

SECTION '2' – Applications meriting special consideration

Application No : 12/01326/FULL1

Ward:
Crystal Palace

Address : Melbourne Court Anerley Road Penge
London SE20 8AR

OS Grid Ref: E: 534404 N: 170197

Applicant : JS Estates

Objections : YES

Description of Development:

Three storey extension comprising 9 two bedroom flats with car parking and bicycle parking, refuse/ recycling storage and landscaping

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

The proposal seeks permission for a three storey extension to the existing Melbourne Court development to provide 9 two bedroom units with associated car parking, refuse and recycling storage, and landscaping.

The gross internal footprint of each unit will be approximately 61.5m², with the internal layout being designed to be suitable for able and disabled occupants and the ground floor being fully wheelchair accessible. The external footprint of the extension measures approximately 231m². The internal spatial requirements meet those set out for accommodation in The London Plan, and the entire design is compliant with Lifetime Homes Standards.

In terms of amenity space, approximately 33m² will be provided for each unit, totalling approximately 295m². Existing trees and foliage on site that prevent overlooking have been identified, and where additional planting or obscure glazing is required these have been implemented.

The accompanying Design and Access Statement indicates that the proposed extension has been positioned in the optimum orientation to minimise overlooking of adjacent properties, whilst also enabling the continuation of the site access road through to Anerley Park.

The proposed extension is in keeping with the size and design of the existing Melbourne Court buildings.

A formal playspace for children is to be created in the south-western corner of the main site.

The car parking on the main site will also be formalised, with additional car parking being created near the entrance of the site on land which is currently not utilised.

Nine covered Sheffield cycle stands will be provided at the north side of the site, relating to one stand per new dwelling.

Full Secure by Design accreditation is to be achieved for the proposed development.

Location

The application site is accessed via a vehicular access road located between Numbers 91 and 97 Anerley Road, with the site located to the rear of a number of properties along the north-eastern side of Anerley Road, Thicket Road and Anerley Park. There is a secondary access to the site through from Anerley Park.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following representations are a summary of points raised:

- residents of Anerley Park were not invited to comment on the proposed scheme by the developer;
- what support has the developer received from Melbourne Court?
- the proposed development will heavily overlook and overshadow the residents of Anerley Park;
- developer has stated that the development has been positioned to prevent overlooking, which is incorrect;
- the living rooms and kitchens of the flats, which will be the most used rooms throughout the day, will directly face Anerley Park therefore greatly overlooking these properties;
- the existing trees are deciduous, therefore during winter they will not provide any privacy;
- the proposed development will be a minimum of 4 metres from Flat 1, 21-23 Anerley Park at its closest point, which will severely overshadow the property and obscure light;
- no details of proposed lighting have been provided, therefore cannot assess the impact on nearby properties;
- no detail on the impact on the junction at Anerley Park which is narrow, in very poor condition and already heavily congested with parked cars and several bus routes utilising it;

- the Anerley Park access is very narrow and will not be wide enough to provide a safe footpath for pedestrians and vehicles – how will this risk be mitigated for?
- the plans do not show the root protection areas (RPA) for the existing trees on site, which could cause problems if large foundations are built;
- the Drainage Statement is of poor quality – does not establish that adequate drainage will be provided for the development;
- no detail for the method for disposal of surface water drainage;
- do not endorse a multi-storey development in any form;
- the proposed site was historically used as a parking area for all 84 flats, providing an additional parking area, including the 12 domestic garages, for approximately 24 cars, including the narrow access section from the main road through the estate;
- the site has been used for dumping rubbish, stolen cars, and a gate was eventually installed preventing access to this area, so that the car parking spaces were then lost;
- there are 84 flats on the site at present, not 57;
- there should therefore be 14 large refuse bins not 12;
- there are existing trees on and nearby the site;
- the whole access road through the estate should be properly repaired to match the new development;
- request relocation of the proposed play area;
- the lowering of the road by means of an access road may cause problems for access to the parking area outside flats 1 and 2;
- concerned about the permanent loss of parking for the estate;
- more parking should be created;
- measures should be taken to prevent residents from outside the site from parking on the estate;
- a footpath should be created across the entire site, not just at the back of the site.

Comments from Consultees

The Council's Highways Engineers stated that the existing access ramp will be lowered to enable refuse vehicles and fire engines to access the site, and the provision of a turning circle will allow refuse vehicles to collect waste. However the ramp would have a gradient of 1:6 which would be too steep.

In terms of car parking, one space per unit is required, therefore 9 spaces should be provided. Only 7 off-street spaces have been provided, and the 2 on-street parking spaces are unacceptable as it is not possible to dedicate these two spaces to the development.

The nine secure and covered cycle parking spaces as indicated on the submitted plan are acceptable.

