

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

Application No : 12/01849/FULL1

Ward:
Crystal Palace

Address : 39 Selby Road Penge London SE20 8ST

OS Grid Ref: E: 534398 N: 169123

Applicant : Mr Jeremy Farrow

Objections : YES

Description of Development:

Removal of unauthorised rear extensions, replacement single storey rear extension and conversion into 1 one bedroom and 2 two bedroom flats.

Proposal

Planning permission was granted under ref. 10/01094/FULL1 for the removal of the unauthorised rear extensions to the property, a replacement single storey rear extension of 3.5m in depth and the conversion of the building into 1 one bedroom and 2 two bedroom flats. Planning permission is now sought for a very similar proposal, to increase the depth of the single storey rear extension from the previously permitted 3.5m to 4.1m.

The development would comprise the following:

- single storey rear extension with a maximum depth of 4.1m and a flat roof measuring approximately 2.8m high across the full width of the host building;
- conversion of ground floor to form 1 one bedroom and 1 two bedroom flats;
- conversion of first floor to provide 1 two bedroom flat;
- rear amenity area with communal access for all flats.

Works have progressed on site to remove the unauthorised extensions (comprising a rear dormer and two storey rear extension). At present, only the external walls of the two storey extension remain at ground floor level.

Location

The application site has an area of 0.0274 hectares and is located on the western side of Selby Road, Penge. It comprises a linked semi-detached property which was previously in use as 5 separate flats with a large two storey rear extension. Neither the conversion nor the extension has had the benefit of planning permission.

The immediate surrounding area comprises a mix of single dwelling houses and flatted accommodation, including properties which have been converted to form flats. Some of the properties in the vicinity of No.39 have single storey rear extensions.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and comments were received which can be summarised as follows:

- agree to removal of unauthorised rear extensions
- conversion will have adverse effect on immediate area including lack of parking, litter, rubbish and unkempt properties
- the application property was originally designed as a 4 bedroom house – only a handful of these remain and in order to address this imbalance the property should be reinstated to its original design intent
- the previous conversion of No. 39 has caused particular problems, such as parking, extensive litter and vermin
- proposed conversion to three dwellings is an extreme change in what is already a densely populated road of terraced houses
- domestic waste should be appropriately and securely stored
- landscaping must be sympathetic to existing surrounding properties
- conversion will cause more parking and noise problems

Comments from Consultees

Highways raise no objection to the proposal, subject to standard conditions.

Cleansing advise that refuse and recycling should be left at the edge of the curtilage for collection.

The Council's in-house drainage advisor made no comment on the application.

Environmental Health (housing) advise the following:

- means of escape from both bedrooms on the ground floor right flat is via the high risk kitchen/lounge area. This might be acceptable if bedroom windows are designated Fire Escape windows under Building Regulation approval
- bedroom 2 in the first floor flat is, at 5.6 sqm too small to be considered for use as a bedroom. Minimum size for a bedroom under guidance relating to Housing Act 2004 is 6.5 sqm
- development should meet or exceed all other building regulations in respect of fire separation between units, other means of escape in case of fire, sound insulation and improved thermal efficiency.

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H8 Residential Extensions
H11 Residential Conversions
T7 Cyclists
T18 Road Safety

Planning History

There is extensive planning history relating to this site.

The building was converted into 5 flats with the addition of a two storey rear extension, all without the benefit of planning permission. Planning permission was sought retrospectively for the extension; however, this was refused under ref. 07/03964.

The Council issued enforcement notices requiring the building to be converted back into a single dwelling house and the two storey rear extension be removed.

An appeal against the refusal to grant planning permission for the rear extension and the enforcement notice was dismissed. The Inspector concluded that the conversion had resulted in “an over intensive use of the property that has led to an increase in comings and goings and on-street parking” and furthermore that this had resulted in “an unacceptable impact upon the living conditions of the occupiers of surrounding properties, in particular the adjoining properties and highway safety”.

Under ref. 10/01094, planning permission was granted for the removal of unauthorised rear extensions, replacement single storey rear extension and conversion into 1 one bedroom and 2 two bedroom flats.

Works have progressed on site to remove the unauthorised extensions.

Conclusions

As the principle of the conversion of the building to form 1 one bedroom and 2 two bedroom flats was accepted under ref. 10/01094/FULL1, the main issue for consideration in this case will be the acceptability of the proposed increase in the depth of the single storey rear extension.

As previously approved, the single storey rear extension would project with a depth of 3.5m. It is now proposed to extend this to 4.1m. Whilst the property is semi-detached, the adjoining property at No. 40 benefits from a single storey rear extension (3.5m in depth), and it is not considered that the additional depth proposed would give rise to a significant impact on the amenities of this neighbouring property. Whilst there would be a degree of additional impact to the adjacent property at No. 38 as a result of the increased depth, the height of the extension is relatively modest at 2.8m and it is not considered that any additional impact would be so significant to warrant the refusal of planning permission.

Members will note the comments made from Environmental Health (housing) regarding the size of the second bedroom in the first floor flat, however the size of the bedroom is similar to that approved under ref. 10/01094.

On balance, Members may agree that the proposed development is acceptable and planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/03964, 10/01094 and 12/01849, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | | | |
|---|--------|--|------------|-----|------------|
| 1 | ACA01 | Commencement of development within 3 yrs | | | |
| | ACA01R | A01 Reason 3 years | | | |
| 2 | ACC04 | Matching materials | | | |
| | ACC04R | Reason C04 | | | |
| 3 | ACA04 | Landscaping Scheme - full app no details | | | |
| | ACA04R | Reason A04 | | | |
| 4 | ACH18 | Refuse storage - no details submitted | | | |
| | ACH18R | Reason H18 | | | |
| 5 | ACH22 | Bicycle Parking | | | |
| | ACH22R | Reason H22 | | | |
| 6 | ACI13 | No windows (2 inserts) | north-west | or | south-east |
| | | extension | | | |
| | ACI13R | I13 reason (1 insert) | BE1 | and | H7 |

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 Density and Design
- H8 Residential Extensions
- H11 Residential Conversions
- T7 Cyclists
- T18 Road Safety

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

- (a) the density of the proposed development
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the proposed parking provision and the impact to conditions of road safety

- (f) the housing policies of the Unitary Development Plan
- (g) the transport policies of the Unitary Development Plan
- (h) the conservation policies of the Unitary Development Plan
- (i) the provision of amenity space for future occupiers of the proposed flats

and having regard to all other matters raised.

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