

SECTION '2' – Applications meriting special consideration

Application No : 11/02239/FULL1

Ward:
Crystal Palace

Address : Thicket Tavern 75 Anerley Road Penge
London SE20 8DQ

OS Grid Ref: E: 534228 N: 170260

Applicant : Mr Neville Souza

Objections : NO

Description of Development:

Three storey rear extension, addition of mansard roof and enlargement of basement area. Change of use of existing public house to Class C3 (residential) and Class A2 to provide 6 two bedroom units at ground, first, second and third floor levels and commercial use at ground and lower levels, incorporating associated car parking, cycle storage and residential and commercial bin storage areas, retention of existing roof terrace to front at first floor level and additional roof terrace at rear at third floor level, along with elevational alterations.

Key designations:

London Distributor Roads

Proposal

- The application seeks permission to change the use of the public house to Class C3 (residential) at first, second and third floor levels to provide 6 two bedroom units, and to change the use at ground and lower ground levels to provide Class A2 commercial use. The proposal would incorporate associated car parking, cycle storage and a residential and commercial bin storage area.
- The proposal also includes a three storey rear extension, addition of a mansard roof, enlargement of the existing basement area, the retention of an existing roof terrace currently located to the front of the building at first floor level, and the addition of a roof terrace at the rear of the building at third floor level, along with elevation alterations.
- There a number of additions which have not been built to a high standard, therefore these will be demolished and replaced with the proposed rear extension, yet this new addition will remain lower than the main building therefore providing a subservient appearance to the host building.
- The existing terrace at first floor level to the front of the building is to be retained, which will provide amenity space for the first floor residential units. To the rear, a terrace area will be provided to the top of the proposed extension which will provide amenity space for the top floor unit. This area

will overlook the car park off of Bargrove Close which is to the rear of the site.

- In terms of on-site car parking, it is proposed to provide one car parking space for every residential unit, a total of 8 cycle spaces and dedicated waste and recycling areas. The existing vehicular access onto the site will be retained which is accessed from Anerley Road, and the pedestrian and vehicular areas will be separate and defined.
- The proposed rear extension will be rendered in order to emulate the part-painted facade of the main building and part-rendered side elevations of the building, with the render painted to match the host building. The new mansard roof will be tiled in black Eternit type slates with the dormer windows dressed in lead.

Location

The application site is approximately 0.46 hectares and is located on the north-eastern side of Anerley Road, with Bargrove Close located to the rear of the site. The site is adjacent to the Belvedere Road Conservation Area, has two mainline train stations (Crystal Palace and Anerley), a bus terminal and amenity space within Crystal Palace park all within 5 minutes' walk. In addition, Anerley Road is well served by public transport links, have a public transport accessibility level (PTAL) of 5 (on a scale of 1-6 where 6 is the most accessible).

The site front Anerley Road and is surrounded by Council-owned green spaces and public footpaths. The surrounding area has a mixture of residential and commercial uses, with the buildings opposite are Victorian in design with commercial units and shopfronts at ground floor levels and residential units above. To the rear of the site is a residential area which is characterised by post-war terraced properties. Many of the properties within the area have mansard roofs and dormer window extensions, and the majority of surrounding buildings have been built using a mixture of yellow-stock brickwork with render, painted brickwork and pebble dash, similar to the existing building on the application site.

Comments from Local Residents

Nearby local residents were notified of the application and a number of petitions in support of the scheme were received from a large number of properties within the immediate and wider area, including from properties in Anerley Road, Versailles Road, Orchard Grove, Hamlet Road and Thicket Road.

Comments from Consultees

No objections were raised towards the proposed scheme from Waste Services, Transport for London, or Environmental Health (Pollution).

Thames Water raised no objection to the principle of the scheme, but stated that a groundwater discharge permit would be required, a non-return valve should be incorporated within the proposal to avoid the risk of backflow within the sewerage network at a later date, the developer should make proper provision for drainage to ground, water courses or a suitable sewer.

