

SECTION '2' – Applications meriting special consideration

Application No : 17/02430/FULL1

Ward:
Plaistow And Sundridge

Address : 132 Burnt Ash Lane Bromley BR1 5AF

OS Grid Ref: E: 540516 N: 170909

Applicant : Mr D Anderson

Objections : YES

Description of Development:

Change of use of the ground floor to Class D1(Veterinary surgery) and erection of a first/second floor rear extension to provide enlarged residential flat for veterinary surgeon working at the practice.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 7

Proposal

Planning permission is sought for:

1. Change of use of the ground floor of the gatehouse to Class D1 veterinary surgery
2. First and second floor rear extension to provide reconfigured flat on first and second floors
3. Parking area in front of the building.

The host building is an attractive locally listed building which due to its height, setting and materials forms a fairly prominent feature in the street scene. The building straddles the access road leading to Plaistow Cemetery. The entry on the local list describes the building: "Gatehouse to cemetery. Victorian gothic building in ragstone. W R. Mallett. 1892."

The building was formerly used to provide a cemetery office and public lavatories on the ground floor and private accommodation for the Cemetery Superintendent. The site lies on the southern side of Burnt Ash Lane which is a London Distributor Road. The host building is sited set back from the main highway, but forward of the front elevations of the neighbouring residential dwellings at Nos. 124 - 130 Burnt Ash Lane which comprise Victorian terraced houses (with No. 130 lying adjacent to the application site). To the east of the application site is the library.

The host building is U-shaped, with the forward central part straddling the roadway leading to the cemetery and two wings projecting to the south. The front and rear elevations of the building are ornately detailed with arched windows at ground and

first floor and a central front projecting gable feature with first floor oriel feature above the cemetery access. At the rear the wings are asymmetric. The western wing comprises a shallow two storey element with a rear facing arched first floor window and a single storey rear projection beyond, which projects approx. 11m beyond the main frontage section to the rear of the site. The west wing incorporates an existing catslide roof which sweeps down to join the two storey gable projection which has a decorative ridge perpendicular to the central element of the building. This two storey projection is one room deep and incorporates an ornate rear facing window. The eastern wing is single storey only.

In terms of its internal layout, the existing building provides an office and public toilets in the east wing at ground floor level and residential accommodation arranged over the ground and first floors of the west wing and central element.

The proposal comprises the erection of a first/second floor extension in place of the existing west wing catslide roof which would be set under a pitched roof of commensurate height with the main building, with roofs sloping down on either side of the ridgeline. The total depth of the resultant three storey element would be approx. 10.5m measured from the rear eaves of the existing building. The rear extension would incorporate first and second floor flank and rear facing windows. It would align with the existing flank elevations of the building below, as a consequence of which the extension would lie immediately adjacent to the western flank boundary with No. 130 Burnt Ash Lane. No windows are proposed to face the neighbouring property.

The resultant first and second floor would comprise an enlarged and reconfigured residential unit associated with the veterinary practice it is proposed to site within the east and west wings at ground floor level.

The applicant has confirmed in writing that should planning permission be granted they would agree to the use of a condition tying the residential accommodation to the Class D1 use, as well as referring to the previous dilapidation of the building which was formerly owned/maintained by the Council. It is stated that the building was purchased by tender from the Council and that there was a reasonable expectation that the future owners of the building would extend the property at the rear to increase the amount of usable space. It is noted in the Design and Access statement that the Council's expectation prior to the sale was that the building would be converted into two or more flats.

Consultations

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

Support

- The siting of the surgery is very convenient and there is ample parking in the locality, with the surgery making this clear
- The use benefits the local community
- The extension would provide accommodation for a vet

- The parking provision is better than the previous surgery and will attract visitors to local shops

Objection

- The proposal is an overdevelopment
- The plans inaccurately show the original layout of the ground floor
- The rear bedroom window at the neighbouring dwelling is only 0.90m from a new wall which will be 2 storeys higher than present and over 3m longer
- The extensions will appear as an eyesore from the park area and the neighbouring terrace of houses
- Concern regarding the structural strength of the existing walls to take the load of additional floors
- The driveway beyond the gatehouse is being used as an exercise yard and this does not respect that the land beyond is a cemetery. The neighbouring park should be used instead.
- The use has started without planning permission
- Hilldrop Road is already very busy for parking and is now being used by people attending the surgery.

