

SECTION '2' – Applications meriting special consideration

**Application No :** 13/01136/FULL1

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 137 Hastings Road Bromley BR2 8NQ

**OS Grid Ref:** E: 542453 N: 165938

**Applicant :** Mr Halil Karaoglan

**Objections :** NO

**Description of Development:**

Single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front.

**Proposal**

The proposal seeks planning permission to erect a single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front.

The new self-contained shop unit will be single storey and measure approximately 6.6m deep, 6.2m wide and 4.7m high.

**Location**

The proposal site is situated to the southern side of Jackson Road and is located to the rear of 137 Hastings Road. The property at 137 Hastings Road is the end building of a local shopping parade and is currently used as dry cleaners. The land at its rear is an unused plot fronting Jackson Road, which is characterised by semi-detached and terraced residential properties.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

**Comments from Consultees**

Highways: No objection.

Environmental Health: No objection.

Policy: No objection.

**Planning Considerations**

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

BE1 Design of New Development  
S5 Local Neighbourhood Centres, Parades and Individual Shops  
T18 Road Safety

The following Council adopted SPG guidance is also a consideration:

Supplementary Planning Guidance 1 General Design Guidance

The above policies are considered consistent with the objectives and principles of the NPPF.

### **Planning History**

2009: Planning application (ref. 08/04001) refused for change of use to land rear of 137 Hastings Road Bromley for car hand wash. Reasons for refusal:

In the absence of sufficient information to demonstrate the maximum potential of the operation and the impact on parking in the locality, the proposal would be likely to result in an increase in demand for on-street parking, detrimental to residential amenities and prejudicial to the safety and free flow of traffic, contrary to Policies BE1 and T18 of the Unitary Development Plan.

The change of use from parking area to hand carwash, due to additional traffic operation, commercial activity and general disturbance associated with such an activity, would be detrimental to the amenities of nearby residential neighbours, contrary to Policy BE1 of the Unitary Development Plan.

Note: Subsequent appeal (APP/G5180/A/09/2103038) was dismissed.

2010: Planning permission (ref.10/01003) granted for single storey extension to rear of ground floor shop.

### **Conclusions**

The main issues relating to the application are 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 the impact that it would have on the highway, parking and road safety.

With regard to the potential impact of the proposal on the character of the area, the separate A1 unit will be to the rear of the shopping parade fronting Jackson Road rather than Hastings Road. Jackson Road is a distinctly quieter, less intense residential street compared to the busy A21 (Hastings Road). There is a clear break between the rear of the commercial shopping parade units fronting Hastings Road and the predominantly 2 storey residential properties the characterise

Jackson Road. An argument could be made that the introduction of retail unit/commercial type use fronting Jackson Road and separated from the shopping parade may encroach on the residential nature of the street and unduly harm its relatively quiet character. However, given the small scale of the proposed A1 unit, Members may consider that, on balance, the predominant and overriding residential character of Jackson Road will not be unduly altered and therefore harmed by the introduction of a commercial use in the proposed location.

With regard to the potential impact of the proposal on the amenities enjoyed by the occupants of surrounding residential properties, the relatively recent (2009) dismissed appeal decision not to allow a commercial use as a car wash should be noted. In the decision the Inspector found that the use would have a materially harmful effect on the living conditions of nearby residents in relation to noise and disturbance and would conflict with UDP policy BE1.

Whilst a relatively small A1 unit is unlikely to result in as much noise and disturbance as an open air car wash, an assessment of and conclusion on whether the A1 would still result in a level of activity harmful to the amenities enjoyed by neighbouring residents should still be made. Given that the applicant has proposed hours of 0900 to 1730 Monday to Friday and 0900 to 1400 Saturday with no opening on Sunday and Bank Holidays (a condition to this effect is recommended), Council's Environmental Health Officer has not objected and neither has any neighbouring residents, Members may consider that, on balance, the proposed A1 unit, even in this location, will not result in undue harm to the neighbouring residential amenities by way of noise and disturbance.

With regard to impact on the highway, parking and road safety, the Highways Officer is of the opinion that the development would not have a significant impact on the parking demand in the area and therefore, on balance, raises no objection to the proposal.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/04001, 10/01003/FULL1, 13/01136/FULL1 excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
         ACA01R    A01 Reason 3 years
- 2      The use shall not operate on any Sunday or Bank Holiday nor before 0900 or after 1700 on Monday to Friday and nor before 0900 or after 1400 on any Saturday.

