

SECTION '2' – Applications meriting special consideration

**Application No :** 14/04392/FULL1

**Ward:**  
**Penge And Cator**

**Address :** The Alexandra 163 Parish Lane Penge  
London SE20 7JH

**OS Grid Ref:** E: 535622 N: 170469

**Applicant :** Alexandra SE20 Ltd.

**Objections :** YES

**Description of Development:**

Elevational alterations including ventilation ducting to the rear, change of use of public house (Class A4) to mixed public house/restaurant use (Class A4/A3) and conversion to provide HMO accommodation comprising 1 self-contained unit on the ground floor, 12 bedrooms with shared kitchen facilities on first and second floors, amenity space, cycle and refuse storage (at the rear).

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Cycle Network  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads  
London Distributor Roads

**Proposal**

Planning permission is sought for elevational alterations including ventilation ducting to the rear, change of use of public house (Class A4) to mixed public house/restaurant use (Class A4/A3) and conversion to provide HMO accommodation comprising 1 self-contained unit on the ground floor, 12 bedrooms with shared kitchen facilities on first and second floors, amenity space, cycle and refuse storage at the rear.

The proposed pub/restaurant use (Use Class A4/A3) is provided at lower ground and ground floor including kitchen and food prep area at lower ground floor. Other rooms located at lower ground floor include staff room, storage room, laundry room and toilets. The ground floor includes a bar, large pub area and function room plus accessible toilets.

The proposed residential accommodation is comprised of a single self-contained studio unit at ground floor and 12 HMO rooms provided at first and second floors.

All proposed rooms have en-suite facilities. Two shared kitchens are available at first floor, with an additional third shared kitchen at second floor.

An existing backyard is proposed as further seating space for communal use of patrons. Provision is also proposed for waste and cycle storage.

Minor external alterations to the building include new rooflights and rear windows and refurbishment and renovation of existing windows to the front. Previously existing lower ground windows are also reinstated to their original design to allow natural light entrance and air circulation into lower ground floor spaces.

## **Location**

The application site is located on the south-western side of Parish Lane, on the corner with Penge Lane. The site currently comprises a vacant three storey building which has a lawful use as a public house, and provides a strong feature for this corner location.

The building has a typical public house external décor at ground floor level. The site adjoins an elevated railway viaduct to the south west with an underpass for Penge Lane. A private outdoor space exists between the building and the railway arch. The site adjoins a shop to the south east on Parish Lane. There is a small area of public open space to the south west of the site and further shops along Penge Lane. The remaining surrounding area is predominantly residential in character. The site is within close proximity of Crystal Palace Park.

The site is not within a conservation area and the building is not listed. However, the site is located opposite the Alexandra Cottages Conservation Area.

## **Comments from Local Residents**

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

### Support comments:

- A new gastro pub will be a huge boost to the local area and will reinforce the urban renewal we are seeing in Penge and add to the attraction of the area.
- Proposal will benefit the community crying out for a local pub,
- In support provided controls are put on developer not to create a substandard HMO.
- In support provided windows are not replaced with uPVC units.
- Pubs and business such as this will add value to this area and the wider area of Penge.
- A positive enhancement to the local community.
- Developers have engaged local community and listened to concerns.
- Function room is welcomed for community use.
- Scaled down HMO provision welcomed.
- Provides affordable accommodation in times of rising rents.

- Support for the pub provider - Late Knights - who brought new enterprise and jobs to Penge.
- Parking is not a significant issue. Development would not make any difference in this regard.
- Design is sensitive to local neighbourhood and environment.
- Proposal addresses adequately all previous issues raised.
- Hostel element is well thought out to minimise disruption.

#### Objection comments:

Concerns regarding increased pressure on parking in the locality.

Concerns regarding waste service collection vehicle movements and servicing and deliveries to the pub and other businesses locally.

Proposal is for hostel accommodation which has potential to be substandard.

Proposal for 13 beds is too many.

Management of other hostels in locality is poor. More of the same is not welcome.

Concerns regarding number of people notified.

Concern regarding the number of potential tenants.

Accuracy of transport statement questioned.

Concerns that young professional will not stay in such a scheme and that less desirable elements will reside in the rooms.

Density of accommodation is too high.

Abandonment of pub only use is not acceptable.

