

Item No. 6.2	Classification: OPEN	Meeting Date: 11 April 2012	Meeting Name: Nunhead and Peckham Rye Community Council
Report title:	Development Management planning application: Application 10-AP-2688 for: Full Planning Permission Address: CABRINI HOUSE, 2 HONOR OAK RISE, LONDON, SE23 3QY Proposal: 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 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.		
Ward(s) or groups affected:	Peckham Rye		
From:	Head of Development Management		
Application Start Date 29/11/2011		Application Expiry Date 15/03/2012	

RECOMMENDATION

- 1 Grant planning permission.

BACKGROUND INFORMATION

Site location and description

- 2 This application is being reported to the Community Council due to six objections being received.
- 3 Cabrini House is a three storey locally listed extended Georgian building located on the corner of Honor Oak Rise (where the vehicular entrance is located) and Forest Hill Road. There is a large forecourt between the building and Forest Hill Road where a number of mature trees are located. The building is within the Honor Oak Rise Conservation Area.

Details of proposal

- 4 This application arises from unauthorised development on the site. A permission exists for an extension to Cabrini House, and a two storey coach house providing 2 flats; together with conversion to Cabrini House to flats. Works have been undertaken that do not accord with the approved plans. Permission is sought to retain much of what has been constructed on site, with some design modifications.
- 5 Coach house:

Planning permission was granted on appeal for a two storey coach house. An additional storey has been added without planning permission, and this application is for the retention of the unauthorised three storey coach house. The lower ground floor of the coach house is currently occupied but the upper ground and the top floors are vacant.

- 6 The height, width and depth of the approved two storey coach house is compared with the existing unauthorised three storey coach house in the table below:

	Original house	coach Two storey (appeal approval)	Three storey (unauthorised)
Height at rear back of pavement to the eaves	4m	4.5m	5.2m - 6.3m
Height to the ridge with a shallower roof pitch	5.5m	5.5m	8.9m (flat roof)
Width (along the street boundary)	10m	10.5m	9.5m
Depth	12.5m	10m	10m

- 7 The roof shape is also different, being a flat roof instead of a pitched roof.
- 8 The previously approved coach house comprises 2 two bedroom flats over two floors. It is proposed to create a three bedroom residential unit over the lower ground and upper ground levels of the unauthorised three storey coach house. The lower ground floor would comprise a kitchen, dining room, living room, WC, hall, lobby and stairs leading to the upper ground floor. The upper floor would comprise three bedrooms, of which one is on-suite, a hall, bathroom, storage space and stairs.
- 9 The first floor flat would comprise two bedrooms, bathroom, a living room / kitchen and a dining room / study.
- 10 The approved scheme shows a pedestrian gate at the side of the coach house leading to Honor Oak Rise into the rear garden area of Cabrini House. Whilst this gate has been built in the correct location it appears to be located further up Honor Oak Rise. The reason for this is that the building, when viewed from the street boundary, has reduced in width - from 10.5m in the approved scheme to 9.5m. The gate is therefore in the correct location and gives access to a small area of grass which leads to and gives access to the rear garden (which is at a lower level) of Cabrini House. Due to the restricted width and slope of this part of the site it is likely that the gate would only be used to provide access for maintenance.
- 11 Cabrini House:
It is proposed to retain the existing basement and use this space and the additional unauthorised basement in the extension to Cabrini House as ancillary storage space for the sole use of the associated residential units.
- 12 It is proposed to retain the retaining wall to the north and east of the coach house and the retaining wall to the east of the new three storey extension to Cabrini House.
- 13 The hard and soft landscaping, including the extent and layout of car parking spaces differ from the approved scheme and is also unauthorised.
- 14 The current unauthorised refuse storage facilities, cycle parking and means of enclosure will also be assessed under the current application.

