

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 13/01847/FULL1

**Ward:**  
**West Wickham**

**Address :** 131 - 133 High Street West Wickham  
BR4 0LU

**OS Grid Ref:** E: 537848 N: 166070

**Applicant :** Mrs M Andreade

**Objections :** YES

**Description of Development:**

Roof alterations to include velux windows, elevation alterations, part one/two storey rear extensions, conversion of first floor, second floor and roof space to provide 1 no x 1 bed and 7 no x 2 bed self-contained units with roof terrace garden areas, 6 parking spaces, cycle and refuse storage.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Secondary Shopping Frontage  
Stat Routes

**Proposal**

The proposal is for alterations to the roof of this mixed use (part commercial, part residential) building to provide 1 x one bedroom and 7 x two bedroom residential units. The alterations include the installation of velux windows, elevational alterations, and one and two storey rear extensions. The proposal includes balconies/terraces at first, second and third floor levels. 6 car parking spaces will be provided as part of the development.

The commercial use at ground floor level will be retained.

**Location**

The site is located on the south side of West Wickham High Street, at the junction with Grosvenor Road, and adjacent to the Wheatsheaf Public House. The site has a frontage to the High Street of about 10 metres and a frontage to Grosvenor Road of about 33 metres.

## **Comments from Local Residents**

Nearby owner/occupiers were notified of the application and three local objections were received which can be summarised as follows:

- proposal represents overdevelopment on what is already a cramped site;
- insufficient car parking for 8 flats;
- amenity space is inadequate;
- the use of the amenity space will be detrimental to neighbouring properties in terms of noise and impact on privacy;
- the velux windows to which this application relates have already been installed prior to gaining planning permission.

An objection has also been submitted on behalf of the Spirit Pub Company. The Spirit Group's objections are summarised as follows:

- the increase in roof height, the extensions at first and second floor levels and additional windows at third floor level will create a building of significant scale and massing which is out of character with the area;
- the building will detract from the street scene;
- the balconies/terraces at second and third floor levels increase the potential for overlooking from the properties into the beer garden of the pub and will be detrimental to the residential amenity of both neighbouring residents but also the prospective residents of the proposed flats.

## **Comments from Consultees**

Highways - No objections

Drainage - No objections

Thames Water - No objections

Environmental Health - no comments raised on previous scheme - comments are awaited on this application and will be reported verbally at Committee

## **Planning Considerations**

BE1 Design of New Development  
H7 Housing Density & Design  
T3 Parking  
T7 Cyclists  
T11 New Accesses  
T17 Servicing of Premises  
T18 Road Safety  
S2 Secondary frontages

National Planning Policy Framework (NPPF) is also a material consideration for the determination of the application.

## **Planning History**

Relevant planning history is summarised as follows:

Planning permission for a three storey building comprising retail unit (Class A1) at ground floor level and 6 flats with roof terrace/ garden and 6 car parking spaces was refused under application refs. 06/04553 (4 x three bed and 1 x two bed) and 07/02157 (6 x two bed). The applications were refused on the grounds of overdevelopment, impact on the street scene and inadequate amenity space.

A subsequent application ref. 07/04049 for a three storey building comprising retail unit (Class A1) at ground floor level and 1 x one bedroom and 5 x two bedroom flats with roof terrace/ garden and 6 car parking spaces was refused by the Council on similar grounds but later granted on appeal (ref. APP/G5180/A/08/2071800). An application (ref. 11/01869) seeking an extension of time to the scheme (that was allowed on appeal) was granted permission in August 2011.

Application (ref. 12/00469) for roof alterations to include side dormer extensions, elevation alterations, part one/three storey rear extensions, conversion of first floor, second floor, and roof space to provide 5 x one bedroom and 3 x two bedroom self-contained units with roof terrace/garden areas and 6 car parking spaces was refused in May 2012 on the grounds of over development, impact on the street scene, and impact on residential amenities. An appeal against this refusal was subsequently dismissed. The Inspector considered that the proposal would cause significant harm to the street scene and that the dormer extensions would significantly increase the apparent bulk and visual impact of the roof and result in a significant visual impact. However, the Inspector did not consider that there was adequate evidence to support the fact that insufficient amenity space was provided as part of the proposals, or that the impact on residential amenities of the second floor roof terrace was sufficient, alone, to justify the dismissal of the appeal.

Application (Ref: 12/01776) that addressed some of the grounds of refusal of the earlier permissions was granted planning permission in August 2012. This proposal omitted the dormer extensions and reduced the number of flats to provide 1 x one bedroom and 5 x two bedroom units.

An application to vary condition 9 (compliance with plans) of permission ref. 12/01766 to allow for an increase in size of the second floor rear projection and amendment to window positions was approved in May 2013.

## **Conclusions**

The main issues relating to the application are the effects that the proposed development would have on the character of the area, any impact on the amenities of the occupants of surrounding residential properties, the impact on the nearby locally listed building and on highway safety.

The principle of some form of residential development on this site has already been established. Planning permission was granted in August 2012 for 1 x one and 5 x two bedroom units. An application to extend permission ref. 07/04049 was also

granted Planning Permission in August 2011 under ref. 11/01869. The assessment of this proposal will therefore focus on the main differences between the application proposal and the extant permissions.

