

Committee Date	25/05/2023	
Address	15 Heathfield Road Keston BR2 6BG	
Application Number	22/04378/FULL2	Officer - Stephanie Gardiner
Ward	Hayes And Coney Hall	
Proposal	Conversion and alteration of rear ground floor premises from underused storage to provide a one bedroom one person apartment with rear courtyard garden and access and central courtyard garden area along with secure bin storage to rear	
Applicant	Agent	
Mr G Lancaster	Mr Peter Hadley	
15 Heathfield Road Keston BR2 6BG	Robinson Escott Planning Downe House 303 High Street Orpington BR6 0NN United Kingdom	
Reason for referral to committee	Call-In	Councillor call in Yes - Cllr Michael Concerns about overdevelopment, parking issues and lack of amenity space.

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Keston Village Areas of Archaeological Significance Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 22</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)

Existing	Class E	42sqm
Proposed	Class C3	42sqm

Representation summary	<i>Local neighbours were consulted, and a site notice was displayed at the property.</i>	
Total number of responses	2	
Number in support	0	
Number of objections	2	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would not result in harm to the character and appearance of the area, nor impact detrimentally on the amenities of neighbours.
- The proposal would preserve the character and appearance of the Conservation Area
- The highway impact is considered acceptable.
- The proposal would provide an acceptable standard of residential accommodation.

2. LOCATION

2.1 The application relates to a mid-terrace property, which includes commercial use (Class E) at ground floor with an existing residential unit above. The property is located within the Keston Village Conservation Area and is designated as a being part of a 'Neighbourhood Centre or parade'.

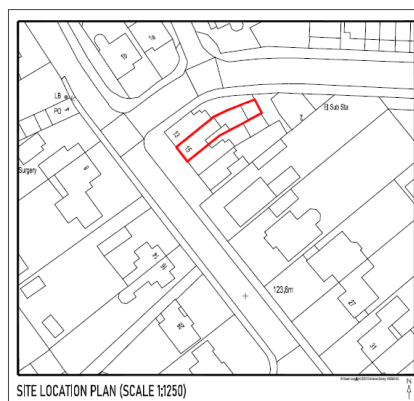


Figure 1: Site Plan

3. PROPOSAL

- 3.1 The application seeks planning permission for the conversion and alteration of rear ground floor premises from underused storage to provide a one bedroom one person apartment with rear courtyard garden and access and central courtyard garden area along with secure bin storage to rear.



Figure 2: Existing Front Elevation



Figure 3: View of Rear Access

The description of development been amended since submission with the removal of the following:

'Reconfiguration of ground floor accommodation to provide access to two-bedroom, three persons flat on upper floors (first and second floors) whilst retaining shop at front of premises (Class E use).'

This is because application was submitted prior to the determination of a Planning appeal under ref: APP/G5180/W/32979 which included these works. However, this has now been determined and granted on Appeal and has therefore been removed.

