

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

**Application No :** 14/04658/FULL1

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

**Address :** 10 Copers Cope Road Beckenham BR3  
1NB

**OS Grid Ref:** E: 537297 N: 170002

**Applicant :** Mr Durmus Ergen

**Objections :** YES

**Description of Development:**

Erection of single storey building to rear with basement and external lightwell.

Key designations:

Biggin Hill Safeguarding Birds

**Proposal**

Planning permission is sought for the construction of a single storey building to the rear with a basement and external lightwell.

The single storey and basement building will be located to the rear of No10 Copers Cope Road. The proposed building would have a maximum depth of 10.8m and maximum width of 9.7m above ground level and form an L shaped construction. The same parameters will be repeated at basement level with the addition of an external lightwell area at 2.5m depth across the width of the building and located to its rear. This building would provide a staff room with office and storage/laundry/ironing room at ground level. The basement area is indicated as storage, toilets and a fitness saloon. Drawing No 14139-X-OS states that the proposed outbuilding is ancillary to the existing hotel and will have no sleeping or cooking facilities.

**Location**

The application site is located towards the eastern end of Copers Cope Road and is an end of terrace four storey hotel building which has now been refurbished extensively. The application site is within walking distance of Beckenham town centre. The area is predominantly residential in character with a mixture of houses and flats. Towards the eastern boundary is the refurbished residential block of four storey flats known as Regent's Court. Towards the western boundary is the detached four storey block of 1970s flats known as Sinclair Court. The rear

boundary adjoins the rear garden curtilage of No29 Park Road and 18 Hanley Place.

### **Comments from Local Residents**

- Bedroom windows of property to the rear align with rear boundary fence due to ground level differences.
- No consultation by hotel with neighbours.
- Comprises a large outbuilding that would dominate the rear half of the hotel garden.
- Height of the proposed building will appear greater due to ground level differences between properties.
- Will cause overshadowing, reduce daylighting and views.
- Privacy will be seriously affected.
- Necessity of the location at the bottom of the garden is questioned.
- Concern regarding the use of the building developing into something else.
- Concerns regarding the precise location of the building on site in relation to boundaries.
- Concerns regarding screening methods.
- Issues raised with the level of detail submitted within the application documents.
- Concerns regarding the large hole relating to halted works on site.
- The use of the fitness salon hours of operation, supervision and safety are questioned.
- New proposal will have an increased effect on quiet enjoyment of back gardens and homes by use of fitness salon by guests and introduction of a lightwell in close proximity to boundaries.
- A fitness facility should be located in the main hotel.
- Excavation may have effect on the stability of the ground.
- Windows should not be on the rear elevation.
- Concerns regarding the choice of tree to the rear boundary.
- Proposal would be an overdevelopment of the hotel site.
- Would increase traffic noise and vibration.
- Will cause disruption to private parking and damage to roadway in Sinclair Court.

### **Comments from Consultees**

Drainage: No objection subject to additional information secured by condition.

Environmental Health Officer: No objection subject to informatives regarding the construction works and potential for land contamination.

Thames Water: No objection subject to further detail regarding Drainage. The advice given has been reiterated by the Council's Drainage engineer and can be secured by condition as necessary.

### **Planning Considerations**

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

BE1 Design of New Development  
T3 Parking  
NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

The National Planning Policy Framework and London Plan is also a key consideration in the determination of this application.

### **Planning History**

08/03787/FULL1 - Part three/four storey rear extension formation of ancillary bar, dining and lounge facilities and 14 en-suite bedrooms. Application refused on 20/02/2009.

09/01269/FULL1 - Single storey rear extension comprising 2 bedrooms, disabled access ramp, car parking area at front and external ventilation/ducting at side RETROSPECTIVE APPLICATION. Application was approved on 20/4/2010.

12/03940/FULL1 - Erection of single storey building to rear, application refused on 12/03/2013. Application was refused for the following reason,

"The proposed single storey building, by reason of its height, scale and relationship with neighbouring properties, is considered to result in an unacceptable detrimental impact upon the residential amenities of No.29 Park Road and No. 18 Hanley Place, contrary to Policy BE1 of the Unitary Development Plan."

13/01535/FULL1: Erection of single storey building to rear. Application was approved 25/9/2013.

