

SECTION '2' – Applications meriting special consideration

Application No : 13/00456/FULL1

Ward:
Penge And Cator

Address : 2 - 4 Raleigh Road Penge London SE20
7JB

OS Grid Ref: E: 535594 N: 170188

Applicant : Mr Daniel Jackson

Objections : YES

Description of Development:

Four storey side extension to accommodate new entrance lobby and staircase, elevational alterations including front and side balconies and conversion of first and second floor from snooker club (sui generis) to form 6 two bedroom flats; construction of mansard roof with rooflights to provide additional 2 x 2 bedroom flats. Alterations to ground floor wholesale unit to provide cycle storage; associated landscaping; bin store; provision of 6 car parking spaces; vehicular access; boundary enclosure and gates

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

This proposal is for a four storey side extension to accommodate new entrance lobby and staircase, elevational alterations including front and side balconies and conversion of first and second floor from snooker club (sui generis) to form 6 two bedroom flats; construction of mansard roof with rooflights to provide additional 2 x 2 bedroom flats. Alterations to ground floor wholesale unit to provide cycle storage; associated landscaping; bin store; provision of 6 car parking spaces; vehicular access; boundary enclosure and gates.

It is noted there is an application pending consideration at Penge Police Station 175 High Street, under planning ref. 13/00438 for the conversion of former police station into 5 one bedroom and 2 two bed flats with associated car parking, revised vehicular access. Elevational alteration including new window, removal of watch tower and outbuilding. Replacement railing to Penge High Street and Green Lane and reinstatement of lamp to front elevation. This application has been included on List 2 of the agenda recommended for permission.

Location

The existing building is some three storeys in height. The ground floor is currently occupied by an electrical goods wholesaler accessed from Raleigh Road and this use is to remain as existing. The upper floors of the building were previously used as a snooker club and only had pedestrian access from a narrow alleyway off Penge High Street located adjacent to the old police station.

The police station building is Locally Listed and was constructed in the mid 19th Century. The site is bounded to the south by Green Lane. There is an alleyway to the west bounded by the rear of commercial and retail premises fronting Penge High Street. To the north the site abuts the rear gardens of terraced housing fronting Raleigh Road.

Comments from Local Residents

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

- proposal would directly overlooking garden of No. 8 resulting in a loss of privacy from roof terrace.
- proposal would create noise pollution which would not be solved by construction of a screen, it is not reasonable to argue as residents live in a built up area at present they have to live with a certain amount of noise pollution.
- property is enormous and not in the style of local construction and would look out of place with the area.
- proposal would dwarf residential and commercial properties on Raleigh Road and at bottom of High Street and junction with Green Lane.
- it is reasonable to anticipate residents of new building will have more than one car per flat and thus will park on Raleigh Road which is already overcrowded and difficult to find a parking space.

Comments from Consultees

The Council's Highways Division have been consulted who state the site is situated on the southern side of Raleigh Road. The site is located in an area with high PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible). Six off street car parking would be provided at the rear accessed via an access road (approximately 3.0m wide) from Green Lane by means of an existing crossover which is acceptable.

The applicant should be made aware that the height of the gates should be no more than 1.0m; alternatively gates to be set back 5.0meters from the highway boundary into the site. Conditions are recommended were permission to be granted.

The Environmental Health Pollution Division state the site lies within the Council's Air Quality Management Area declared for nitrogen oxide (NOx). In line with the NPPF p.124 and our Air Quality Action Plan conditions are to be recommended

were permission to be granted. With regards to pollution and car parking the 2011 London Plan, Section 6.13 would require at least one of the new spaces for this development should be conditioned to have electric charging capacity to encourage/facilitate use of non-polluting vehicles.

The Council's Waste Advisors raise no objections to the proposal.

No comments were received from the Metropolitan Police Crime Prevention Design Advisor.

The Council's Environmental Health Housing Division state the bathrooms to flats 3 and 5 and the en-suite to flat 8 do not appear to be provided with natural ventilation. Adequate means of mechanical ventilation should therefore be provided. Bedrooms 2 to flats 7 and 8 do not appear to meet the minimum standard for the provision of natural lighting and ventilation (all habitable rooms should be provided with a glazed area of at least 1/10th of the available floor area and a ventilation opening of at least 1/20th of the available floor area).