Planning history

- 15 In October 1990 permission was refused for the erection of a 3-storey side extension to form a 4-bedroom house and the conversion of the existing building into seven flats, together with associated external alterations. There were three grounds for refusal:
- the scale and bulk of the extension would be out of character with the existing building, detrimental to the street scene and would neither preserve nor enhance the character or appearance of the conservation area;
 - over development of the site by virtue of the number of residential units proposed, inadequate amenity space, the siting of the proposed parking spaces and the bulk of the proposed extension;
 - and the siting of the proposed parking spaces could result in the felling of trees which would be detrimental to the character of the conservation area and would result in the loss of visual amenity.
- 16 03-AP-2209: Planning permission was granted in March 2005 for the erection of a 3 storey extension to eastern 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 conversion of the enlarged building into 19 self-contained flats, with the creation of 18 off-street car parking spaces at the front of the building.
- 17 05-AP-0722: Planning permission was refused in August 2005 for 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.
- 18 The three reasons for refusal are:
- 19 1. The submitted drawings are inaccurate as there are inconsistencies between the floor layouts and elevations and annotations appear incorrect which has resulted in the inability of Council to make an appropriate assessment of the proposed development and determine the extent of any potential harm to the amenity of residents and the Conservation Area.
- 20 2. The proposed development would fail to provide affordable housing on a site which is capable of such provision as demonstrated by the approval of planning application ref. no. 03-AP-2209 in March 2005 for 19 flats and would thereby be contrary to Policy H.1.4 'Affordable Housing' of the Unitary Development Plan 1995 and adopted Supplementary Planning Guidance: Affordable Housing (2002).
- 21 3. The proposed 2-storey extension and external alterations to the existing building and proposed 3-storey side extension would detract from the appearance of the building and would detract from the character and appearance of the conservation area due to its design, scale, proportions and materials and would thereby conflict with Policies E.2.3 'Aesthetic Control' and E.4.3 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan 1995, and Policies 3.10 'Efficient Use of Land', 3.11 'Quality in Design', 3.13 'Urban Design', 3.15 'Conservation of the Historic Environment' and 3.16 'Development in Conservation Areas' of the Southwark Plan [Revised Draft] February 2005 and adopted Supplementary Planning Guidance No.1 'Design and Layout of Developments' (1997).
- 22 Following an appeal planning permission was granted for the above application in May 2006.

- 23 The appeal was subject to a number of conditions, some of which remain undischarged. However, this application should be considered afresh, given that it for a different building to that granted on appeal.

Planning history of adjoining sites

- 24 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 25 The main issues to be considered in respect of this application are:
- a) the detailed design of the alterations and the impact of the additional bulk of the enlarged coach house on the character and appearance of this part of the conservation area;
 - b) amenity issues for future occupiers of the units in the coach house and neighbouring properties;
 - c) acceptability of additional storage associated with Cabrini House residential units
 - d) hard and soft landscaping (including car parking spaces), refuse storage facilities, cycle parking and means of enclosure.

Planning policy

- 26 Core Strategy 2011

Strategic Policy 2 Sustainable Development
Strategic Policy 12 Design and Conservation
Strategic Policy 13 High Environmental Standards

- 27 Southwark Plan 2007 (July) - saved policies

3.2 Protection of Amenity
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 (SPD):
Residential Design Standards 2011

- 28 National

National Planning Policy Framework (NPPF)

Principle of development

- 29 There would be no increase in the number of residential units on the site from that

approved and there is no land use objection to a 3 bedroom residential unit over the lower ground and upper ground levels of the coach house.

- 30 The increase in height, massing and width and detailed design alterations of the coach house is assessed in the design section of this report.
- 31 The National Planning Policy Framework (NPPF) sets out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 32 The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective and accordingly should attract significant weight.

Environmental impact assessment

- 33 The proposed development lies outwith 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.

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

- 34 Saved policy 3.2 Protection of Amenity of the Southwark Plan and Core Strategy Policy 13 High Environmental Standards seek to protect neighbours from harmful amenity impacts arising from development.

Coach house:

It is considered that the altered envelope of the three storey coach house would not result in any loss of light, increased sense of enclosure or overlooking of nearby properties.

Cabrini House:

- 35 Objectors raised concerns that basement areas in Cabrini House and the extension to Cabrini House would be converted into additional flats. A site visit by the planning officer confirmed that the basements are used for basic storage and have no external openings or access to the outside.
- 36 It is proposed to retain these basement areas as storage space ancillary to the residential use. This is clearly annotated on the submitted drawings and Members should note that planning permission would be required to convert the basement of Cabrini House into additional flats. A condition limits the basements to be used only for ancillary residential purposes.

