

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

**Application No :** 16/05387/FULL1

**Ward:**  
**Clock House**

**Address :** 43 Stembridge Road Penge London  
SE20 7UE

**OS Grid Ref:** E: 534849 N: 169068

**Applicant :** Mr Rouven Dawson

**Objections :** YES

### **Description of Development:**

Single storey rear extensions, rear dormer extension and conversion of existing building to 1 two bedroom, 2 one bedroom and 1 one bedroom duplex flat

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 51

### **Proposal**

The proposal is for the conversion of existing residential property to 1 two bedroom flat, 2 one bedroom flats and 1 one bedroom duplex flat incorporating single storey rear extensions either side of the existing two storey rear addition to the building and a further single storey rear extension to the rear of the two storey rear projection. The proposal will not provide additional car parking.

The application is accompanied by a Transport Assessment and a Design and Access Statement.

Amended plans have been received dated 05/12/16 indicating Flat 1 to be a two bed three person flat. An additional sectional drawing with corrections has also been submitted.

### **Location**

The site is located on the north east side of Stembridge Road and comprises a large two storey mid terraced dwellinghouse. The property is wider than its neighbours due to a side garage/undercroft entrance to the rear curtilage with accommodation above as originally constructed. The last known use as advised by the applicant was as residential bedsits.

## **Comments from Local Residents**

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

- o Overshadowing and loss of light
- o Overlooking and loss of privacy
- o Excessive density and overdevelopment of the site
- o Detrimental impact on the character of the area
- o Poor and unsympathetic design
- o Extensions to the building would be out of character
- o Lack of a range of housing types proposed
- o Proposal does not comply with Building Regs Part M
- o Increase in car parking demand and inadequate car parking provision in the locality
- o Noise and disturbance
- o Lack of suitable refuse and cycle storage facilities
- o Lack of private amenity space
- o Inadequate light to kitchen areas

## **Consultations**

Highways - The site is located in an area with Public Transport Accessibility Level (PTAL) of 2, on a scale of 0 to 6b where 6b is the most accessible. The applicant is removing all the existing car parking spaces. The Parking beat surveys were carried out during late night hours in accordance with Lambeth Methodology for streets located within a 200m radius. The surveys show a minimum of 39 vacant car parking spaces out of a capacity of 175 spaces available between 1am and 5am on a weekday within 200m of the subject site. Of greater relevance is the level of stress and extent of spare capacity along Stembridge Road itself. Between 1am and 5am, there were a minimum of 11 spare spaces (80 cars parked out of a capacity of 91 spaces, equating to 88% stress). As there are limited on street spaces available and the size of the units (1 bed flat) is likely to be attractive to non-car owners. Therefore no objection is raised.

Environmental Health (Housing) - concern is raised that Flat 1 will have a lower than recommended minimum floor space for a two bed four person unit. Further concerns are raised in terms of natural lighting and ventilation.

Drainage - no objections subject to a standard condition.

Thames Water - no objections raised.

Waste Services - no comments received.

## Planning Considerations

National Planning Policy Framework, 2012

- Chapter 6 Delivering a Wide Choice of High Quality Homes
- Chapter 7 Requiring Good Design
- Chapter 11 Conserving and Enhancing the Natural Environment

The most relevant London Plan policies are as follows:

- 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
- 5.21 Contaminated Land
- 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)

The most relevant Unitary Development Plan policies are as follows:

BE1 Design of Development  
ER7 Contaminated Land  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
H11 Residential Conversions  
NE7 Development and trees  
T1 Transport Demand  
T6 Pedestrians  
T3 Parking  
T7 Cyclists  
T18 Road Safety

SPG No. 1 - General Design Principles  
SPG No. 2 - Residential Design Guidance

### Emerging Bromley Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that submission of the draft Local Plan to the Secretary of State will occur in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 - Housing Supply  
Draft Policy 4 - Housing Design  
Draft Policy 9 - Residential Conversions  
Draft Policy 30 - Parking  
Draft Policy 31 - Relieving Congestion  
Draft Policy 32 - Road Safety  
Draft Policy 33 - Access for All  
Draft Policy 37 - General Design of Development  
Draft Policy 77 - Landscape Quality and Character  
Draft Policy 113 - Waste Management in New Development  
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)  
Draft Policy 117- Water and Wastewater Infrastructure Capacity  
Draft Policy 119 - Noise Pollution  
Draft Policy 120 - Air Quality  
Draft Policy 122 - Light Pollution  
Draft Policy 123 - Sustainable Design and Construction  
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

### **Planning History**

90/00172/FUL: Conversion into 2 two bedroom flats. Approved 21.03.1990

92/00552/OTH: Internal rearrangement and retention of garage for car parking (Revision procedure to 90/00172 granted for conversion into 2 two bedroom flats) Approved 07.05.1992

93/02222/EUC: Use as 2 two bedroom flats. Certificate of Lawfulness for a proposed use. Refused 03.11.1993

## **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 impact on highway safety and the standard of accommodation provided are also considerations.

