

Item No. 7.2	Classification: Open	Date: 23 November 2016	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 16/AP/2259 for: Full Planning Permission		
	Address: CABRINI HOUSE, 2 HONOR OAK RISE, LONDON SE23		
	Proposal: Conversion of existing vacant basement storage area to 3 residential units involving the creation of new lightwells.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date	01/08/2016	Application Expiry Date	14/10/2016
Earliest Decision Date 04/09/2016			

RECOMMENDATION

1. To grant planning permission, subject to conditions and informatives.

BACKGROUND INFORMATION

Site location and description

2. Cabrini House is a three storey locally listed Georgian building in use as 12 flats. The building is located on the corner of Honor Oak Rise (where the vehicular entrance is located) and Forest Hill Road. A three storey coach house (extension) is attached to the main building and has permission to be used as two flats. There is a large forecourt between the building and Forest Hill Road where off-street car parking and a number of mature trees are located. The building located is within the Honor Oak Rise Conservation Area.

Details of proposal

3. It is proposed to convert the basement of Cabrini House into three flats. This area is currently used as storage space by occupiers of the flats within Cabrini House.
4. The proposal was amended following concerns by officers that the second bedroom of Flat 2 would not have adequate outlook. Flat 2 now only has one bedroom with two windows providing adequate outlook.
5. The design and access statement indicates that the headroom in the basement varies between 2.4m and 2.47m.
6. Four new lightwells are proposed to the southwest elevation, two lightwells to the northwestern elevation and two lightwells to the southeastern elevation. The lightwells would be 0.5m from the facade and would be enclosed by 1.1m high glass screens / panels. All new windows would be timber.

7. Flat 1 (69m²) would comprise two bedrooms (of which one would have an en-suite), hallway, bathroom, kitchen and an open plan living / dining area.
8. Flat 2 (68m²) would comprise one bedroom, bathroom and an open plan kitchen / living / dining area.
9. Flat 3 (131m²) would comprise two en-suite bedrooms, living room, open plan kitchen and dining room, hallway and storage area.
10. Flats 2 and 3 would have white timber bi-fold doors (to match existing windows above) opening onto an existing terrace to the north eastern elevation.
11. Access to the three flats would be from existing staircases located on the western and eastern sides of the building. Two of the three flats would also be accessible from the terrace along the north elevation.
12. The existing terrace to the south elevation would be separated by a screen and would be accessed from the respective living areas of Flats 2 and 3. The remainder of the existing communal areas would be available to future occupiers of the proposed development.
13. Six new cycle spaces would be provided, an additional refuse bin added to the existing refuse storage area and one new off-street car parking space provided.
14. **Planning history**

<p>03/AP/2209 Application type: Full Planning Permission (FUL) Erection of a 3 storey extension to the side of the main building, and part one storey/part two storey extensions above the existing ground floor at the rear of the building, and the conversion of the enlarged building to form 19 self-contained flats, with the creation of 18 off-street parking spaces at the front of the building. Decision date 01/03/2005 Decision: Granted with 'Grampian' Condition (GWGC)</p>
<p>05/AP/0722 Application type: Full Planning Permission (FUL) Erection of a three storey extension to the side and a two storey extension above the existing ground floor to rear of the main building and the demolition of a two storey building and replacement with a new two storey building to the rear of the site; conversion of enlarged modified buildings from bedsit accommodation and one self contained maisonette into 12 x two bed and 2 x three bedroom flats with associated parking. Decision date 10/08/2005 Decision: Refuse (REF) Appeal decision date: 15/05/2006 Appeal decision: Planning appeal allowed (ALL). Reason(s) for refusal:</p>
<p>05/AP/2462 Application type: Conservation Area Consent (CAC) Demolition of two storey rear building and one storey lean-to building and removal of existing fire escape to the rear elevation. Decision date 01/08/2006 Decision: Granted (GRA)</p>
<p>08/EN/0513 Enforcement type: Non compliance with approved plans (NAP) Development not in accordance with approved plans in terms of basement under construction. Sign-off date 11/12/2009 Sign-off reason: Final closure - miscellaneous reason (FCM)</p>
<p>10/AP/2688 Application type: Full Planning Permission (FUL) Retrospective application to vary the approved scheme appeal ref. App/A5840/05/1189974 (LBS ref. no. 05-AP-0722) to: create a 3 bedroom residential</p>

