

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 11/03026/FULL1

Ward:
Penge And Cator

Address : 149 Maple Road Penge London SE20
8HU

OS Grid Ref: E: 535251 N: 170128

Applicant : Editrange Limited

Objections : NO

Description of Development:

Conversion of existing two bedroom ground floor flat and basement into 1 two bedroom and 1 one bedroom maisonette, formation of lightwell to front and rear with 2 cycle spaces

Proposal

It is proposed to convert the existing two bedroom ground floor flat and basement area which is currently vacant into 1 two bedroom and 1 one bedroom maisonettes. The proposal will include the provision of a total of 2 lightwells, 1 at the front and 1 to the rear of the property.

The existing forecourt will be reconfigured to accommodate the lightwell, 2 bin stores and 2 cycle spaces.

Location

The application site is located on the north-western side of Maple Road at the junction with Blean Grove. It comprises a part four / two storey building with a basement which was previously used as a public house at ground floor level. It is now in use as 6 two bedroom flats over the ground, first, second and third floors with 4 car parking spaces. The immediate surroundings are predominantly residential with a mix of houses and flats to either side. The wider locality is mixed in character with St John's C of E Primary School and Maple Road Street market and shops further along the road to the north.

Comments from Local Residents

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

Comments from Consultees

Highways - The site is located in an area with a medium public Transport Accessibility Level (PTAL) rate of 3 (on a scale of 1 - 6, where 6 is the most accessible).

No additional car parking would be provided, which is of some concern. However the applicant has carried out night time parking stress survey of the area at 15 June and 16 June 2011. The survey sought to establish parking demand for the highway within a walking distance of approximately 200m, which is satisfactory.

The survey indicates that there are on-street parking spaces available for additional demand during the hours of maximum residential parking demand. Also the area has a moderate PTAL rate. Therefore there are no objections from a highway point of view.

Two cycle storage facilities would be provided, which is satisfactory.

Metropolitan Police – There are concerns about the layout of the proposed entrance to the maisonettes sharing it with the access to the meter boxes and landlords store however the application should be able to achieve Secure By Design (SBD) accreditation in respect of part 2 physical security, by incorporating accredited, tested, certified products.

To achieve this I would seek therefore to have agreed the agree SBD condition attached to any permission that may be granted in connection with this application and that the wording is such that the development will achieve certification – not merely seeking to achieve accreditation.

By the inclusion of such measures this development will satisfy the needs of local Policy H7 (vii) and BE (vii) as well as demonstrating how such measures will be incorporated to minimise crime as contained in DCLG circular 01/2006 paragraph 87.

Environmental Health – Comments are made with reference to the Housing Act 2004 Part 1 (Housing Health and Safety Rating System) and not with reference to Building Research Establishment (BRE), Planning Legislation or Building Regulations guidelines.

Fire:

The means of escape in the event of fire for flat 1A is through the kitchen diner, which is not desirable.

Natural Light

The natural light to the windows serving the bedroom (1A) is obstructed (within 3m of the retaining walls to the front lightwell).

The windows serving the bedroom to Flat 1A and two bedrooms to Flat 1B do not provide a reasonable view of the surroundings.

Crowding and Space:

It is reasonable to assume the intended and future occupation of the two bedroom flat (1B) will include children. Yet there does not appear to be any adequate provision of appropriate external recreation space for Flat 1B.

If the proposed two flats were to be converted as in the amended plans (18.11.2011) provided they would both be developed with inherent hazards associated with fire, crowding and inadequate space and inadequate natural lighting. Subject to risk assessment under the Housing Act the two flats could be subject to enforcement action and as there appears to be no simple solution to the inadequate natural light issues, potentially prohibition orders.

Planning History

Under ref. 00/02552, planning permission was granted for the partial demolition of the existing building, the construction of first, second and third floor extensions and the change of use of the public house to form 6 two bedroom flats with 4 car parking spaces.

Under ref. 06/02521, planning permission was granted for the partial demolition of the existing building, the construction of first, second and third floor extensions and the change of use of the public house to form 6 two bedroom flats with 4 car parking spaces.

Under ref. 06/02660, planning permission was refused for first and second floor extensions and elevational alterations, and the conversion of the public house to form 2 one bedroom and 5 two bedroom flats with 4 car parking spaces. The reason for refusal was as follows:

'The proposal represents an overdevelopment and overintensive use of the site, lacking adequate facilities commensurable with modern living standards, thereby contrary to Policies H12 and BE1 of the Unitary Development Plan.'

