

SECTION '2' – Applications meriting special consideration

Application No : 13/00092/FULL1

Ward:
**Bromley Common And
Keston**

Address : 58 - 62 Walpole Road Bromley BR2 9SF

OS Grid Ref: E: 541824 N: 167915

Applicant : Mr P Pratt

Objections : YES

Description of Development:

Demolition of existing factory and erection of 3 two storey three bedroom terrace dwellings with associated parking and landscaping

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

This application was originally report to Members of Plans Sub-Committee No. 1 at the meeting held on 21st February 2013. Members deferred the application without prejudice to seek the following:

- A reduction in development to 2 houses.

Since the deferral at Plans Sub-Committee, an appeal for non-determination has been submitted to the Planning Inspectorate on the basis that the scheme does not represent an overdevelopment of the site, and would occupy a reduced footprint over the existing buildings to be demolished.

Members are asked if they wish to contest the grounds of appeal.

- Permission is sought for the demolition of all existing buildings on the site, with the exception of the Metropolitan Police Station which is to remain.
- Construction of 3, 2 storey terraced houses measuring a maximum of 9.4m deep, 9.6m high and 15m wide, arranged with a kitchen and living/ dining room at ground floor with 3 bedrooms and bathroom at first floor. No roof accommodation is proposed.
- The houses would be accessed via Walpole Road and 4 parking spaces in total would be provided.

Location

The application site is located on the eastern edge of Walpole Road and comprises a series of vacant commercial buildings which extend across the entire site with an open storage area to the front. The frontage is shared with the Metropolitan Police Station.

The surrounding area is predominantly residential in nature, to the north is, whilst to the south is a local parade of shops on Chatterton Road.

Comments from Local Residents

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

- properties will result in overlooking and therefore a significant loss of privacy.
- 3 houses is an unacceptably high density for the area
- noise and disturbance
- upsets the balance between residential and commercial which is an essential feature of the area.
- houses are out of alignment with surrounding properties.
- detrimental to highway safety
- not in character of Chatterton Village which is worthy of being a Conservation Area.

Comments from Consultees

Highways raise no objections to the scheme subject to conditions.

Drainage recommend standard conditions.

Environmental Health raise no objection subject to conditions.

Comments from Waste state that refuse and recycling should be left on the edge of kerb prior to collection.

Thames Water raise no objection with regard to waste or sewerage infrastructure.

Planning Considerations

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

- BE1 Design of New Development
- H2 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development Outside Business Areas

T3 Parking
T18 Road Safety

The above policies are considered to be consistent with the NPPF.

London Plan Policies:

2.6 Outer London: Vision and Strategy
2.7 Outer London: Economy
4.1 Development London's Economy
4.2 Offices
3.3 Increasing Housing Supply
3.5 Quality and Design of Housing Developments
6.13 Parking

The National Planning Policy Framework – 2012

Planning History

Under ref. 87/00319, the use of office building on independent basis was withdrawn.

Under ref. 88/02068, demolition of existing building and erection of detached two storey office block with new roof to storage area at rear was approved.

Under ref. 88/04426, a single storey side extension was refused.

In 2002, a three storey block comprising 5 two bed and 3 one bed flats with 6 parking spaces was refused under ref 02/01424/FULL1. This was dismissed on appeal.

In 2003, a two storey block comprising 6 two bedroom flats with 6 car parking spaces was refused under ref. 03/02458.

In 2004, a two storey extension and roof extension and conversion into 4 two bedroom and 1 bedroom flats with 5 parking and cycle spaces was approved under ref. 04/01599.

In 2005, a single storey side and rear extension with pitched roof over workshop, and first floor side and rear extension for additional offices was refused under ref. 05/02115.

In 2005, a single storey side and rear extension with pitched roof over workshop, with first floor side and rear extension for additional offices and change of use from printing works to mail distribution centre operating from 08:00 to 18:00 was approved under ref.05/04071.

In 2006, shopfront/ security shutters and disabled access ramp and railings/ alterations to the front and side elevations with 7 cycle lockers to the front was permitted under ref. 06/04137.

In 2007, two air conditioning units were approved under ref. 07/00954.

Conclusions

The main issues relating to the application are the principle of development, and the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Principle of development

The site comprises vacant commercial buildings, which are not located in a designated employment area.

Policy EMP3 states 'the conversion or redevelopment of offices for other uses will be permitted only where:

- (i) it can be demonstrated that there is no local shortage of office floor space and there is evidence of long term vacancy despite marketing of the premises; and
- (ii) there is no likely loss of employment resulting from the proposal.

Policy EMP5 states 'the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that:

- (i) the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses'.

It is noted that the buildings are no longer occupied, and the sites redevelopment has previously been accepted on applications 04/01599/FULL1, and was not raised as an issue on an earlier appeal decision 02/01424/FULL1 where the Inspector stated "although it would result in the loss of a business use, I agree that the site is unsuitable for continued business use. I consider that the existing use is harmful to the character and appearance of the area...In view of this I consider that the principle of redevelopment is acceptable".

Paragraph 51 of the NPPF states that Local Planning Authorities "should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate."

The principle of residential accommodation on this site has therefore appears to have been established.