unit over the lower ground and upper ground levels of the coach house and change the height, design, massing and width of the coach house; retain the existing basement and use this space and the additional basement structure / space to the new three storey extension to Cabrini House as storage space; retaining wall to the north and east of the coach house and to the east of the new three storey extension to Cabrini House and revised hard and soft landscaping (including car parking spaces), refuse storage facilities, cycle parking and means of enclosure.
Decision date 18/04/2012 Decision: Granted (GRA)

Planning history of adjoining sites

15. N/A

KEY ISSUES FOR CONSIDERATION

Summary of main issues

16. The main issues to be considered in respect of this application are:
- a) The detailed design of the alterations and the impact on the character and appearance of this part of the conservation area;
 - b) Amenity issues for future occupiers of the units in the basement and adjoining properties;
 - c) Car parking and transport impacts.

Planning policy

17. National Planning Policy Framework (the Framework)
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design
Section 12 - Conserving and enhancing the natural environment
18. The London Plan 2016
Policy 7.6 – Architecture
19. Core Strategy 2011
Strategic Policy 2 Sustainable Development
Strategic Policy 12 Design and Conservation
Strategic Policy 13 High Environmental Standards
20. Southwark Plan 2007 (July) - saved policies
The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 3.2 Protection of Amenity
 - 4.2 Quality of Residential Accommodation
 - 3.12 Quality in Design
 - 3.13 Urban Design

- 3.15 Conservation of the Historic Environment
- 3.16 Development in Conservation Areas
- 4.2 Quality of Residential Accommodation
- 5.3 Walking and cycling
- 5.6 Car Parking
- 5.7 Parking Standards for Disabled People

Supplementary Planning Document:
2015 Technical update to the Residential Design Standards

Principle of development

21. The number of flats on the site would increase from 14 to 17, which is in line with the commitment of The National Planning Policy Framework (NPPF) to support sustainable economic growth. The conversion of the basement into three flats is sustainable and there is no objection to the loss of additional storage space of existing flats to create much needed new homes.
22. The density of the site would increase from 270 habitable rooms per hectare (hrh) to 325hrh, which is within the density range for the suburban density zone that is 200hrh to 350hrh.

Environmental impact assessment

23. The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not require the submission of an environmental impact assessment. It is not considered that significant environmental effects would arise.

Summary of consultation responses

24.	Total number of representations:	19			
	In favour:	3	Against:	13	Neutral: 3
	Petitions in favour:	0	Petitions against:	0	

Details of Responses

25. Against:
 - Loss of storage space.
 - Impact on appearance and character of (locally) listed building.
 - Loss of amenity as a result of reduction in communal space.
 - Inappropriate development creating poor quality living
 - Loss of visitor and disabled parking.
 - Insufficient waste storage for an additional 3 flats.
26. Non-planning matters cited:
 - There is a history of inadequate building control and serious defects - *Building Control completion certificate issued on 04/12/2013.*
 - Incorrect and misleading information submitted in relation to drawing ref. 16/004 dated 23.05.2016. - *Drawing subsequently revised. Lightwell removed and number of bedrooms reduced from 2 to 1.*
 - Health and safety construction concerns - *Separate Building Control approval*

required for the works covered by this proposal.