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

- 37 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 two 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.

Impact on amenity of future occupiers

- 38 Saved policy 4.2 Quality of Residential Accommodation of the Southwark Plan seeks to ensure that the size of rooms and units are adequate and will provide a good level of amenity for future occupiers. Guidance in the Residential Design Guide SPD sets out how new dwellings should have good outlook, ventilation and daylighting.
- 39 Coach house:
The room sizes of the three bedroom maisonette over the lower ground and upper ground floor are:
Dining room: 12.6sqm - there is no standard specified in the SPD.
Kitchen: 15.6sqm - this is above the minimum of 8m² required in the SPD.
Living room: 26.7sqm - this is above the 15m² required in the SPD.
WC: 4.6sqm - this is above 3.5m² required in the SPD.
- Bedroom 1 (en-suite): 24.2sqm - this is above the 12m² required in the SPD.
Bedroom 2: 17.5sqm - this is above the 12m² required in the SPD.
Bedroom 3: 14.2 sqm - this is above the 12m² required in the SPD.
Bathroom: 5sqm - this is above the 3.5m² required in the SPD.
Storage: 1.4sqm - this is adequate when considered in the context of additional storage space available in the basement of Cabrini House.
- The three bedroom maisonette would have a generous internal floor area of 121.8m² which is in excess of the required 95m².
- 40 The room sizes of the two bedroom flat on the third floor are:
Dining room / study: 8.3sqm - there is no minimum floor area specified in the SPD.
Living room / Kitchen: 24.2sqm - there is no minimum specified in the SPD.
Bedroom 1 (en-suite): 17.5sqm - this is above the 12m² required in the SPD.
Bedroom 2: 14.2sqm - this is above the 12m² required in the SPD.
Bathroom: 5sqm - this is above the 3.5m² required in the SPD.
- 41 The internal floor area of this unit at 69.2m² is only marginally below the 70m² required by the SPD.
- 42 It is considered that given the generous room sizes of the three bedroom flat and adequate room sizes of the two bedroom flat, future occupiers would benefit from good quality living conditions.
- Coach house:
- 43 The lightwell to the north varies in width from 1.2m to 1.8m with a depth of 4m and has a 1m tall metal railing above. This space would not provide any outlook from the kitchen on the lower ground floor of the three bedroom maisonette. However, the Residential Design Standards SPD only requires that all bathrooms, WCs and kitchens should have adequate ventilation and there is no requirement to provide any windows or view from these rooms. It is noted that the living room on the lower ground floor would have no windows on the lightwell elevation and it is considered that the large full height window on the east elevation would provide adequate light leading to a good quality living space.
- Traffic issues**
- 44 Saved policy 5.3 Walking and Cycling seeks adequate pedestrian and cycling facilities in new development; saved policy 5.6 Car Parking seeks adequate car parking facilities.
- 45 The area covered by tarmac, to accommodate off-street car parking spaces, under the approved scheme is smaller than what has been put in place on site. A total of 19 off-street car parking spaces are in place on site, and 4 are reserved for visitors.

A turning area for vehicles is provided to the east of parking spaces 18 and 19.

- 46 It is noted that under approved application 05-AP-0722 the transport team advised that there are no objections to the proposal, but it was requested that the bay described as a visitor bay / disabled bay and its adjacent bay be dedicated to disabled parking only. Although the parking bay closest to the main entrance of Cabrini House is shown as a visitor / disabled bay on the approved plan 2597-PD-001 the Planning Inspector required this to be solely for the purposes of disabled parking (see wording below).
- 47 Condition 8 of application 05-AP-0722 states that "the parking areas shall be provided in accordance with the approved plans before any of the units are first occupied and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles. The visitor/disabled bay indicated on drawing 2597-PD-001 shall be dedicated solely for the purposes of disabled parking."
- 48 The parking layout proposed in the current application does include the above required disabled parking bay. However, it is necessary to include a condition to ensure that it is provided in accordance with the required size standards.

