

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

Application No : 17/02701/FULL1

Ward:
Clock House

Address : 45 Beckenham Road Beckenham BR3
4PR

OS Grid Ref: E: 536533 N: 169516

Applicant : Mr G PATHMAMATHAN

Objections : YES

Description of Development:

Change of use from single family dwelling to Sui Generis House of Multiple Occupation (HMO).

Key designations:

Conservation Area: Elm Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 15

Proposal

Planning permission is sought for the change of use of the existing residential dwelling into an 8 bedroom House of Multiple Occupation (HMO) and internal alterations. It would provide 7 double bedrooms and one single bedroom.

Internally the proposed HMO would provide a communal kitchen measuring approximately 26.4 m², two communal shower rooms and one bathroom. Units 3 and 4 would have separate en-suites. The bedrooms would measure as follows:

Unit 1: 21 m²
Unit 2: 47 m²
Unit 3: 20.59 m²
Unit 4: 20.51 m²
Unit 5: 19.10 m²
Unit 6: 14.40 m²
Unit 7: 19.35 m²
Unit 8: 18.82 m²

Location

The application relates to a large two-storey semi-detached property, which includes accommodation within the roof. The property is located on a busy road opposite a gym and close to a Clock House Train Station and a number of bus routes. The surrounding area is a mix of residential and commercial properties.

The site is located within the Elm Road Conservation Area. At the time of the site visit it was noted that the property was already in operation as a HMO.

Consultations

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

- The property should be retained as a single-family house.
- Family homes which are converted are not maintained and the detached Edwardian Building is part of Beckenham's heritage and is located within a prominent location
- Out of character with the area
- Overdevelopment
- There are inadequate facilities which may result in antisocial behaviour.
- Inadequate facilities may push people outside into the garden
- Two parking spaces are not sufficient and will cause further congestion
- Fire Risk and no secondary means of escape
- Sets a precedent for future conversions
- Larger than Bromley Council's planning policies for occupation levels and does not meet the required LBB standards
- Noise and disturbance

Highways Officer - The proposal entails a change of use from residential to a house in multiple occupation with 8 units.

The site location has a PTAL rating of 5 (high) where car ownership may be associated with the occupiers of the property, although the type of use proposed may serve to minimise car ownership.

There are no parking standards for such use but experience elsewhere in the Borough with a PTAL of 4 suggests that a ratio up to 0.5 spaces per unit could be appropriate.

The existing forecourt accommodates up to 3 cars parked off street.

The site lies within a controlled parking zone with bus stops and Clock House Station very nearby. All of which could also serve to minimise car ownership associated with this proposal.

In the circumstances there are no highway objections.

Please apply the following to any permission

H03
H18
H22

Environment Agency - As the site is within Flood Zone 2, the EA would not raise objections in principle to ground floor sleeping accommodation. The Bromley SFRA is not very strong and nor is EA guidance on proposed ground floor sleeping accommodation. Reviewing the modelled flood extents at the site the 1 in 100 yr plus 25% climate change allowance (plus 300mm freeboard) is 29.28mAOD. The EA would normally ask that FFL's are raised above this. As the application is for a change of use it may not be possible to raise them higher. In this case the EA would suggest the applicant have appropriate mitigation measures in place which are mentioned in the submitted FRA.

Environmental Health (Housing) - I refer to the request for comments on the above.

Houses and Flats in Multiple Occupation

The property is a Category A type House in Multiple Occupation (HMO) which was licensed on 5th April 2017 by the local authority for 5 years. It was fully compliant with the local authority's adopted standards for HMOs. The HMO was and is licensed for 7 bedsits occupied by up to 13 persons.

The proposal will create two double bedsits from an existing double bedsit. The HMO will have 8 bedsits suitable for occupation by up to 15 persons. There will be adequate kitchen and bathroom facilities for this purpose.

An additional smoke detector/alarm will need to be fitted in the new bedsit, interlinked with the existing fire alarm system.

The two new bedsits will need 30 minute fire doors fitted to their entrances.

Planning Considerations

National Planning Policy Framework (NPPF) (2012):

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 6 - Delivering a wider choice of high quality homes
London Plan (2016):

- 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
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime

7.4 Local Character

7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan (2006):

BE1 Design of New Development
H1 Housing Supply
H11 Residential conversions
T3 Parking
T18 Road Safety

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Local Plan (2016):

Draft Policy 1 Housing Supply
Draft Policy 4 Housing Design
Draft Policy 9 Residential Conversions
Draft Policy 37 General Design of Development
Draft Policy 30 Parking
Draft Policy 32 Road Safety

Conclusions

The main issues relating to the application are considered to be:

- Principle of use
- Standard of accommodation
- Neighbouring amenity
- Highway impact

Principle of use

Policy H11 of the UDP seeks to ensure that the borough's older properties are efficiently used, in order to maximise, within environmental constraints the contribution conversions make to housing supply. The conversion of a single family dwelling house into non self-contained accommodation will only be permitted where the amenities of occupiers of neighbouring dwellings will not be harmed; the resulting accommodation will provide satisfactory living environment for the intended occupiers; on street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character

and appearance of the area; and the proposal will not lead to the shortage of medium or small sized family dwellings in the area.

