

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 17/05822/FULL1

Ward:
Copers Cope

Address : Burnhill House 50 Burnhill Road
Beckenham BR3 3LA

OS Grid Ref: E: 537275 N: 169325

Applicant : Mr Q Adamally

Objections : YES

Description of Development:

Construction of rear (east elevation) extension at second floor, additional third storey roof extension (south elevation), elevational alterations to the existing building forming an additional 9 flats comprising seven 1 bedroom, one 2 bedroom, one 3 bedroom flats within the extended sections of the building in connection with a revised entrance area and integral refuse and cycle storage area on the Burnhill Road frontage.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12
Smoke Control SCA 18

Proposal

Planning permission is sought for the construction of a rear (east elevation) extension at second floor. additional third storey roof extension (south elevation), elevational alterations to the existing building forming an additional 9 flats comprising 7 one bedroom, 1 two bedroom and 1 three bedroom flats within the extended sections of the building in connection with a revised entrance area and integral refuse and cycle storage area on the Burnhill Road frontage.

The east elevation roof extension facing the car park will be approximately 31m width and be set back an average 1.5m behind the existing building parapet. A small projecting element is indicated to the northern end of the elevation for Flat 5. The south elevation facing Burnhill Road will be approximately 26m width at its maximum extents and is set back approximately 3.6m from the existing buildings edge with an overhang over the terrace area below. The extension will also infill partially to the west of the existing roof structure with a section of Flat 6 projecting into the area demarcated as the Beckenham Town Conservation area.

No alterations to the existing ground and first floor east elevation comprising the Lidl shop front are indicated. The ground floor south elevation facing Burnhill Road

is indicated to be redesigned with a new entrance, revised fenestration and cladding materials to facilitate the implementation of lower level flats approved under prior approval (16/02466/RESPA).

No parking provision is indicated for the proposed flats. Integral cycle and refuse storage is indicated to the ground floor of the building adjoining Burnhill Road. This is indicated to be a shared facility with the provision detailed for the prior approval granted under reference (16/02466/RESPA).

The extensions proposed would provide Flats 1 - 9, with Flats 10 - 24 provided within the RESPA development in addition to there being 2 existing flats.

Location and Key Constraints

The application site fronts the northern side of Burnhill Road, approximately 35m to the east of its junction with High Street, Beckenham (which forms a stretch of the A222).

The site lies within Beckenham Town Centre, with the application building forming a part of a mixed use office and supermarket complex extending as far as the High Street at its western side and which fronts a public car park along its eastern side. The application site comprises approx. 100 sq. m of office space with its entrance adjoining a loading bay which serves the supermarket, both of which front Burnhill Road.

The surrounding area is characterised by a dense development layout comprising terraced housing, flats and commercial properties. The surrounding roads are particularly narrow in places and subject in the most part to a one-way system for traffic management.

Comments from Local Residents and Groups

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

Objections

- The front of Burnhill House overlooks neighbouring property and the increased height of the building will result in loss of light and a feeling of being overlooked in the courtyard garden and rear windows of the neighbouring dwelling
- Cottages in Burnhill Road are north facing and already overshadowed
- The impact of 22 homes all trying to park in an already overcrowded area be detrimental to neighbours, as the number of free parking spaces for people not living in the Controlled Parking Zone is limited
- Parking at Lidl is not realistic even if paying for all day parking is an option. The car park is busy at the best of times
- The section of Burnhill Road is already narrow with inadequate pavements made hazardous by the number of delivery drivers and Lidl lorries. The

proposal will result in drivers becoming frustrated and resulting in further reducing the flow of traffic and increasing road rage