The Council Highways Engineer stated that the site is within an area with high PTAL. The existing site access will be utilised which leads to the rear of the site, and this is considered to be acceptable. In terms of car parking, 6 spaces will be provided which is acceptable, and in addition 6 bicycle spaces are offered, which is considered to be satisfactory. Therefore, no technical objections were raised by the Highway Engineer subject to appropriate conditions on any approval.

With regard to the security of the development the Borough Crime Prevention Design Advisor stated that a condition should be imposed on any permission to ensure that 'Secure By Design' (SBD) accreditation is achieved.

Environmental Health (Housing) stated that there appears to be a lack of internal clothes drying facilities ventilated to the external air, which in time could lead to damp and mould. No concerns were raised with regard to room sizes nor levels of natural light afforded to the new residential units. The applicant has confirmed by email that they will be installing condensing tumble dryers to prevent issues from occurring in the future.

The London Borough of Lambeth did not provide any comments.

Any further comments received from the adjoining Local Authorities will be reported verbally at the meeting.

Planning Considerations

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

BE1 (Design of New Development), BE13 (Development Adjacent to Conservation Areas), T1 (Transport Demand), T2 (Assessment of Transport Effects), T3 (Parking), C1 (Community Facilities), C3 (Access to Buildings for People with Disabilities), H7 (Housing Density and Demand), and H12 (Conversion of Non-Residential Buildings to Residential Use).

There are a number of other relevant policy documents that fall under other material considerations, including:

PPS1 Delivering Sustainable Development;
PPS4 Planning for Sustainable Economic Growth;
PPG13 Transport.

Due to the significance of the site and number of new units being proposed, it is considered appropriate for a decision to be made by Members at Committee.

Planning History

There is no recent planning history at the site.

Conclusions

The main issues in this case are whether the current proposal represents an appropriate use of this building, whether the proposed extensions and change of use would represent an over-intensive use of the site, and whether the proposal would be in keeping with the character, visual and residential amenities of the locality in general, along with vitality and viability of the area.

The building on site is at present vacant and the existing public house has not been open to customers for some time and the brewery in control of the building has been seeking to sell the property for over two years.

There are a number of other public houses in the locality, therefore Members may consider that the loss of this use on the application site is not considered to have a detrimental impact upon the vitality and viability of the immediate and indeed the wider area. Members may consider that the proposed residential use will be in keeping with the character of the area and surrounding residential premises, therefore the principle of the change of use of the building itself may be considered acceptable.

With regard to the proposed parking layout, the car parking and bicycle spaces provided on site are considered acceptable in terms of minimising any possible impact upon the surrounding road network. As there are waiting restrictions on the main road, the off-street parking provision will minimise congestion.

In the current circumstances, and given that the existing public house has been in decline for a number of years, providing only 1 person full-time employment, Members may consider that the retention of commercial use at ground floor for Class A2 use is acceptable and likely to be a generator for employment within the area. It may not provide large-scale levels of employment, but is proposing to provide employment for 4 full-time members of staff which will be an increase in relation to the level of employment most recently provided by the public house. The ground floor element of the scheme, to provide employment for 4 members of staff within the proposed Class A2 use, is considered to comply with Policy C1 of the Unitary Development Plan.

With regard to intensity of use on the site, it would appear that as the proposal is mostly flats, the site is located along a transport corridor and close to a town centre, and is within an urban area, the density level should be 300-400 habitable rooms per hectare, or 100-150 units per hectare. The scheme will provide 131 units per hectare, and 262 habitable rooms per hectare. Both of these figures fall within the guidelines outlined within Policy H7 of the Unitary Development Plan, as such Members may consider that the proposed intensity of the site is acceptable. However, it is noted the Central Government advice has removed reference to density specific requirements.

