

SECTION '2' – Applications meriting special consideration

**Application No :** 12/03999/FULL2

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

**Address :** 52 High Street Beckenham BR3 1AY

**OS Grid Ref:** E: 537429 N: 169632

**Applicant :** Mr Caglar Akpolat

**Objections :** YES

**Description of Development:**

Change of use of first and second floors from offices (Class B1) to a 5 bedroom house of multiple occupation (Class C4)

Key designations:

Conservation Area: Beckenham St. Georges

Areas of Archeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Local Cycle Network

London City Airport Safeguarding

London City Airport Safeguarding Birds

London Distributor Roads

Secondary Shopping Frontage

**Proposal**

This proposal is for the change of use of first and second floors from offices (Class B1) to a 5 bedroom house of multiple occupation (Class C4).

For clarification purposes six unrelated individuals living at a property sharing basic amenities, is considered to constitute a Class C4 - Houses of Multiple Occupation (HMO). Should the dwelling have more than 6 unrelated occupants it would be classified as sui generis - large Houses in Multiple Occupation, which would be subject to a further planning application.

**Location**

The application site is currently comprised of a three storey mid terrace building with a vacant retail unit (Class A1) on the ground floor and office accommodation on the first and second floors. The application site is located within the Beckenham St. George's Road Conservation Area and within a secondary shopping frontage.

Beckenham St. George's Conservation Area is the historic core of the village and then town of Beckenham. As such, it has been occupied by built development for

many centuries. Temporal and spiritual power in the form of the Old Manor, the Rectory and the Church were located there. Appropriately, it still contains the focus of the modern town: the banks, the police station, the Church, the Public Hall and the primary school. It is largely this collection of institutional, civic and community buildings that establish the character of the conservation area.

Beckenham town centre was severely damaged by bombs during World War II. The effects were profound. Several post-war developments occupy bomb sites. Sadly, the design of some replacement buildings failed to take sufficient account of the form or historical development of the town. Beckenham Green, immediately to the north of the church, a densely developed area until 1944, is a lasting and now more pleasant reminder of the dramatic way in which bombardment altered the townscape. The town centre now forms part of the main retail area of Beckenham.

### **Comments from Local Residents**

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

- 5 bedsits not in keeping with standard of adjacent properties and surroundings, not in keeping with Policy H11 and does not respect residential amenities of adjoining properties.
- will have adverse impact on parking and overlooking.
- development has been completed prior to receipt of planning permission and has regular disruption from noise at unsociable hours with residents using roof terrace fire escape landing area adjacent to bedroom window of No. 56 High Street for smoking, disrupting sleep of residents at this property.
- parking already at a premium and possible addition of 5 vehicles added to parking provision on Church Avenue will blight existing residents and users of High Street shops.
- if proposal was for development of offices into lower number of self-contained flats in keeping with the block, no objections would be raised.
- proposal will have negative effect on property values of No. 56.
- environment has adversely changed significantly in past months as a result of development.
- if each room is rented to a couple could potentially be 10 additional people making noise at unsociable hours adjacent to bedroom windows of No. 56.
- query as to motivation of development in an area which demands high rental income.
- concerns as to the types of individuals the development of a low rental shared occupancy development will attract.
- objections as the proposal is retrospective and a significant number of people have already moved into the dwelling.
- concerns as private land to rear of property consistently used by employees and tenants blocking access to parking spaces of No. 56.
- concerns relating to noise created by development compared to office use particularly due to high street location where local residents are already subject to noise.

A further rebuttal statement from the applicant was submitted on 04.06.13 in response to these objections, a copy of which is available to view on the planning file.

### **Comments from Consultees**

The Council's Highways Division state the development is located to the west of High Street, Beckenham. High Street, Beckenham (A2015) is a London Distributor Road (LDR). There are Pay & Display bays within close proximity of the premises; also the site is located within a high PTAL area. Furthermore there is a public car park at St. George's Road which is within walking distance of the application site. No objections are raised as it is considered the development would not have a significant impact on the parking demand and traffic generation within the surrounding road network.

The Council's Waste Advisors raise no objections and state refuse and recycling are to be left edge of curb at the rear of the property adjacent to the access road.

Thames Water raise no objections in respect of water and sewerage infrastructure at the site.

No comments have been made by the Council's Environmental Health Housing Division.

As no external alterations are proposed no objections have been raised from a heritage perspective.

