

SECTION '2' – Applications meriting special consideration

Application No : 15/00503/FULL1

Ward:
Copers Cope

Address : 1 St Clare Court Foxgrove Avenue
Beckenham BR3 5BG

OS Grid Ref: E: 538002 N: 170184

Applicant : Platinum Estates (London) Ltd Mr Daniel Sengupta
Objections : YES

Description of Development:

Conversion of the existing loft space into a 2 bedroom self-contained flat

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 12

Proposal

- Conversion of existing loft space to create a 2 bedroom self-contained flat.
- Front dormer window and four velux rooflights
- Two small rear box dormer windows
- One larger dormer window with Juliet balcony

For clarity amended planning application forms and revised certificate were received from the agent dated 25th March 2015 stating that Jack Sengupta was no longer the legal owner, but his son Daniel Sengupta was. The agent also confirmed that Platinum Estates (London) Ltd had been liquidated (however, the Local Planning Authority will not become involved in private legal matters).

Location

The application site is located at Nos. 1 - 4 St Clare Court and is within the Area of Special Residential Character. The application site is a detached building located on the eastern side of Foxgrove Avenue, Beckenham

St Clare Court currently consists of three blocks of two storey buildings adjacent to each other.

The land slopes steeply towards the east where a communal garden is provided which is accessed through a steeply sloping shared driveway. This drive also provides access to the existing garages and store rooms located underneath the existing flats. The external doors to these garages are located in the flank walls adjacent to the driveway. There are 2 small external doors and windows located on the side and rear elevations of both existing blocks which provide light and access to the store rooms.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a large number of representations were received and can be summarised below:-

- the applicant is no longer the freeholder for St Clare Court and the company Platinum Estates are no longer in existence.
- the site is already overdeveloped
- the construction work would lead to the partial loss of access to properties No.2 and 3.
- parking on the street is already a problem for residents, additional occupation would only add to this problem
- the design would lose "face" with dormers and removal of chimney stacks.
- concern that the proposed plans do not take into account important issues of public services such as main sewer, water tanks on the roof, waste disposal, heating etc
- due to the age of the building it is unlikely the foundations will be adequate to take an extra load.
- there is no means of fire escape
- the development will cause noise and disturbance

Full and detailed copies of the objections letters received from local residents can be found on the application file.

Comments from Consultees

Highways Officer - The site is within a low (1a) PTAL area. It is therefore likely future resident will own car. There are a number of nearby properties which do not have off street parking so there will already be a demand for on-street parking. We would need assurance that additional on-street parking could be accommodated without causing a problem.

Highways have indicated that the applicant should undertake and submit a parking survey in accordance with Lambeth Council's Parking Survey Guidance Note' (Lambeth Council, 2012), to be able to make an informed decision on whether or not there would be an adverse impact resulting from this proposed development.

Environmental Health (Housing) - see comments below:

1. All partitions leading onto the staircase enclosure and separating occupancies should be half-hour fire resisting to BS 476 where an LD2 Type audible fire alarm system is provided in accordance with the requirements of BS 5839.
2. All fire doors should conform to BS 476 Parts 20-23 (half-hour resistance) and fitted with cold smoke seals and self-closers.
3. Bedroom 2 to the top floor flat does not appear to meet the minimum standard for the provision of natural lighting and ventilation. All habitable rooms should be provided with a glazed area of at least 1/10th of the available floor area and a ventilation opening of at least 1/20th of the available floor area.

Environmental Health (Pollution) - I have considered the above and I have no objections in principle however I would recommend that the following informative is attached:

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.

Drainage Officer - no objection.

Thames Water - no objection.

Waste Services - no comments received.

Planning Considerations

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
T3 Parking
T18 Road Safety

Supplementary Planning Guidance 1 and 2

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

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
3.9 Mixed and Balanced Communities
5.12 Flood Risk Management

- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.21 Trees and Woodland
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance

The National Planning Policy Framework, with which the above policies are considered to be in accordance.

