

SECTION '2' – Applications meriting special consideration

**Application No :** 10/02321/FULL3

**Ward:**  
**Clock House**

**Address :** 2 Beckenham Road Beckenham BR3  
4PH

**OS Grid Ref:** E: 536881 N: 169485

**Applicant :** Pastor Julian Melfi (Citygate Church) **Objections :** YES

**Description of Development:**

Conversion into five 2 bedroom apartments, landscaping, removal of access ramp on property frontage, change of use from business (Class B1) to dwellinghouse (Class C3 (a)) and from business (Class B1) to non-residential institution: function hall (Class D1) for rear building.

Key designations:

London Distributor Roads

**Proposal**

Issues from previous Plans Sub Committee Meeting

This application was previously deferred without prejudice from Plans Sub Committee 3 on 18th November 2010 in order to address the following issues:

1. Clarification of the uses that would take place within the large hall to the rear of the site;
2. Hours of use of the building (finish times in particular);
3. Access from existing car park to the site;
4. Access to the site alongside the proposed flats – amenity of the future occupiers need to be safeguarded, so possible alteration to access?
5. Assess whether the doors in the rear elevation of the building can be secured in order to prevent undue noise and disturbance to residents adjoining the rear of the site;
6. Landscaping to be addressed in order to soften the appearance of the rear boundary and any fence that will be implemented in order to reduce noise impact;
7. Clarify parking arrangements.

As a result a subsequent meeting was arranged between the developers and the residents of Rectory Green to clarify these details, the outcome of which is summarised below:

1. Proposed use of the building to the rear: daytime and afternoons will be for the mother and toddler groups, and evenings may be used for business meetings and youth groups. There will also be the possibility of other uses in the future, as allowed within the classification of a D1 use (non-residential institutions).
2. Hours of operation: Concerns were raised at Plans Sub Committee 3 about the proposed hours of operation whereby the use shall not operate before 07:00 and after 22:30. The site must be cleared by 23:00 on any day. Following discussions with the applicants they did not wish to amend the proposed times as it was considered to potentially affect the viability of the proposal. Initially the 23:00 site clearance time was chosen as it was in line with the restriction on noise levels before 07:00 and after 23:00 as outlined in the freeholder and leaseholder agreements of the residents of Rectory Green. However, following further discussions with residents some individuals remained concerned as to the potential impact in terms of noise the proposed hours of operation would pose and an earlier finishing time was preferred by some.
3. Parking use: As mentioned in the previously submitted Transport Statement and Travel Plan, which was agreed by the Highways Department, no vehicle parking will be provided for the rear building on site, however, the building will work 'hand in hand' with the 2 Rectory Road site, also owned by Citygate Church, which has ample off street parking facilities, and provides 'safe' walking routes between the two sites.
4. Access arrangements: The key concern relating to this point is the potential disturbance for future occupants of the proposed residential units at the front of the site when individuals are exiting the proposed function hall to the rear. With regards to alternative exits from the site the applicants felt this was not feasible due to the site layout and only one point of entry. The applicants felt that the potential impact in terms of noise generated as visitors leave the proposed function hall would be minimal as the windows in the flank elevation will be at a higher level due to the existing raised floor level. The applicants proposed that the windows to the flank and rear elevation (at ground floor level) of the residential block could be additionally sound proofed if required by way of a planning condition.
5. Rear doors: Members had considered the possibility of having the doors to the rear fixed shut, however, the applicants felt this would be unacceptable as these doors are a fire exit to the building and that securing these would be an endangerment to the users as it will only leave one means of escape, contradicting Building Control Regulations primarily Approved Document Part B.

6. Landscaping: the applicants and the residents of Rectory Green had previously agreed that a 2m close-board fence would be erected around the rear boundaries to help prevent noise pollution to the surrounding properties. Were permission to be granted a planning condition could be attached for details of boundary enclosures to be agreed upon by the Local Planning Authority prior to commencement of works on the site to ensure suitable boundary enclosures are constructed. It was suggested at Committee that planting be introduced to help soften the fencing, however this would be outside of the sites boundaries and not something that could be implemented by the applicant.
7. Parking for proposed residents of the building to the proposed residential property: As previously mentioned the vehicle parking spaces on site are solely for the residential portion of the development, this was also agreed with the highways officer and deemed satisfactory.

