

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/04045/FULL1

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

**Address :** 24 St John's Road Penge London SE20  
7ED

**OS Grid Ref:** E: 535420 N: 170611

**Applicant :** Mr Charles Clarke

**Objections :** YES

### **Description of Development:**

Conversion of existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 50

### **Proposal**

Planning permission is sought for the conversion of the existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover.

The proposal does not involve any external extensions to the building. Internal alterations will facilitate a one bedroom unit on the ground floor accessed from the rear of the property from Lucas Road and a two bedroom unit on the upper floor accessed from the existing front entrance on St Johns Road.

Separate bin and bike stores are proposed in the front and rear curtilages for each unit respectively. The existing enclosed parking area will be opened up to provide two parking bays. A 1.8m high timber sliding gate will enclose the parking area between vehicle movements.

### **Location**

The site is located on a corner plot at the junction of St John's Road and Lucas Road and comprises an end of terrace two storey Victorian era property. The footway of Lucas Road adjoins the flank boundary of the site with a high brick wall. To the rear of the site is a gated vehicular access with footway crossover from Lucas Road to an enclosed parking area for single use.

The site is not in a conservation area nor is the building listed.

## Consultations

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

- Manoeuvring will still be difficult and potentially dangerous. Only change is the addition of the sliding gate.
- No material changes to previous application.
- Loss of parking space.
- Will reduce parking available generally in the area.
- Character of street will still be ruined.
- Crossover will impact on the character of the street.
- Having a large gate as opposed to wall is not in keeping with visual amenity of the street.
- Parking area will lead to loss of privacy to adjacent property
- Increase in noise and disturbance from the parking area adjacent to neighbouring property.
- Concerns regarding the future of a mature tree in the garden.
- Concern regarding the loss of the Victorian wall (in part)
- Concern regarding loss of another Victorian home to flats.
- Will be detrimental to appearance, character and historic nature of the road.
- Not in keeping with feel of neighbouring properties on St Johns Road and will have a dramatic impact on the current appealing nature of Lucas Road.

## Consultee Comments

Highways:

The site is located on the corner of St John's Road and Lucas Road. Also the development is in an area with area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). There is a garage/ parking space at the rear of the site accessed from Lucas Road.

Environmental health - Pollution:

No objections in principle.

Arboriculture:

A tree to the rear flank boundary with No26 may be affected by the construction of the rear boundary parking area. No details have been supplied in terms of mitigation for the loss/replacement of this tree.

## Planning Considerations

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential

- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- ER10 Light pollution
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic Management

T16 Traffic Management and Sensitive Environments  
T18 Road Safety

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG1 General Design Principles  
SPG2 Residential Design Guidance

Emerging Bromley Local Plan:

A consultation on the Draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy - Housing supply  
Draft Policy - Housing design  
Draft Policy - Side Space  
Draft Policy - Parking  
Draft Policy - General design of development  
Draft Policy - Landscape Quality and Character  
Draft Policy - Sustainable waste management  
Draft Policy - New Waste Management Facilities and Extensions and Alterations to  
Draft Policy - Existing Sites  
Draft Policy - Reducing flood risk  
Draft Policy - Sustainable Urban Drainage Systems  
Draft Policy - Water and Wastewater Infrastructure Capacity  
Draft Policy - Noise pollution  
Draft Policy - Air Quality  
Draft Policy - Sustainable Design and Construction  
Draft Policy - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

### **Planning History**

16/02785/FULL1: Conversion of existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover. Refused 09.08.2016

The refusal reasons detailed that the extended and open hardsurfaced area designated for parking at the rear of the site would have had a detrimental effect on the visual amenity, character and appearance of the general streetscape at the entrance to Lucas Road. The proposed parking bays were also substandard in size and would have resulted in vehicles overhanging the footway inconvenient to road and footway users, detrimental to the free flow of traffic and conditions of general safety and would have likely resulted in increased levels of on street parking and congestion in the local road network.