- The basement under flats 1-6 have flooded on various occasions (as far back as at least 2012). Our understanding is that the existing sewage and draining system is not sufficient to support the existing flats. Building a further three flats would cause additional pressures on an already failing system and we have no doubt that this would lead to further flooding. The basement under flats 7-12 have flooded on numerous occasions. One of the flats in the Coach House has also flooded throughout 2015 and 2016, which has led to numerous insurance claims.
- Thames Water have no objections to the proposal with regards to water infrastructure capacity and have recommended an informative to be added to any planning permission granted.
- A previous application was made to develop the basement of Cabrini House and that application was rejected. Despite this rejection, the basement was partitioned into flats and began the necessary work to make this space habitable including cutting out window space and attaching drainage and pipes for waste removal - the *basement in question was regularised by retrospective planning permission 10/AP/2688 following enforcement investigation.*

27. In Support:
There used to be windows and residents living in the existing basement under the existing Cabrini House over 120 years old.
28. Thames Water:
No objection but recommended that an informative in relation to water pressure be attached to the planning permission.
29. Transport Planning:
No objection subject to provision of 1 disabled off-street parking space on the site as per the previously approved application.

Impact of proposed development on amenity of future occupiers and adjoining occupiers and surrounding area

30. The layout of Flat 2 has been altered by reducing the bedrooms from two to one. The bedroom of Flat 2 would have two new windows.
31. The daylight / sunlight report assessed the original scheme with flat 2 having two bedrooms.
32. Daylight:
The daylight / sunlight report concludes that in terms of daylight all habitable rooms of the 3 flats would achieve or receive in excess of the minimum average daylight factor values prescribed for the associated room uses by the BRE guidelines and the British Standards. All habitable rooms within the proposed development will therefore achieve very good levels of natural daylight.
33. Sunlight:
The daylight / sunlight report concludes that in terms of sunlight at least one room within two of the three flats will receive very good levels of direct sunlight throughout the year.
34. Flat 2 would receive the least sunlight but it is considered that the revised layout with one larger bedroom with two windows would improve the level of daylight.

35. It is also acknowledged that despite the low level of sunlight to future occupiers of Flat 2 they would benefit from large north facing bi-folding doors to the open plan living/dining/kitchen opening into an existing terrace. Future occupiers of Flat 2 would also benefit from the relatively open aspect to the north towards a stepped communal garden which is approximately 0.5m above the terrace along the north elevation.
36. The design and access statement states that the headroom in the basement varies between 2.4m and 2.47m. This height provides acceptable headroom for the scheme.
37. Internally, all three flats would have individual rooms and an overall unit size above the standards of the Supplementary Planning Document: 2015 Technical update to the Residential Design Standards.
38. The terrace to the rear of the north elevation currently forms part of the communal amenity area. It is considered that the proposal to divide this terrace to provide private amenity space for Flats 1 and 3 is acceptable.
39. Whilst this would lead to a loss of communal amenity space it is considered that the raised communal area to the north would provide adequate amenity space for all 17 flats.

Impact of adjoining and nearby uses on occupiers and users of proposed development

40. The future occupiers of Flats 2 and 3 could suffer from a loss of privacy through overlooking from the raised communal amenity area to the north, especially when the bi-folding doors to the north elevation are open. However, the level of overlooking of these areas are no different from that experienced by occupiers of the flat at the lower level of the Coach House located to the north west.
41. The properties in the immediate vicinity, bar the school and the nursery to the south east, are in residential use. Cabrini House has been occupied for at least eight years without any known detrimental impact on occupiers from nearby uses. There is no reason to believe that nearby uses would have a detrimental impact on the occupiers and users of the flats.

Transport issues

42. The site is not within a CPZ and there no other on-street parking restrictions.
43. Historically, a total of 19 off-street car parking spaces have been approved of which 3 should be reserved for visitors and one for disabled parking. This includes a turning area for vehicles to the east of parking spaces 18 and 19.
44. The submitted (surveyed) site layout plan shows 20 car parking spaces - this area is already tarmac and in practice can already be utilised as a car parking space. Policy does not require any more off street car parking spaces but given that the proposed car parking space already exist no concerns are raised in this regard. The proposed plan does show 1 disabled space which is acceptable.
45. The provision of six new off-street cycle spaces are acceptable.

