

SECTION '2' – Applications meriting special consideration

Application No : 10/02786/FULL1

Ward:
Penge And Cator

Address : 23 Genoa Road Penge London SE20
8ES

OS Grid Ref: E: 535107 N: 169658

Applicant : Mrs V Jarrett

Objections : NO

Description of Development:

Canopy at rear of building
RETROSPECTIVE APPLICATION

Key designations:

London Distributor Roads

Members may recall that this application was first put to Plans Sub Committee on 31st March 2011 but was deferred without prejudice in order for the Applicant to submit adequate plans of development, including canopy to external staircase, and more information to assess the works that have been constructed.

To date, despite attempts to contact the applicant via letter, no response has been received.

The application is therefore put back to Members on the basis of the information originally received when the application was initially submitted. The following report is therefore repeated from the previous Committee meeting.

Proposal

The proposal seeks retrospective permission for a canopy at the rear of the building.

The main canopy structure projects in depth by 4.96 metres, has a width of 7 metres, and a height of 2.28 metres.

A second element to the proposal provides a covered area to the existing access steps located at the rear of the building. The applicant has stated verbally that this element has purely replaced an old covered area above the steps, but no evidence, photographic or otherwise has been provided.

Both elements of the canopy structure are constructed from timber beams, with a corrugated plastic roof.

Location

The application site is located on the north-eastern side of Genoa Road and hosts a two storey detached building which is used as a children's nursery.

Comments from Local Residents

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

Comments from Consultees

No consultations were made regarding this application.

Planning Considerations

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

BE1 Design of New Development

Planning History

In terms of relevant planning history, planning permission was granted under ref. 96/02100 for the change of use of the ground floor from doctors surgery to day nursery and use of the first floor as a 2 bedroom flat.

Permission was granted for change of use of first floor from residential to day nursery under ref. 03/02289 in August 2003.

Permission was then refused in January 2004 under ref. 03/04362 for the continued use as a day nursery without complying with condition 2 of permission ref. 03/02289 to allow an increase in the number of children between the ages of 0 - 2½ from 6 children to 12.

Conclusions

Members may consider that the main issues relating to the application are the effect that it has on the character of the area and the impact that it has on the amenities of the occupants of surrounding residential properties.

The canopy at ground floor level projects in depth by approximately 5 metres, and is constructed by timber beams and corrugated plastic sheet roof which results in the side and rear elevations being open.

The canopy is used to encourage year-round outdoor learning, therefore whilst this actual floor area may already be used by the premises, the fact that it is now

covered will enable more use of the area during inclement weather. The principle of the use of this area has already been established under the planning permission to allow the use of the building as a nursery, therefore the main issue is the impact of the structure as opposed to the use of it.

In terms of the canopy covering the external steps leading to the first floor level of the premises, the applicant has stated that there has been some form of covered element in this location for a number of years. No documentation has been provided to support this claim, however Members may consider that this element, located to the rear of the premises, should not lead to any detrimental impact upon neighbours but is purely to allow for covered access all year round from the ground floor to first floor level.

As such, Members may consider that whilst the canopy at ground floor and that which covers the existing access steps up to first floor level is visible from the windows and amenity space of adjacent properties, the open nature of the structure does not lead to overshadowing of the adjacent properties. In addition, as the structure is located to the rear of the host property, it is not visible from the roadside and should not detract from the character of the streetscene or area in general.

Background papers referred to during production of this report comprise all correspondence on files refs. 96/02100, 03/02289, 03/04362 and 10/02786, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 No alterations shall be made to the canopy and covered areas hereby permitted without the prior approval of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents and to comply with Policy BE1 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

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

- (a) the appearance of the development in the street scene;
- (b) the spatial standards of the area;
- (c) the relationship of the development to the adjacent properties;
- (d) the character of development in the surrounding area;
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (f) the light and outlook of occupiers of adjacent and nearby properties;

- (g) the privacy of occupiers of adjacent and nearby properties;
- (h) the housing policies of the development plan;
- (i) and having regard to all other matters raised including concerns from neighbours.

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