- Burnhill Road was never designed for residential usage. There is a blind bend between Burnhill House and Fairfield Road. The lack of pavement heightens the danger and Lidl's delivery bay is used by large articulated vehicles alongside Burnhill House
- The Coach and Horse public house has an extended hours music licence which may impact on high density residential development
- There is a refuse disposal area located adjacent to the building, used particularly by Prezzo Restaurant
- The amended application seems like a cynical attempt to cajole the local authority into approving a wholly inappropriate development for the area.
- Shoehorning an extra 9 flats into the project will bring the total number of what will be very poorly sized flats up to 22. This is far too many for what is actually a small, relatively dark and cramped site, that is hemmed in by other buildings served by narrow roads with limited practical access
- The development will add to the high density of living in Beckenham and would be another loss of affordable commercial property that would ultimately impact the High Street's profitability.
- The provision of cycle storage is of no consolation to the lack of car parking
- When the BEC parking zone was agreed residents pointed out that the requirements for the locality would be delicately balanced as it covers a very small area with some existing restrictions. For example, parking is only allowed on one side of Burnhill Road.
- The development could mean 22 new households demanding parking rights in the BEC parking zone. These extra parking needs might represent in the region of 18% of the approximately 120 car parking spaces presently available and it could easily be more. This would result in a huge distortion in the parking dynamics of the area. The BEC area especially Kelsey Park Road, Burnhill Road, Stanmore Terrace and Lea Road have in the past suffered for years with commuter and shopping parkers forcing residents to park hundreds of yards away from their homes. There has been a recent growth in parking in Kelsey Park Road plus it appears people not in the BEC parking zone are being issued with parking permits resulting in signs of it being over-subscribed already, without this development. Parking restrictions introduced in Manor Way means that is no longer viable for local residents to use
- If planning permission is granted, it is vital that the new flats would never under any circumstances be given parking permits for the BEC area
- Concern regarding the applicant company

Local Groups - West Beckenham Residents Association & Copers Cope Residents' Association

- Objection on the principle of the conversion of the offices to flats because of the loss of business premises and the unsuitability of Burnhill Road at this location for large numbers of pedestrians occupying the proposed flats. It is recognised however that the conversion is permitted development

- The development would put additional pressures on the road where there is no footpath for the length of the house in Kelsey Square, on either side of the road, nor outside the Coach and Horses.
- The entrance to the flats is immediately adjacent to the loading bay for Lidl which is not large enough to hold the delivery vehicles which intrude onto the road further reducing the amount of safe pedestrian route.
- The deliveries are noisy and polluting and increasing the number of flats by 65% will increase the risk to occupiers proportionately, both inside the flats and in entering and leaving the building
- The developer is focussing only on the additional 9 units when the assessment of affordable housing must apply to the whole development which comprises 22 flats
- The ground floor conversion to over 50 cycle bays is welcome in itself, but questionable. Any approval should require that the approved number of bays be maintained permanently. The proposed outside wall to this cycle store is glass block and this will require constant maintenance which will not be provided and will rapidly deteriorate into an eyesore through damage and lack of cleaning. Any approval must require a more sympathetic and durable material for the outside of the building.
- The scheme provides a poor quality standard of accommodation and would constitute an overdevelopment
- Several of the units are below the minimum space standards - Units 2, 3, 4 and 9 would not meet the 50sqm standard and concern regarding bedroom sizes
- Cycle store is cramped and awkward to access and the glass block wall to the cycle storage area appears to extend beyond the curtilage of the site, with several cycle racks located on the public footpath

Comments from Consultees

Environmental Health Housing Officer:

Concerns are expressed regarding the size of the flats proposed to be provided within the RESPA development and the flats proposed within the extensions the subject of this full application. In addition, there is concern regarding natural light, ventilation and outlook for a large proportion of the proposed units (prior approval and planning application). Comments are available on file.

Drainage Engineer:

No comments

Highways:

The site has a PTAL level of 4 which is moderate to good.

This site is just outside BEC CPZ.

The appeal for application 15/03333 (to form 14 flats i.e. 5 x two bedroom and 9 x one bedroom flats) was dismissed. For application 16/02466/RESPA (to form 5 x

two bedroom and 9 x one bedroom flats) it was recommended that it should be resisted on parking grounds but was granted approval on the basis of there being a unilateral undertaking. Another application 17/00179 (for 24 units) was refused. Likewise 17/03675FULL1 (for an additional 9 flats comprising one studio flat, six 1 bedroom, one 2 bedroom, one 3 bedroom flats) was refused as it failed to provide adequate off-street car parking facilities to provide for the needs of the development within the site. The last application 17/04077/RESPA to provide 22 flats was also refused.

The current application is about formation of an additional 9 flats comprising 7 x one bedroom, 1 x two bedroom and 1 x 3 bedroom flats with no off-street car parking within the extended sections of the building in connection with a revised entrance area and integral refuse and cycle storage area on the Burnhill Road frontage.

