

Item Number 1	Classification OPEN	Decision Level WALWORTH COMMUNITY COUNCIL	Date 12/1/2010
From HEAD OF DEVELOPMENT MANAGEMENT		Title of Report DEVELOPMENT MANAGEMENT	
Proposal (09-AP-1796) Conversion of dwelling into 3 one bedroom, self contained flats, and associated elevational alterations.		Address 3 HARMSWORTH STREET, LONDON, SE17 3TJ Ward Newington	

PURPOSE

- 1 To consider the above application at Community Council due to the number of objections received.

RECOMMENDATION

- 2
 1. Subject to the applicant (or their successors in title) first entering into an appropriate legal agreement (at no cost to the Council) by no later than 2nd February 2010, planning permission be granted subject to the S106 and conditions.
 2. In the event that the requirements of Recommendation 1 are not met by 2nd February 2010, the Head of Development Management be authorised to refuse planning permission for the reasons set out under paragraph 80.

BACKGROUND

Site location and description

- 3 The site comprises a 3 storey mid terraced dwelling that is situated to the western end of Harmsworth Street in the Newington area. There is a flat roofed dormer that has been recently constructed to the rear roof slope.
- 4 The surrounding area is predominantly characterised by similar 3 storey terraced dwellings with the exception being to the east of the application site where there are a number of 5 storey residential flat buildings including Kean House to the southeast and Irving House to the northeast.
- 5 There is an area of public open space to the east of the site, associated with Doddington Estate.
- 6 The property is not listed neither is it situated within a conservation area (the Kennington Park Road Conservation Area Boundary runs approximately 17m obliquely to the west of the property to the rear.) The site is also located within a Public Transport Accessibility Zone of 4, and the Urban Density Zone.

Details of proposal

- 7 The original submission proposed the conversion of the property into 3 flats, to comprise 2 bedroom flat on the ground floor, 1 bedroom flat on the first floor and 2 bedroom maisonette on the second and third floor (third floor loft space to contain master bedroom and bathroom).
- 8 The drawings indicate space for 3 wheelie refuse containers to be stored within the front yard area.
- 9 The only external elevational changes proposed, are the installation of a dwarf wall with railings, a door to the rear elevation would be made wider, and a new full height bay window inserted into the rear side elevation.
- 10 Due to the fact that this current application is the 3rd scheme for this development, it is clearer to set out the changes to each scheme here;

	09-AP-0246	09-AP-0909	09-AP-1796
GF	2-bed	1-bed	2-bed
1ST	1-bed	1-bed	1-bed
2ND	2-bed	2-bed	2-bed
3RD	maisonette	maisonette	maisonette

Amendments

- 11 During the course of the application, amendments were received to reduce the proposal to 3 x 1 bedroom flats. The flats were also reconfigured so that the bedrooms and bathrooms for the ground and first floor flats are located at the rear, within the rear element. Kitchen and living accommodation in all three flats are arranged above each other, and the top 2 floors are now a one-bedroom maisonette.

Planning history

- 12 08-AP-2827: Certificate of Lawfulness was granted on 23/12/08 for a rear dormer.
- 13 09-AP-0246: Planning permission was refused on 28/04/09 for the conversion of the house into 3 flats (2 x 2 bed and 1x 1 bed). It was refused on the grounds that:

The proposed overall floor space of each flat and the size of the living/dining/kitchen area of the 2 bedroom ground floor flat, and the proposed 3rd and 4th floor 2 bedroom maisonette flat do not meet the minimum floor areas set out in the Minimum Floor Area Table of the Adopted Residential Design Standards Supplementary Planning Guidance 2008 and consequently would result in a cramped and substandard level of amenity and accommodation for future residents, which is contrary to Policies 3.2 'Protection of Amenity' and 4.2 'Quality of Residential Accommodation' of The Southwark Plan 2007.

- 14 09-AP-0909: Application was withdrawn: (see notes in amenity section for reasons).

Planning history of adjoining sites

- 15 2B Harmsworth Street - 07-AP-1335 – Planning permission was refused for the alteration to the roof of the first floor rear extension to form a roof terrace at second floor level together with erection of parapet wall and formation of a door opening onto the terrace. The reason for refusal was that the use of the outdoor terrace would be likely to result in a loss of amenity in terms of loss of privacy, overlooking and potential noise disturbance.

FACTORS FOR CONSIDERATION

Main Issues

- 16 The main issues in this case are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
 - b] The impact of the conversion of the house on the amenity of the neighbouring and future residents of the site.
 - c] Whether the application has complied with the concerns raised in previous applications.

