

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

**Application No :** 12/01521/FULL1

**Ward:**  
Penge And Cator

**Address :** 150 Maple Road Penge London SE20  
8JB

**OS Grid Ref:** E: 535346 N: 170182

**Applicant :** Mountley Estates Limited

**Objections :** YES

**Description of Development:**

Single storey front and rear extensions, loft conversion with rear dormer and rooflights to front and change of use of premises from drop in counselling service (class A2) to 1 one bedroom flat to rear and shop unit (class A1) to front.

Key designations:

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

**Proposal**

The application proposes to convert the ground floor from a drop in counselling service (Class A2) to a smaller commercial (A1) shop unit at the front of the property and a studio flat to the rear.

To accommodate the new commercial unit and main entrance to the flat a single storey front extension is proposed. The front extension would incorporate a new shopfront and entrance and would have a maximum height of around 3.5 metres. The extension to the front of the property would project out from the existing front wall of the property by around 3.5 metres and would extend out no further than the existing canopy extension at the adjacent property (No.180).

The proposed alterations to the rear of the property include a single storey rear extension. The rear extension accommodates a dining room and bedroom and incorporates a small courtyard amenity area adjacent to the boundary with No. 152. The existing outbuilding which is located in the rear garden is to be demolished to provide a landscaped rear garden area. The rear extension would have a depth of rearward projection of 4 metres and a maximum height of 3.1 metres to a flat roof. A loft conversion with a rear dormer and rooflights to the front

and rear elevations are also proposed to provide an additional bedroom and storage area to the existing first floor residential flat.

### **Location**

The application site is located within a mixed use commercial and residential area and lies within a designated District Shopping Centre. The property is located within the middle of this terrace which consists of a row of commercial premises at ground floor and residential flats above. A number of the commercial units appear to be vacant.

The property is currently vacant and appears to have been empty for some time. The previous use of the property was as a drop in counselling service and a small café / shop with a one bedroom flat above.

### **Comments from Local Residents**

- The proposal is not in keeping with the layout of adjacent shops
- The front extension would result in the creation of two negative spaces either side of it detracting from the visibility and viability of either of the businesses.
- The proposal would result in increased parking problems due to the number of units proposed
- The proposal is an over development
- Litter and rubbish would collect in the negative space between the shops
- The development would be out of character and harmful to the area and street scene in general
- The development would result in a loss of daylight and sunlight to the adjacent shops
- The Maple Road Residents Association object to the proposals as they are out of character and harmful to the street scene and area in general.

### **Comments from Consultees**

From a highways planning perspective, a recent parking survey has indicated that on street parking spaces are available within the locality and the area has a moderate public transport accessibility rating. Bicycle storage should be provided and this could be secured through appropriately worded planning conditions. No technical objections are therefore raised.

With regards to environmental health issues, in terms of pollution and noise, no technical objections are raised. In terms of the standard of accommodation provided the ground floor studio flat has a limited view of the surroundings. The first / second floor flat does not have any provision for external recreational space.

### **Planning Considerations**

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Design

H12 Conversion of non residential buildings to residential use  
T1 Transport Demand  
T3 Parking  
S2 Secondary Frontages  
S11 Residential Accommodation

#### SPG

No1 General Design Principles  
No2 Residential Design Guidance

#### London Plan

3.3 Increasing Housing Supply,  
3.4 Optimising Housing Potential  
3.5 Quality and Design of Housing Developments  
5.3 Sustainable Design and Construction  
5.13 Sustainable drainage  
7.3 Designing Out Crime  
7.4 Local Character

National Planning Policy Framework 2012.

All other material considerations shall also be taken into account.

#### **Planning History**

Under application ref. 87/00119, permission was granted for a change of use from shop/residential to first floor office/counselling room occasional coffee lounge/sale of books cards and storage.

Under planning application ref. 90/03111, permission was granted for use of first floor for office / counselling room and use of ground floor for retail sale of hot and cold food, books, cards and storage

Under planning application ref. 08/04142, permission was refused for change of use of premises from drop in counselling service (Class A2) into 2 one bedroom flats (Class C3). The proposed change of use to residential was not considered to complement the shopping function of the town centre and was considered to undermine the retail vitality and viability of the centre, setting a precedent for similar unsatisfactory changes of use which would be likely to adversely affect the retail character of the immediate shopping frontage. The proposal was also considered to be out of character in this locality by reason of its location within a shopping parade detrimental to the amenities by which future occupiers might reasonably expect to be able to enjoy by reason of late night noise and general disturbance associated with adjacent uses. The proposal was also considered to introduce a discordant and disruptive frontage into the shopping parade detrimental, unrelated and harmful to the appearance of the street scene.