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

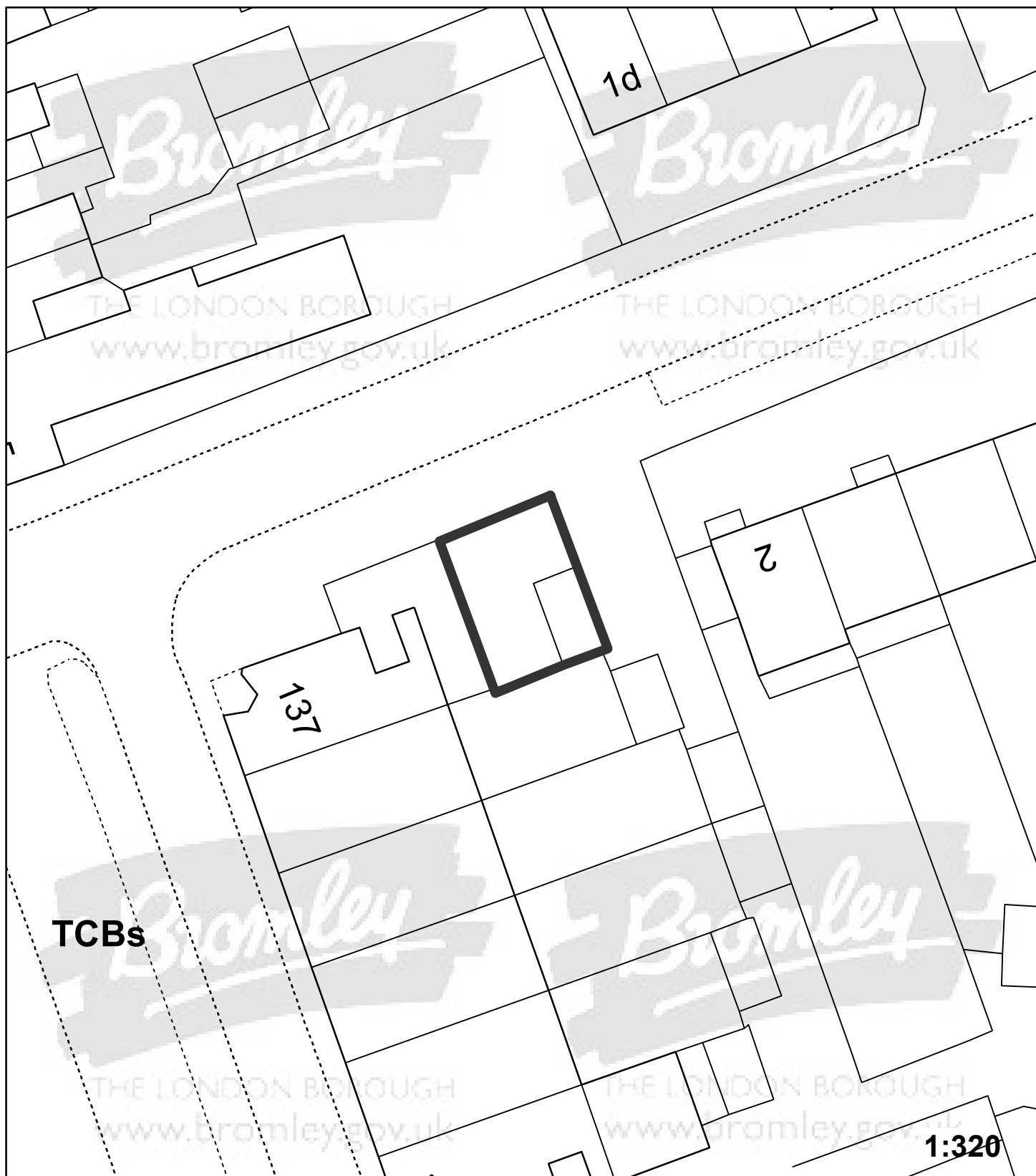
- 3      ACK01      Compliance with submitted plan

**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.

**Application:**13/01136/FULL1

**Address:** 137 Hastings Road Bromley BR2 8NQ

**Proposal:** Single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front.



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

© Crown copyright and database rights 2013. Ordnance Survey 100017661.