### 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 large dwellinghouse as originally built and last used as bedsits. Given the substantial size of the property it is not considered that its conversion will lead to a loss of medium or small size family dwellings. On this basis the principle of conversion appears acceptable.

### Design and Layout

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy H8 of the UDP requires residential extensions to blend with the style and materials of the host dwelling, and ensure that spaces or gaps between buildings are respected where these contribute to the character of the area.

The proposed rear extensions will be sited either side of the existing two storey rear projection, and will be sited adjoining the flank boundaries of the site shared with Nos. 41 and 45. The northern extension will have a rear projection of 3.5m and the southern extension a projection of 3.0m. A third rear extension at ground floor level will extend the central existing section of the building by 2.6m to the rear. Despite the proximity to the boundaries, the extensions will have a low eaves height of 2.2m and a shallow pitched roof. It is considered that, due to the presence of a large two storey rear extension at the site, the additional small extensions would not result in an unreasonable loss of daylight/sunlight or un-neighbourly sense of enclosure to the adjoining properties. It is therefore considered that the development would not impact significantly detrimentally on the amenities of either neighbouring property.

The proposed rear dormer extension, whilst significant in scale and width, is set within the roof slope and set in from the side boundaries of the property. The

dormer is therefore considered to have a degree of subservience to the main roof of the building. The dormer will also be sited on the rear elevation of the building, which is considered to minimise the impact on the character of the building.

### Residential Amenity, Standard of Residential Accommodation and Impact on Adjoining Occupiers

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).

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants and should also respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The nationally described space standards require a Gross Internal Area of 61m<sup>2</sup> for a two bedroom three person flat and 50m<sup>2</sup> for a one bedroom two person flat. The layout of all the flats is compliant in terms of floorspace size provision. The views of Environmental Health are noted, however amended plans have been submitted to indicated Flat 1 as a two bed three person unit and therefore the floor area is compliant. The individual bedroom sizes and other room sizes are also considered to be compliant with the relevant guidance.

In terms of amenity space, this is provided with all flats having access to a communal amenity area to the rear of the building. No private amenity space is provided for the upper floor one bedroom flats, however in this location where development is constrained by the sensitivities of the terraced nature of the building and the overlooking issues that must be considered, the addition of a terrace or balcony could be considered unsympathetic. In this case, the flats would be occupied by a single resident or couple rather than a family and although the Housing SPG encourages private open space, its absence is not considered to warrant refusal in this instance. The site is located in an area with reasonable access to public open space such as Betts Park approximately 400m to the north of the site.

In terms of outlook, the fenestration arrangement indicates front and rear outlook to public areas and over the rear garden area to the rear for the habitable rooms, which is considered acceptable.

### Highways and Parking

The site is located in an area with PTAL rate of 2 (on a scale of 1 - 6, where 6b is the most accessible).

No additional car parking is proposed and the application is accompanied by a transport assessment. This generally covers an area of 200m or a 2 minute walk around a site during two separate weekdays one between 12:00 (noon) and 14:00

and at night time between the hours of 0100-0500. The assessment demonstrates that the potential increase in parking will not lead to on street parking congestion in the locality and therefore no objections are raised from a highway safety point of view. Cycle parking facilities are also proposed to the rear of the building and this is considered acceptable.

### Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable and policy compliant. Members are therefore requested to determine that the proposal is acceptable and worthy of permission being granted.

Background papers referred to during production of this report comprise all correspondence on file ref. DC/16/05387, excluding exempt information.

### **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 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

**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 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:**

**i) provide information about the design storm period and intensity, the method employed to delay and control the surface water**

discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the adequate drainage of the site.

- 4 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 5 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.

- 6 No windows or doors shall at any time be inserted in the flank elevation(s) of the extensions hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.



- 7 The developer must offer the first residents 2 years annual membership of City Car Club (or operator of the closest car club to the development). In the first year of the car club membership, the developer will also provide the first resident a minimum of 20 hours driving time per unit for the type of vehicle located closest to the development.**

**Reason: In order to provide for the transport needs of the development and comply with Policies T3 and T18 of the Unitary Development Plan.**

**You are further informed that :**

- 1 This is a summary of the main reasons for this decision as required by law. The application has been determined in accordance with the development plan insofar as it is relevant and taking into account all other material planning considerations, including all the representations received. For further details, please see the application report (if the case was reported to Committee), the Unitary Development Plan and associated documents or write to Chief Planner quoting the above application number.**