Technical Comments

Highways

From a technical highways perspective a swept path analysis/amended parking details were requested and these have been submitted. However it was also requested that the applicant carry out a road safety audit (Stage 1 and Stage 2) and that this would not be capable of being dealt with by way of condition. The applicant has submitted a response to the highways comments and this is detailed in greater depth in the Conclusions section of this report.

Planning Considerations

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

BE1 Design of New Development
BE10 Locally Listed Buildings
H8 Residential Extensions
C1 Community Facilities
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.

Policy 6 Housing Design
Policy 37 General Design of Development

Policy 30 Parking
Policy 32 Road Safety
Policy 39 Locally Listed Buildings
Policy 20 Community Facilities

The London Plan

Policy 7.8 - Heritage Assets and Archaeology
Policy 7.6 - Architecture
Policy 7.4 - Local Character

Planning History

Under reference 16/04359 planning permission was refused for a development which was substantially similar to that currently proposed on the grounds:

- 1. The proposed extension, by reason of its size and design would be detrimental to the appearance of this building which is included in the Council's list of buildings of local historic or architectural interest and to the visual amenities of the area in general thereby contrary to Policy BE10 and Policy BE1 of the Unitary Development Plan.*
- 2. The proposed extension by reason of its height and depth in proximity to the boundary would have a detrimental impact on the residential amenities that the occupiers of the neighbouring dwelling might reasonably expect to continue to enjoy, resulting in unacceptable loss of light and outlook and undue visual impact, thereby contrary to Policy BE1 of the Unitary Development Plan.*

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the appearance and character of the host building and the impact upon the amenities of the occupants of surrounding residential properties. The extent to which adequate parking to service the proposed use would be provided falls to be carefully considered, as do the road safety implications of the proposal as well as the loss of the community facility previously provided within the building.

Use as a veterinary surgery

It is considered that the use of the premises as proposed would not result in an unacceptable loss of a community facility in view of the existing vacancy of the premises and the relationship between the building and the cemetery which it used to serve. The property formerly provided ancillary residential accommodation for the Cemetery Superintendent, along with an office and toilets associated with the operation and management of the cemetery. It is evident from the sale of the premises and the current lack of occupation that the need for this facility no longer exists. While the cemetery remains open to visitors, it is no longer used for burials

and as a consequence the loss of the use of the building in association with the management and maintenance of the cemetery is difficult to resist.

The use of the property as proposed, as a veterinary surgery on the ground floor and residential flat ancillary to the veterinary surgery, would provide a service within the locality and would allow the re-use of the existing building.

Impact on the visual amenities of the area

The proposed extension would be sited at the rear of the building which would limit the extent to which the proposals would be appreciable from the front of the site and from Burnt Ash Lane. However, the building lies adjacent to a large open space and above the vehicular and pedestrian access to the cemetery. The aspect from the rear to the building is open and unobstructed, as a consequence of which the proposed extension would be clearly appreciable from outside the site and from the public realm. The rear elevation of the locally listed building is attractive and distinctive.

The host building is locally listed and it is appropriate to ensure that proposals to extend such buildings are sympathetic to the character, appearance and special character of the buildings. While in principle an extension to the building may be acceptable, it is important to ensure that development relating to locally listed buildings would not be unsympathetic to the appearance and character of the building.

The application includes a design and access statement which refers to the attempt made to overcome the previous ground of refusal, stating that the height of the extension has been reduced by 0.2m and the first and second floor reduced in depth by 0.8m. The statement refers to the rear of the building being screened from the adjacent public open space by evergreen trees.

While it is acknowledged that the current application has reduced the height and depth of the extension, it is not considered that this modest amendment successfully addresses the first reason for refusal of the previous application. The bulk and depth of the extension and its relationship to the host building would disrupt and undermine the character and appearance of the host building.