## Conclusions

The main issues to be considered in respect of this application are:

- Principle of development
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties

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 H11 of the Unitary Development Plan (UDP) allows for residential conversions if 4 criteria are satisfied. Criterion (iv) states that conversion should not lead to a shortage of shortage of "medium or small-sized family dwellings". The site comprises a reasonably sized dwellinghouse. Given the size of the property it is not considered that its conversion to smaller sized flatted units will lead to a loss of medium or small size family dwellings. On this basis the principle of conversion appears acceptable.

### Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

At the time of writing the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean

that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme.

## Design

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

There are no extensions to the main building to facilitate the conversion proposed. Externally provision of bin and cycle stores to the front and rear of the property is proposed along with a rear parking area. The main pedestrian entrance to the ground floor flat will be reoriented from Lucas Road. While this will introduce a marginal increased level of activity to Lucas Road, this is not considered detrimental to neighbouring amenity in terms of noise and disturbance.

The location of the bin and cycle stores will be sited behind the retained sections of the flank wall and boundary screening to the front curtilage. Details regarding containment structures have been provided and it is not considered that the external structures will be detrimental to the character and appearance of the area.

The extension of the parking area will involve partial demolition of the boundary wall and creation of a larger hard surfaced area for the parking of two vehicles. This revised application has clarified the size of the parking bays at a depth of 4.8m and 2.4m for each space respectively. Officers have checked the dimensions on site which are achievable. A sliding gate has also been incorporated into the proposal to contain the spaces physically to the streetscene.

Lucas Road is characterised by small narrow front gardens and low rise front boundary treatments forming a cohesive and unique streetscape character which is desirable to preserve. On balance given the gated enclosure structure now put forward it is considered that the now enclosed hardsurfaced area for parking will have a neutral effect on the character and appearance of the general streetscape at the entrance to Lucas Road.

## Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) 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 should comply with Nationally Described Housing Standards (2015).

The floor space size of each of the proposed units in the existing building is 50m<sup>2</sup> for the ground floor and 60.2m<sup>2</sup> for the top floor flat respectively. The nationally described space standard requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the resultant building is considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

## Amenity space

In terms of amenity the rear area is allocated to the ground floor flat with the upper floor having only access to the front curtilage. On balance given the location of a recreation ground 250m to the south east the provision for the upper floor flat is considered acceptable in this case.

## Impact on Adjoining Properties

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of outlook, the fenestration arrangement will provide front, flank and rear outlook as existing which utilise existing window positions that generally overlook public areas and rear areas as currently exists at the site.

## Trees and landscaping

A tree to the rear flank boundary with No26 may be affected by the construction of the rear boundary parking area. No details have been supplied in terms mitigation for the loss/replacement of this tree. However, further details can be requested by condition by way of a landscaping scheme.

## Highways and Car parking

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP and London Plan should be used as a basis for assessment.

The Council's Highway Officer has reviewed the current application and not raised objection to the revised parking spaces provided given the confirmation of the sizes of the spaces to be provided. This will now be adequate for manoeuvring into and out of the spaces and to prevent vehicles overhanging the footway when parked and causing conditions that would otherwise have been prejudicial to pedestrian and highway safety.

Cycle parking and refuse storage.

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings and all new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a location for combined cycle and refuse storage for the units as detailed above. Further details in this regard are recommended by condition to ensure 2 spaces are provided for the upper level flat and one for the ground floor flat.

### **Summary**

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions nor on balance, impact detrimentally on the visual amenity, character and appearance of the general streetscape at the entrance to Lucas Road to withhold planning permission. It is considered that the standard of the accommodation that will be created will be good. The revised 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 and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.

### **RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**



**Reason:**In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 3** The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

**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.

- 4** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 5** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

**Reason:**In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 6** Notwithstanding the details hereby approved before any part of the development is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site for two spaces for the upper floor flat and 1 space for the lower floor flat in accordance with details to be submitted to and approved in

**writing by the local planning authority and the bicycle parking/storage facilities shall be permanently retained thereafter.**

**Reason: In order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport and to comply with Policy T7 of the Unitary Development Plan and 6.13 of the London Plan.**

- 7 Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 showing the design of the sliding gate to the rear parking area have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be permanently retained thereafter.**

**Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy BE1 and T18 of the Unitary Development Plan.**

**You are further informed that:**

- 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)**
- 3 You are advised that it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.**
- 4 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**
- 5 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.**