### **Planning Considerations**

The proposal falls to be considered primarily with regard to the following Unitary Development Plan (UDP) policies:

- BE1 Design of New Development
- BE2 Mixed Use Developments
- BE11 Conservation Area
- H1 Housing Supply
- H7 Housing
- S2 Secondary Frontages
- S10 Non-Retail Uses in Shopping Areas
- S11 Residential Accommodation
- EMP3 Conversion or Redevelopment of Offices
- T1 Transport Demand
- T3 Parking

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance  
Supplementary Planning Guidance (SPG) St. George's Conservation Area

Policy 3.3 London Plan (Increasing Housing Supply)  
Policy 3.4 London Plan (Optimising Housing Potential)

Policy 3.5 London Plan (Quality and Design of Housing Developments)  
Housing Supplementary Planning Guidance London Plan 2011

The National Planning Policy Framework (NPPF) will also be a key consideration in the determination of this application. The above policies are considered to be consistent with the aims and objectives of the NPPF.

### **Planning History**

In 2012 under planning ref. 12/03310, a Certificate of Lawfulness was refused for the use of retail unit (Class A1) for delicatessen shop with customer seating and elevational alterations.

A retrospective application is currently pending consideration under ref. 13/01561 for the change of use from retail (Class A1) to delicatessen shop and cafe (Class A1/A3); elevational alterations.

### **Conclusions**

The main issues relating to the application are 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.

Overall the property provides approximately 112.94 sq m of gross internal amenity space exceeding the requirements of Policy 3.5 of the London Plan which requires 99 sq m be provided for 4 bedroom 6 person flats. No such figures are provided for 5 bedroom flats but as 6 person occupancy would be the maximum permitted under the C4 use class this is considered to be applicable in this instance. The London Plan Housing SPG provides further detailed guidance with regards to the quality of accommodation to be provided for future occupants. It advises that for flats designed to be occupied by 5 or more people one bathroom with WC and one additional WC should be provided. In this instance two WCs and two shower rooms are proposed which is considered to be satisfactory. The communal areas of the property (kitchen, TV room and storage) would equate to 21.45 sq m which is less than the 29 sq m as outlined as best practice by the London Plan Housing SPG. However, each of the bedrooms exceed the requirements of 8 sq m minimum area for a single bedroom, and with the exception of bedroom 5, also exceed the requirements of 12 sq m for a double bedroom. In light of the spatial standards of the individual rooms, the limited communal amenity space is considered to be acceptable in this instance given the nature of the accommodation proposed.

An outdoor roof terrace of approximately 9.2 sq m is proposed. The Housing Draft SPG London Plan requires a minimum of 5 sq m of private outdoor space for a 1 - 2 person dwelling and an extra 1 sq m should be provided for each additional occupant. For a 6 person HMO the outdoor space provided appears to satisfy these criteria.

During the course of a site visit (undertaken prior to the change of use occurring) it was evident that the offices were underutilised. As such the change of use from office to residential would inevitably result in some increase in the level of activity

at the site, in particular outside of working hours where before this would have been minimal. Anecdotal evidence received from neighbouring owner/occupiers suggests there has been an increase in noise and disturbance for adjoining owner/occupiers. Members should consider that under the recently introduced Growth and Infrastructure Act the change of use from office (Class B1) to residential (Class C3) no longer requires planning permission (subject to a prior approval process covering significant transport and highways impacts and development in safety hazard zones, areas of high flood risk and land contamination). Members may wish to consider whether the small shared house proposed occupied by between three and six unrelated individuals sharing basic amenities such as a kitchen and bathroom (Class C4) would have a significantly greater impact on the residential amenities of adjoining properties than a Class C3 use. On balance, it is not considered that this would be of such an extent as to warrant refusal and that objections such as individuals congregating on the outdoor terrace area causing noise and disturbance may be seen as statutory noise nuisance issue rather than a planning issue.

Policy EMP3 (Conversion or redevelopment of Offices) of the UDP is also be a key determination during the course of the application and it 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 floorspace 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.

In support of this application a Planning Statement has been submitted by the applicant. This includes a statement from the previous occupier of the offices which states that they relocated from No. 52 to purpose built business premises and as such the proposal is not considered to have resulted in a loss of employment, in line with Policy EMP3 (ii). In order to address EMP3 (i) online research results and photograph of various 'To Let' signs (no corresponding addresses were provided to verify this information) were submitted "showing office spaces already being marketed on Beckenham High Street" with a statement from a local estate agent outlining the high demand for residential accommodation in the area. The information provided shows copies of the webpages of two property websites demonstrating that there are 12 alternate office premises between 60 sq m - 6413 sq m (the application site is approximately 112 sq m). However, to accord with Policy EMP3 evidence of the marketing of the premises should be submitted as part of the application, this has been requested from the applicant and will be reported verbally. If this information is not received Members may wish to consider this element of the application.

Regarding the impact to conditions of road safety and car parking in the area, Members will note that no car parking is proposed on the site. In view of the high PTAL rating and the accessibility to public car parks in the vicinity however, it is not considered that a significant impact on the highway network would arise.