The following sections of the report are as per the report submitted to Committee on 18th November 2010 (amended as necessary) to provide a contextual background to the application.

This proposal is comprised of two parts:

1. A proposed change of use from financial and professional services (Class A2) to dwellinghouse (Class C3 (a)) to incorporate the conversion of the existing two storey property with accommodation in the roofspace into five 2 bedroom self-contained apartments. Elevational alterations including the insertion of two rooflights into the rear elevation, a window at both a ground floor and first floor level in the eastern flank elevation and insertion of three rooflights and a window on the ground floor and one of the first floor of the western flank elevation. The existing access ramp on the front elevation is to be removed and the walkway connecting the property to the function hall at the rear is also to be removed. Associated landscaping is to be undertaken and the existing hardstanding at the front of the property is to be replaced and this shall provide parking for three vehicles. Two cycle stores for 5 bicycles are to be provided one to the front of the property and one to the rear.
2. A change of use is also proposed for the single storey property to the rear from financial and professional services (Class A2) to non-residential institution to operate as a function hall (Class D1).

## **Location**

The property is located on the northern side of Beckenham Road and is a two storey detached property with accommodation in the roofspace which is currently connected via a walkway to a single storey development at the rear. The property once served as a job centre with the single storey rear development operating primarily as a training facility, both properties have been vacant for some time. The majority of properties in close proximity to the application site are of a similar architectural style and scale although they vary in terms of their usage, with a

combination of residential properties and offices and training facilities. The property to the east of the property is an apartment complex (Molvic Court) of a different scale and style to that of the surrounding area and there is also a fire station in close proximity to the site. To the rear of the property is Rectory Green a private estate where properties are of a lower density than those on Beckenham Road.

### **Comments from Local Residents**

No objections were raised to the change of use from financial and professional services (Class A2) to dwellinghouse (Class C3 (a)) and conversion into five 2 bedroom apartments, however, a number of objections were raised with regards to the change of use of the single storey property to the rear from financial and professional services (Class A2) to non-residential institution to operate as a function hall (Class D1). Initially residents at Rectory Green were not consulted with regards to the application, however, following concerns at this lack of consultation an additional 21 day public consultation period to include residents at Rectory Green was undertaken, their comments are outlined below:

- there is a potential for children to run around the proposed function hall unattended;
- the change of use will result in an increase in noise levels at the proposed function hall which will be disruptive for the residents of Rectory Green which is less than 40ft from the proposed site and is currently a peaceful area;
- the proposed 'hours of use' condition limiting the use to no later than 23:00 is insufficient to allow people to leave the site and an earlier time of 21:00 would be more appropriate to avoid disturbing the sleep of the residents of Rectory Green;
- the rear wall of the proposed function hall has many windows and a double door opening onto a small garden area which will result in a lack of privacy for the residents at Rectory Green;
- concerns the proposed change of use would affect the existing trees at the site which should be preserved both for privacy and also to minimise noise levels;
- a condition should be attached to forbid music audible above a certain number of decibels (to be decided by the planning officer) with no music to be played on Saturdays and Sundays and the premises to be cleared by 22:00 on weekdays;
- alcohol should not be permitted to be consumed in the function hall except by temporary licence;
- the hall should be double-glazed;
- there is insufficient car parking provided on the site and limited parking on Beckenham Road and the proposal would result in an increased demand for car parking spaces which would lead to the parking of cars in Rectory Green which is a private residential estate;
- while there is good public transport in the area there is a concern that people visiting the site will not use this particularly at night;

- a condition should be attached to any permission requiring the applicants to provide car parking for the site and impress upon them that they are not allowed to trespass upon Rectory Green private property;
- previous building works along Beckenham Road in the past have been severely disruptive for the residents of Rectory Green particularly with contractors using the private estate for access and were permission to be granted a condition should be attached to interdict the use of the estate by builders;
- were permission to be granted a high (6 foot) and solid fence with concrete posts should be constructed prior to the commencement of works;
- the area is already too intensively developed as in the past a fire/ambulance station has been constructed, the probation offices have been considerably expanded, a probation hostel has been established and a bail hostel and job centre have been developed all on land once classified as residential;
- concern as to the use of the rear building for children and young people's activities in such close proximity to a hostel housing sex offenders.