#### **Comments from Consultees**

Environmental Health - Pollution:

No objections in principle.

Highways Engineer:

The site is located in an area with a medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). No car parking is offered for the development. The site is considered accessible to public transport links, being within walking distance of bus routes and a Rail Station. The proposal is for mainly non-self-contained bedrooms with shared use of kitchen and bathroom facilities which is unlikely to generate significantly more trips than existing. Furthermore a parking stress survey was carried out on Wednesday 24th September 2014 to identify the level of on-street parking utilisation within the vicinity of the site. The parking stress survey results indicate there are spare on-street parking capacities within the vicinity. Given the scale of the development and the stress survey results I would have no objection to the application.

Environmental Health - Housing:

The proposal will create two distinct multi-occupied properties which will both be licensable by the local authority. Both will be category A HMOs. Bedsits 2 - 5 will be suitable for up to 2 persons, 8 persons in total. Bedsits 6, 7, 10, 11 and 12 will be suitable for up to 2 persons and Bedsits 8 and 9 for 1 person, 12 persons in

total. One shared kitchen will be approximately 7 sq.m. (suitable for up to 5 persons sharing) and the other 14.4 sq.m. (suitable for up to 10 persons sharing).

In summary, the provisions are suitable for HMO standards.

## **Planning Considerations**

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

- BE1 Design of New Development
- BE13 Development Adjacent to Conservation Areas
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic Management
- T18 Road Safety
- C1 Community Facilities
- C3 Access to Buildings for People with Disabilities
- S9 Food and Drink Premises
- H7 Housing Density and Demand
- H12 Conversion of Non-Residential Buildings to Residential Use

## **Bromley Draft Policies and Designations**

Section 3 - Visions and Objectives - Health and Wellbeing

Section 6 - Supporting Communities

Draft Policy 6.1 - Community Facilities

Draft Policy 6.7 - Public Houses

## **London Plan**

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.11 Green roofs and development sites environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies, Waste self-sufficiency
- 5.17 Waste Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment.

- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 8.3 Community infrastructure levy

## **Planning History**

13/04084/FULL1: Change of use from class A4 (public house) to Class A3/A4 (public house/restaurant) with hostel accommodation (sui generis) to provide 11 bedrooms with shared kitchens and 5 one bedroom suites, associated car parking, cycle storage and refuse storage. Refused 05.03.2014

PREAPP/14/00171: PRE APPLICATION: Change of use from public house with bedsit accommodation to public house/restaurant with HMO accommodation. Increase in number of existing bedrooms for residential use from 6 to 13. Response sent 06.08.2014

## **Conclusions**

The primary issues in the assessment of this planning application are:

- The principle of the proposed development
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- Impact on the amenity of neighbouring properties
- The quality of living conditions for future occupiers
- Highways and traffic Issues
- Sustainability and energy

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

### Principle of Development

Policy H12 - Conversion of non-residential buildings to residential use states that the Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactory quality of accommodation and amenity.

Policy C1 - Community Facilities of the Unitary Development Plan states in effect that planning permission will not be granted for proposals that would lead to the loss of community facilities unless it can be demonstrated that there is no longer a need for them, or alternative provision is to be made in an equally accessible location.

Draft Policy 6.7 of the Local Plan - Public Houses states that the loss of public houses will be resisted by the Council except where there is an alternative public

house within a 500 metre walking distance of the site and, if the public house is located within a local parade or town centre, the diverse offer of that parade or town centre is not significantly affected by the loss and where it can be demonstrated that the business is no longer financially viable as a public house, including the submission of evidence of active marketing as a pub for a substantial period of time.

Where the above criteria are met any change of use must be sympathetic to the design, character and heritage value of the original building if it is considered to be a positive contribution to local character.

In this case the proposed revised scheme has retained a significantly larger proportion of the original pub use retaining the ground floor and basement uses except for a minor intervention changing an integral garage area to a self-contained studio unit. The functioning floor area of the pub will remain largely as existing. Therefore, as the areas to be divided up into further residential accommodation are the areas of the pub currently given over to ad hoc upper floor function rooms and the residential use for staffing or such like, it is not considered that the conversion will now affect the viability of the pub for a new tenant in the future as with the previous application. The main available space and rooms will still remain in the A4 Use primarily, with an additional A3 use improving the viability of the commercial premises.