Planning Policy

- 17 Southwark Plan 2007 [July]
Policy 2.5 - Planning obligations
Policy 3.2 - Protection of Amenity
Policy 3.7 - Waste reduction
Policy 3.11 - Efficient Use of Land
Policy 3.12 - Quality in Design
Policy 3.13 - Urban Design
Policy 4.1 - Density of Residential Development
Policy 4.2 - Quality of Residential Accommodation
Policy 4.3 - Mix of Dwellings
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and Cycling
Policy 5.6 - Car Parking
- Residential Design Guidelines Supplementary Planning Guidance 2008.
- 18 London Plan 2004
3A.1 Increasing London's supply of housing
3A.2 Borough housing targets
- 19 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
Planning Policy Statement 3: Housing

Consultations

- 20 Site notice date: 20/10/09 Press notice date: N/A
- Neighbour consultation letters sent: 21/10/09
- Case officer site visit date: 20/10/09 (and previously, 18/06/09 Accompanied by applicant's associate, Paul.)
- Internal consultees
Transport group
- Statutory and non-statutory consultees
N/A

Neighbour consultees

A number of local residents were consulted. See attached list in Acolaid.

Re-consultation

N/A

Consultation replies

Internal consultees

21 Transport Planning:

Due to site constraints, it is not possible to provide cycle storage on this site. However, the provision a folding cycle for each dwelling is welcomed, providing this is a good will gesture and the home owner is not bound by any contract regarding the cycle.

This proposal is located in an area with a medium TfL PTAL rating (4) reflecting the area's medium level of access to all forms of public transport.

Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network.

This development is proposed as car free and, as such, is contrary to Southwark Plan Policy 5.6.

However, given there are site constraints and that this is in a CPZ, it is not expedient to request on site parking.

In order that the TMO can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the TMO, either through a S106 agreement, unilateral undertaking or Grampian condition.

Statutory and non-statutory consultees

22 N/A

Neighbour consultees

23 1 Harmsworth Street: Objection

- Harmsworth Street is typically heavily parked. 3 additional cars on the street would further add to the pressure.

- There is not enough space in front of the house for the three bicycles, three refuse bins and three recycling boxes.

- There is an excess of flats in the area, and not enough good sized family houses. There is a good school in the area, and people with primary school aged children would need houses like 3 Harmsworth Street to be able to bring up children. It is unhealthy for a community to be made up too much of young professionals and insufficiently families with children, which would enrich the community and make it more friendly and cohesive.

24 6 Harmsworth Street: Objection

- There is no space in front of the house for the recycling bins and containers necessary for the extra dwellings proposed.

- The development proposes to convert one house to three dwellings for ten people in an already high density population area. It will bring with it noise, parking and inevitable traffic problems when these are due to be compounded already by the nearby Braganza Street development. Local people including children walking to and from the adjacent school will therefore also be detrimentally affected.

25 8 Harmsworth Street: Objection

- Its a shame to lose the house to flats. There are 6 unconverted house in the terrace of 8.

- There is not a shortage of smaller flats for young professionals. There is in fact a shortage of large single family units.

- The converted dwelling at 3 Harmsworth Street comprises two flats and not three as stated in the application.
- The proposed layout breaks up the generously sized rooms into smaller meaner spaces. In particular there are no bathrooms, instead only shower rooms. There are times, even for the most dynamic young professional, when only a soak in the bath will do.
- The ground floor flat is shown as providing two single rooms and a shower room. That space could be used to provide one double bedroom and a good sized bathroom which could then provide excellent accommodation for the disabled or elderly - two ground for whom there really is a shortage of suitable accommodation.
- The rubbish and recycling facilities need re-consideration. There is not enough room for the three wheelie bins and three recycling boxes required.

26 Re-consultation
N/A

PLANNING CONSIDERATIONS

Principle of development

- 27 Policy 4.3 (Mix of Dwellings) of The Southwark Plan 2007 and the Residential Design Standards supplementary planning document state that "Permission will not be granted for the conversion of a single dwelling house of 130 square metres or less original net internal floorspace, into 2 or more dwelling units".
- 28 The property has a net internal original floorspace, including only that part of the loft with at least 1.5m floor to ceiling height, of approximately 139m² in total area which is therefore greater than the 130m² minimum dwelling size for a property to be able to be converted into additional residential units and therefore is in accordance with Policy 4.3 (Mix of Dwellings) of The Southwark Plan 2007.
- 29 As such there is no objection in principle to the conversion of the dwelling into additional residential flat units.
- 30 The objection raised the issue of problems associated with the increased density on site, and altering the social structure of the area by encouraging short term lets and young professionals. The proposal is located in an area where policy 4.1 encourages densities of 200-700 Habitable rooms per Hectare (HR/Ha). The density proposed here would be 540HR/Ha. This is in line with policy 4.1. It is also in line with London Plan policy 3A.2 Borough Housing Targets, which seeks intensification of housing through provision of development at higher densities, where consistent with the principles of sustainable residential quality.

Environmental impact assessment

31 N/A

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

32 Internal floor areas.

Advice given in respect of the previously withdrawn scheme was as follows;

"The revision to the ground floor flat from two bedrooms to one has resolved the concern in relation to that flat. However, the maisonette remains too small to be a two-bedroom unit. It is considered that the maisonette would be better arranged as a one bed flat with bedroom in the converted loft."

33 The amendments received on officer advice, during the course of the application to

form three x one bedroom flats, have resulted in a more generous and coherent layout for the flats. The relocation of the bedrooms to the rear of the building, on the ground and first floor flats will be a better solution than having bedrooms facing onto the front yard.

