

SECTION '2' – Applications meriting special consideration

Application No : 16/03847/FULL1

Ward:
Copers Cope

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

OS Grid Ref: E: 538002 N: 170184

Applicant : Mr D Sengupta

Objections : YES

Description of Development:

Conversion of roof space into a 2 bedroom self-contained flat, with dormer windows to the rear and flank elevation

Key designations:

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

Proposal

Planning permission is sought for the conversion of the existing roof space of 1-4 St Clare Court into a two bedroom self-contained flat.

St Clare Court comprises four existing flats set over two floors. The application site is located on Foxgrove Avenue, Beckenham which is located in an Area of Special Residential Character.

* Members should be aware that the incorrect certificate had been signed by the agent. Certificate B has now been signed and the relevant tenants have now been notified of the development.

Consultations

Nearby owners/occupiers were notified of the application and a large number of representations were received, which can be summarised as follows.

- o The site is unsuitable for conversion into an attic flat
- o Loss of essential services in the attic (the attic space at present houses a water tank, mains water supply, piping and extensive electricity cabling.
- o The plans show no detail as to how an additional access staircase would be extended from the existing first-floor landing up to the attic.

- o The sloping roof and eaves would provide for diminishing head-room. St Clare Court is already over-developed. Flats 1-4 (and 1a) now have five flats in one small block.
- o It is now proposed to cram a further sixth flat into an 80yr old building whose structural stability could well be at risk.
- o The development would lead to further parking congestion.
- o The proposed side dormer would overlook the bedrooms of the next door flats.
- o The rear dormers would overlook the playground of St Mary's primary school.
- o The impact of the construction work would be devastating for the existing properties within the building.
- o The vastly increased size of the dormer windows to the rear will be out of keeping with the architectural design of the building.
- o The development would involve the removal of the existing chimneys
- o Noise
- o No details regarding fire escape provision

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
- 5.13 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
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance 2016

National Space Standards

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

Planning History

Under planning application reference:- 16/00263 planning permission was refused for conversion of existing loft space to one bedroom flat with 6 x roof lights on front elevation, 2 x dormer windows and Juliet balcony on rear elevation. The reason for refusal read as follows:-

"The proposed insertion of the six velux rooflights to the front elevation would be out of character with 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 of Special Residential Character, thereby contrary to Policies H8, H10 and BE1 of the Council's Unitary Development Plan".

"The proposed velux windows within the study 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".

Under planning application reference:- 15/00503 planning permission was refused for conversion of the existing loft space into a 2 bedroom self-contained flat. The reason for refusal read as follows:-

"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".

"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".

Conclusions

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

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

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas 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.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Planning permission has been refused for two similar schemes to convert the existing roof space of No.1-4 St Clare Court. The current application is for the same proposal, to convert the existing roof space. Following the refusal of the last application (Application Reference: 16/00263) the agent has altered the drawings to show two large dormer windows & one smaller dormer window on the rear elevation and one dormer windows on the northern flank elevation, overlooking No.1-6 Beverley House.

The newly submitted plans removes any windows or rooflights from the front elevation and therefore the visual impact to the building, street scene and wider Foxgrove Road Area of Special Residential Character (ASRC) where individual character exists.

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 dormer windows are located on the rear & side elevation of 1-4 St Clare Court. The dormer window on the side elevation is relatively modest in its size and scale and will look out onto the roof area of No. 1-6 Beverley House. The development being confined largely to the rear of the building is not considered to be out of keeping with the wider pattern of the street scene and neighbouring two blocks of flats.

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 70sqm for a two bedroom, three person flat. The GIA of the proposed flat would be approximately 82sqm which is above the minimum for a two bedroom, three person flat.

Table 3.3 of the Draft Minor Alterations to the London Plan (May 2015) and the Draft Housing SPG (2015) state that 'The nationally described space standard sets a minimum ceiling height of 2.3m for at least 75% of the gross internal area of the dwelling. However, to address the unique heat island effect of London and the district density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The submitted drawings indicate that the bedrooms would meet the required headroom.

Concerns were raised during the previous planning applications from the Environmental Health Officer regarding ventilation and fire risk, however it is noted that this falls under separate legislation.

Residential Amenity and Impact on Adjoining Properties

The proposed use of the space as a flat will have an 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. From a planning perspective this cannot be used a ground to substantiate refusal of the application.

The rear windows would overlook the playground of St Mary's primary school which is not considered to cause an impact in terms of amenity. The dormer window on the flank elevation would overlook the roof area of No.1-6 Beverley House which again is not considered to cause an impact in terms of overlooking or a loss of privacy.

Highways

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.

As part of the previous application the Highway Officer commented on the application and stated that the site lies within a low (1a) PTAL area. A Parking Survey was submitted as part of the previous application and no objection was raised.

Summary

In summary Members will need to decide if the new plans have overcome the previous grounds of refusal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/15/00503 & 16/00263 as 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 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

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 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.