Therefore, given the acceptability of the use of the upper floors for residential use with regard to Policy H12 and Draft Policy 6.7 the principle of the additional HMO residential units through the further conversion of the upper floors is considered acceptable subject to the scheme's compliance with all other relevant development plan documents and policies.

### Design

The application entails mainly the alteration of the internal areas with no extensions proposed to the building. The main external alterations relate to the provision of a ventilation flu at the rear of the property, replacement windows to the rear and roof lights within the existing roof structure.

It is noted that these alterations will not be prominent within the public realm being at the rear of the property and behind a parapet wall within the roof structure. Therefore the building will not appear any different in terms of its character and appearance. Refurbishment works will improve the appearance of the building within the streetscene and maintain the heritage value of the pub building. It is suggested that conditions can ensure sash style windows to the rear as indicated on the plans.

### Residential Amenity - Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Policy H12 states that the Council will permit the conversion of non-residential buildings to

residential use subject to achieving a satisfactory quality of accommodation and amenity.

One single studio unit is created on the ground level at 37m<sup>2</sup> and 12 HMO bedroom units of various sizes compliant with the Council's Standards for Houses in Multiple Occupation requirements. The HMO units will create two distinct multi-occupied properties which will both be licensable by the local authority.

The indicative shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook. On this basis the floorspace provision and layout is considered to be acceptable.

### Impact on Adjoining Properties

The proposed development is considered acceptable in terms of its impact upon the amenities of neighbouring occupants. The outlook of windows will remain to the front, flank and rear of the building for the units located in the original part of the building which utilise existing windows that generally overlook public areas and private amenity space as currently exists at the site.

### Highways and Traffic Issues

The PTAL for the site is 4 (good). No objection has been raised from the Council's Highways Officer indicating that there is capacity to meet parking demand and good proximity to transport links. Therefore due to the relatively minor impact the additional units will have on parking issues in the vicinity it is considered the proposal would generally be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

### Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has provided details of a location for lockable cycle storage for the units. Further details can be conditioned in respect of the design.

### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided locational details of refuse storage for the units and the commercial pub use. Further details regarding containment structures and separation of commercial and domestic waste is recommended.

### Sustainability and Energy

Policy 5.4 Retrofitting, of the London Plan 2011 states that boroughs should identify opportunities for reducing carbon dioxide emissions from the existing building stock by identifying potential synergies between new developments and existing buildings through the retrofitting of energy efficiency measures.

Basic information has been supplied in this regard. However, this is not mandatory for this type of conversion development.

### Ventilation

The main element of the application property is three stories in height where the ventilation flu is to be located. The horizontal element of the proposed ducting would be 450mm in diameter and would be located on the rear elevation of the building such that the horizontal part of the ducting would not be visible from the street. Therefore the limited visibility of the extract ducting means that it will not have a significant adverse impact on the public realm. In terms of amenity it is not considered that the extract duct will be largely visible from surrounding residential accommodation. The discharge from the unit is also sufficiently filtered and directed so as not to cause any issue as regards noise and odour. The applicant has stated that the ducting would be stainless steel. It is not considered that the ducting is unduly obtrusive in the street scene or significantly harmful to the character and appearance of the locality.

### Summary

The proposal would not affect the viability of the ground floor pub use and would bring back its current vacant status into use. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the mix and tenure of the proposed residential usage is acceptable and that the standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

as amended by documents received on 12.02.2015

### **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  
          ACK05R      K05 reason
- 3      ACH18      Refuse storage - no details submitted  
          ACH18R      Reason H18
- 4      ACH22      Bicycle Parking  
          ACH22R      Reason H22
- 5      No development shall commence on site until a Construction Logistics Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the following:



- (i) Rationalise travel and traffic routes to and from the site.
- (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction vehicle activity.
- (iii) Measures to deal with safe pedestrian movement  
The measures specified in the approved details shall be implemented prior to commencement of development and shall be adhered to during the period of construction.

**Reason:** In order to ensure satisfactory vehicle management and to comply with Policies BE1, T6, T7, T15, T18 of the Unitary Development Plan.

- 6 The proposed new windows to the rear elevation shall be sash style windows with external reveals.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy BE1 of the Unitary Development Plan.

