

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

Application No : 15/01574/FULL2

Ward:
Bickley

Address : 15 Lewes Road Bromley BR1 2RN

OS Grid Ref: E: 541588 N: 169311

Applicant : Miss Dee Davis

Objections : YES

Description of Development:

Conversion of single dwellinghouse to House in Multiple Occupation
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control Multiple

Proposal

Planning permission is sought to convert the existing building from a Dwellinghouse (Class C3) to a House of Multiple Occupation (Class C4). Under current planning legislation a single dwellinghouse can accommodate up to six unrelated individuals within a shared house, without the need for planning permission. This application proposes the use of an additional two bedrooms at second floor level, which exceeds the threshold permissible within a single dwellinghouse. This application would enable up to eight unrelated people to occupy the property. Accordingly, planning permission is sought for this change of use.

Following a site inspection, it was confirmed that the additional two bedrooms which are the subject this application have been formed at second floor level, but these are unoccupied, pending the outcome of this application.

Location

The application site occupies the far-SE corner of Lewes Road, a largely residential cul-de-sac situated off Widmore Road, which is interspersed with some commercial uses. The southern site boundary adjoins recreation grounds.

Consultations

Comments from Local Residents

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

- increase in parking congestion
- existing excessive parking demand along the road
- property should be returned to single family occupancy
- use of property as HMO alters the ambience of the road which has only 13 houses, all of which are privately owned
- use of building as HMO has resulted in an increase anti-social behaviour with more litter, loud music and loitering by residents of HMO in the street
- neighbouring residents cannot be sure what sort of character HMO occupants will be, who could disrupt the safe atmosphere of the road
- property was originally a 2-bedroom family home which has been extended
- Lewes Road has been overdeveloped with offices and other offices which have been converted to homes
- neighbouring house prices have depreciated in value

Comments from Consultees

No technical Highways objections raised, subject to "car-free housing" condition.

From an Environmental Health perspective the property meets the Council's Adopted Standards for HMOs, so no objection is raised.

Planning Considerations

Planning Considerations

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

H11 Residential Conversions
T3 Parking

Planning History

The planning history is set out in the table below.

Ref. Number	Description	Status	Decision Date
05/01713/FULL1	First floor side extension and conversion to 2 two bedroom dwellings	Refused	21.07.2005
05/03169/FULL6	First floor side extension	Refused	25.11.2005
08/00542/FULL1	First floor side extension and division of property into dwellings.	Withdrawn	29.04.2008
09/02131/FULL1	Elevational alterations to first floor side extension granted permission on appeal under ref. 05/03169 including 2 first floor flank windows, juliet balcony at the rear and conversion into 2 PART RETROSPECTIVE	Refused	22.10.2009

APPLICATION			
10/00359/ELUD	Roof alterations to incorporate dormer CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT	Granted	15.04.2010
10/01604/FULL6	Front porch. PART RETROSPECTIVE	Permitted	13.07.2010

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.

Policy H11 (Residential Conversions) advises that a proposal for the conversion of a single dwelling into two or more self-contained residential units or into non self-contained accommodation will be permitted provided that:

- (i) the amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance;
- (ii) the resulting accommodation will provide a satisfactory living environment for the intended occupiers;
- (iii) on street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character or appearance of the area; and
- (iv) the proposal will not lead to the shortage of medium or small sized family dwellings in the area

As outlined above, under existing planning legislation, the use of the dwellinghouse as an HMO for six unrelated persons does not require planning permission. The main consideration in question therefore relates to the desirability of the use of the two additional bedrooms at second floor level to increase the total occupancy of the property to enable up to eight people to occupy the building. The applicant has confirmed that the proposal will be restricted to two additional people, thereby resulting in a total occupancy of eight, something which can be controlled through condition.

Taking account of the nature of the existing arrangements, it is considered that the building could adequately accommodate an additional two people, without adversely affecting the living environment of the dwelling. Whilst local objections have been raised in respect of the use as an HMO, it is not considered that such an increase in the occupancy of the building will significantly undermine neighbouring amenity to justify refusal. In terms of parking, the Council's Highways engineers have recommended the inclusion of a condition aimed at prevent occupants from applying for parking permits.

Having regard to the above it is 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 refs set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 No more than eight people shall reside in the building at any time.**

In the interest of the amenities of the area, and to accord with Policy BE1 of the Unitary Development Plan.

- 3 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.**

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.