Density and site layout

With regard to the density of the scheme, it is proposed to construct 3 dwellings, resulting in a density of 43 dwellings per hectare. This is considered to be an

acceptable figure for the locality. It is noted that permission has been given (although now expired) for 5 flats. As such the proposals are not considered to be an overdevelopment of the site.

The locality is predominantly residential in nature, characterised by buildings which front the highway with linear gardens to the rear. The site at present is unusual in this location by being extensively developed with large office buildings which extend across the site boundaries up to two storeys in height. It is proposed to demolish all buildings on the site with the exception of the police station to the front. The replacement terrace of 3 dwellings is considered to result in a significant reduction in bulk and resultant improvement in the spatial standards of the area.

The dwellings would be positioned to the rear of the police station and would constitute backland development. The text to Policy H7 (para 4.40) states that “backland development, involving development of land surrounded by existing properties...will be resisted” but “may be acceptable provided it is small-scale and sensitive to the surrounding residential area”.

In this instance, there would be no loss of residential gardens, where the proposals would utilise previously developed land. The dwellings would share a similar north-west/ south-east orientation as per existing dwellings in the locality and would be located between 6 – 6.8m rearward of the police station with a minimum garden depth of 9.5m. The terrace is inset 1m from the north eastern flank boundary and 1.8m from the south western flank boundary. This would accord with Policy H9. Where the proposals represent a reduction in built form on the site, it is considered that they would not constitute a cramped form of development.

Furthermore, it is noted that residential accommodation has been approved within the rear of this site previously (04/01559/FULL1), although this was single storey, and there are similar development nearby including that at Peartree close (application ref 03/02143 – formerly 19 Union Road).

Design and streetscene

The existing buildings are in a visibly poor state of repair and considered to detract from the appearance of the surrounding area. There is in principle no objection to their demolition. The replacement dwellings are of a traditional appearance, which is widely reflective of the locality and considered to be acceptable, subject to samples of materials.

The terrace is staggered with each dwelling set 0.7m behind the other. This is considered to provide relief to the front elevation. The first floor is also partly set within the eaves, in order to minimise the height of the building, which measures a maximum of 6.9m in height.

The removal of the buildings would open up the site frontage, where the terrace would be visible from Walpole Road and it considered that the proposals would result in an improvement of the appearance of the streetscene. Landscaping is proposed to the site boundaries and this is to be secured by condition.

Amenity implications

The dwellings would be located rearward within the site, and concern has been raised within the objection received with regard to overlooking and a loss of privacy.

Each dwelling as stated above is staggered the projecting front wall of the adjacent dwelling would screen the view across properties in Walpole Road. A privacy screen is also incorporated into each flank wall of each dwelling, rising up to eaves level; this is considered to restrict overlooking toward neighbouring properties. No flank windows are proposed in the elevations of the dwellings.

The eaves height of the dwellings would measure 0.3m higher than that of the existing single storey office building on the site with the ridge height 0.2m higher than the existing two storey building, however, there is significant reduction in built form across the site with the dwellings now set away from the boundary. The dwellings are considered to result in a less intrusive form of development, which would not appear overbearing from the rear gardens of surrounding properties not result in material harm through over shadowing.

Given the planned form of development which seeks to utilise the available space within the plot, it is recommended that permitted development rights be removed in order that the Council can control any future changes.

Highway implications

With regard to highway and parking implications, the dwellings would be accessed via an existing crossover from Walpole Road which is acceptable and 4 parking spaces would be provided in total. This raises no objections. Public transport links are located nearby on Bromley Common.

Conclusions

Taking account of the above, Members may, therefore, consider that the proposals constitute an acceptable form of development for the site which would not be harmful to the character of the surrounding area, nor the amenities of nearby residential properties, and would not cause undue pressure for parking in the surrounding area.

Background papers referred to during production of this report comprise all correspondence on files refs. 88/00319, 88/02068, 88/04426, 02/01424, 03/02458, 04/01595, 05/02115, 05/04071, 06/04137, 07/009541 and 13/00092, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|------------------------------------------|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |

- | | | |
|----|-----------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 4 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |
| 5 | ACD06 | Sustainable drainage system (SuDS) |
| | ADD06R | Reason D06 |
| 6 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 7 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 8 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 9 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 10 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |
| 11 | ACK09 | Soil survey - contaminated land |
| | ACK09R | K09 reason |
| 12 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |
| | Reason: In order to accord with Policy BE1 of the Unitary Development Plan. | |
| 13 | ACI13 | No windows (2 inserts) flank building |
| | ACI13R | I13 reason (1 insert) BE1 |
| 14 | No loose materials should be used for the surfacing of the parking and turning area hereby permitted. | |
| | Reason: In the interest of Highway Safety and to accord with Policy T18 of the Unitary Development Plan. | |

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
- H2 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H12 Conversion of Non-Residential Uses
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development outside Business Areas
- T3 Parking
- T18 Road Safety

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 property
- (c) the character of the development in the surrounding area

- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the provision of satisfactory living accommodation for future residents
- (g) the employment, housing, transport and environmental policies of the UDP

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertakers apparatus, considered necessary and practical to help with the modification or vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 2 In order to minimise the impact of the development on local air quality it should be an aim to ensure that any gas boilers meet a dry NOx emission rate of <40mg/kWh.
- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1975 and/ or the Environment Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites of Practice 2008 which is available from the Bromley web site.
- 4 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/ minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"