No off street parking is offered by the applicant, which is unsatisfactory. The applicant has no justification as to not provide parking spaces. Bromley has the third highest car ownership level in London.

The site is located on the border of Copers Cope Road and Kelsey and Eden Park wards. The car ownership in Copers Cope Ward is .95 car per house hold whereas the car ownership in Kelsey and Eden Park ward 1.30 per household which translates to a minimum of $25 \times 1.12 = 28$ car parking spaces.

The Proposed Draft Local Plan Chapter 4, Getting Around (Transport and Accessibility) states the following for residential parking standards:

Bromley Residential Parking Standards (per unit)

PTAL	1-2 bed	3 bed
0-2*	Minimum of 1	Minimum of 1.5
2*-6a	0.7 (min) - 1 (max)	1 (min) 1.5 (max)

These standards reflect the factors in the National Planning Policy Framework (NPPF) which encourage local planning authorities to develop their own standards.

The parking survey submitted by the applicant shows that there would be some capacity for off-street car parking in the neighbouring streets. However, this survey was conducted on a Wednesday and Friday. This did not include Saturday daytime, Friday or Saturday night time when the car parking exceeds 90% capacity. Additionally, areas on the edge of the BEC, including the far end of the Kelsey Park Road and The Drive are more than the 200m radius accepted at the distance residents would be likely to walk to park their cars. Furthermore, this parking stress survey that has been submitted with this application has included short stay spaces which are not suitable for residents use. Also a large part of the parking stress survey falls within the BEC where parking restriction apply between 08:00 and 20:00 hours. Fairfield car park is not a realistic option for the residents who use their cars less frequently.

The cycle parking minimum standards is as per TfL is 1 space per studio and 1 bedroom unit and 2 spaces per all other dwellings.

The development is not providing any car parking. Lack of parking coupled with additional residential 9 units i.e. 16 to 25 units (2 existing, 14 granted prior approval with a unilateral undertaking) without any parking is of concern. It is considered that nearly half of the future residents will own cars and there are not enough parking spaces within the vicinity. This proposal will put additional pressure on the existing parking situation which is already stressed so the proposal should be resisted on parking grounds.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination in Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

- 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
- 3.10 Definition of affordable housing
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity.
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.16 Green Belt
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands
- 8.3 Community Infrastructure Levy

Unitary Development Plan

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation areas
- BE13 Development Adjacent to a Conservation Area
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- NE7 Development and Trees

- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety

Emerging Local Plan

- Draft Policy 1 - Housing supply
- Draft Policy 4 - Housing design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 34 - Highway Infrastructure Provision
- Draft Policy 37 - General design of development
- Draft Policy 41 - Conservation Areas
- Draft Policy 42 - Development Adjacent to a Conservation Area
- Draft Policy 73 - Development and Trees
- Draft Policy 77 - Landscape Quality and Character
- Draft Policy 112 - Planning for Sustainable Waste management
- Draft Policy 113 - Waste Management in New Development
- Draft Policy 115 - Reducing flood risk
- Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
- Draft Policy 117- Water and Wastewater Infrastructure Capacity
- Draft Policy 118 - Contaminated Land
- Draft Policy 119 - Noise Pollution
- Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction

Supplementary Planning Guidance

- Supplementary Planning Guidance 1: General Design Principles
- Supplementary Planning Guidance 2: Residential Design Guidance
- Housing SPG (2016)
- DCLG Nationally Described Space Standards

Planning History

The relevant planning history relating to the application site is summarised as follows:

15/03333/RESPA:

Change of use of Ground and First floor and existing roof space from Class B1 (a) office to Class C3 dwellinghouses to form 5 x two bedroom and 9 x one bedroom

flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class O Part 3 of the GPDO).
Refused 22.09.2015

Prior approval was refused on the grounds that no off street car parking was proposed for the application site and that the proposal would have put additional pressure on the existing parking situation in the area resulting in an unacceptable increase in the demand for on-street car parking and the Highway network contrary to Policy T3 and T18 of the Unitary Development Plan and the National Planning Policy Framework.

A subsequent appeal against the decision was dismissed. In assessing the proposal, the Inspector identified the main issue as being the impact of the development on highway safety, having regard for the local parking restrictions, the car ownership census data, and the narrowness of Burnhill Road. The Inspector concluded that the proposal "would have a severe impact on parking stress in the locality if it were not a car free development." It was noted that there was no signed and executed agreement to bring a restriction into effect and that a condition would not strictly comply with the Planning Practice Guidance advice regarding negatively worded conditions.