On balance, Members may agree that the proposal is compliant with policy and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03999, excluding exempt information.

as amended by documents received on 24.05.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

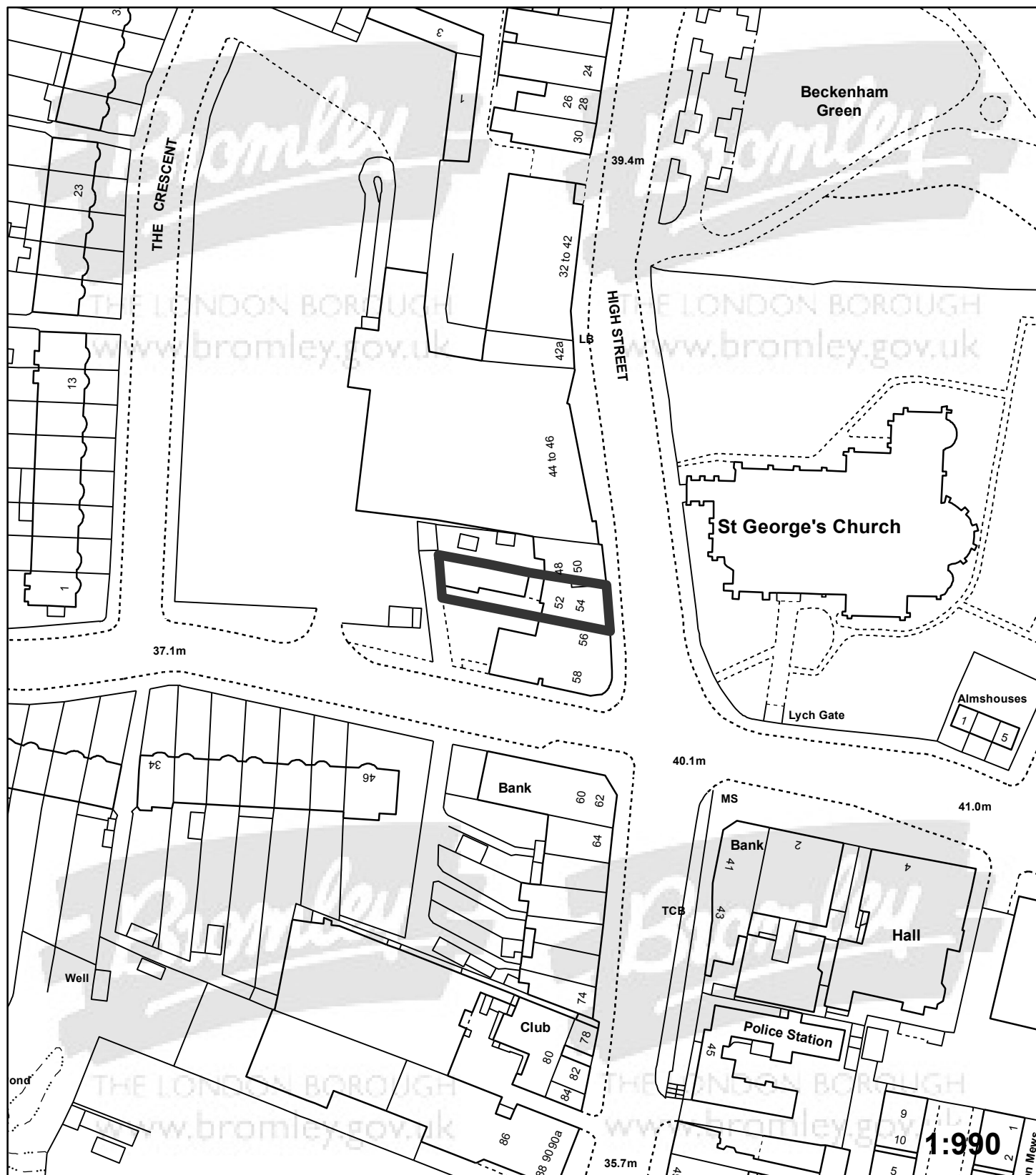
- 1      ACA01      Commencement of development within 3 yrs  
         ACA01R    A01 Reason 3 years
- 2      ACK01      Compliance with submitted plan  
         ACC01R    Reason C01
- 3      The hereby permitted house of multiple occupation (Class C4) shall be occupied by between three and six unrelated individuals. Should more than six unrelated individuals occupy the property this use would fall within the sui generis category and further planning permission would be required.

**Reason:** In the interests of the residential amenities of adjoining owner/occupiers, in line with Policies BE1 and H8 of the Unitary Development Plan.

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**Address:** 52 High Street Beckenham BR3 1AY

**Proposal:** Change of use of first and second floors from offices (Class B1) to a 5 bedroom house of multiple occupation (Class C4)



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

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