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T12 Residential Roads
- T15 Traffic management
- T18 Road Safety

Supplementary Planning Guidance (SPG) 1 General Design Principles
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

In strategic terms the most relevant London Plan 2011 policies are:

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Development
- 3.6 Children and Young People's Play and Informal Recreation
- 3.8 Housing Choice
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime

- 7.4 Local Character
 - 7.6 Architecture
 - 7.18 Protecting Local Open Space and Addressing Local Deficiency
 - 7.19 Biodiversity and Access to Nature
 - 7.22 Trees and Woodland
- London Plan Housing Supplementary Planning Guidance

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

Planning History

There is a substantial planning history pertaining to this site the most relevant of which is outlined below:

Under planning application ref. 10/00994, planning permission was refused for elevational alterations and conversion of first and second floors from a snooker club to form 8 one bedroom flats together with communal roof terrace and pergola, on the following grounds:

“The proposed flats would fail to provide a satisfactory quality of residential accommodation for future occupiers with particular regard to the windows serving the living/dining areas to flats 2, 3, 5 and 6 which would not provide adequate outlook from or light to these rooms given their recessed position, contrary to Policies BE1 and H12 of the Unitary Development Plan.

The proposed development would fail to provide a satisfactory quality of amenity for future occupiers with particular regard to safety, security and crime prevention in view of the narrow, isolated and indirect nature of the alleyway from which the flats would be accessed together with the location of the entrance which is obscured from public view, contrary to Policy BE1 of the Unitary Development Plan.

The proposed access to the flats would be via the narrow passageway from High Street, Penge, which is unsafe and inconvenient for pedestrians in view of its width and due to the waiting restrictions on the highway which prevent any on-street parking, and would be likely to give rise to conditions prejudicial to highway safety, thereby contrary to Policies T6, T18 and H12 of the Unitary Development Plan”.

This was subsequently dismissed at appeal with the Inspector concluding that the living and dining room windows to some of the flats would not provide reasonable levels of natural light and outlook and would be harmful to the living conditions of prospective occupiers. It was therefore concluded by the Inspector that as such the proposal would not provide a high quality residential environment and would be contrary to Policies BE1 and H12. The Inspector also concluded that the pedestrian access to the flats from a narrow alleyway off the High Street would not amount to an attractive residential setting and would also fail to be safe and convenient conflicting with Policies BE1, T6 and T18.

Under planning application ref. 11/03600, planning permission was refused for a three storey side extension to accommodate new entrance lobby and staircase, elevational alterations and conversion of first and second floor from snooker club to form 6 two bedroom flats together with amenity space, communal roof terrace and pergola. The original proposal submitted to the Council did not provide any on-site car parking, however, revised plans received on 23/12/11 proposed four on-site car parking spaces. The proposal was refused on the following grounds:

“The proposal would be an overdevelopment of the site, out of character with the locality, thereby detrimental to its visual amenities and character, and contrary to Policies H7 and BE1 of the Unitary Development Plan, PPS 3: Housing, and Policy 3.5 of the London Plan.

The proposal is lacking in adequate on-site car parking and will be likely to lead to increased demand for on-street car parking in the surrounding area detrimental to the amenities of nearby residents and prejudicial to the free flow of traffic and conditions of general safety along the highway, thereby contrary to Policy T18 of the Unitary Development Plan”.

This was subsequently allowed at appeal with costs awarded against the Council. In granting the appeal the Inspector stated the three storey side extension would remain subservient to the host building and would not detract from the street scene or character of the area. The density of the development was in keeping with the requirements of Policy H7 and as such was not considered to result in an overdevelopment of the site. The Inspector stated the proposal is in keeping with Policy H12 which seeks to bring genuinely redundant buildings back into use. The proposal was not considered to result in a detrimental impact on the residential amenities of neighbouring properties and was considered to provide a satisfactory level of accommodation for future occupants. The Inspector also stated that as the site has a high PTAL the provision for the parking of four cars would be adequate while the access proposed was not considered to conflict with saved Policy T18.

In 2012 under planning ref. 12/01971, permission was refused for a three storey side extension to accommodate new entrance lobby and staircase, elevational alterations and conversion of first and second floor from snooker club to form 6 two bedroom flats together with amenity space, communal roof terrace and pergola. This application proposed 5 on-site car parking spaces and would have incorporated a parking space originally designed for The Stables as part of planning ref.11/03600. One parking for space for The Stables was still proposed, however, the level of amenity space would have been reduced. This application on the following grounds:

“The proposal would, by reason of its bulk and scale, constitute a cramped overdevelopment of the site, resulting in a harmful impact on the character of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan”.

This application was refused by Decision Notice dated 30th October 2012; as yet no appeal has been lodged against this refusal of permission with the applicant

having until 30th April 2013 to do so. At present the extant permission at the application site is planning ref. 11/03600.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The principle of the three storey side extension and conversion of the first and second floors to 6 two-bedroom flats has been established by Appeal Decision dated 14th November 2012. This appeal decision also established the principle of vehicular access from Green Lane and the provision of 4 on-site car parking spaces (which is less than the requirement of 1 on-site car parking space to be provided per flat as required by Appendix II of Policy T3 of the UDP) and secure cycle storage. As such this application will be primarily concerned with the visual appearance of the third floor mansard roof extension provision of an additional two 2 bedroom flats. Unlike previous applications the proposal would encroach into space available for the ground floor commercial unit through the provision of cycle space within the building itself rather than externally.