16/02466/RESPA:

Change of use of ground and first floor and existing roof space from Class B1(a) office to Class C3 to form 5 no. two bedroom and 9 no. one bedroom flats (56 day application for prior approval in respect of transport and highways, contamination, flooding risks and noise impacts under Part O of the General Permitted Development Order).

Approved 29.07.2016.

Prior approval was granted for development identical to that previously refused on the basis that the new application included a Unilateral Undertaking which provided that the proposed development would be car-free, agreeing that prior to occupation each new occupier be informed of the Council's policy that they should not (unless disabled badge holders) be entitled to be granted a resident's parking permit.

At the time this application was determined the considerations for assessment included the impacts of noise from commercial premises on the intended occupants of the development. No objections were raised to the proposal (16 flats) from an environmental health perspective. Highways concerns were raised although it was noted that if the development was granted it should be subject to a section 106 agreement regarding the residents' recourse to parking permits and regarding a car club provision.

17/00179/RESPA:

Change of use of ground, first and part of second floor from offices falling within Class B1(a) to Class C3 dwellinghouses to form 24 flats with cycle parking (56 day application for prior approval in respect of transport and highways, contamination,

flooding and noise impacts under Class O of the General Permitted Development Order).

Refused 01.03.2017.

Prior Approval was required and refused on the basis that the proposed residential units and intended future occupiers could be negatively impacted by noise generated by neighbouring commercial premises, and in the absence of an environmental noise assessment and an assessment of airborne sound insulation to demonstrate the contrary, the proposal would fail to comply with provisions, conditions and limitations of Class O and Paragraph W of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

17/03675/FULL1:

Construction of rear (east elevation) extension at second floor, additional third storey roof extension (south elevation), elevational alterations to the existing building forming an additional 9 flats comprising one studio flat, six 1 bedroom, one 2 bedroom, one 3 bedroom flats within the extended sections of the building in connection with a revised entrance area and integral refuse and cycle storage area on the Burnhill Road frontage.

Refused planning permission on the grounds:

1. The proposed development would fail to provide a satisfactory layout and standard of good quality accommodation for future occupiers by reason of poor internal layout for units 2 and 6 and poor outlook for unit 6 contrary to Policies BE1 and H7 in the Unitary Development Plan, Draft Policies 4 and 37 of the Proposed Submission Draft Local Plan, Policy 3.5 of the London Plan, Supplementary Planning Guidance: Housing of the London Plan Implementation Framework.

2. The proposed development would fail to provide adequate off-street car parking facilities to provide for the needs of the development within the site. As such the proposal would increase the demand for the limited available on-street parking on the local roads to the detriment of the amenities of the area and would be liable to prejudice the free flow of traffic and conditions of general safety along the adjacent highway contrary to Policies T3 and T18 of the Unitary Development Plan, Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan and Policies 6.12 and 6.13 of the London Plan.

17/04077/RESPA

Change of use from Class B1(a) offices to residential to provide 22 flats (56 day application for prior approval in respect of transport and highways, contamination, flooding and noise impacts under Class O of the General Permitted Development Order).

Refused 11/10/17

1. The proposed development would fail to provide adequate off-street car parking facilities to provide for the needs of the development within the site. As such the proposal would increase the demand for the limited available on-street parking on the local roads to the detriment of the amenities of the area and would be liable to prejudice the free flow of traffic and conditions of general safety along the adjacent highway contrary to Policies T3 and T18 of the Unitary Development Plan, Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan and Policies 6.12 and 6.13 of the London Plan.

17/05813/RESPA

Change of use from Class B1(a) offices to residential to provide 22 flats (56 day application for prior approval in respect of transport and highways, contamination, flooding and noise impacts under Class O of the General Permitted Development Order).

Refused 31/1/18

1. The proposed development would fail to provide adequate off-street car parking facilities to provide for the needs of the development within the site. As such the proposal would increase the demand for the limited available on-street parking on the local roads to the detriment of the amenities of the area and would be liable to prejudice the free flow of traffic and conditions of general safety along the adjacent highway contrary to Policies T3 and T18 of the Unitary Development Plan, Draft Policies 30 and 32 of the Draft Local Plan and Policies 6.12 and 6.13 of the London Plan.

