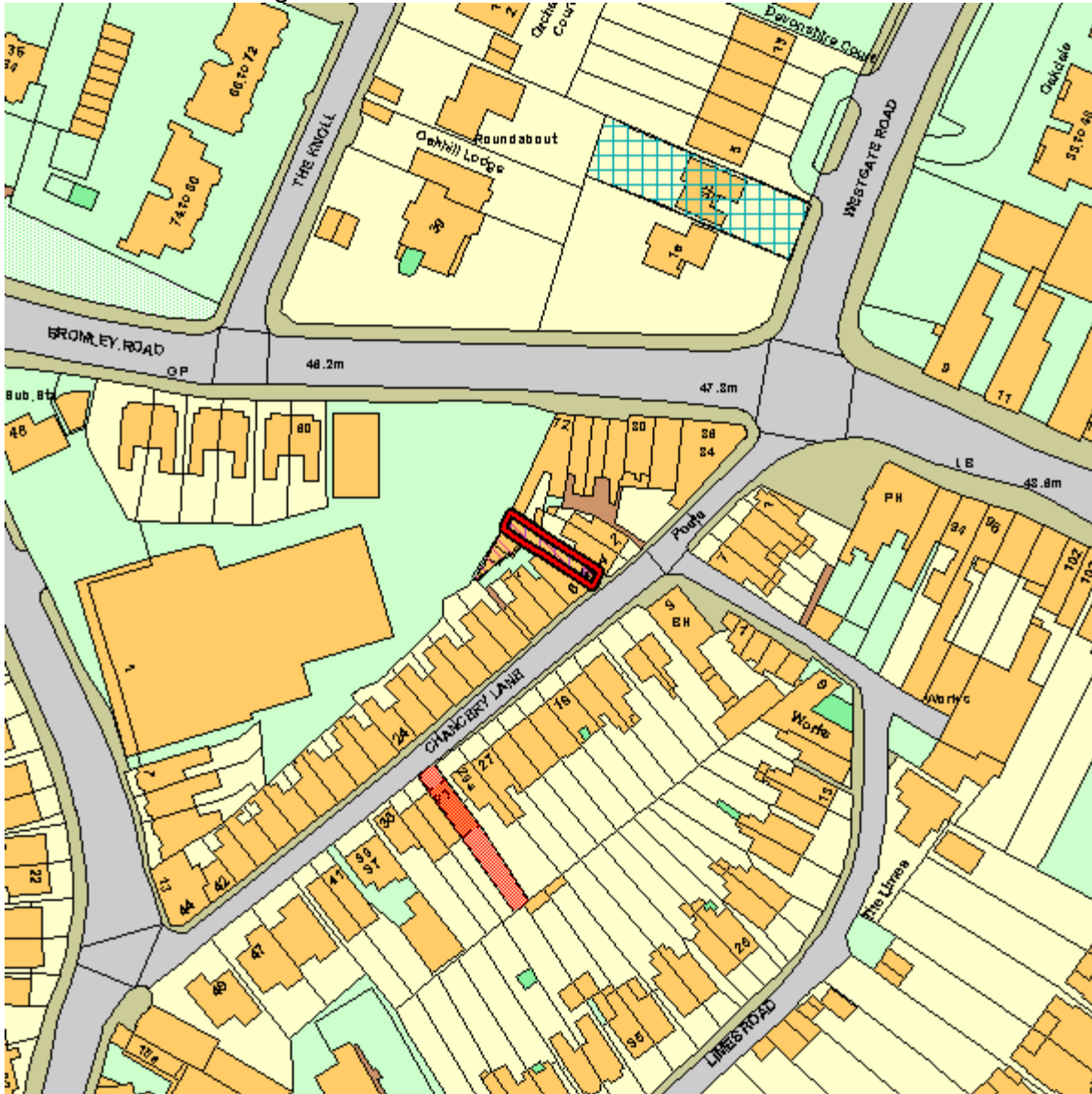
INFORMATIVE(S)

- |   |        |   |
|---|--------|---|
| 1 | RDI23  | Notification re. sewer realignment  |
|   | D00003 | If Members are minded to refuse planning permission the following grounds are suggested:  |
| 1 |        | The proposed conversion of this property from commercial use to residential in this part of the Chancery Lane Conservation Area would set a precedent and lead to a retrograde change in the character of the area, which at present is a reflection of long-standing mixed-use of commercial and residential properties, therefore contrary to Policies BE1, BE11 and H12 of the Unitary Development Plan. |
| 2 |        | Insufficient evidence has been submitted with the application in order to demonstrate that there is evidence of long-term vacancy despite marketing of the premises, or to demonstrate that there is no likely loss of employment resulting from the proposal or a local shortage of office floorspace, therefore contrary to Policies H12 and EMP3 of the Unitary Development Plan.                        |

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