- 7 ACC07 Materials as set out in application  
ACC07R Reason C07
- 8 ACJ11 Soundproofing, etc for rest./t-away (1 in) commercial pub  
ACJ11R J11 reason
- 9 ACJ26 Ventilation system for restaurant/take-a  
ACJ26R J26 reason

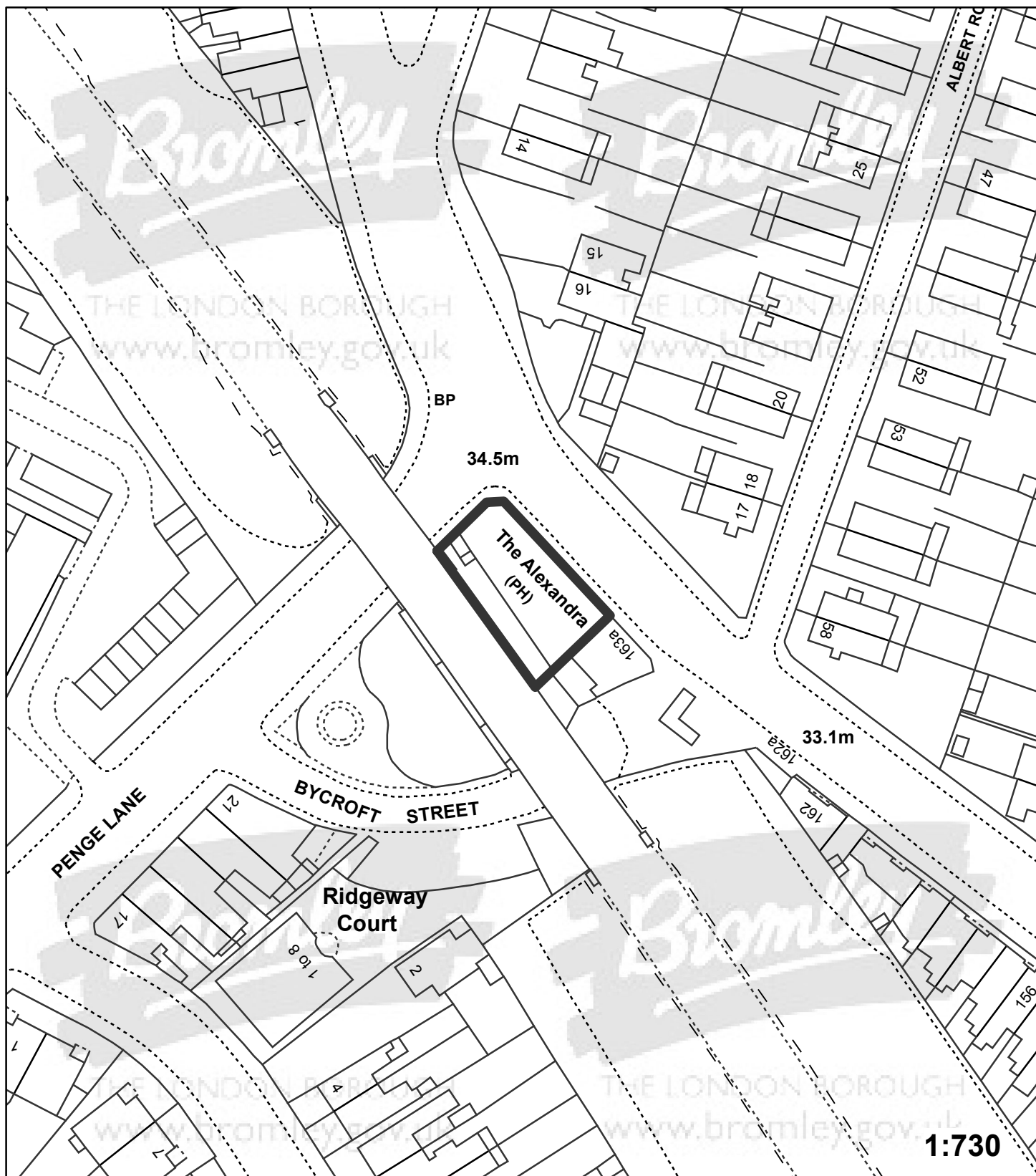
#### INFORMATIVE(S)

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2 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. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)

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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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