

SECTION '2' – Applications meriting special consideration

**Application No :** 10/02819/FULL2

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

**Address :** 46 Green Lane Penge London SE20 7JX

**OS Grid Ref:** E: 535626 N: 170124

**Applicant :** New Congregation Of Cherubim

**Objections :** YES

**Description of Development:**

Change of use of first and second floors from Retail (Class A1) to Place of Worship (Class D1) RETROSPECTIVE APPLICATION

**Proposal**

Planning permission is sought for the change the use of the first and second floors of 46 Green Lane from retail (Class A1) to Place of Worship (Class D1). The premises are to be used by the New Congregation of Cherubim for a place for religious worship and Bible study meetings. There are no external changes are propose to the building.

It is indicated that the premises would be used for Church Services on Sundays between 12.30 to 16.00 hours: In addition, there will be meetings for Bible Studies on Wednesday, Thursday and Fridays between 18.00 to 21.00 hours

This appears to be a retrospective application.

**Location**

The application site is situated to the southern side of Green Lane, close to the junction with Penge High Street and Croydon Road. The property comprises of a three-storey building fronting Green Lane most recently used as a furniture store there is a loading bay at the rear having access from Cottingham Road.

**Comments from Local Residents**

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

- parking in Cottingham Road has been a major problem for some time with customers for Lidl, the Penge Food Centre and Sainsburys being open 7 days a week, there is no respite for the residents.

- Sunday parking is already difficult
- trying to parking in at the weekend in Cottingham Road is virtually impossible, the church congregation parking as well will add to the congestion
- the building has always been a retail unit and is not appropriate for a place of worship
- since the church arrived at the beginning of the year the parking in Cottingham Road became more chaotic, it is almost impossible to park on our own road
- there is now a lot more noise on the road with deliveries to nearby shops and noise from the church on Sundays
- I am happy that the building is being put to good use, but the parking situation needs to be addressed
- parking is already difficult on Cottingham Road, since the church congregation arrived there has been parking over the pavement forcing pedestrians to use the roadway
- the noise impact assessment fails to include the groups of church goers congregating outside, talking amongst themselves, laughing and the voices of young children.

### **Comments from Consultees**

From a Highways perspective:

'A travel modal split survey was carried out on Sunday 12 December 2010 between 11:00am and 01:30pm to ascertain the travelling modes and catchments area of the attendees. The survey shows a total of 54 numbers of worshiper attended the Sunday service.

The survey results demonstrate that 35.2% car driver & passengers and 64.8% of the attendees used public transport. This translates to 8 car spaces required at this particular occasion. As stated above the rear car park can cater for 3 to 4 spaces this means that 4 cars would need to park on street during the service operating time.

When considering the maximum congregation of 80 based on the current modal split, the associated car parking demand of 12 spaces would be required. This means that the overspill car parking demand of up to 8 cars would be parked on the surrounding streets. However the parking demand for the Church is short term, mainly during the service period. Furthermore there is a multi-storey car park accessed from Evelina Road via Croydon Road within walking distance of the site'. It is suggested that the application is limited to a maximum of 80 attendees at any given time to reduce the impact of car parking demand in the surrounding area.

The Environmental Health officer stated: - the noise levels resulting from the use of the premises as a place of worship, given the limited hours proposed, will not result in significant loss of amenity, and would have no objections.

The Borough Crime Design Advisor has concerns regarding the impact of parking in the area, as there is limited off road parking on the site

## **Planning Considerations**

The following planning Policies are of relevance to this application:

BE1 Design of New Development  
C1 Community Facilities  
S2 Secondary frontages  
T3 Parking  
T18 Road Safety

Policy C1 states a proposal for the change of use for faith needs will normally be permitted provided that it is accessible by modes of transport other than the car and that it would not lead to the loss of community facilities.

## **Planning History**

Application ref. 09/03091 for change of use of first and second floors from retail into 6 two-bedroom flats and 2 studio flats, with elevational alterations and 3 car parking spaces at rear was refused on the following grounds:

The proposal constitutes an over intensive use of the property contrary to Policy BE1 of the Unitary Development Plan, resulting in an under-provision of 2-3 on-site parking spaces leading to increased demand for on-street parking in the vicinity of the application site, contrary to Policy T18 of the Unitary Development Plan..

No evidence has been submitted to demonstrate that the premises are unlikely continue to be a viable commercial use contrary to Policy H12 of the Unitary Development Plan.

The most recent planning history for the building was for, the change of use of the second floor into 3 two bedroom flats with elevational alterations and 3 parking spaces at the rear (Permission was granted under ref. 10/01253)

## **Conclusions**

The application proposes to use of the property as a place of worship and meetings rooms. The applicant has stated that the congregation would be of a maximum of 80 people attending church service on Sundays between 12.30 and 16.00 hours, with a lower number people attending Bible studies on Wednesdays, Thursday and Fridays between 18.00 and 21.00 hours.

The site falls within the Penge Town Centre and is accessible by means of transport other than the car, there are also bus and rail service. Members may note that a Transport Statement was submitted with the application. The highways engineers have considered the Statement and has commented that the site can pragmatically accommodate 3 to 4 vehicles, this means that any overspill of cars would be parked on the surrounding streets, and there is also a car park in Evelina Road which is within walking distance, however the parking for the church would maybe short term, mainly on Sundays during the service. It could be considered

that the use is acceptable regarding the requirements of Policy C1 (Community Facilities).

It is noted that neighbouring residents have expressed concerns regarding noise and disturbance to the rear of the site.

It is clear that there will be an impact on these properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Accordingly, Members will need to take account of the information that has been submitted for this proposal and the comments made by residents during the consultation period.