Any update to the parking arrangements will be reported verbally at the meeting.

Environmental Health Housing stated that no objections are raised provided the development meets or exceeds building regulations.

Environmental Health Pollution raised no objection subject to close attention being paid to possible existing contamination and remediation measures of the site should development begin.

The Crime Prevention Design Advisor agreed that the proposal should be able to gain SBD accreditation in respect of design and layout as well as physical security part 2 with the Guidance of 'New Homes 2010' and incorporating accredited, tested and certificated products.

Highways Drainage stated that no details concerning a foul water drainage system, so this would be managed by condition should permission be granted. There are no public surface water sewers near the site, therefore surface water will need to be drained to soakaways.

Thames Water stated that if the proposed development falls within 3 metres of pipes owned by Thames Water, a building over / near to agreement may be required. However no objection is raised with regard to water infrastructure.

Planning Considerations

Unitary Development Plan Policies

- H1 Housing Supply
- H7 Housing Density and Design
- BE1 Design of New Development
- T3 Parking
- T7 Cyclists
- T18 Road Safety

- Supplementary Design Guidance 1
- Supplementary Design Guidance 2

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 6.13 Parking
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture

Recently, Planning Policy Statements and Planning Policy Guidance notes were replaced by the adopted National Planning Policy Framework (NPPF). This is also a material consideration for the determination of the application.

Planning History

There is no recent planning history at the site.

Conclusions

Members may consider that the main issues in this instance are likely to be the impact of the proposed development on the character of the existing development on site, the impact on the amenities and privacy of the occupants of the surrounding residential dwellings, and the impact upon existing parking levels in the surrounding road network and general infrastructure in this area.

The proposed development site at present hosts single storey garages that are in a state of disrepair, with broken tarmac, overflowing large refuse bins and overgrown vegetation along the boundaries.

Members will note that the general design of the proposed development is similar to the existing buildings on the wider site of Melbourne Court. The existing buildings are three storeys in height, with similar design features in terms of the windows and use of materials. On this basis, it may be considered that the appearance of the proposed development would be compatible with that existing.

However, given the existing layout of Melbourne Court and the spatial setting, it is considered that the proposed development would have some impact locally due to the change in outlook and character.

Members will note that the site for the proposed development is located to the rear of a number of other properties, and is within close proximity of many of these. At the closest point to adjacent properties, the proposed development appears to be approximately 3.2 metres from the rear property boundary with 23 Anerley Park. Concerns have been raised by a local resident living along Anerley Park that the proposed development, due to the close proximity to properties along this road, will lead to a detrimental impact upon the amenities of residents of these properties by reason of overshadowing and direct overlooking. This is an issue that Members will need to consider carefully in the context of Policy BE1. Whilst concerns may be raised in terms of the loss of privacy and overlooking for occupiers of neighbouring properties, close attention should also be paid to the amenities of future occupiers of the proposed development.

The rooms located to the rear of the proposed building, facing the property boundary adjoining properties along Anerley Park, will mainly consist of living rooms and kitchens, which are rooms that tend to be used regularly throughout the day. As a result it is considered that the fenestration design along this elevation (bay window features) would lead to the possibility of direct overlooking from the site into neighbouring properties and vice versa. Members may consider this unacceptable.

There is an existing vehicular access to the site from Anerley Park, which although currently blocked off to vehicles with the exception of refuse vehicles utilising it for waste collection, will be reinstated and utilised within the proposed development;

therefore there will be no new access provided. However it will be noted that the reinstatement of this vehicular track for all vehicles will lead to a limited level of additional impact in terms of noise and disturbance to the nearby residents when comparing the current and proposed vehicle arrangements.

Whilst the overall design of the proposed buildings will be in keeping with the design of the existing buildings on the site of Melbourne Court, the introduction of development into the current setting and the orientation of the proposed building in relation to the existing flats at Melbourne Court will harm the character of the site and will give rise to mutual overlooking from existing and proposed windows. The development would also be in close proximity to the rear boundaries of other adjoining buildings, which Members may therefore find would also give rise to concerns over loss of privacy at these sites.

Members may also wish to consider whether the under-provision of off-street parking spaces, as raised by the Council Highway Engineer, is likely to lead to parking problems on the wider site and within the network of surrounding roads.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01326, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of the existing flats at Melbourne Court and properties along Anerley Park, thus contrary to Supplementary Planning Guidance 2, Policies BE1 and H7 of the Unitary Development Plan and London Plan Policy 7.6.
- 2 The proposed development would be lacking in adequate on-site car parking provision to accord with the Council's standards and is therefore contrary to Policy T3 of the Unitary Development Plan.
- 3 The proposed introduction of additional development into this established site will be harmful to the character and existing setting, thereby contrary to Policy BE1 of the Unitary Development Plan.

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