

SECTION '2' – Applications meriting special consideration

Application No : 13/01742/FULL1

Ward:
Crystal Palace

Address : Paxton Arms 52 Anerley Hill Anerley
London SE19 2AE

OS Grid Ref: E: 534014 N: 170507

Applicant : Mr M Malida

Objections : YES

Description of Development:

Construction of mansard roof, roof terrace, elevational alterations and conversion into part class A1 retail in basement and ground floor, 3 one bedroom and 4 two bedroom flats with associated parking, access, cycle and refuse storage

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Capital Ring
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads

Proposal

This application seeks permission to change the use of the public house to Class C3 (residential) at basement, ground, first and second floors with a new mansard roof creating a third floor to provide 3 one bedroom and 4 two bedroom flats. Class A1 retail floor space is also being retained on part of the basement and ground floor of the building. The proposal includes the provision of communal amenity space, 2 off street car parking spaces, cycle and refuse storage in the former parking area/ beer garden to the rear of the building. A private roof terrace is also proposed to the third floor flat.

The proposal includes the removal of an existing rear addition to open up the existing light well at the rear to allow for new fenestration to the basement accommodation.

It is proposed to retain the existing architectural detailing and windows to the front/side façade of the building.

Location

The site comprises a four storey building (including basement) which was formerly in use as a public house with ancillary residential accommodation on the second floor. The site is an end of terrace property which lies within a small parade of mixed use buildings of three storeys in height, comprising commercial ground floor units with residential or ancillary storage above. The site has a very attractive façade facing Anerley Hill and Palace Road although the building is not statutorily or locally listed. The proposal is located on the corner of Anerley Hill and Palace Road. There are waiting restrictions immediately outside the development. The site is located in an area with a high PTAL rate of 6a. The site does lie opposite The Crystal Palace Park Conservation Area which encompasses Crystal Palace Railway Station. To the rear of the site, the area is predominantly residential comprising many flatted developments of 3/4 storeys in height and to the south the area is predominantly in mixed commercial and residential use.

Comments from Local Residents

Two letters of objection have been received to date in response to public consultation on the application which are summarised below:

- increase in the height of the elevation would be out of character with the existing building and surrounding buildings on Anerley Hill and will impact the sunlight to neighbouring properties on Palace Road and Pleydell Avenue,
- the building is already bigger than surrounding commercial and residential properties on the road to increase it further would be out of proportion to its surroundings and will reduce the aesthetics of the area,
- concern with lack of parking and the pressure on parking this development will cause to an already congested situation on Palace Road,
- the parking survey was undertaken at unrepresentative times of the day.

Comments from Consultees

No technical objections have been received from Thames Water or from a Drainage point of view.

With regard to Highway matters the provision of 2 car parking spaces is considered unsatisfactory, however the parking stress surveys accompanying the application indicate that parking capacity exists within the local road network, within the vicinity of the site, to accommodate the potential displacement of vehicles associated with the residential element of the development proposals. Furthermore, given the transport accessibility is good (6 being most accessible) a reduction in the parking requirement may be justified as the site is considered accessible to public transport links, being within walking distance of bus routes and a Rail Station.

Observations have been received from an Environmental Health (Housing) point of view regarding the proposed development in that there is limited communal recreational space particularly for those flats capable of family occupation. Windows to all living areas including bedrooms should allow for reasonable outlook and views of open space to allow for the supervision of outside recreational space (to be used by children). Furthermore the only means of natural ventilation to the

living room would be via French doors which would present a conflict between providing natural ventilation to the room and adequate security.

At the time of writing this report comments from Waste Services and the Designing Out Crime officer had not been received. Any comments received will be reported verbally at the meeting.

Planning Considerations

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

BE1 (Design of New Development), BE2 Mixed Use Developments, BE13 (Development Adjacent to Conservation Areas), T1 (Transport Demand), T2 (Assessment of Transport Effects), T3 (Parking), T18, Road Safety, C1 (Community Facilities), C3 (Access to Buildings for People with Disabilities), H7 (Housing Density and Design), H12 (Conversion of Non-Residential Buildings to Residential Use) and S5 (Local Neighbourhood Centres, Parade and Individual Shops).

There are a number of other relevant policy documents that are a material consideration in the assessment of this application including:

The London Plan including The Mayor's Housing Supplementary Planning Guidance on the quality of housing design and minimum room sizes and The National Planning Policy Framework.