The Design and Access Statement (p.12) that accompanies the application, states that the proposed development mirrors the profile of the redevelopment scheme that was granted permission in 2008 and renewed in 2011. The access and amenity provision also remains unchanged. The main difference, between the application proposal and the extant permission is that the number of residential units has been increased from 6 to 8. The scheme will provide 7 x two bedroom and 1 x one bedroom units (rather than 1 x one bedroom and 5 x two bedroom units).

Whilst additional residential units are proposed in the roof space and the scheme represents an intensification of the use of the site, the height of the proposed building matches the overall height of the previously approved scheme. The bulk of the roof of the building has also been reduced by the omission of the dormer extensions and insertion of velux windows. This is considered to address the Inspector's concerns in respect of appeal ref. APP/G5180/A/12/2177398 with regard to the bulk and visual impact of the roof, in particular with regard to the impact of the dormers. On balance the overall appearance of the building is considered to be acceptable and unlikely to cause a detrimental impact upon the street scene or the visual amenities of the occupiers of the surrounding properties.

The scheme provides private amenity space for units 2 and 3 and shared amenity space for units 4, 5, and 6 at first floor level. It also provides private amenity space in the form of a balcony at second floor level (for units 5 and 6) and a large balcony at third floor level (with a depth of 6.1m) for unit 8. The amenity areas/balconies are surrounded by a 1.8m timber screen which will reduce the risk of overlooking and the associated loss of privacy.

The communal community space above the garaging area (at first floor level) was part of both the permitted redevelopment (ref.11/01869) and conversion/extension schemes (ref. 12/01776) so the principle of this element of the scheme has, already been established.

In assessing the potential impact of the additional small balcony at second floor level and the increase in depth of the third floor balcony (to 6.1m), the Inspector's assessment of the proposal that was considered under appeal Ref: APP/G5180/A/12/2177398 (dismissed) is a material consideration.

In considering appeal ref. APP/G5180/A/12/2177398 the Inspector acknowledged that the use of the terrace/balcony areas would potentially result in a marginal increase in noise and disturbance, and whilst he indicated that this did add some weight to his decision in dismissing the appeal he advised that he considered that it would not, alone, be sufficient to warrant a dismissal.

Whilst it is acknowledged that the third floor balcony is substantially larger than the one that was considered by the Inspector at the appeal, it is considered that the additional second floor balcony and the increase in size of the third floor balcony

are likely to result in only a further marginal increase in noise and disturbance, and these elements require careful consideration. However, on balance, it is considered that the resulting level of impact will fall within acceptable levels.

Local objections have also focused on the fact that the development only provides 6 car parking spaces for 8 residential units, however, the Council's Highways Engineers have indicated that they have no in principle objection to this level of provision.

In summary, on balance, the proposal is considered unlikely to lead to a detrimental impact upon the character of the streetscene, a negative impact upon the amenities of nearby residents or upon the safety and parking issues in nearby roads. Taking into consideration all of the relevant planning considerations including the planning history of the site, the level of impact on visual and residential amenities resulting from the proposal is considered to fall within acceptable levels.

Background papers referred to during production of this report comprise all correspondence on files refs. 02/01240, 06/04553, 07/02157, 07/04049, 11/01869, 12/00422 and 12/00469, 13/01847 excluding exempt information.

as amended by documents received on 5/08/13.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01          Commencement of development within 3 yrs  
         ACA01R        A01 Reason 3 years
- 2      No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including full details of the windows, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3      No development shall take place until details of the layout and means of enclosing the proposed amenity garden have been submitted to and approved in writing by or on behalf of the Local Planning Authority. Development shall be carried out in accordance with the approved details before the residential units hereby permitted are first occupied and shall be retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the residential amenities of the adjacent properties.

- 4      Before any part of the development hereby permitted is first occupied, bicycle parking and waste storage and recycling facilities shall be provided at the site in accordance with details to be submitted to and approved in writing by or on behalf of the Local Planning Authority. These facilities shall be retained thereafter.

**Reason:** In order to comply with Policies BE1 and T7 and Appendix II.7 of the Unitary Development Plan in the interests of encouraging the use of sustainable methods of travel and visual amenity.

5 Before commencement of the development hereby permitted a scheme for the parking, manoeuvring and access/egress of cars on and to/from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before commencement of the residential use of the building and retained thereafter.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

6 Before commencement of the development hereby permitted details of foul and surface water drainage systems shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. The approved schemes shall be completed before any part of the development hereby permitted is first occupied, and shall be maintained thereafter.

ADD02R Reason D02

7 While the development hereby permitted is being carried out a suitable area of hardstanding on site shall be provided with wash-down facilities for cleaning the wheels of vehicles. Any accidental accumulation of mud on the highway shall be removed without undue delay and in any event shall not be left behind at the end of the working day.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of highway safety.

8 Before the residential development hereby permitted is first occupied, the proposed windows on the first floor, second floor and roof level western flank elevation shall be obscure glazed and shall subsequently be permanently maintained as such.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the residential amenities of the adjacent properties.

9 ACK01 Compliance with submitted plan

ACC01R Reason C01

10 ACH32 Highway Drainage

ADH32R Reason H32

11 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

### INFORMATIVE(S)

1 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 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

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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"

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