

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

Application No : 18/03581/FULL1

Ward:
Copers Cope

Address : Rear Of 14 Bromley Road, Beckenham
BR3 5JE

OS Grid Ref: E: 537542 N: 169523

Applicant : Mr Daniel Pullen

Description of Development:

Reconstruction of two storey office building previously destroyed by fire

Key designations:

Conservation Area: Beckenham Town Conservation Area
Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

The application seeks permission for a new part one/two storey office building to the rear of no. 14 Bromley Road. The application form indicates that a similar building was located on the same site. However, it was destroyed by a fire and subsequently demolished.

The application proposes that the new office building will be used between the hours of 09:00 and 17:30 Monday - Friday and 09:30 - 17:30 Saturdays, with no use on Sundays. The application form also indicates that two full time employees will use the proposed office space.

The proposed office building will be 8.2m in length and 6.6m in width. It will adjoin a building to the west which lies to the rear of no. 10-12. The majority of the building will be two storeys in height with a flat roof, with an area to the north-east measuring approximately 3.1m (width) by 3.7m (length) remaining single storey only. This single storey element will have a flat roof to a height of approximately 2.5m when scaled from the submitted drawings. The two storey maximum height will be 6.1m. The building will include a garage/workshop, reception and store on the ground floor and two offices and a toilet on the first floor. Two windows are proposed in the first floor rear elevation facing towards no. 14, one window in the first floor eastern flank elevation, and three first floor windows and a door and garage door at ground floor within the front elevation facing towards the workshop occupied by Church Motor Co.

The application was supported by the following documents:

- Planning, Design and Access Statement

Location and Key Constraints

The site is located to the rear of No. 14 Bromley Road and is accessed via a vehicle access from Bromley Road between No. 16 and the Beckenham Methodist Church. The site comprises of a concrete base and is bound by commercial development on Bromley Road.

The site is located in the Beckenham Town Centre Conservation Area.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

Conservation Officer: As this is a reconstruction and in a very discreet location I see no harm being caused to the CA. The proposal accords with the aims of BE11

Advisory Panel for Conservation Areas (APCA): no inspection made.

Drainage Officer: Standard conditions are recommended.

Environmental Health (Pollution) Officer: no objections raised subject to standard informatives.

Highways Officer: The proposal is located to the south of Bromley Road. The site is located in an area with medium PTAL rate of 4 on a scale of 0 – 6b, where 6b is the most accessible. The proposals unlikely to have a significant impact on the local highway network and therefore I raise no objection.

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.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) 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
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors 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

- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 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
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 8.3 Community Infrastructure Levy

Unitary Development Plan

- BE1 Design of New Development
- BE11 Conservation Areas

EMP2 Office Development
EMP5 Development Outside Business Areas
EMP7 Business Support
T3 Parking
T18 Road Safety

Emerging Local Plan

Draft Policy 30 – Parking
Draft Policy 32 – Road Safety
Draft Policy 33 – Access For All
Draft Policy 37 – General Design of Development
Draft Policy 41 – Conservation Areas
Draft Policy 83 – Non-Designated Employment Land

Supplementary Planning Guidance

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance for the Beckenham Town Centre Conservation Area

Planning History

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

Following a fire in 2012, the building at the site was demolished, with a Building Control record relating to the demolition of the building dated 2013.

14/03513/FULL1 - Construction of a part one/two storey office building to the rear of No. 14 Bromley Road - PERMITTED

Considerations

The main issues to be considered in respect of this application are: (delete or add as applicable)

- Principle
- Design
- Highways
- Neighbouring amenity
- Sustainability
- CIL

Principle

The proposal is similar in appearance and design to that granted under ref. 14/03513. The principle of a replacement office building has been established under the recent planning history and in light of the historic existence of such a

structure prior to fire damage leading to its eventual demolition, the principle of the development is considered to be acceptable.

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policy BE1 of the UDP sets 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.

The proposed new office building will be part one/part two storey and will have a flat roof. The drawings submitted indicate that the building will be finished in white/cream render. Having visited the site it can be seen that there are other examples of white render at No. 16 and at the workshop occupied by Church Motor Co. The character of the area is one of predominantly two storey. In terms of the design of the new office, the two storey appearance, footprint and bulk is

considered sympathetic with the wider local context and has previously been considered acceptable.

Heritage Impact

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

Policy BE11 of the UDP relates to Conservation Areas and 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:

- (i) respect or complement the layout, scale, form and materials of existing buildings and spaces;
- (ii) respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
- (iii) 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.

This guidance is reflected in Policy 41 of the Draft Local Plan.

The proposal seeks to erect a two storey building at the rear of the site. The building is not therefore considered to have a significant impact on the character of the Conservation Area and will be sited to the rear of No. 14, away from publicly viewable areas of the Conservation Area.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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

The proposal is located to the south of Bromley Road. The site is located in an area with medium PTAL rate of 4 on a scale of 0 – 6b, where 6b is the most accessible. The proposals unlikely to have a significant impact on the local highway network.

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.

The proposed building will contain two offices and a toilet at first floor and a reception, store and garage workshop at ground floor. The building will abut a single storey building to the west, which lies behind No. 12. A minimum distance of 4.2m will be retained from the single storey element of the proposed building to the rear of No. 14, with the two storey element being approximately 10.4m given the stepped rear elevation of No. 12. Two first floor windows are indicated on the elevation facing the rear of No. 14, one which is shown to be obscure glazed. Both windows are secondary windows to the rooms which they serve. As such, given the proximity to the rear facing windows of No. 14, it is considered appropriate to condition both windows within this elevation to be obscure glazed to further protect the privacy of the occupiers of the residential properties located within the upper floors of No. 14.

The proposed eastern flank elevation of the building will be approximately 3m from No. 16. One window is proposed in the first floor elevation facing the side of No. 16. There are no current windows within the first floor side elevation of No. 16 and as such the proposed extension is not considered to cause any issues with regards to privacy.

The proposed building will be located approximately 6m from the single storey building currently used as a car repair workshop, which lies to the south of the site. Having visited the site it can be seen that during the day the frontage of this workshop are left open for access to the garage area. Taking into account the above, the proposed office building is not considered to cause any detrimental impact to the occupiers of this site in terms of loss of outlook, light or privacy and is not considered to cause any harm to this neighbouring commercial development.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

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.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has not completed the relevant form.

Conclusion

Having had regard to the above it was considered that the siting, size and design of the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the Beckenham St Georges Conservation Area. Furthermore the proposed office use is considered acceptable in this location and is not considered to result in any impact on traffic or parking.

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: 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: To comply with Section 91, Town and Country Planning Act 1990.

- 2** The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise 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 appearance of the building and the visual amenities of the area.

- 3** Details of a surface water drainage system (including storage facilities 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 system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 4** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory implementation of the sustainable drainage proposals and to accord with to London Plan policy 5.13

- 5 Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.**

Reason: In order to comply with Appendix II of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

- 6 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.

- 7 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 UDP and in the interests of visual and residential amenity.

- 8 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor northern elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 9 The use shall not operate on any Sunday or Bank Holiday Xmas Day or Good Friday nor before 09:00 or after 17:30 on any other day.**

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

- 10 The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh.**

Reason: to minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)

You are further informed that :

- 1 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.