Planning History

There is no recent planning history at the site however Members may be aware of a similar public house conversion further along the road at the former Thicket Tavern, Anerley Road in which permission was granted under ref. 11/02239 for the extension of (including three storey and mansard roof extension) and conversion of the building into 6 two bedroom flats, part Class A2 commercial use and associated parking, cycle and refuse storage.

Conclusions

The main issues in this case are whether the current proposal represents an appropriate use of this building, whether the proposed mansard roof and change of use would represent an over-intensive use of the site and whether the proposal would be in keeping with the character, visual and residential amenities of the locality in general.

The building on site is at present vacant and has been closed since April this year due to the business falling into decline. Whilst the loss of this community facility is regrettable there are no relevant planning policies within the UDP or London Plan which seeks to retain public houses. Members may consider that the loss of this use is not considered to have a detrimental impact upon the vitality and viability of the locality. The retention of a Class A1 use with a roadside frontage will

complement the existing shopping parade. Members may consider that the proposed residential use will be in keeping with the character and surrounding residential properties and therefore the principle of the change of use may be considered acceptable.

Policy H12 in the Bromley UDP states that conversions of non-residential buildings are not likely to be acceptable where there continues to be a viable commercial use or demand for such a use. It is acknowledged that the premises are now closed and no marketing information has been provided by the applicant to support the application. However, given that the public house had been in decline for a number of years, Members may consider that the retention of a commercial use is acceptable and likely to be a generator for local employment within the area.

With regard to density on the site, the size of the site is approx. 318sq.m. The proposal is for 7 flats in total, each achieving the minimum (or above) room size standards as set out in the Mayor of London's Housing SPG. The proposal equates to approx. 220 units per hectare. It is noted that Central Government advice has removed reference to density specific requirements; however Members may wish to consider whether the proposed density is acceptable in this urban location of high transport accessibility and access to public amenity space both on site and within 5minute walk away to nearby Crystal Palace Park.

The proposed residential use, compared to the redundant public house, will clearly create a higher level of activity surrounding the site on a 24/7 basis. Restriction on the hours of operation for the commercial use of the development can be conditioned in order to protect the local amenities of the area. On balance, Members may consider that the proposed development represents a good opportunity to provide a mixed-use scheme within this site that could maximise its potential by adding diversity to the local economy.

With respect to local residential and visual amenity, it is acknowledged that objections have been raised in respect to potential lighting issues and on-street parking pressures. The increase in the height of the building with the provision of a mansard roof will be seen from adjoining development, however it is considered that there will be a reasonable degree of separation from the site and properties in Pleydell Avenue to the north of the site and those residential properties further to the south to not have an adverse impact upon the residents of those properties in terms of overlooking and loss of light. Minor alterations are proposed to the fenestration at the rear of the existing building, including a new ground floor window and windows and a door at lower ground level. The proposed mansard roof would extend virtually the full width and depth of the building but will allow for a private roof terrace to the top flat which would face the rear of the site and Palace Road. Whilst it is considered that there would be a reasonable degree of separation with the nearest residential properties in Palace Road, it would be appropriate to impose a planning condition with regard to balcony screening to mitigate any potential for overlooking.

With regard to parking, no technical objections have been raised from a highway point of view given the high transport accessibility of the location and capacity for on-street parking.

With regard to the appropriateness of the mansard roof, it is acknowledged that the extension would clearly be a visible addition on this corner site. Such development is not out of character in the area and other examples of mansard roofs include the recently converted Thicket Tavern further down the road and at 2-4 Waldergrave Road which is close by. The proposed extension is not considered to detrimentally affect the views of the adjacent Crystal Palace Park Conservation Area or the street scene in general. Further works to retain the existing architectural features of this building, together with the mansard roof aim to complement and respect the integrity of the host building.

Members are therefore asked to consider whether the proposal would result in a positive contribution of the vitality and viability of this area, providing a mixed use development offering potential for local employment and further residential accommodation within this area.

In the event of planning permission being granted, it is noted that this development would be CIL liable (Community Infrastructure Levy).

Background papers referred to during production of this report comprise all correspondence on file ref. 11/02239, excluding exempt information.

RECOMMENDATION: GRANT PERMISSION WITH/WITHOUT CONDITIONS

- | | | |
|----|---|--|
| 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 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 5 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 6 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 7 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 8 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 9 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 10 | ACI24 | Details of means of screening-balconies |
| | ACI24R | Reason I24R |
| 11 | ACK01 | Compliance with submitted plan |
| | ACC07R | Reason C07 |
| 12 | The area of the ground floor and basement (as shown on drawing 6283-P03) shall be used for Class A1 use and for no other purpose. | |

Reason: In order to protect the viability and vitality of the area and in the interests of local residential amenity and to comply with Policy BE1 of the Unitary Development Plan.