The proposed use, compared to the redundant public house, will clearly create a higher level of activity surrounding the site and the proposed usage of residential and commercial should therefore be judged against the original public house use. On balance, Members may consider that the proposed use would be so harmful to warrant refusal of planning permission. Indeed it may be argued that the scheme

represents a good opportunity to provide a mixed-use scheme within this site that could maximise its potential by adding diversity to the local economy.

With respect to the impact upon the amenities of the area, it is not considered that the proposed scheme will result in any significant impact to the residential amenities of the nearby properties in terms of overlooking and noise and disturbance, given that the proposal involves an existing building, albeit with an extended area to the rear. The three storey rear extension will be replacing a structure which was added to the host building after original construction, with the previous additions being considered to be out of character with the main building. The proposed extension will be more in character with the style and design of the host building, and whilst a roof terrace is proposed to the roof area of this extension, there are other roof terraces present within the area which have already set a pattern for this form of development. In addition, a car park area is located to the rear of the site which serves the residential dwellings along Bargrove Close, therefore the proposed terrace to the rear of the main building would look out onto the car park as opposed to the residential dwellings, therefore minimising any possible loss of privacy and overlook, but increasing natural surveillance and security for the car park area. The three storey rear extension is not considered to detrimentally affect the views into or out of the Belvedere Road Conservation Area, as the extension will be in keeping with the style and design of the host building, albeit having a slightly lowered roof to create a subservient appearance in relation to the main building.

In terms of the elevation alterations to the main building, this will involve the restoration of the existing but dilapidated mouldings and tile work, the brickwork being re-painted, new uPVC windows and doors with the articulation to match the existing building, the roof terrace will be provided with a glass balustrade, and Juliet balconies to be provided to the rear elevation which will have stainless steel and glass balustrades.

The application is considered to satisfy the relevant policy requirements and the desirability of bringing this building back into productive use and the benefits that will result from the proposals can be considered to provide a good degree of justification for this scheme.

Members are therefore asked to consider whether the proposal would result in a positive contribution of the vitality and viability of this area, providing a higher level of full-time employment than the existing public house use previously offered and further residential accommodation within this area.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/02239, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
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| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 5 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 6 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 7 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 8 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 9 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 10 | ACI24 | Details of means of screening-balconies |
| | ACI24R | Reason I24R |
| 11 | ACK01 | Compliance with submitted plan |

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the surrounding residential properties, the future occupiers of the residential properties on the site, and in order to protect the character and appearance of the area.

- 12 The ground floor and lower ground floor premises shall be used for Class A2 use and for no other purpose.

Reason: In order to protect the viability and vitality of the area and to comply with Policies BE1, C1 and T2 of the Unitary Development Plan.

- 13 The Class A2 use hereby permitted at ground and lower ground floor shall not operate before 08:30am and after 18:00 on any Monday to Friday, nor before 09:00 and after 17:00 on any Saturday, nor at any time on Sundays or Bank Holidays.

Reason: In the interest of residential amenities and to comply with Policies BE1 and H7 of the Unitary Development Plan.

Reasons for granting permission:

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

- BE1 Design of New Development
- BE13 Development Adjacent to Conservation Areas
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- C1 Community Facilities
- C3 Access to Buildings for People with Disabilities
- H7 Housing Density and Demand
- H12 Conversion of Non-Residential Buildings to Residential Use

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

- (a) the relationship of the development to the adjacent properties;
- (b) the character of the development in the surrounding area;
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (d) the privacy of occupiers of adjacent and nearby properties;
- (e) the impact on highway safety and road conditions;
- (f) the impact on parking conditions;
- (g) the impact on the vitality and viability of the surrounding commercial area;
- (h) the impact on the community facilities within the area;
- (i) and having regard to all other matters raised.

INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 RDI23 Notification re. sewer realignment
- 3 The applicant is advised that groundwater permit enquiries should be directed to Thames Water's Risk Management Team on 020 8507 4890, and that any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 4 The applicant is advised that where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, via 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 5 The applicant is advised that Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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