The proposed mansard roof is of unimaginative design, poorly related to the visual amenities of the host property which would detract from overall appearance of the main property. The introduction of a mansard roof of this type would be alien to the area, which is generally characterised by two and three storey buildings with traditional pitched roofs and in some cases flat roofs. As such the proposal would detract from the street scene, the surrounding and nearby buildings and the character of the area. The design would not meet the requirements of saved Policy BE1 (i) of the Unitary Development Plan and also does not meet the requirement for good design as advocated by the National Planning Policy Framework and with the external design element of Policy 3.5 of the London Plan.

Section 7 of the NPPF states the Government attaches a great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is considered that the current proposal does not add to the overall quality of the area or reflect the identity of local surroundings, as required by Section 7, paragraph 58, and would not be consistent with this overarching objective of the Framework.

In granting the appeal for planning ref. 11/03600 the Planning Inspector stated "...the roof would provide amenity open space for the occupiers of the flats. It would take the form of 'living roof' at the end nearest to Raleigh Road with, behind that, a lily pool and behind that a terrace. Within the terrace would be a barbeque, a small planting bed, a belt of screen planting to the north side and a large 'pergola with brise soleil'". All planning applications as outlined above (planning refs. 10/00994, 11/03600 and 12/01971) have incorporated communal amenity space through the provision of a roof terrace. The current application, however, by reason of the proposed mansard roof and 6 car parking spaces to be provided on-site would remove such a provision of communal amenity space on-site. Although this

application would provide balconies for Flats 1, 3, 4 and 6 no such external amenity space would be provided for the remaining 4 flats which is considered to be unacceptable, particularly as two bedroom flats of the scale proposed could be utilised by families. In addition, the balconies provided for the flats outlined above would provide approximately 2.25 sq m of external space which is considerably less than the minimum 5 sq m of private amenity space to provided for 1 – 2 person dwellings (and an extra 1 sq m to be provided for each additional occupant) as advocated by Standard 4.10 of the London Plan Housing SPG. As such this is not considered to be satisfactory useable external space and given the lack of amenity space overall, refusal is recommended on this basis.

In light of the comments previously made by Inspectors that the provision of less than a 1:1 ratio of car parking spaces per unit is acceptable given the high accessibility to public transport in the area (PTAL 5) and the fact that no technical objections have been raised from a highways perspective, it is not considered that a ground of refusal based upon lack of parking provision or highways safety could be sustained at appeal.

It was not considered that the rooflights in the northern flank elevation (closest to the boundary with No. 6 Raleigh Road) and to the west (closest to 165- 169 High Street) would result in a loss of privacy and sense of overlooking for these properties having regard to the pitch of the windows.

In terms of the density of the site no objections were raised from this perspective by the Planning Inspector in respect of planning ref. 10/00994 for the provision of 8 two bedroom flats. The proposal would provide 24 habitable rooms on 0.055 hectares which would equate to 436 habitable rooms and 145 units per hectare. This would satisfy the density matrix contained within Policy 3.4 of the London Plan which requires 200-700 hr/ha and 55-225 u/ha in such urban locations with PTAL ratings of 4 to 6.

Having had regard to the above it was considered that the provision of a mansard roof is unacceptable in this instance as it does complement the visual amenities of the host dwelling and would be detrimental to the streetscene and character of the area at large. In addition, the lack of external amenity space is considered unacceptable in this instance due to the scale and type of units proposed which would be capable of use by families.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed mansard roof would be visually unrelated and detrimental to the visual amenities and appearance, would appear incongruous within the streetscene and would thereby be detrimental to character of the area, contrary to Policy BE1 of the Unitary Development Plan, Policy 3.5 of the London Plan and National Planning Policy Framework and Supplementary Planning Guidance 1 and 2.

- 2 The proposal would, by reason of the unsatisfactory lack external amenity space provided, be detrimental to the residential amenities of future occupants, contrary to Policy BE1 of the Unitary Development Plan, Policy 3.5 of the London Plan and London Plan Housing Supplementary Planning Guidance.

Application:13/00456/FULL1

Address: 2 - 4 Raleigh Road Penge London SE20 7JB

Proposal: Four storey side extension to accommodate new entrance lobby and staircase, elevational alterations including front and side balconies and conversion of first and second floor from snooker club (sui generis) to form 6 two bedroom flats; construction of mansard roof with



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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