The applicant failed to discharge condition 10, relating to cycle storage, of the approved scheme 05-AP-0722. Drawing 7546/09 shows 3 Sheffield type cycle parking to the north east of parking space 19. Full details of cycle parking are required by condition, but there is adequate space on site to provide it.

- 49 The refuse storage facilities have been built in a different location to what is shown on the approved plans. Furthermore, the applicant failed to discharge condition 11, relating to details of the refuse storage, of the approved scheme. The current application addresses this aspect of the unauthorised development by seeking retrospective planning permission for the refuse store erected to the south of the vehicular entrance. This aspect of the scheme is considered adequate.

Design issues

- Coach house
- 50 South west / front elevation:
It is proposed to remove the existing concrete coping to the top of the parapet wall and replace it with 60mm high polyester powder coated aluminium metal flashing. The colour of the metal flashing would match the dark grey colour of the existing windows / doors on the south east elevation of the coach house.
- 51 Prior to submission of the current application the applicant agreed to extend the outer wall of the coach house horizontally by half a brick thickness (112.5mm) on both sides in order to create an increased amount of brickwork along the external boundary. Officers required this alteration in order to create a set-back in both the south west (front) elevation of the coach house and north west elevation of the boundary wall.
- 52 On this elevation, there is currently a vertical line denoting a change in facing brickwork. It is proposed to insert a new vertical half-brick recessed gap into the brickwork and finish it with dark grey powder coated aluminium metal flashing which would match the new coping above. A large scale detail on drawing 10/CBHS01/010 revB illustrates how the coping will be finished and setback in the wall with flashing.
- 53 It is proposed to remove the three existing outward opening door / window frames and to install new window frames of a similar colour to the existing. These would be the same colour as the existing windows and would be full height but would be inward

opening with fixed glazing. This would be acceptable.

- 54 The mortar pointing to the facing brickwork would have 3mm fully recessed joints throughout. There is no objection to this finishing.

South east / side elevation:

- 55 On this elevation it is also proposed to remove the existing concrete coping to the top of the parapet wall and replace it with 60mm high polyester powder coated aluminium metal flashing. The colour of the metal flashing would match the dark grey colour of the existing windows / doors on the south east elevation of the coach house.
- 56 It is also proposed to remove three courses of brickwork vertically to lower the overall height of the coach house from 9.1m to 8.95m. It should be noted that this would help to reduce the perceived height of the building.
- 57 Lower ground, upper ground and third storey (south east / side elevation):
It is proposed to remove brickwork under the three existing small windows and reform openings to make full height windows. These windows would be more appropriate and in keeping with the larger windows in Cabrini House and on the coach house.
- 58 It is proposed to remove the six existing outward opening door / window frames and to install new window frames.
- 59 The boiler outlet flue would be moved to a position above the new full height window at second floor. There is no objection to infilling an existing hole above the new full height window at upper ground level with brickwork.
- 60 The mortar pointing to the facing brickwork would have 3mm fully recessed joints throughout. There is no objection to this finishing.

North west elevation:

- 61 It is proposed to remove the existing concrete coping and one course of brickwork to the top of the coach house external boundary wall. These would be replaced with brick-on-edge coping 102.5mm high for the full length of the coach house facade. The brickwork would match the main coach house wall as built below.
- 62 The refuse storage facilities, as erected to the south of the vehicular entrance, is acceptable as it is considered that it would be of an appropriate scale and that the use of timber would be appropriate given its use and location in this part of the site.

Cabrini House basement:

- 63 It is proposed to retain the existing (excavated) basement and use this space and the additional basement structure / space to the new three storey extension to Cabrini House as storage space. As this part of the scheme does not affect the external appearance of the building this element of the proposal is considered to be acceptable.
- 64 Retaining walls:
The retaining wall to the north of the coach house is 4m high and has facing brickwork. There is no objection to this part of the proposal.
- 65 The retaining wall to the north of the new three storey Cabrini House extension comprises an exposed concrete block flat recessed section with piles under. This wall abuts the rear wall of the Cabrini House extension. Following officer advice the applicant agreed to clad the exposed concrete pile and cap in facing brickwork and to square it off back to the boundary wall. Unfortunately the applicant did not submit

details of this aspect of the unauthorised scheme. This aspect of the scheme could be covered by an appropriate condition.