3.2 A revised plan has also been submitted which has relocated the kitchen to be adjacent to the commercial unit.

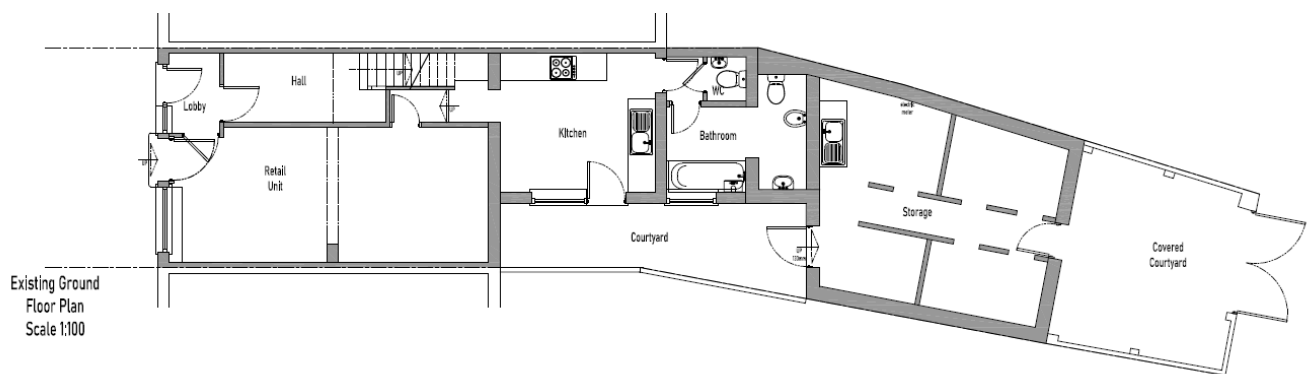


Figure 4: Existing Ground Floor Plan

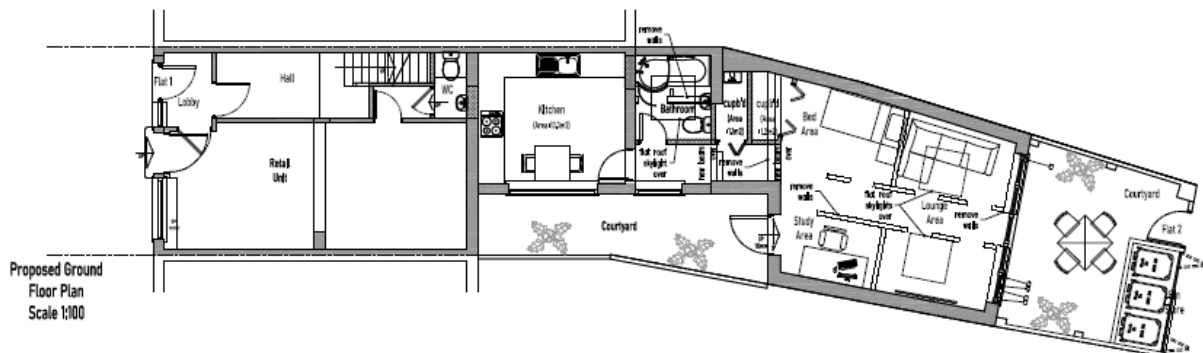


Figure 5: Proposed Ground Floor Plan

4. RELEVANT PLANNING HISTORY

4.1 22/00755/FULL1 – New shopfront and reconfiguration of the ground floor. Refused but subsequently granted on appeal under ref: APP/G5180/W/32979 on the 30th of December 2022

5. CONSULTATION SUMMARY

A) Statutory

Highways – No objection

Reviewed Parking Stress survey submitted in support of planning ref: 21/02401. No objections

Conservation – No objection

Does not appear to be harmful, subject to suitable conditions to maintain the existing appearance and use appropriate heritage sourced materials.

Environmental Health – No objections

B) Adjoining Occupiers (addressed in Para. 7 - 8)

- Cramped over intensive use of the site
- Flat lacks adequate facilities
- Entrance on a shared driveway use by 4 shops and Carpenters.
- Area already overcrowded since the new post office/general store has opened.
- Difficulty accessing driveway and this development will exacerbate the problem.
- Drainage issues
- Increased parking pressures

6. POLICIES AND GUIDANCE

- 6.1 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.
- 6.2 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.
- 6.3 The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019 and again in 2021.
- 6.4 The development plan for Bromley comprises the London Plan (March 2021) and Bromley Local Plan (Jan 2019).

London Plan (March 2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security, and resilience to emergency
- H1 Increasing Housing Supply
- H2 Small sites
- H9 Ensuring the best use of stock
- HC1 Heritage Conservation and Growth
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing, and construction

Bromley Local Plan (January 2019)

- 1 Housing supply
- 4 Housing Design
- 9 Residential Conversions
- 37 General design of development
- 41 Conservation Areas
- 96 Local Neighbourhood Centres and Parades.
- 99 Residential Accommodation
- 101 Shopfronts
- 123 Sustainable Design and Construction

Supplementary Planning Guidance
SPG1 General Design Principles
SPG2 Residential Design Guidance

7. ASSESSMENT

7.1 Housing Position - Acceptable

7.1.1 The current position in respect of Bromley's Housing Trajectory, including the Five-Year Housing Land Supply (FYHLS), was agreed at Development Control Committee on the 2nd November 2021. The current position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications and means that the presumption in favour of sustainable development applies.

7.1.2 The NPPF (2021) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a

development accords with an up-to-date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.1.3 According to paragraph 11(d) of the NPPF in the absence of a 5-year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.1.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. To deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly regarding the types of locations where new housing delivery should be focused.