Considerations

The main issues to be considered in respect of this application are:

- o Resubmission
- o Principle
- o Density
- o Design
- o Standard of residential accommodation
- o Highways, car parking and access
- o Cycle Parking
- o Neighbouring amenity
- o Refuse
- o Sustainability and energy
- o CIL

Resubmission

This application has been submitted following the refusal of planning permission under reference 17/03675/FULL1 for development substantially similar to that currently proposed. The current application differs from that previous proposal in that the Flat 1 has been amended from comprising a 2 bedroom flat to a 1 bedroom flat so as to address the concerns regarding the size of the second

bedroom. With regards to Flat No. 6 the applicant has provided additional information, including a drawing submitted to show that the flat would have an acceptable outlook. The submitted Planning Statement states that the layout of Flat 6 is larger than the NDSS requirement for a three bedroom flat, and that the flat has a dual aspect with natural light to all principal rooms, as well as amenity space. A revised transport statement has been submitted (dated December 2017).

Principle

Policy H1 states that the suitability of windfall sites for housing purposes will be assessed against whether the site comprises previously developed land; the location of the site in relation to employment, day to day facilities and services and accessibility by modes of transport other than the car; the capacity of existing or potential infrastructure to accommodate additional dwellings; physical and environmental constraints on development of the site; the need to retain the existing land use on the site.

Therefore, in this location the Council will consider additional roof top residential 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. Therefore the additional roof top residential units appears acceptable in principle subject to an assessment of the impact of the proposal on the appearance and 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.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 4 and is within an urban setting. In accordance with Table 3.2, the recommended density range for the site would be 55-225 dwellings per hectare and 200/700 habitable rooms per hectare. The proposed development would have a density of 111 dwellings per hectare when considered cumulatively with the consented prior approval scheme (Ref: 16/02466/RESPA).

A numerical calculation of density is only one aspect in assessing the acceptability of a residential development and Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity which are assessed below.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy BE11 states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development, for engineering works, alteration or extension to a building, or for change of use of land or buildings within a conservation area will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces; respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

In this case it is considered that the existing building is of relatively neutral architectural merit. However, the building is representative of its period with wide expanses of brickwork and a glazing style to match.

The principle of some form of additional mass on the roof is considered acceptable. The application plans submitted indicate two areas of construction fronting the car park to the east and Burnhill Road to the south as detailed above. A set back of 1.5m and 3.6m from the east and south elevations is indicated respectively.

On balance the roof top extensions involve a small increase in height to the building which is offset by the set backs incorporated in the design from the existing building edges. The elevational alterations facing Burnhill Road are

considered to provide an improved façade to the building in keeping with the character and appearance of the area.

The Councils Conservation Officer reviewed the previous scheme refused under reference 17/03675 on grounds unrelated to external appearance and design, and raised no objection. As such the design appears in character with the existing building following a similar design ethos. High quality materials are suggested with high quality transitional detailing between material elements. Further details in this regard could be secured by condition should planning permission be forthcoming.

Standard of residential accommodation

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015). In terms of the flats provided within this particular proposal it is noted that the 3 of the 4 flats referred to in the representation submitted by the CCRA would be slightly below the 50sqm standard - with Flats 2, 3 and 4 having a GIA of approx. 49.70, 48.85 and 49m respectively, while Flat 9 would appear to meet the minimum standard. It falls to carefully consider this shortfall in the context of the layout of the flats and the overall standard of accommodation provided. On balance it is not considered that the shortfall would, in the context of the development as a whole, compromise the total standard of residential accommodation proposed to be provided.

Planning permission was refused for the previous proposal on the basis of the poor internal layout for units 2 and 6 and poor outlook for unit 6. The current application seeks to overcome this ground for refusal.

The submitted Design and Access Statement refers to the layout of Flat No. 6, stating this "has been amended to provide acceptable internal layout and in terms

of outlook - a section FF drawing has been added to show the acceptable outlook of the flat." Close examination of the third floor plan submitted under application 17/03675 and that currently under consideration shows no significant difference between the drawings with regards to the layout of Flat 6. However, the drawing referred to which shows a proposed section F includes photographs showing the existing/proposed outlook from the third floor terraces and the flat. Bedroom 3 would be somewhat narrow and would be approx. 0.1m narrower than the minimum width of a single bedroom as described in the nationally described space standard.