- 66 The retaining wall to the east of the new three storey extension to Cabrini House currently comprises two timber fence panels stacked on top of another to a height of approximately 4m with trellis on top. There is no objection to the proposal to remove it and clad the retaining wall with bricks.

Boundary treatment:

- 67 The applicant failed to discharge condition 9, relating to boundary treatment, of the previously approved application 05-AP-0722.

North west elevation:

- 68 The approved scheme shows a pedestrian gate at the north side of the coach house leading to Honor Oak Rise into the rear garden area of Cabrini House. Although a brick boundary wall has been built and a black metal gate installed it appears that this gate is located approximately 3m further up Honor Oak Rise. This is however not the case as the part of the building fronting Honor Oak Rise is not as wide as the approved scheme. On the boundary wall to the north of the new building the brickwork needs some repair on the coping and will remain insubstantial and appear weak without piers either side of the gate. This issue can be dealt with by an appropriate condition to ensure that piers would be added to the walls on both sides of the gate.

- 69 It is proposed to remove the panel of boundary brickwork between the gate and the side wall of the coach house and rebuild it in bricks to match the brickwork of the coach house. This is acceptable and is covered by an appropriate condition that the work will take place and be completed within 3 months from the date that planning permission is granted.

- 70 The bulk of the existing wall on the back of pavement (Honour Oak Rise frontage) appears very similar to what is there now, except that the section of boundary wall immediately in front of the Coach House (where there is now a new brick pier). Previously this part of the boundary wall was much higher and overgrown. This wall has been reconstructed and rebuilt and is still not satisfactory. There is still a small gap of red brick between the new coach house building and the rest of the yellow brick boundary wall. This needs to be reconstructed with a yellow brick that matches as completely as possible with the adjacent bricks and without any vertical gaps in the brickwork or visible expansion joints. One of its piers also becomes thinner lower down and a section of the wall is constructed in a very poor red brick. This needs rebuilding to make the pier of regular width.

- 71 This part of the proposal is acceptable subject to a condition regarding details to be submitted for approval of the height and detailed design of this part of the wall and pier.

- 72 The boundary treatment on the southern boundary comprising a metal fence above a brick wall is acceptable as this part of the boundary has not been altered.

- 73 The south eastern boundary is stepped and is characterised by various sections of fencing. There is no objection to the use of a metal mesh fence, a wooden fence and a metal fence along this boundary.

- 74 The details of the northern eastern boundary treatment is not shown on any plans but comprises reinstated chain-link type fencing as previous. This aspect of the scheme is acceptable.

Soft landscaping:

- 75 The more extensive tarmac area has reduces the area of soft landscaping forming a buffer between the car parking area and Honor Oak Park (road). This area is currently covered by grass and 6 trees.
- 76 The area between the car parking spaces and Cabrini House and the eastern boundary comprises grass and 1 tree.
- 77 The area to the north of Cabrini House and the northern boundary comprises grass and two trees.
- 78 Landscaping along the eastern boundary is limited to two raised flower beds and grass around the refuse store.
- 79 No objection is raised with regard to the landscaping of the site.

Hard landscaping:

- 80 The most noticeable area of hard landscaping is the extensive tarmac area forming the car parking and vehicular turning area. Although the tarmac area has increased in comparison with the approved scheme it is considered acceptable and would not detract from the character and appearance of the conservation area.
- 81 There is no objection to the concrete paving slabs providing pedestrian access to Cabrini House and the coach house.

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

Coach house:

- 82 The previous coach house building on the site was of a different architectural character from Cabrini House but its materiality and scale responded more to other brick buildings in the Conservation Area. The proposal for the retention of the unauthorised three storey coach house still makes use of two different bricks and it would be preferable if only one were used, but this would require the wholesale reconstruction of the south west elevation.
- 83 The south west and south east corner where there is a change of bricks and a recess between the new brown brick and the recycled stock brick is acceptable in its form. The success of the use of aluminium flashing depends on the finishing and may not be executed as cleanly on the south west and south east elevation as the drawings suggests. Officers are therefore recommending approval subject to a condition requiring the recessed surface being in brick as well as the coping on the wall of the south west and south east elevation of the building.
- 84 The remainder of the design matters have been discussed in detail above. It is considered that as a whole, subject to the recommended conditions relating to design issues, the proposed development would not have a detrimental impact on the character and appearance of the conservation area.
- 85 Objector letters refer to the lamppost next to the entrance, which has a low brick surround in the pavement, and a similar surround which used to around the next lamppost up the hill. Although objectors request that this should be reinstated this matter is not dealt with by the current application as it lies outside of the red line of the site.