### **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 and amenity of surrounding residential properties.

### **Background**

Members will note that the structure as approved in the 2013 application remains the same in the current application above ground level. Members will also note that the above ground structure as approved was a reduction from a previous scheme that reduced the scale of the development. A large pitched roof was removed that reduced the height significantly to within acceptable limits. The application was subsequently approved.

The differences in this scheme relate to the addition of a basement area of the same footprint as the above ground building with an external lightwell area to the rear. The applicant has detailed that the alterations are required to ensure the efficient running of the hotel and to provide an additional facility to attract more people to the hotel.

### Design and Appearance

In terms of design, although the building is generic and functional, subject to details of material it is considered that due to the small scale and relatively hidden location the level of detail is enough to consider that the design will be in character with the nature of the site and its location. The building will be set in from its flank boundaries by 2m and 7.5m from the rear elevation. The concerns of residents are noted in respect of the proximity of the building to their boundaries. However, given the indicated distances it is not considered that the mass and scale of the building will be any different to that approved as the main alteration is below ground level.

### Impact on Residential Amenity

The additional basement level of the building and external area are proposed to give greater functionality to the building for the applicant and benefits to the hotel business. This will have some impact on the residential amenity of neighbouring residential property. The concerns of residents have been highlighted in this regard and the introduction of an element of the hotel business into the rear curtilage of the property has been noted. However, no guest bedrooms will be located in the building and the only function that allows guests access to the building is the fitness saloon. It is considered that subject to suitable enforceable planning conditions that the impact in terms of noise and disturbance can be mitigated in this regard to a suitable level. It is suggested that restrictions are imposed regarding hours of use, non use of the lightwell area by customers and controls over audible sound.

Therefore, while the introduction of the basement will create a marginally more intensively used building the impacts of the use can be suitable controlled to within acceptable limits appropriate to its location.

Above ground as per the 2013 application, a 2m timber fence is proposed to enclose the rear garden area. Two windows will be located in the rear elevation of the building. These are annotated as being obscure glazed which can also be controlled by way of a condition and as such this is not considered to give rise to an unacceptable loss of privacy or sense of overlooking.

A tree lined planting strip is also proposed to help screen the building to properties at the rear as originally conditioned on the 2013 application. This addition is welcomed although further information regarding the species type is considered necessary to prevent the establishment of an over dominant natural screening along this boundary in response to neighbouring occupier concerns.

### Other matters

Concerns regarding the stability of groundworks already undertaken and construction methodology are noted. A planning condition can ensure that a suitable methodology is adhered to in this regard to maintain residential amenity. The stability of the groundworks fall outside of the remit of this application and are addressed under the Building Regulations.

### Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

### **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  
ACK05R      K05 reason
- 3      ACD02      Surface water drainage - no det. submitt

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 Of the London Plan (2011).

- 4      No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:
  - (a)      Dust mitigation measures.
  - (b)      The location and operation of plant and wheel washing facilities
  - (c)      Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (d)      Details of construction traffic movements including cumulative impacts which shall demonstrate the following:
    - (i)      Rationalise travel and traffic routes to and from the site
    - (ii)      Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity
    - (iii)      Measures to deal with safe pedestrian movement

- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements.

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policies BE1, T6, T7, T15, T18 of the Unitary Development Plan (July 2004).

5 ACC07 Materials as set out in application  
ACC07R Reason C07

6 ACI14 No balcony (1 insert) the building  
ACI14R I14 reason (1 insert) BE1

7 Notwithstanding the information submitted before the development hereby permitted is first commenced, revised details of a low species height planting screen to reduce the buildings impact on neighbouring residents shall be submitted to and approved in writing by the local planning authority and the scheme shall be implemented in the first planting season following first occupation of the development or substantial completion of the building, whichever is sooner.

**Reason:** To safeguard the amenities of the adjoining residents in accordance with Policy BE1 of the Unitary Development Plan.

8 Before the development hereby permitted is first occupied the proposed windows in the northern and eastern elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.

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

9 The development hereby permitted shall only be used as a guest fitness saloon, staff room, office and laundry/ironing/storage rooms ancillary to the hotel use at 10 Copers Cope Road and shall not be used as guest bedrooms or residential accommodation.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to protect the amenities of neighbouring residents.

10 The external lightwell area to the rear of the building shall not be used by guests as part of the fitness saloon ancillary to the hotel use at 10 Copers Cope Road at any time.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to protect the amenities of neighbouring residents.