Room Sizes

- 34 Rooms sizes comply with the room size standards, with the only exception being the bedroom to the Ground Floor unit, which is 10.5sqm (the minimum set out in the SPD guidelines is 12sqm). The living room dining room and kitchen are combined and measure 23sqm. The minimum required standard in the SPD is 27sqm, however, there is space in a rear entry room / storage area which leads out onto the garden, which has an area of 4.2sqm. This can be used for useful storage within the flat and would compensate for the shortfall in the living room. The layout of this flat is otherwise considered to be the best it could be within the floorplan in a conversion scheme, and negotiations during the course of the application have achieved this.
- 35 All the other rooms within the scheme meet with the required standards. Stacking is much improved in the current amended scheme.
- 36 The proposal complies with policy 3.2 Protection of Amenity.

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

- 37 There is not considered to be any adverse impact on the future residents of the proposed flats, arising from nearby developments.

Traffic issues

Parking

- 38 The traffic group have suggested that a CPZ exemption would be necessary in this instance. The site is located in an area with a medium TfL PTAL rating (4) reflecting the area's medium level of access to all forms of public transport, and this site is situated in a CPZ. Therefore, in order to prevent possible overspill parking from the development, to ensure that car parking pressure in the already heavily parked area is not unduly increased by the additional 2 units, and to encourage sustainable transport choices in areas that are well served by public transport, a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits.
- 39 The applicant has asked for an allowance for 1 permit only. For the reason that the existing house had one permit in the first place, it is considered that a reasonable solution would be exempting two of the three flats from applying for a permit. Only one of the flats would be able to apply which would mean that the impacts of the scheme on parking demand in the area would be identical as if the property remained as a single house.

Cycle storage

- 40 In response to concerns raised in previous applications the applicant has undertaken to supply each flat with folding bikes. The transport team welcome this gesture, and acknowledge that due to site constraints it is not possible to provide secure, weatherproof and convenient cycle storage for each of the proposed flats. The ground floor flat has the opportunity of storing cycles in the rear garden. This, along with the CPZ exemption will encourage the occupiers of the proposed flats the encouragement to use sustainable means of transport.

Waste storage

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There are 3 receptacles shown on the ground floor plan, and these are positioned in the small front yard and accessed by a proposed opening in the front boundary. The amount of refuse storage provided for is sufficient for the 3 flats. A difficulty with flat conversions is that refuse storage is often difficult to accommodate due to the constrained communal external areas. However the flats proposed here are only single person flats, and would therefore not generate as much waste as a large family may. To this end, it is envisaged that the occupiers of the flats would store refuse within the units, (or in the garden in the case of the ground floor flat) and place refuse in the receptacles on the days of collection. This solution has been applied in other conversion cases. Furthermore it is considered that a reason for refusal based on cramped refuse storage would be difficult to sustain for a scheme of this scale.

- 42 The management of the flats would need to control this, as once again, site constraints prevent there from being a suitable-sized bin enclosure outside the property which is accessible to all three flats.
- 43 With a CPZ exemption for two of the proposed flats, the proposal is in line with policies 2.5 Planning obligations, 3.7 Waste Reduction, 5.3 Walking and Cycling, and 5.6 Car Parking. It is considered that matters in relation to cycle parking and reuse storage would be adequate for the development and are considered acceptable on balance given the constraints of the site.

Design issues

- 44 The removal of the lean-to on the rear elevation and creation of a window is acceptable, and the front dwarf wall with 2 openings is considered to be a modest alteration, and in accordance with the streetscene. All external alterations are in accordance with policy 3.12 Quality in Design.

Impact on character and setting of a listed building and/or conservation area

- 45 No listed buildings or conservation areas are likely to be affected by the proposal.

Planning obligations [S.106 undertaking or agreement]

- 46 The applicant has agreed to make a payment of £2,750 to amend the Traffic Management Order, to exempt the residents of two of the tree flats from applying for parking permits, as set out in the Transport section above.
- 47 In the absence of a legal agreement being completed within a reasonable timescale from the date of the Council's resolution to grant permission, i.e. by 02/02/10, the applicant will have failed to adequately mitigate against the impacts of the development and, in accordance with Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, it is recommended that the application be refused for the following reasons:
- 48 The development fails to mitigate against the effects of increased parking pressure that would arise as a result of the additional flats proposed, and would as a result, fail to encourage sustainable mode of transport and discourage reliance on the private vehicle, which is contrary to policy 5.6 Car Parking, of the Southwark Plan.

Other matters

- 49 No further issues raised.

Conclusion

- 50 The proposal is considered acceptable, with the CPZ exemption and the reduction in the size of the units.

COMMUNITY IMPACT STATEMENT

51 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 issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

52 None envisaged.

HUMAN RIGHTS

53 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. This application has the providing for additional residential units. The rights potentially engaged by this application, including a 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.

LEAD OFFICER	Gary Rice	Head of Development Management
REPORT AUTHOR	Susannah Pettit	Planning Officer -Development Management [tel. 020 7525 5405]
CASE FILE	TP/1035-3	
Papers held at:	Regeneration and neighbourhoods dept. tel.: 020 7525 5403 email:planning.enquiries@southwark.gov.uk	