### **Comments from Consultees**

The Council's Highway's Department were consulted who initially stated that the site is located on the north side of Beckenham Road; Beckenham Road (A234) is a London Distributor Road. The site is located in an area with high PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible). No car parking would be provided; furthermore the applicant is losing 2 existing car parking spaces. This is unsatisfactory. As the transport accessibility is good a reduction in the parking requirement may be justified as the site is considered accessible to public transport links, being within walking distance of bus routes and a Rail Station.

Based on 2001 census results, car ownership in Clock House ward was approx. 1.0 car per household. Considering that the available census information is approximately 9 years old, and the growth in car ownership level since 2001, greater parking demand is likely to exist now. For the 'Day Centre' element of the application the Highway's Department were satisfied with the staff parking arrangement however the new Day Centre would generate traffic by parents dropping off & picking up their children. Information describing existing and expected child and staff numbers, including parent helpers, must be provided to assess the likely increase in parking demand. This information should be accompanied by survey results indicating the current travel modes of the existing users. This is to enable an estimation of the likely affects that the proposal will have on parking demand. The location of the car parking spaces should be shown on the site plan, in relation to the adjoining highway. The plan should clearly illustrate the vehicle access arrangement to this space, and any manoeuvring room required. The applicant is also required to provide a parking stress survey showing the availability of on-street parking during the morning & evening peaks and late evening. Moreover the developer should consider providing some off-street car parking for the residential element of the application.

Further information was received from the applicant received on 13 September 2010. The applicant provided the Highway's Department with a parking stress survey carried out on 9th and 10th September 2010 between 7:00am and 8:00am,

5:00pm & 6:00pm and 10:00pm & 11:00pm indicating that there are on-street parking spaces available for additional demand during the hours of maximum residential parking requirement. Furthermore the developer is providing 3 parking spaces for the residential element of the development and thus the application was deemed satisfactory from a highways perspective.

The Council's Environmental Health Department was consulted who stated that in principle no objections were raised with regards to the development. However, there were concerns raised with regards to the proposed function hall as this could result in serious noise nuisance and loss of amenity if not properly controlled. A hours of use condition to be imposed is recommended limiting the hours on any given evening and also a condition whereby a Lettings Policy needs to be approved in advance by the Local Planning Authority to give a further level of control.

The Council's Waste Advisors were consulted who raised no objections to the proposal.

The Council's Highway's Drainage Section were consulted who raised no objections to the proposal.

Thames Water was consulted who stated that with regard to the sewerage infrastructure no objections were raised to the proposal.

The Council's Sustainable Transport Officer was consulted who stated that the two sets of storage for 5 bicycles was sufficient and meets the minimum criteria of one bicycle parking per dwelling. There is also a good level of access to the storage area from the street and the main entrance to the residential block is in close proximity. Consideration should be made for lighting around the cycle storage area to aid users outside of daylight hours and increase security. Were permission to be granted a condition should be attached with regards to the dimensions and type of storage to be provided.

### **Planning Considerations**

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

- H1 Housing Supply
- H7 Housing Density and Design
- H12 Conversion of Non-Residential Buildings to Residential Use
- BE1 Design of New Development
- BE2 Mixed Use Development
- T3 Parking
- T8 Other Road Uses
- EMP3 Conversion of redevelopment of Offices
- C1 Community Facilities

### **Planning History**

In 1985 under planning ref. 85/01158, planning permission was refused for the erection of a two storey portacabin for use as offices.

In 1985 under planning ref. 85/02830, for a two storey portacabin was submitted and subsequently withdrawn.