With regards to Flat 2, the applicant has attempted to address the concern regarding the layout by making that flat a 1 bedroom apartment, while Flat 1 is now proposed to be a 2 bedroom apartment. In doing this, the width of the second bedroom in proposed Flat 1 is greater than that previously proposed for Flat 2 and would meet the minimum width as described in the Technical Housing Standards document.

Concerns have been expressed regarding the relationship of the window of Unit 2 in relation to the Lidl loading bay. The Flat is positioned at second floor level and in view of its elevated position, it is not considered that the adjacent loading bay would prejudice residential amenity to such an extent as to undermine the overall quality of residential accommodation provided in the flat.

On balance, in view of the additional information provided and subtle amendments to the scheme it is considered that the standard of the residential accommodation proposed within this particular application would be adequate and the marginal shortfall in the width of the third bedroom of Flat 6 and in the total GIA of the flats referred to above would not constitute a strong ground for refusal.

Highways, Car parking and access

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan should be used as a basis for assessment.

The submitted planning statement has confirmed that the permitted existing prior approval permission (Ref: 16/02466/RESPA) will be implemented and therefore the highway implications of that development in connection with the current application is a material consideration.

The Council's Highway Officer has reviewed the current application and raised objection to the non-provision of parking provided off road at the site as detailed above. It is therefore considered that there will be an impact on the limited available on-street parking in the vicinity and the proposal is considered generally unacceptable from a highways perspective.

The removal of the rights of future residents to obtain parking permits locally is not considered cumulatively to alleviate the increased parking pressure in the area that the resultant development would bring. While a development for 14 additional flats (as granted prior approval with a unilateral undertaking being required) was on

balance considered acceptable, the current proposal would result in an additional 9 flats on top of that number, and this is considered to tip the balance from there being a realistic prospect of the car free proposals having a limited impact on on-street parking demand to there being a probability that the resultant development will place additional pressure on the already finely balanced on-street parking situation in the locality. This conclusion is reached in the context of the local knowledge and data held regarding car ownership and the pressures that already exist with regards to on-street parking. It is not considered that the submissions in this current application address the ground for refusal of the previous application.

Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for cycle storage for the units integrally in the ground floor of the building. Further details in this regard for the quantum of cycles could be controlled by condition if permission were forthcoming. It is noted that concern has been expressed regarding potential encroachment of the cycle parking facility onto the public footpath. However, on the basis of the submitted drawings and information it appears that the glass block wall lies within the curtilage of the application site and the provision of the short stay residential cycle parking shown in front of the glass block wall could be assessed if permission is forthcoming by way of condition.

Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

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In terms of outlook, the fenestration arrangement will provide outlook over the car park to the east and streetscene to the south. Concerns have been raised regarding the loss of privacy and overlooking to adjacent properties at a high level. The closest residential property is located adjacent at No48 Burnhill Road and approximately on the corner of the site. All windows in this building face away from the roof extensions. Other residential properties are located on the opposite side of Burnhill Road from No's 1 to 7 at an oblique angle and facing the front elevations. In this circumstance, the outlook from windows from the proposed units is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

The additional height and mass of the extra floor of the building is also not considered to affect the light and outlook significantly to adjacent occupiers due to

the limited extra height and scale of the roof extensions. The previous application for planning permission under reference 17/3675.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units integrally in the ground floor of the building. The location point is considered acceptable within close proximity of the highway. Further details in this regard are recommended by condition as necessary in relation to capacity.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

An informative would be recommended with any approval to ensure that the development would strive to achieve these objectives.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable on this application and the applicant has completed the relevant form.

Conclusion

Taking into account the issues assessed above the proposed development would be lacking in adequate car parking to provide for the needs of the development.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed development would fail to provide adequate off-street car parking facilities to provide for the needs of the development within the site. As such the proposal would increase the demand for the limited available on-street parking on the local roads to the detriment of the amenities of the area and would be liable to prejudice the free flow of traffic and conditions of general safety along the adjacent highway**

contrary to Policies T3 and T18 of the Unitary Development Plan, Draft Policies 30 and 32 of the Proposed Submission Draft Local Plan and Policies 6.12 and 6.13 of the London Plan.