Planning History

Under planning application ref. 10/0167,0 planning permission was granted for "Conversion of existing basement storage area into 2 two bedroom flats and installation of new windows and doors to the rear and side elevation. Formation of new storage cellar/communal store room /bicycle and bin store (at No. 1-8 St Clare Court)".

Conclusions

The primary issues in the assessment of this planning application are:

- Principle of development
- The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- The quality of living conditions for future occupiers
- Impact on the amenity of neighbouring residents
- Highways and traffic issues

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Principle of Development

The National Planning Policy Framework (NPPF) promotes the efficient and sustainable use of land for housing. Policy H7 of the UDP outlines the criteria that applications for new housing must meet. It requires the site layout, buildings and level of amenity space to be in keeping with the surrounding area. The Council will therefore resist proposals that would undermine local character or that would be likely to result in detriment to existing residential amenities.

Bromley's Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

The site is located within a predominantly residential area where the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

The provision of an additional dwelling by converting the existing roofspace is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality

The property is located on Foxgrove Avenue, Beckenham where there are a wide variety of differently designed large detached properties, and blocks of flats as in this case. Consistent character is, however, achieved through similar separation spaces, dwelling footprint and plot widths. The Foxgrove Avenue ASRC states that the area is in the main inter/post war with spacious rear gardens. The blocks of flats along this part of Foxgrove Avenue are all of a similar style and appearance. The proposed development would alter the front and rear roof appearance; to the front a box dormer and four roof lights and to the rear two box dormers and a further dormer with Juliet Balcony. The changes proposed to the rear roofspace would also see the removal of the two existing chimney stacks.

The introduction of a front dormer is considered to be bulky and would create an incongruous addition to the host dwelling that would be clearly visible in the streetscene. The scheme as submitted is considered to be detrimental to both the host dwelling and to the character of the area in general.

The quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The floorspace of the proposed unit varies in size depending on the useable height area (owing to the sloping heaves height).

Table 3.3 of the London Plan requires a Gross Internal Area of 61sqm for two bedroom, three person apartment. With regard to the above it appears that the size of the apartments for its intended occupancy would not comply with the minimum standards contained in the London Plan 2015 unit size standards.

Comments received from the Council's Environmental Health department, outline that the scheme would be unacceptable because Bedroom 2 does not appear to meet the minimum standard for the provision of natural lighting and ventilation. All habitable rooms should be provided with a glazed area of at least 1/10th of the available floor area and a ventilation opening of at least 1/20th of the available floor area.

Concerns have also been raised from the Environmental Health regarding ventilation and fire risk.

Residential Amenity and Impact on Adjoining Properties

The proposed roof extensions will have some impact on the amenities of neighbours below and in adjacent properties through noise and disturbance. Several neighbours have stated that the building of the basement flat allowed in 2010 caused lots of noise, dirt, dust and debris. The front dormer would cause some overlooking to the No.22 Foxgrove Avenue. The rear dormers would overlook a tennis court which is not considered to cause a significant problem.

Highways

The site is within a low (1a) PTAL area. It is therefore likely future resident will own car. There are a number of nearby properties which do not have off street parking so there will already be a demand for on-street parking. The Highways Officer has asked that the applicant undertake a Parking Survey to provide assurance that additional on-street parking could be accommodated without causing a problem. The agent has been contacted regarding this and the committee will be updated with any additional information should it be available prior to the meeting.

Several of the neighbours have complained that there is no off-street parking and that there is already inadequate parking in the road with evenings and weekends being particularly troublesome. They maintain that to add another dwelling would generate additional traffic.

Summary

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would result in an incongruous addition to the host dwelling, detrimental to the character of the Foxgrove Avenue Area of Special Residential Character and street scene in general.