11 The fitness saloon premises shall only be open for hotel guest use between the hours of 08:00 to 21:00 on any day of the week.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policy BE1 of the Unitary Development Plan (July 2004).

- 12 No music, amplified sound system or other form of loud noise shall be used or generated which is audible outside the premises or within adjoining buildings.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Policy BE1 of the Unitary Development Plan (July 2004).

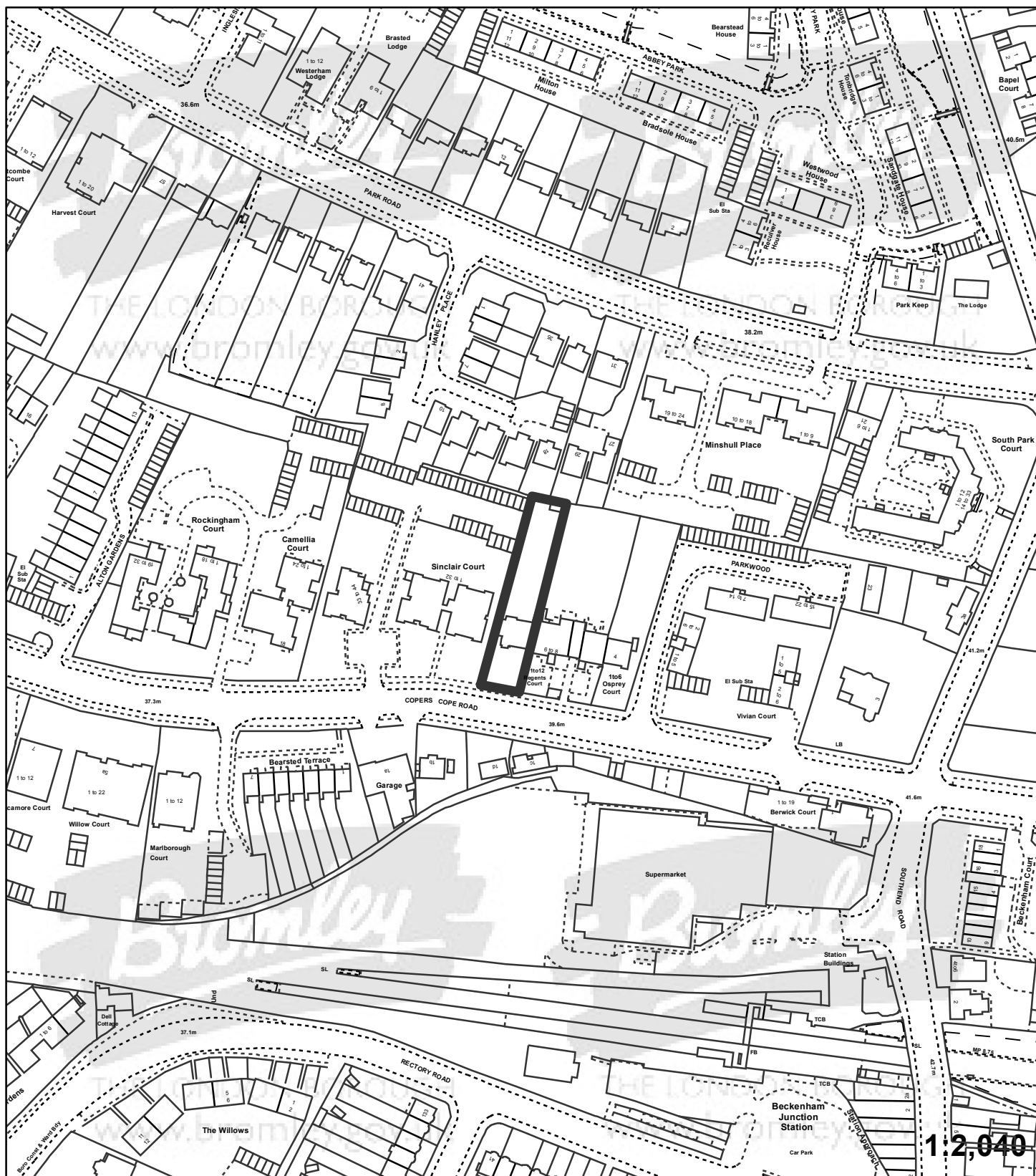
#### INFORMATIVE(S)

- 1 Waste Comments: Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 2 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)
- 3 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 Before works commence, 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.
- 5 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

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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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