In 1985 under planning ref. 85/02831, for a single storey portacabin was submitted and subsequently withdrawn.

In 1985 under planning ref. 85/02832, for a two storey portacabin was submitted and subsequently withdrawn.

In 1986 under planning ref. 86/01086, planning permission was refused for a single storey building for use as an unemployment benefit office.

In 1986 under planning ref. 86/02088, planning permission was granted for a detached single storey replacement building for the rear of No. 2 Beckenham Road.

In 1991 under planning ref. 91/01643, planning permission was granted for a single storey rear extension.

In 1992 under planning ref. 92/01062, advertisement consent was granted for three non-illuminated and one internally illuminated signs.

In 1999 under planning ref. 99/00407, planning consent was granted for a non illuminated projecting sign.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

In terms of the conversion of the main property and single storey rear development from business space to any other use Policy EMP3 is a key consideration in this proposal, it states:

“The conversion or redevelopment of offices for other uses will be permitted only where:

- (i) It can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises; and
- (ii) There is no likely loss of employment resulting from the proposal”.

The property has been vacant since June 2007 and as such there is no likely loss of employment resulting from the proposal. In the Design and Access Statement accompanying the application evidence of marketing of the premises was supplied which stated that initially there was considerable interest in the property with a

number of offers including one for use as offices and one as a theatrical school. However, following a downturn in the market all offers were withdrawn or did not proceed. Subsequently there has been limited interest in the property particularly as the offices to the front of the building are relatively dated and the offices to the rear have no facilities. Citygate Church subsequently purchased the property; however, the estate agents believe that while the office market has recovered somewhat since the depths of the recession, there is not any realistic prospect of letting the property as offices in the short to medium term. The Council's Economic Development Team stated that 96 searches for office space in the Beckenham area were undertaken in the since the beginning of 2010. Members are asked to consider whether the loss of business space is acceptable in this instance.

In terms of the conversion of the main building into five self-contained 2 bedroom apartments Policy H12 is a key consideration when determining the application, it states:

“The Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactory quality of accommodation and amenity”.

The accommodation provided is deemed to be of an acceptable standard and members are asked to consider given that the premises have been vacant since June 2007 whether the conversion of the main property into five 2 bedroom apartments is acceptable in this instance.

In terms of the impact caused by the elevational alterations on the eastern flank elevation the insertion of a window at a ground floor level is not anticipated to result in a loss of privacy to neighbouring properties at Molvic Court. The window which is proposed to be inserted at a first floor level may result in a degree of overlooking as it is to be located approximately 3m from the boundary and will service a bedroom. There are a number of windows and balconies on the flank wall of Molvic Court facing the site and there are existing windows at a first floor and second floor level at the application site at present which are not obscure glazed. At present there is planting along the boundary which provides a degree of screening which may limit the potential loss of privacy to the residents of Molvic Court. Members are asked to consider whether this insertion of a window at a first floor level in the eastern flank elevation will result in excessive degree of overlooking, or whether a condition should be attached to ensure this window is obscure glazed. Two windows and three rooflights are to be inserted in the western side elevation, however, as these face onto a property which is currently being used as offices it is not anticipated this will result in significant loss of privacy.

Extensive discussions were held with both the applicant and the residents of Rectory Green in order to come to a satisfactory agreement on how to limit the potential detrimental impact of the proposal on the residential amenity of neighbouring properties. The rear wall of the proposed function hall, due to the high degree of fenestration, may potentially result in a degree of overlooking and loss of privacy primarily for No. 50 – 55 Rectory Green. In order to limit the potential impact were permission to be granted a condition would be attached to ensure that before any part of the development is first occupied details of the

height and type of boundary enclosures are to be approved in writing by the Local Planning Authority and permanently retained thereafter. No trees are proposed to be felled as a result of the application, however, were permission to be granted a condition would be attached to ensure this was adhered to.

In terms of noise generated by the proposal the applicant and the residents of Rectory Green came to an agreement whereby the proposed function hall would be cleared by 23:00 on any day which is in line with the terms stipulated in the contracts of the freeholders and leaseholders of Rectory Green where noise levels must be kept to a minimum after 23:00. Members are asked to consider whether these proposed hours of operation will potentially impact on the residential amenity of neighbouring properties to such an extent as to warrant refusal.