Bearing in mind the issues in this case and the concerns raised locally this application is presented on list 2 of the agenda for Members view on this matter.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01253 and 10/02819, excluding exempt information.

as amended by documents received on 14.02.2011

#### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |   |                 |   |
|---|-----------------|---|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested:  |
| 1 | ACH03<br>ACH03R | Satisfactory parking - full application<br>Reason H03   |
| 2 | ACH22<br>ACH22R | Bicycle Parking<br>Reason H22   |
| 3 | ACH30<br>ACH30R | Travel Plan<br>Reason H30   |
| 4 |                 | The premises shall be used for a Place of Worship, meetings and Bible reading and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).<br><b>Reason:</b> To ensure that the proposed use does not prejudice the amenities enjoyed by occupiers of the properties in the vicinity. |
| 5 |                 | No more than 80 people shall attend the church services at any one time.<br><b>Reason:</b> In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of nearby properties.  |
| 6 |                 | The use shall not operate before 18.00 and after 21.00 on Wednesday, Thursday and Fridays and not before 12.30 and after 16.00 on Sundays.<br><b>Reason:</b> In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of nearby properties.  |
| 7 | AJ02B           | Justification UNIQUE reason OTHER apps  |

Policies (UDP)

BE1 Design of New Development

- C1 Community Facilities
- S2 Secondary Frontages
- T3 Parking
- T18 Road Safety

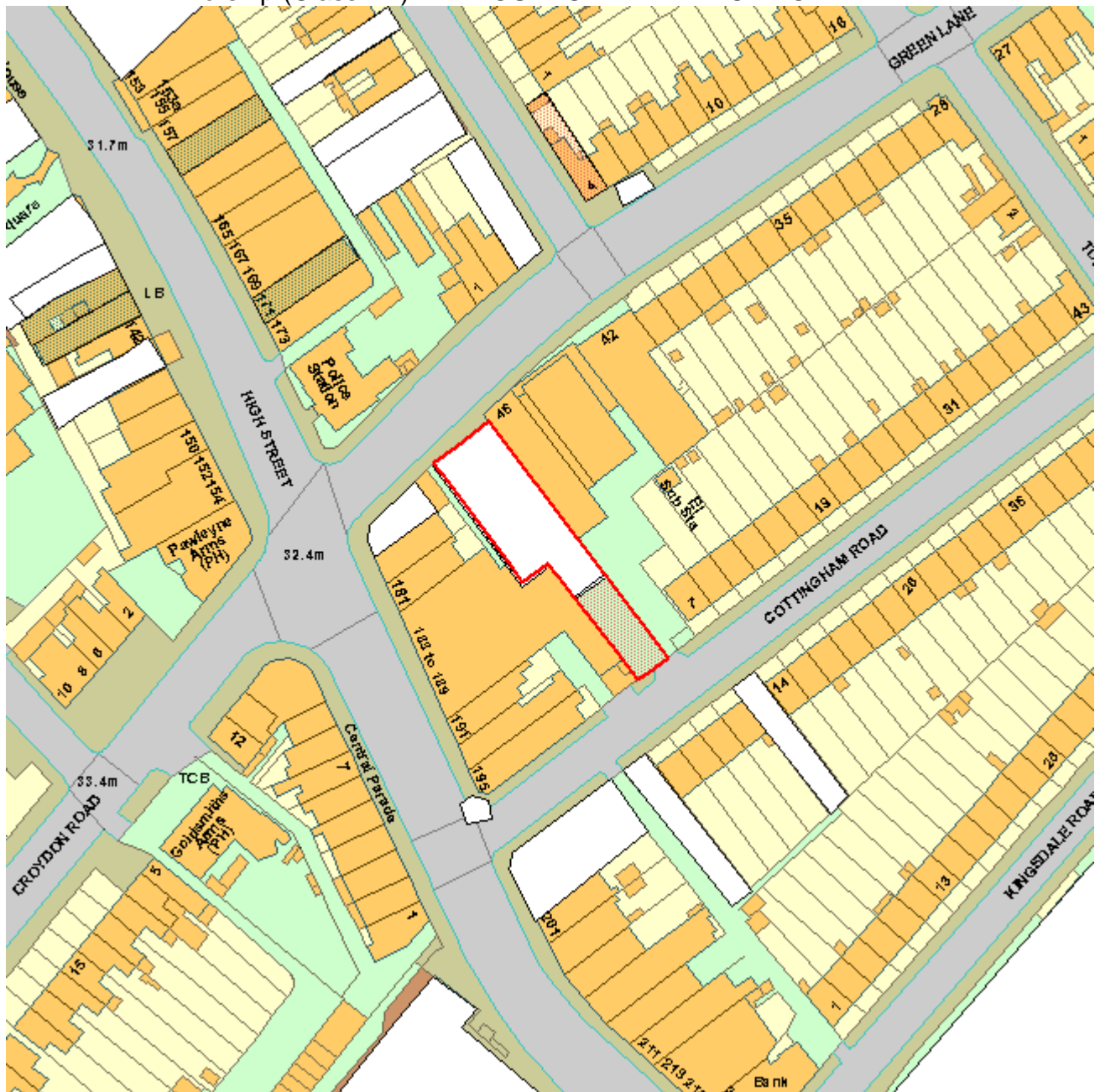
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The nature of the activity associated with a Class D1 use such as a place of worship which operates outside normal business hours will impact detrimentally on the amenities on adjoining residents by reason of additional noise, movement and activity thereby contrary to Policies: BE1 and EMP6 of the Unitary Development Plan.

Reference: 10/02819/FULL2

Address: First And Second Floors 46 Green Lane Penge London SE20 7JX

Proposal: Change of use of first and second floors from Retail (Class A1) to Place of Worship (Class D1) RETROSPECTIVE APPLICATION



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