The application property is a large semi-detached residential dwelling. The applicant describes the area as a 'primarily residential community'. There are however a number of other commercial uses within the wider vicinity, including a small commercial parade and gym. The properties immediately surrounding the site are in residential occupation but the wider area includes larger single family dwellings and flats. There are no external alterations but internal changes would be made to facilitate the change of use. The proposal would see the change of use of the existing single family dwelling to an 8 bedroom HMO, which has the potential to accommodate up to 15 people. The site is located within a conservation area; however it is also situated on a busy road opposite a number of larger commercial uses, including a gym, nursery and community facility (Venue 28). It is also in close proximity to Clock House Train Station, bus stops and a small local parade of shops/restaurants. The above factors have resulted in a situation with a greater level of movement and noise than typically associated with a residential road. Furthermore, the immediate neighbour at Number 47 has been converted and extended into 9 separate flats. The intensification of the property and level of movements associated with the number of bedrooms/occupants, whilst significant, is not considered to be significantly different to the situation at No 47. Furthermore, given the surrounding context, including busy road and intensive uses such as the gym this level of intensification on site is not considered to be significantly out of character with the area in general and would therefore preserve the character and appearance of the Conservation Area.

Standard of Accommodation

The Council has adopted Standards of Houses in Multiple Occupation, however it is noted that the property has already received a License to be used as a HMO for up to 15 people. No objections have also been raised by the Council's Environmental Health Housing officer. Notwithstanding this point, the property is large and at the time of the site visit it has been fitted out to a high standard. It would provide an adequate number of bathrooms and shower rooms for the number of intended occupiers in line with the Council's adopted HMO standards. There is only one kitchen; however this is large and incorporates a communal dining area. In respect of bedrooms, the National prescribed housing standards (2015) set out minimum requirements for new residential development, including minimum room sizes. Whilst HMOs do not technically fall within these standards, they are considered to be a reasonable baseline for assessment. They indicate that bedrooms should measure 7.5sqm for a single rooms & 11.5sqm for a double/twin rooms. Each of the bedrooms would well exceed the minimum space standards.

It is noted that the property has already been converted into a HMO, however at the time of the site visit only 6 of the bedrooms were in use and permitted development (GDPO 2015), together with the Use Classes Order (1987) does allow for a single residential dwelling to be used by up to 6 unrelated individuals. This arrangement could therefore be permitted development. It is noted that there has previously been a licence agreed for a 7 bedsit 13 person HMO, however this

falls within a different legislative regime and the applicant has applied on the basis that it is a single dwelling. Each of the existing bedrooms appeared to be spacious and received an acceptable level of light and this would continue to be the case for the proposed arrangement. The proposed areas of communal amenity space are however limited. One small lounge is provided on the second floor, but this space is very cramped and has low ceiling heights. There is also a large entrance hall, which is outlined as being a living area. The entrance hall is not however quiet or private, it would be continually disturbed from the comings and goings of residents and the inclusion of it as 'communal space' for assessment is not considered to be reasonable. The bedrooms are however large and most are almost double the minimum space requirements outlined above. This could compensate for the reduced amount of communal space elsewhere within the house.

Given the above, Members may consider that the proposal would provide an acceptable standard of accommodation.

Neighbouring residential amenities

The intensification of the site could impact upon the living conditions of the surrounding properties in terms of general noise and disturbance from the comings and goings at the site. Seven out of the 8 bedrooms are double and therefore there could be potentially up to 15 people occupying the building at one time. The intensification of the site could therefore give rise to an unacceptable loss of amenity to the occupiers of surrounding residential dwellings. However, the site is located on a busy road, opposite a number of larger commercial uses including a gym and nursery. The immediate neighbouring building at Number 47 has already been extended and converted into flats, which is a higher intensity use for the site. There may be additional comings and goings; however within this context it would unlikely give rise to significant levels of noise and disturbance. Members may therefore consider the impact on neighbouring amenity to be acceptable.

Highways

The site has a PTAL of 5 and is within walking distance of a number of bus routes and train stations. There are residential parking restrictions within the local vicinity, which prohibit visitor parking between 10am-12pm. There are no specific parking requirements for such uses; however the site is within a highly accessible location and an area for parking is provided on the existing forecourt. No objections have been received from the Council's Highways Officer with respect to the proposal. Given the accessibility of the site and location, Members may consider that the proposal is acceptable and would not give rise to an unacceptable highway impact.

Flood Risk

The site is located within Flood Zone 2. The applicant has supplied a Flood Risk Assessment (FRA) in respect of the proposal. The use would see living accommodation on the ground floor, however the building and internal ground floor level are raised above the external ground level. The Environment Agency has not raised specific objections to ground floor sleeping accommodation. As the proposal is for a change of use it would be difficult to increase Finished Floor Levels,

however the FRA does highlight mitigation measures in accordance with the EA's standing advice which would be appropriate, such as registering with a the EA flood line. Given the above, the proposal is considered to be acceptable.

In summary members may consider the development is acceptable in principle, would not result in harm to the character and appearance of the area, is acceptable in this location and would not result in harm to neighbouring residential amenities.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/02701/FULL1 outlined 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 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.

- 3 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.**

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.

- 4 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details**

to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 5 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.