

SECTION '2' – Applications meriting special consideration

**Application No :** 11/01811/FULL2

**Ward:**  
**Penge And Cator**

**Address :** 46 Green Lane Penge London SE20 7JX

**OS Grid Ref:** E: 535626 N: 170124

**Applicant :** Marluno Consultancy

**Objections :** YES

**Description of Development:**

Change of use of ground floor from retail shop (Class A1) to gym health club

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Secondary Shopping Frontage

**Proposal**

Planning permission is sought for the change of use of the ground floor of 46 Green Lane from retail (Class A1) a health club. The existing ground floor is currently vacant and was previously used as a retail unit with loading area to the rear. The existing loading area will be incorporated within the overall floor area of the proposed health club.

It is indicated that the proposed health club will be open Monday to Fridays between 08.00 to 2200 hours, Saturdays 0800 to 1600 hours, Sunday and Bank Holidays 09.00 to 1600 hours.

**Location**

The application site is located to the southern side of Green Lane, close to the junction with Penge High Street and Croydon Road. The property comprises of a three storey building fronting Green Lane most recently used as a furniture store with a loading bay having access from Cottingham Road. There is no car parking provision on site for this ground floor unit.

**Comments from Local Residents**

- as there will be no parking for customers to the Gym visitors will park in Cottingham road which already very chaotic with cars parked all over the place
- the gym will be open until 10 pm Monday to Friday this will create additional parking and extra noise for people living nearby
- the late opening times will make Cottingham Road congested leaving unavailable parking for residents
- there is not enough car parking for this proposal and this will cause more traffic, noise and pollution to my end of Cottingham Road
- the impact on parking availability in Cottingham Road will be to the detriment of residents and the proposed opening ours of the proposed gym will make the situation worse.
- not all visitors to the proposed gym will be travelling by foot
- the proposed gym health club will bring a welcome addition to the currant range of facilities on the High Street

### **Comments from Consultees**

The Borough Crime Advisor has requested a condition requiring the applicant to achieve certification for Secure by Design.

From a Highways perspective; The site is situated on the southern side of Green Lane. 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).

There are waiting restrictions (Monday to Saturday 8:00am – 6:30pm) around the entrance of the site. Also there is a public car park accessed from Evelina Road to the west of the development.

A Transport Statement (TS) should be prepared; considerations should include the catchment area, capacity and usage of existing parking, availability of public parking and non-car accessibility. Information relevant to the operation of the facility, such as operation hours should also be discussed.

The Environmental Health officer has inspected the application would have no objections to the proposal. However suggests a condition relating to airborne sound and heat transference to be included in any permission.

The Borough Waste Advisors would consider the existing arrangement for the premises as acceptable.

Transport for London have examined the application and consider that the application would not have a detrimental impact upon the operation of the Strategic Road Network.

### **Planning Considerations**

The following planning Policies are of relevance to this application include:

BE1 Design of New Development; S2 Secondary frontages; C9 Indoor recreation and leisure;  
T3 Parking; T18 Road Safety

Policy C9 states:

(ii) the development will not adversely impact on the character, vitality or viability of the town, district, local or other centres; (iii) there is no detrimental impact on nearby residential amenity or other uses; (iv) the development is in keeping with the scale and character of the surrounding buildings and area; (v) the proposed use would not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians; (vi) the site is easily accessible on foot, by bicycle and is (or will be) well served by public transport;

### **Planning History**

There is no recent planning history relating to the ground floor of this building to which this application relates.

However the change of use of the second floor of the building into 3 two bedroom flats with elevational alterations and 3 parking spaces at the rear was granted Permission under ref. 10/01253.

An application was sought for the change the use of the first and second floors of from retail (Class A1) to Place of Worship and Bible study meetings (Class D1), no external changes are proposed to the building. Under ref. 10/02819, planning permission was refused and the application is pending an Appeal decision.

Members will also note that there is a current application under ref. 11/01986 at 44-45 Green Lane for a mixed development. This is also reported elsewhere in this agenda.

### **Conclusions**

The application proposes to use the ground floor as a health club. The site falls within the Penge Town Centre and is accessible by means of transport other than the car; there are also bus and rail services, and Evelina Road car park within walking distance of the premises.

The Highways officer has raised concerns regarding the lack of parking provision and has requested a Transport Statement be prepared by the applicant and should include the catchment area, capacity and usage of existing parking.

It is noted that neighbouring residents have expressed concerns regarding noise and disturbance to the rear of the site.

It is clear that there will be an impact on these properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Accordingly, Members will need to take account of the information that has been submitted for this proposal and the comments made by residents during the consultation period.

The applicant has been asked to provide a Transport Statement regarding concerns of the parking situation in the vicinity of the premises. The Transport Statement has not been submitted at the time of writing this report. Details will be reported verbally to members at the meeting.

Bearing in mind the issues in this case and the concerns raised locally this application is presented on list 2 of the agenda for Members view on this matter.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/0181, excluding exempt information.

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

0 D00002 If Members are minded to grant planning permission the following conditions are suggested:

1 ACA01 Commencement of development within 3 yrs

ACA01R A01 Reason 3 years

2 ACI21 Secured By Design

**Reason:** In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan.

3 The ceilings and walls between the ground and the upper floors of the premises and the adjacent properties shall be so adapted as to achieve a reasonable resistance to airborne sound and heat transference as far as is practical 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 or on behalf of the Local Planning Authority, and shall be permanently maintained thereafter.

**Reason:** In order to comply with Policy S.6 of the Unitary Development Plan to ensure a satisfactory standard of amenity for adjacent properties.

4 The use hereby permitted shall not operate before 08:00 and after 22:00 hours Monday, to Friday and Saturday not before 08:00 and after 16:00 hours and not before 09.00 and after 16:00 hours on Sunday and Bank Holidays, and not on Christmas Day.

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

5 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 area.

6 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

S2 Secondary Frontages

C9 Indoor Recreation and Leisure

T3 Parking

T18 Road Safety

D00003 If Members are minded to refuse planning permission the

following grounds are suggested:

- 1 In the absence of information to the contrary, the proposed development would be lacking in adequate on-site car parking provision to accord with the Councils standards and if permitted would place an unacceptable strain on the existing on-street parking in surrounding roads and is therefore contrary to Policy T3 of the Unitary Development Plan.

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