

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

Application No : 13/03506/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 single storey roof extension to provide additional 2 x 2 bedroom flats with associated outdoor terraces. 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

Planning permission is sought 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 single storey roof extension to provide additional 2 x 2 bedroom flats with associated outdoor terraces, 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.

The principle of a three storey side extension and conversion of the first and second floors to 6 two-bedroom flats has already 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 (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.

The current application proposes an amended scheme to overcome the previous reasons for refusal of application (13/00456/FULL1). The most recently refused scheme, when compared against the scheme granted on appeal, proposed an additional storey to the side extension to allow access to a mansard roof accommodating an additional 2 x 2 bedroom flats.

Given the above, consideration of this application should be limited to whether the previous reasons for refusal relating to the visual appearance of the third floor roof extension and the external amenity space provided have been overcome.

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 2 representations were received which can be summarised as follows:

- conversion to flats will result in overlooking of adjoining garden and loss of privacy;
- extension will result in loss of light for adjacent property; and
- proposal will generate parking and highways safety issues.

Comments from Consultees

Thames Water: No objection with regard to sewerage infrastructure capacity and water infrastructure capacity.

Metropolitan Police Designing Out Crime Officer: No objection subject to 'Secure by Design' condition.

Highways: No objection subject to standard conditions.

Environmental Health: No objection.

Drainage: No objection subject to standard conditions.

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
- 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

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:

Planning application (ref. 10/00994) 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".

The subsequent appeal (PINS ref. APP/G5180/A/10/2136636NW) was dismissed 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.

Planning application (ref. 11/03600) 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 proposed 4 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 (PINS ref. APP/G5180/A/12/2175402/NWF) 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.

Planning application (ref. 12/01971) 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 application was refused on the following ground:

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.

The most recent planning application (ref. 13/00456) was refused in 2013 for 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. The application was refused on the following grounds:

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.

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.

Therefore, at present the application site benefits from extant permission (ref. 11/03600) granted on appeal.

Conclusions

As noted above, the current application proposes an amended scheme to overcome the previous reasons for refusal of application (ref. 13/00456). When compared to the previously refused application, the current application no longer

proposes a mansard roof extension, rather a setback, flat roofed extension as well as the provision of enlarged and additional balconies.

Given the above and that the principle of a three storey side extension and conversion of the first and second floors to 6 two-bedroom flats has already been established by appeal decision dated 14th November 2012, consideration of this application should be limited to whether the previous reasons for refusal relating to the visual appearance of the third floor roof extension and the external amenity space provided have been overcome.

The objections of neighbouring properties with regard to overlooking, loss of privacy and parking are noted. However, the previous application was not refused on these grounds and in addition, given the additional balconies would be recessed and the roof extension set away from the building edges and include screening previously approved, it would be unreasonable to refuse the application on such grounds.

The previously proposed mansard roof was considered of unimaginative design and poorly related to the visual amenities of the host property. In response, the amended roof extension has been setback from the building edges and also has a flat roof. In comparison, the proposed roof extension will not be as visible as the previously proposed mansard and being flat-roofed would match the host buildings existing roof treatment. As such the proposal would not detract from the street scene, the surrounding buildings or the character of the area.

The current application has enlarged the previously proposed balconies, added balconies to the 2 flats that did not previously have them as well as providing large terraces to the 2 flats. All flats now have outdoor amenity space that comply with the minimum required by Standard 4.10 of the London Plan Housing SPG. Whilst the roof extension would result in the loss of communal amenity area, given that all flats now have sufficient sized dedicated outdoor amenity area, the need for such a communal area, at the expense of additional housing is no longer required. For those reasons, the current application is considered to have overcome the previous reason for refusal relating to lack of external amenity space.

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.

Having had regard to the above, it is considered that the provision of a setback, flat roofed roof extension is acceptable in this instance as it provides additional housing whilst complementing the visual amenities of the host dwelling without being detrimental to the streetscene or character of the area. In addition, the enlargement of previously proposed balconies as well as the provision of additional balconies and terraces would now provide sufficient external amenity space.

Background papers referred to during production of this report comprise all correspondence on the files refs. 13/03506, 13/00456, 12/01971, 11/03600 and 10/00994, set out in the Planning History section above excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.
- 3 ACC07 Materials as set out in application
 ACC07R Reason C07
- 4 The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Secured by Design, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.
 ACI21R I21 reason
- 5 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACH12 Vis. splays (vehicular access) (2 in) 3.3m x 2.4m x
 3.3m 1m
 ACH12R Reason H12
- 8 ACH18 Refuse storage - no details submitted
 ACH18R Reason H18
- 9 ACH22 Bicycle Parking
 ACH22R Reason H22
- 10 ACH29 Construction Management Plan
 ACH29R Reason H29
- 11 ACH32 Highway Drainage
 ADH32R Reason H32
- 12 No unit shall be occupied until a management plan for the green roof and a timetable for its implementation has been submitted to and approved in writing by the local planning authority. The green roof shall be implemented in accordance with the approved timetable and shall be maintained in accordance with the approved management plan thereafter.
Reason: In order to comply with Policies ER4 of the Unitary Development Plan and to secure a satisfactorily sustainable development.

INFORMATIVE(S)

- 1 Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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