Under planning application ref. 09/00524, permission was granted for a new shopfront and conversion of first floor offices into a 1 bedroom flat.

## Conclusions

The principal planning issues in this case relate to the impact of the proposals on the character and appearance of the area and the street scene in general; the impact of the proposals on the living conditions and amenities of the neighbouring residential and commercial properties, the potential impact to the vitality and viability of the existing commercial parade and the standard of accommodation for the future occupiers of the proposed flats.

Whilst the design of the front extension is in keeping with others in the area, the proposed changes at the front of the premises will result in the unsatisfactory enclosure and tunnelling of the unit at 152 Maple Road and a similar impact will occur in relation to the open canopy space to the front of 148 Maple Road. The works would therefore appear harmful to the street scene and will also be likely to affect the potential viability of these adjoining units.

In terms of the amenity of the local residents, the proposed rear extension and rear dormer due to the orientation of the site and the location of existing buildings and garden sizes is not considered on balance to result in any significant overlooking or loss of privacy or amenity to any surrounding properties. The proposal maintains adequate distances between the surrounding properties and appears to have a minimal impact on the residential amenities of the immediate neighbours, given the general pattern of development in the area.

Policies S2 and S11 concerning residential conversions states that the Council will only permit the change of use of ground floor premises in shopping areas to residential uses where the use would not undermine the vitality and viability of the centre, would result in suitable residential accommodation and there has been a long term vacancy and no demand for a commercial or community use. In this case the ground floor retail function would remain with only the rear of the premises being converted to residential. The upper floor was previously in use as residential accommodation and Policy S11 welcomes the changes of use of upper floors to residential accommodation to help provide affordable residential accommodation within a sustainable location. The likely impact on the adjoining commercial units has been noted above.

In terms of the standard of the proposed accommodation, Members will note that the Council's Environmental Health Team raises concerns about the proposals regarding the lack of a reasonable view from the ground floor flats and the lack of amenity space. The applicants have provided a response to these concerns through amended floor plans. The revised plans provide a larger bedroom now located to the rear of the flat which overlooks a garden and have reconfigured the window arrangements to provide greater levels of light and ventilation inside the proposed flat. The floor plans for the existing first floor flat have also been amended. This is now a two bedroom flat with one bedroom located within the loft extension. Planning permission was recently approved for a two bedroom flat with a similar internal layout at No. 180 Maple Road.

The flats are of a substantial size and with regards to concerns raised over room layouts and natural light and amenity space, the flats are in a town centre location

and it is not possible to provide any significant amenity space. The room layouts have been arranged to attempt to address concerns over light and the flats are of a larger size than would normally be expected in a town centre location. Within town centre locations there is no requirement contained within the UDP that requires external amenity space for flats.

In terms of car parking, the development is within an area of good public transport accessibility in a town centre location. There are existing on street car parking spaces available for additional demand during the hours of maximum residential parking demand. The proposal is therefore considered to comply with Policies T3 and T18 of the Unitary Development Plan.

Members will therefore need to consider in light of the further information provided by the applicants, similar residential accommodation recently approved at properties in the area and the technical comments of Environmental Health whether the provision of much needed residential accommodation within a town centre location is acceptable in this case.

Background papers referred to during production of this report comprise all correspondence on files refs. 87/00119, 90/03111, 08/04142, 09/00524 and 12/01521, excluding exempt information.

as amended by documents received on 20.07.2012

### **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 | ACH18  | Refuse storage - no details submitted  |
|   | ACH18R | Reason H18   |
| 3 | ACH22  | Bicycle Parking  |
|   | ACH22R | Reason H22   |

### **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
- H1 Housing Supply
- H7 Housing Design
- H12 Conversion of non residential buildings to residential use
- T1 Transport Demand
- T3 Parking
- S2 Secondary Frontages
- S11 Residential Accommodation

SPG

No1 General Design Principles

No2 Residential Design Guidance

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

- (a) the relationship of the development to adjacent property
- (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 safety of pedestrians and motorists on the adjacent highway
- (f) accessibility to buildings
- (g) the retail vitality and viability of the shopping area

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering.2 RDI25
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposed single storey front extension by reason of its siting and forward projection would result in an unacceptable tunnelling of the adjoining commercial premises at No. 152 Maple Road and enclosure of the area to the front of No. 148 Maple Road causing harm to the local

environment and the potential viability of these adjoining commercial uses, contrary to Policy BE1 of the Unitary Development Plan.

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