7.1.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

7.1.6 This application includes the provision of 1 additional dwelling which would represent a very minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development and the location of the site within the Keston Village Conservation Area, which is an area or asset of particular importance for the purposes of applying Paragraph 11.

7.2 Principle of Development - Acceptable

7.2.1 The application property is designated as being a 'neighbourhood centre or parade.' It relates to an existing commercial unit on the ground floor which includes a storage area at the rear. The ground floor unit would be severed with the rear part of the building converted into residential accommodation. The front section of the commercial unit facing onto Heathfield Road would be retained. The size and shape of this commercial unit appears large enough to still be viable commercially and it is not considered that the conversion would conflict with Policy 96 or 99 of the BLP,

which seek to protect small parades and shops that make an important contribution to local communities.

7.3 Design - Acceptable

- 7.3.1 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. London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.2 Policy 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, are of a high-quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy 41 states that Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Proposals 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 need to preserve and enhance its characteristics and appearance by:
- Respecting or complementing the layout, scale, form and materials of existing buildings and spaces;
 - Respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance, or historic value of the area; and
 - Using high quality materials.
- 7.3.3 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.
- 7.3.4 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 considered 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.
- 7.3.5 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.

- 7.3.6 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.
- 7.3.7 The case officer has assessed the proposal against the above-mentioned policies in terms of its impact on the character and appearance of the Conservation Area, about the requirement for the development to preserve or enhance its character and appearance.
- 7.3.8 The proposed works include the removal of a pitched roof/cover above the existing rear courtyard and amendments to the fenestration comprising new windows and doors within the side and rear of the existing rear addition. These amendments would be mostly hidden from the public realm. They are considered modest alterations and no objections have been raised from a heritage perspective. The proposal would therefore preserve the character and appearance of the Conservation Area.

7.4 Standard of Accommodation - Acceptable

- 7.4.1 Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. 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 Government's National Technical Housing Standards.
- 7.4.2 The proposal is for a 1b 1 person unit. It would have a GIA of 42sqm. The layout would be a studio arrangement which complies with the above standards. The habitable living area would have an acceptable level of light and outlook. Private amenity space would also be provided at acceptable level. Additionally, the kitchen would be located adjacent to the commercial unit and so it is not considered the proposal would be subjected unacceptable levels of noise and disturbance. No objections have been raised to the arrangement by the Council's Environmental Health Team. The proposal would therefore provide a satisfactory standard of accommodation.

7.5 Neighbouring Amenity - Acceptable

- 7.5.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.5.2 The site is located within a commercial parade, however there are residential properties within the locality including directly above the site. Given the location and scale of the development it is not considered that one residential unit or the physical changes to the building would harm neighbouring residential amenities.

7.6 Highways - Acceptable

7.6.1 No objections have been raised from a highway perspective. The highways team have referred to a Parking Stress survey carried out under ref: 21/02401 at 19 Heathfield Road. This is adjacent to the site and the findings of that report are still considered relevant. When having regard to that report, together with the size of the proposed unit it is not considered that the scale of the development would result in an unacceptable parking demand or highway impact in respect of servicing and delivery.

7.6.2 A representation has been received relating to restrictions to the common driveway/access, however the development is within the confines of the site. The access already appears to be used by the unit, so any issues relating to unauthorised parking or neighbours restricting the access are a civil matter that must be dealt with by the interested parties and fall beyond the scope of this assessment.

7.7 CIL

7.7.1 The Mayor of London's CIL and the Borough CIL is a material consideration. CIL is payable on this application.

8. CONCLUSION

8.1 In relation to the benefits of the development, the proposal would provide 1 additional residential unit, which is a modest contribution to the boroughs housing provision. Having It is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to residents or result in an unacceptable highway impact, in addition it would preserve the character and appearance of the Conservation Area.

8.2 In respect of the Council's 5-year housing land supply and the current position outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, when weighing up benefits of the development and the current undersupply of housing, it is considered that any harm arising from the proposal would be minor and would not significantly and demonstrably outweigh the benefits of the development. Therefore, the proposal is acceptable.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Refuse storage provision.**
- 4. Materials in accordance with the plans**

and delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.

Informatives

- Street naming and numbering**
- CIL**