Under ref. 08/00503, planning permission was refused for the partial demolition of the existing building, the construction of a two storey, first floor and second and third floor extensions and the change of use of the public house to form 4 two bedroom and 3 three bedroom flats with refuse store and 4 car parking spaces. The reasons for refusal were as follows:

'The proposal would be lacking in adequate amenities for future occupants and would have an unacceptable layout in respect of providing adequate natural light levels to the basement flat and means of escape in case of fire in respect of Flat 3 and as such would represent an undesirable over-development of the site, contrary to Policies BE1, H7 and H12 of the Unitary Development Plan.'

'The proposal would be detrimental to the safety and free flow of traffic as it would result in an inadequate turning area on the forecourt leading to

dangerous reversing manoeuvres onto Maple Road, contrary to Policies T11 and T18 of the Unitary Development Plan.'

Most recently planning permission was refused under ref. 08/01755 for partial demolition and two storey/first floor and second and third floor extensions/elevational alterations/formation of light well to front and change of use from public house to 3 three bedroom and 3 two bedroom flats and 3 car parking spaces. The reasons for refusal given were as follows:

'The proposed development would constitute an overdevelopment of the site, out of character with the surrounding area and detrimental to the visual amenities of the area, contrary to Policies H7 and BE1 of the Unitary Development Plan.'

'The proposed development would be lacking in adequate on-site parking provision to accord with the Council's standards also intensifying the use of the access which would be likely to lead to conditions prejudicial to the free flow and general safety of traffic, contrary to Policies T3 and T18 of the Unitary Development Plan.'

Planning Considerations

The main policies against which to assess this application are Policies BE1, H8 and H1 of the Unitary Development Plan. Policy BE1 sets out the design principles that would be applied when considering proposals for new development - development should respect the scale, form and materials of adjacent buildings, should be imaginative and attractive to look at, and should not detract from the attractive townscape that the Council wishes to secure. It should also respect the amenity of existing and future occupants and ensure their environments are not harmed. Policy H8 requires alterations or enlargements to residential properties to be in scale, form and materials compatible with development in the surrounding area of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded. Policy H1 concerns Housing Supply and amongst other things seeks to ensure the efficient use of existing, vacant housing stock.

The agent has provided a detailed response which covers each of the potential hazards pointed out by Environmental Health to the extent that they now consider the proposed accommodation to be compliant. Notwithstanding the above, it is also stated that most if not all of the points raised by Environmental Health are usually dealt with under Building Regulations and not by planning legislation. Amendments have been made to the layout of the flats such that Flat 1A has now become a one bedroom flat with a study / dressing room as opposed to a two bedroom flat.

Conclusions

Planning permission has been refused for similar types of proposal on this site 3 times over the past 5 years. The latest refusal was for conversion to 6 flats including extensions. What appears to have been established from the recent

refusals is that it is the principle of conversion utilising the existing basement together with the intensity of use of the building for more than 6 units which has been the cause of objection.

Objections have been raised from an Environmental Health point of view regarding natural daylight, however, the agent has submitted a day / sunlight study which calculated the average daylight to all bedrooms and living rooms on the ground and lower ground floors. The conclusion of this study was that all of the proposed habitable rooms would meet or exceed the BRE guidelines.

Environmental Health also conclude that the accommodation would not meet the necessary standards set out in the Housing Act 2004 in terms of fire escape, crowding and inadequate space. The main difference with the current application as compared to the previous application is that the accommodation within the basement is no longer self contained and is now provided over the basement and ground floors for 2 flats. The proposal would increase the number of units from 6 to 7 but would in so doing improve the accommodation now proposed at basement level in that each unit would also have a living room [habitable accommodation] at ground floor level. Apart from the small extensions to the basement lightwells no extensions above ground level are now proposed.

The basement is currently used as a landlords store which is not considered to be the most efficient use of this floorspace. Policy H1 of the Unitary Development Plan concerns housing supply and seeks to encourage the efficient use of the existing housing stock including the re-use of vacant buildings and conversion of existing buildings. The proposal would meet this need, the concern would then be whether or not the converted floorspace would provide accommodation commensurate with modern day living standards.

The agent contends that the accommodation and layout meets with all the necessary legislation set out in the Building Regulations and daylight standards set out in BRE.

In light of the above Members will need to consider whether the proposal would provide an efficient use of this residential floorspace in keeping standards set out in Building Regulations. Conversely, whether the problems identified by Environmental Health in terms of the layout may be symptomatic of the overdevelopment of the site.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/01755 and 11/03026, excluding exempt information.

as amended by documents received on 18.11.2011 13.01.2012

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA08 | Boundary enclosures - implementation |
| | ACA08R | Reason A08 |
| 4 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 5 | ACH19 | Refuse storage - implementation |
| | ACH19R | Reason H19 |
| 6 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 7 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

- | | |
|-----|---------------------------|
| BE1 | Design of New Development |
| H8 | Residential Extensions |
| H1 | Housing Supply |

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