- 13 The Class A1 use hereby permitted at ground floor and basement level shall not operate before: 08.30am and after 18:00 on any Monday to Friday, nor before 09:00 and after 17:00 on any Saturday, nor at any time on Sundays or Bank Holidays.

Reason: In the interest of residential amenities and to comply with Policies BE1 and H7 of the Unitary Development Plan.

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 regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 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.

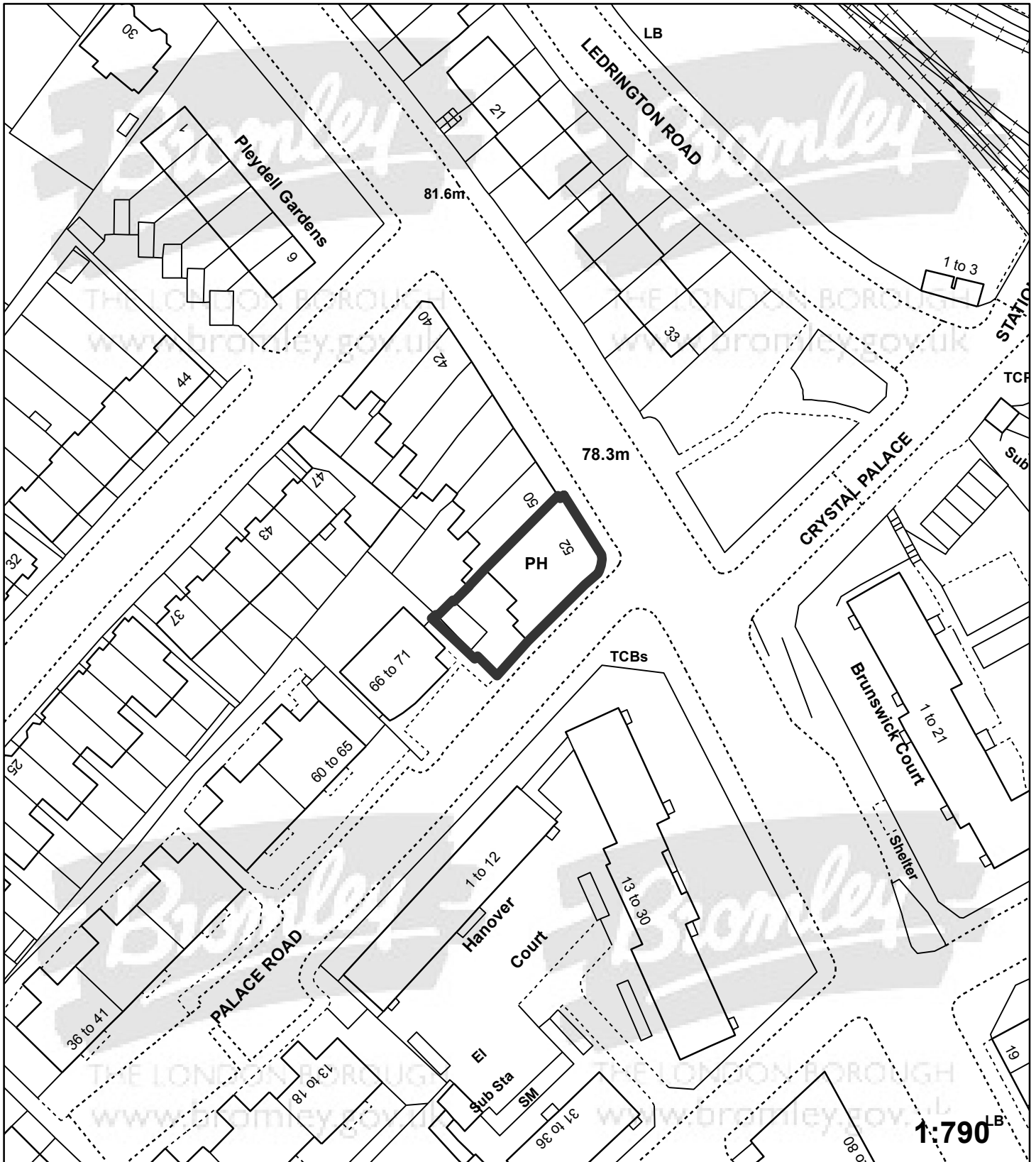
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 3 Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming/modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

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"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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