Design issues and impact on character and setting of a listed building and/or conservation area

46. Cabrini House is an undesignated heritage asset of local interest because of its location within the Honor Oak Conservation Area. Applications for listed building consent are only required for statutory listed buildings.
47. The appearance of the new lightwells and associated glass screens and new bi-folding doors to the north elevation are minor additions to this 3 storey building and would not detract from its character and appearance as an undesignated heritage asset nor the appearance or character of the wider conservation area.

Impact on trees

48. None identified.

Planning obligations (S.106 undertaking or agreement)

49. N/A

Sustainable development implications

50. N/A

Other matters

51. Refuse storage:
The refuse store to the south of the vehicular entrance is currently used to store large wheelie bins and it is considered that there is adequate space within it for an additional large wheelie bin.
52. Community Infrastructure Levy:
None payable as the existing basement provides ancillary storage to the existing flats on site.

Conclusion on planning issues

53. The flats would provide a good standard of accommodation and would not impact on the amenity of neighbouring properties. For the reasons set out above, the application is recommended for permission.

Community impact statement

54. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
 - a) The impact on local people is set out above.
 - b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: none.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: none.

Consultations

55. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

56. Details of consultation responses received are set out in Appendix 2.

Human rights implications

57. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
58. This application has the legitimate aim of providing 3 new flats. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2341-G Application file: 16/AP/2259 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5457 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendations

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Andre Verster, Team Leader	
Version	Final	
Dated	10 November 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		16 November 2016

APPENDIX 1

Consultation undertaken

Site notice date: 12/08/2016

Press notice date: 14/07/2016

Case officer site visit date: 12/08/2016

Neighbour consultation letters sent: 07/07/2016

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

Flat 10 Cabrini House SE23 3QY
Flat 11 Cabrini House SE23 3QY
Flat 8 Cabrini House SE23 3QY
Flat 9 Cabrini House SE23 3QY
Flat 12 Cabrini House SE23 3QY
1 Honor Oak Rise London SE23 3QY
3 Honor Oak Rise London SE23 3QY
161 Forest Hill Road London SE23 3QU
163 Forest Hill Road London SE23 3QU
Flat 1 Cabrini House SE23 3QY
Flat 2 Cabrini House SE23 3QY
Flat 1 Coach House SE23 3QY
Flat 2 Coach House SE23 3QY
Flat 3 Cabrini House SE23 3QY
Flat 6 Cabrini House SE23 3QY

Flat 7 Cabrini House SE23 3QY
Flat 4 Cabrini House SE23 3QY
Flat 5 Cabrini House SE23 3QY
40 Barry Road London SE22 4HU
Bakery Cottage Eastcombe GL6 7ED
30 Brackendale Close GU15 1HP
38 Honor Oak Rise London SE23 3RA
Alpha House Laser Quay Business Park ME2 4HU
16a Honor Oak Rise London SE23 3QY
30 Honor Oak Rise London SE23 3RA
Flat 8 Cabrini House SE23 3QY
13 Honor Oak Rise London Se233qy
5 Honor Oak Rise London SE233QY
School House Honor Oak Rise SE23 0HU

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

Alpha House Laser Quay Business Park ME2 4HU
Bakery Cottage Eastcombe GL6 7ED
30 Brackendale Close GU15 1HP
Flat 1 Cabrini House SE23 3QY
Flat 1 Coach House SE23 3QY
Flat 10 Cabrini House SE23 3QY
Flat 2 Coach House SE23 3QY
Flat 5 Cabrini House SE23 3QY
Flat 8 Cabrini House SE23 3QY
Flat 9 Cabrini House SE23 3QY
School House Honor Oak Rise SE23 0HU
13 Honor Oak Rise London Se233qy
16a Honor Oak Rise London SE23 3QY
30 Honor Oak Rise London SE23 3RA
38 Honor Oak Rise London SE23 3RA
40 Barry Road London SE22 4HU
40 Barry Road London SE22 4HU
5 Honor Oak Rise London SE233QY