While the ridgeline of the extension would be set 0.2m below the main ridgeline which runs parallel to the highway, the extent of subservience would not be significant and immediately apparent from ground level in view of the scale of the building. The height of the extension in tandem with the overall depth over three storeys would cause significant imbalance to the rear elevation which has some significance as a result of the siting of the building in relation to open space and the existing design and detailing of the building. The visual impact of the proposal would be exacerbated by the appreciably three storey appearance of the extension at the rear.

Impact on the residential amenities of the area

With regards to the impact of the proposal on residential amenity, the concerns expressed regarding the structural integrity of the host building and the increased loading upon existing walls are noted, these are matters that would be dealt with under the Building Regulations.

The neighbouring property at No. 130 incorporates an original two storey rear projection as a result of which the rear facing window nearest to the boundary is inset. The proposed two/three storey extension would be sited immediately adjacent to the boundary and would project by approx. 1.8m beyond the nearest part of the rear elevation of No. 130, taking into account that the existing rear elevation of that property projects significantly to the rear of the host building at present. The submitted design and access statement refers to this depth as being less than the rearward projection of the neighbouring dwelling's two storey projection adjacent to the other boundary.

The application is accompanied by a Daylight, Sunlight and Overshadowing Report which states that the daylight and sunlight to the first floor rear facing window at the neighbouring property would meet the BRE guidance. Members will note that the second reason for refusal of the previous application referred to impact on residential amenity by way of loss of light and outlook and undue visual impact. It falls to consider whether if the findings of the commissioned report in terms of the impact on a first floor window at the neighbouring dwelling are accurate, the amendments to the scheme in terms of the reduction in the rearward projection would overcome the concerns expressed regarding the loss of outlook and the visual impact of the proposed extension.

It is noted that the neighbouring dwelling is a two storey end of terrace dwelling which has at ground floor level a single storey rear extension which wraps around the two storey rear projection at that house. As such the visual impact of the proposed extension would be mitigated in view of the main rear amenity space of the neighbouring dwelling being positioned deeper into the site, and that impact that would exist relates to the outlook from the first floor rear facing window. On balance, in view of the reduction in the depth of the rear extension, the siting of the buildings in relation to each other and the layout of the neighbouring site, it is not considered that the visual impact and loss of outlook resulting from the extension would be so adverse as to warrant the refusal of planning permission on this ground.

Impact on highways/parking

The applicant has submitted a Swept Path Analysis for the proposed parking spaces in front of the building. The parking/access arrangements are substantially similar to those included in the previous application. It is noted that the previous scheme was not refused on highways grounds, and as such it is not considered that the refusal of planning permission on highways grounds would be reasonable in this instance. The applicant has submitted a statement expressing concern at the request to provide a Road Safety Audit prior to the determination of the application. If planning permission is granted then it would be appropriate to

impose a planning condition on the permission to ensure the submission and approval of a Road Safety Audit as well as to ensure that the parking provided on the site is provided in accordance with the submitted details.

Summary

The principle of the change of use of the existing building and of the formation of a tied residential flat is considered acceptable.

While the current application represents an improvement over the previous proposal in that slight reductions in the depth and height of the extension are proposed, it is not considered that these amendments would address the first ground of refusal in the previous planning application, which is a material consideration in the determination of this application. It is noted that the applicant has provided more information in the form of a Daylight, Sunlight and Overshadowing analysis and on balance, Members may consider that the reduction in the depth of the proposed extension would overcome the second ground of refusal of application 16/04359, and that the highways requirement for a Road Safety Audit may be capable of being secured by way of a planning condition.

Background papers referred to in the preparation of this report comprise all correspondence on files refs: 16/04359 and 17/02430 excluding exempt information.

as amended by documents received on 19.06.2017 07.07.2017

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed extension, by reason of its size and design would be detrimental to the appearance of this building which is included in the Council's list of buildings of local historic or architectural interest and to the visual amenities of the area in general thereby contrary to Policy BE10 and Policy BE1 of the Unitary Development Plan and Policies 37 and 39 of the Draft Local Plan.**