Impact on trees

- 86 Drawing number 7546/01 rev E shows 6 trees along the southern boundary facing Honor Oak Park (road), one tree close to the west elevation facing Honor Oak Rise

(road), one tree along the eastern boundary immediately to the east of parking space 19 and two trees in the north eastern corner of the site.

- 87 The landscaping of the site has been considered and is acceptable. The remedial works will not impact on the trees.

Planning obligations (S.106 undertaking or agreement)

- 88 None relevant.

Sustainable development implications

- 89 The proposed development would not lead to an increase in the energy demand of the site. The limited scale of the remedial works to what has been constructed on site meant that no sustainable development implications have been identified.

Other matters

- 90 Cabrini House:
Prior to submission of the current planning application the applicant advised that the expanded foam joint between the existing building and the new build element would be raked back and pointed correctly on the north east / rear elevation. This does not form part of the current application but a site visit by officers confirms that this work has been completed.
- 91 It is noted that objectors raised subsidence as a concern. Subsidence of neighbouring properties is not a material planning consideration.

Conclusion on planning issues

- 92 Not all the measures proposed to address the design concerns and requirements in terms of the provision of disabled car parking and cycle parking have been satisfactory. The scheme as a whole is however to be acceptable and the aforementioned issues can be covered by appropriate conditions.

Community impact statement

- 93 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

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

Consultation replies

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

Summary of consultation responses

96 Five letters of objection have been received from 3, 17, 19, 30, 36 and 38 Honor Oak Rise.

Objections: boundary walls are too high and ugly, development is unauthorised and should be enforced against, too much tar mac, loss of trees, gate is in the wrong place, coach house has a flat roof instead of a pitched roof, lower ground floor will flood, and creates a dark area that windows look out onto, resulting in unpleasant living conditions.

Human rights implications

97 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.

98 This application has the legitimate aim of seeking retrospective planning permission for a coach house which has three storeys as opposed to the approved two storeys. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

99 **Strategic Director of Communities, Law & Governance**

N/a

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2341-G Application file: 10-AP-2688 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Andre Verster, Planning Officer	
Version	Final	
Dated	28 March 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Head of Planning	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		29 March 2012

Consultation undertaken

Site notice date: 09/12/2011

Press notice date: 15/12/2011

Case officer site visit date: 9/12/2011

Neighbour consultation letters sent: 08/12/2011

Internal services consulted:

Transport Team
Urban Forester
Planning Enforcement

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

13 HONOR OAK RISE LONDON SE23 3QY
PETOMI LODGE 12 HONOR OAK RISE LONDON SE23 3QY
11 HONOR OAK RISE LONDON SE23 3QY
14 HONOR OAK RISE LONDON SE23 3QY
17 HONOR OAK RISE LONDON SE23 3QY
16 HONOR OAK RISE LONDON SE23 3QY
15 HONOR OAK RISE LONDON SE23 3QY
FLAT 3 BRAESIDE COURT FOREST HILL ROAD LONDON SE23 3QX
FLAT 2 BRAESIDE COURT FOREST HILL ROAD LONDON SE23 3QX
FLAT 1 BRAESIDE COURT FOREST HILL ROAD LONDON SE23 3QX
FLAT 4 BRAESIDE COURT FOREST HILL ROAD LONDON SE23 3QX
1 HONOR OAK RISE LONDON SE23 3QY
FLAT 6 BRAESIDE COURT FOREST HILL ROAD LONDON SE23 3QX
FLAT 5 BRAESIDE COURT FOREST HILL ROAD LONDON SE23 3QX
THE LODGE 1A OAKHILL COURT HONOR OAK PARK LONDON SE23 3LF
153B FOREST HILL ROAD LONDON SE23 3QU
153A FOREST HILL ROAD LONDON SE23 3QU
ST FRANCESCA CABRINI PRIMARY SCHOOL HONOR OAK PARK LONDON SE23 3LE
SACRED HEART CONVENT HONOR OAK PARK LONDON SE23 3LE
21 HONOR OAK RISE LONDON SE23 3QY
CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
19 HONOR OAK RISE LONDON SE23 3QY
3 HONOR OAK RISE FOREST HILL LONDON SE23 3QY
9 HONOR OAK RISE LONDON SE23 3QY
7 HONOR OAK RISE LONDON SE23 3QY
5 HONOR OAK RISE LONDON SE23 3QY
FLAT 1 COACH HOUSE 2A HONOR OAK RISE LONDON SE23 3QY
8 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
FLAT 2 COACH HOUSE 2A HONOR OAK RISE LONDON SE23 3QY
FLAT 3 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 2 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 1 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
3 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
2 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
1 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
4 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
7 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
6 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
5 OAKLANDS HOUSE 194 HONOR OAK PARK LONDON SE23 3LR
155 FOREST HILL ROAD LONDON SE23 3QU

FLAT 12 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 11 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
157 FOREST HILL ROAD LONDON SE23 3QU
163 FOREST HILL ROAD LONDON SE23 3QU
161 FOREST HILL ROAD LONDON SE23 3QU
159 FOREST HILL ROAD LONDON SE23 3QU
FLAT 6 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 5 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 4 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 7 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 10 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 9 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
FLAT 8 CABRINI HOUSE 2 HONOR OAK RISE LONDON SE23 3QY
30 HONOR OAK RISE LONDON SE23 3RA
36 HONOR OAK RISE LONDON SE23 3RA
38 HONOR OAK RISE LONDON SE23 3RA

Re-consultation:

N/a

Consultation responses received

Internal services

Transport Team

Do not have any reason to suggest a refusal. However the points below will need to be addressed prior to this application be determined.

- Details required regarding cycle storage.
- Details required regarding parking space allocation.

Urban Forester

No comments received.

Planning Enforcement

No comments received.

Statutory and non-statutory organisations

None.

Neighbours and local groups

Six letters of objection have been received from properties along Honor Oak Rise raising the following issues:

- a) The addition of 1 residential unit on a site with 14 existing residential units.
- b) the detailed design of the alterations and the impact of the additional bulk of the enlarger coach house on the character and appearance of this part of the conservation area;

The development as built is very different to the approved scheme and this application only token changes to the built development and does not restore it to anywhere near the approved scheme.

Coach house:

The original coach house was at least 1m lower and had a gable roof. This means the coach house appears significantly bigger than it should have done. The proposal to take three courses of brick off the top will make very little difference.

Several colours of brick have been used, none of which matches the adjacent wall. The windows are modern in design so bear no relation to those in the main house and does not integrate visually with the main property.

This is a conservation area and the ethos of the road has been compromised by the ugly square flat roofed brick monolithic block.

It has no sympathetic features that echo the original building or the main house that it is linked too.

- c) amenity issues for future occupiers of the units in the coach house and neighbouring properties;

Loss of light due to additional height of the unauthorised 3 storey building.

Future occupiers (coach house):

The lowest of the three floors would impose unpleasant living conditions on future occupiers as it is completely below ground level (unlike the original planning proposal).

d) acceptability of additional storage associated with Cabrini House residential units

e) hard and soft landscaping (including car parking spaces)

Trees in the grounds, which were to be retained on the original plan, have been removed.

Virtually the whole of the area between Cabrini House and Forest Hill Road has been covered in tarmac - there has been no attempt at designing the grounds to be sympathetic in any way to the fine facade of trees.

Refuse storage facilities,

Cycle parking and

Means of enclosure.

Other matters:

Subsidence

The original plans were for a two storey building. Digging out the earth to create a basement has caused the road to subside because the piling was probably inadequate.

Consultation

It is alleged that this application has been sent for consultation on forms for a 'non-material amendment'.