Background papers referred to during production of this report comprise all correspondence on the files refs. 10/01670 and 15/00503, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

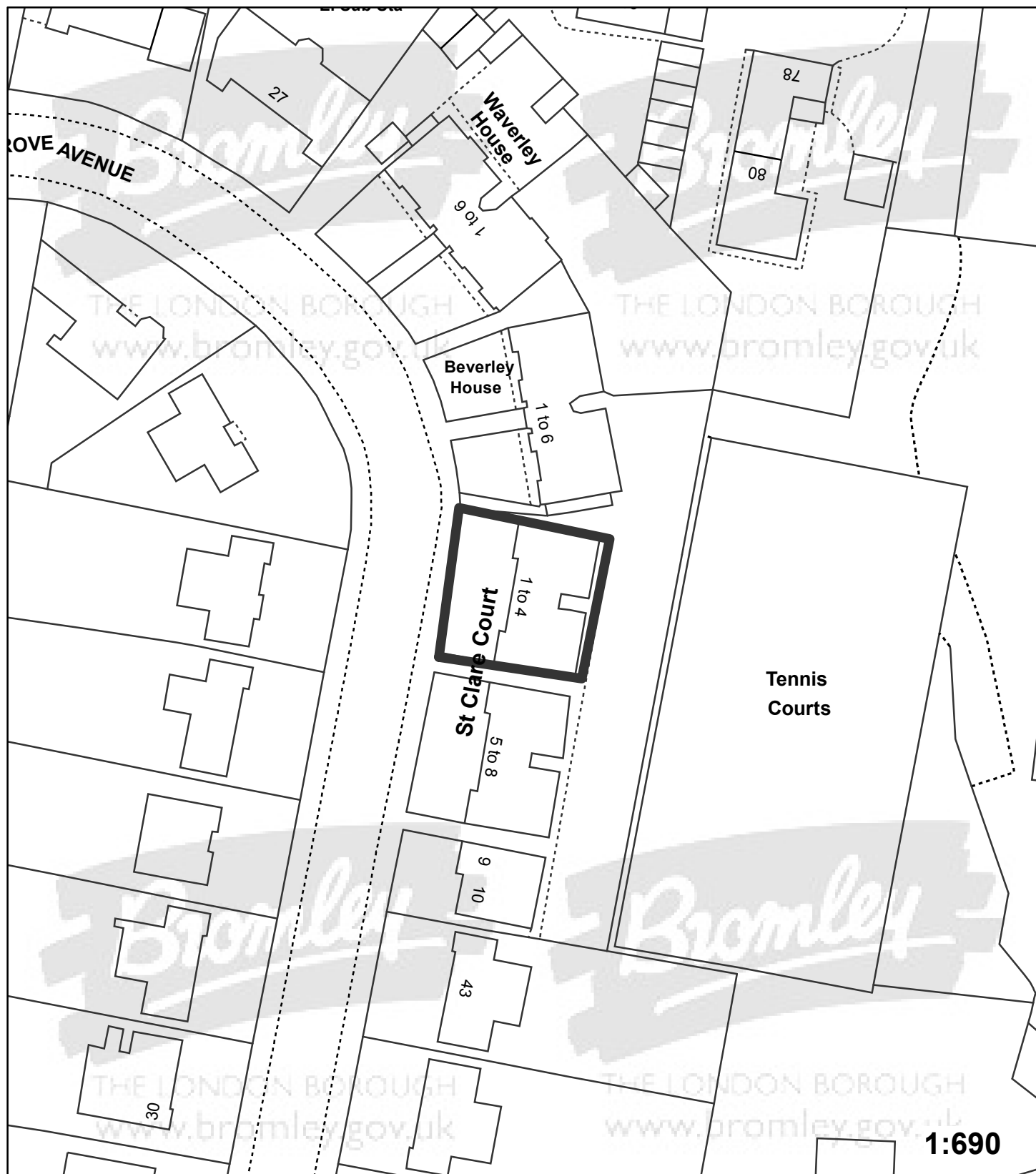
1. The proposed front roof dormer would be out of character with the consistent rhythm of the prevailing pattern of roofscapes within the immediate locality and would represent a visually intrusive addition, harmful to the character and appearance of the area, as well as having a serious and adverse effect on the visual amenities enjoyed by occupants of neighbouring property, thereby contrary to Policies H8, H10 and BE1 of the Council's Unitary Development Plan.

2. The proposed velux window within bedroom 2 of the proposed new flat do not provide a reasonable view or outlook and would be harmful to the amenities of the user of the habitable room contrary to Policy BE1 of the Unitary Development Plan.

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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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