In terms of the provision of car parking at the proposed site, both a parking survey and a travel plan were submitted as part of the application. The Highway's Department are satisfied a sufficient level of car parking is to be provided as the applicants also have a property on nearby Rectory Road which has 14 car parking spaces. The proposed function hall is proposed to be used in conjunction with the Rectory Road site and as such it is anticipated that the proposal is satisfactory in terms of car parking. The three car parking spaces to the front of the property for use by the residents of the apartments were deemed to be acceptable given the high level of public transport in the area.

With the exception of the removal of the access ramp there are to be no elevational alterations to the property frontage, with only the insertion of windows in the flank elevations being visible from the highway and as such the proposal is not anticipated to impact detrimentally in terms of the overall appearance of the property or the streetscene.

On balance, Members may consider that the proposal is acceptable in that the loss of office space is acceptable in this instance due to the lack of demand for such uses in the area and as the proposal will not be significantly detrimental to the residential amenity of neighbouring properties or be harmful to the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/02321, excluding exempt information.

as amended by documents received on 13.09.2010

### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |   |                 |  |
|---|-----------------|--|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years                             |
| 2 | ACC04<br>ACC04R | Matching materials<br>Reason C04   |
| 3 | ACB01           | Trees to be retained during building op.   |

- ACB01R Reason B01
- 4 The use hereby permitted for the function hall shall be carried out only by Citygate Church and any change in those using the function hall shall not be permitted without the prior approval in writing by the Local Planning Authority.
- ACE04R Reason E04
- 5 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 6 ACH12 Vis. splays (vehicular access) (2 in) 3.3 x 2.4 x 3.3m  
1m
- ACH12R Reason H12
- 7 ACH22 Bicycle Parking  
ACH22R Reason H22
- 8 ACH28 Car park management  
ACH28R Reason H28
- 9 ACH30 Travel Plan  
ACH30R Reason H30
- 10 ACH32 Highway Drainage  
ADH32R Reason H32
- 11 ACJ06 Restricted hours of use on any day  
ACJ06R J06 reason (1 insert)
- 12 The use shall not operate before 07:00 and after 22:30. The site must be cleared by 23:00 on any day.

**Reason:** In order to comply with Policies BE1 and H12 of the Unitary Development Plan and in the interest of the amenities of the area.

- 13 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

**Reason:** In order to comply with Policy T3 of the Unitary Development Plan.

- 14 Before any part of the development hereby permitted is first commenced boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site as shall be approved and shall be permanently retained thereafter.

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

- 15 The windows to the western flank and rear elevations of the residential block shall be so adapted as to achieve reasonable resistance to airborne sound as far as is practicable having regard to existing construction. These works shall be implemented before the use hereby permitted commences in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and shall be permanently retained thereafter.

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

### Reasons for permission:

In granting planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- H1 Housing Supply

- H7 Housing Density and Design
- H12 Conversion of Non-Residential Buildings to Residential Use
- BE1 Design of New Development
- BE2 Mixed Use Development
- T3 Parking
- T8 Other Road Uses
- EMP3 Conversion of redevelopment of Offices
- C1 Community Facilities

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the transport policies of the UDP;
- (f) the housing policies of the UDP;

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming/ alteration of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposal would result in the unacceptable loss of business units contrary to Policies H12 and EMP3 of the Unitary Development Plan.
- 2 Development in the manner proposed and with principal and secondary windows of habitable rooms close to side boundaries would result in mutual overlooking detrimental to the amenities of both existing and the proposed dwellings.

Reference: 10/02321/FULL3

Address: 2 Beckenham Road Beckenham BR3 4PH

Proposal: Conversion into five 2 bedroom apartments, landscaping, removal of access ramp on property frontage, change of use from business (Class B1) to dwellinghouse (Class C3 (a)) and from business (Class B1) to non-residential institution: function hall (Class D1) for rear building.



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