

Committee	PLANNING COMMITTEE (A)	
Report Title	2-4 LONDON ROAD SE23 3HF	
Ward	Forest Hill	
Contributors	Geoff Whittington	
Class	PART 1	Date: 20 JUNE 2013

Reg. Nos. (A) DC/13/82357  
(B) DC/13/82358

Application dated 17.01.2013 & 12.04.2013

Applicant Mr Dyson

Proposals

(A) The change of use of the ground floor and basement from a launderette (Use Class Sui Generis) to an estate agency (A2), together with alterations to the shopfront .

(B) The display of externally illuminated fascia signage to the front elevation.

Applicant's Plan Nos. 196-12-03, 03C, 04A, Photographs, Site Location Plan, Design & Access Statement, Heritage Statement, Supporting Statement dated 6 April 2013 & Email received 12 April 2013.

Background Papers

(1) Case File LE/344/4/TP  
(2) Adopted Unitary Development Plan (July 2004)  
(3) Local Development Framework Documents  
(4) The London Plan (2011)

Designation

Adopted UDP - Existing Use  
Forest Hill Article 4(2) Direction  
PTAL 4  
Major District Centre  
Local Open Space Deficiency  
Shopping Core Area  
Shopping Non-Core Area  
Forest Hill Conservation Area  
Not a Listed Building

B Road

## **1.0 Property/Site Description**

1.1 The application property is a 3-storey corner property located on the north side of London Road within a Major District centre. The building comprises a launderette at ground floor, with self-contained residential units on the upper floors.

1.2 London Road and Devonshire Road is characterised by a range of commercial ground floor uses and upper residential units. Opposite the application site is Forest Hill Train Station.

1.3 The subject site is located within the Forest Hill Conservation Area, which is covered by an Article 4 Direction.

1.4 London Road is classified as a B Road and the site has a PTAL of 4.

## **2.0 Planning History**

2.1 1952: Permission granted for the use of the ground floor and basement at 2-4 London Road as a self-service launderette.

## **3.0 Current Planning Applications**

### **3.1 The Proposals**

#### **(A) DC/13/82357**

3.2 The proposal is for a change of use of 2-4 London Road from a launderette (Sui Generis) to an estate agents (A2).

3.3 The premises would operate between 08:00 - 19:00 Monday to Friday and 10:00 - 16:00 Saturdays. There would be no operation on Sundays or Bank Holidays.

3.4 The office would employ 7 members of staff - 6 full time employees and 1 part time.

3.5 External alterations to the property would include improvements to the shopfront, including the installation of timber windows and door and the removal of stallriser tiles, shutters and shutter box.

#### **(B) DC/13/82358**

The application proposes the display of externally illuminated fascia signage to the front elevation of the building, spanning the full width of the frontage - 11.5m - whilst the illuminance level would be 400 candelas.

## **4.0 Consultation**

4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

4.2 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.

### **Written Responses received from Local Residents and Organisations**

4.3 Three letters were received from the occupiers of 21 Ewelme Road, 12a Cheney Court and 515A Lordship Lane, objecting on the following grounds;

- The launderette is a valuable community resource used by many people;

- People will be forced to go further afield to obtain the same service;
- Already numerous estate agents in Forest Hill;
- Loss of jobs.

#### Forest Hill Society

- 4.4 'The change of use from launderette would mean the loss of an important social and community resource for the area. There is no other launderette in Forest Hill town centre or within walking distance, thereby disadvantaging those who rely on this function.
- 4.5 'A launderette is a protected use as evidenced by its sui generis use class. We understand that this is in order to ensure that this valuable social and community function is not lost from an area.
- 4.6 'This launderette is (or has been until its closure) a busy and well used local facility.
- 4.7 'It is clear that there is still ongoing demand for the launderette within the town centre and believe that there is no reasonable case to be made for its loss.'
- 4.8 Cllr Peake has also objected to the loss of the existing launderette use.

#### Written Responses received from Statutory Agencies

##### Highways and Transportation

- 4.9 No objections raised.

#### **5.0 Policy Context**

##### Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
  - (b) any local finance considerations, so far as material to the application and
  - (c) any other material considerations.
- 5.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The National Planning Policy Framework does not change the legal status of the development plan.

### National Planning Policy Framework (NPPF)

- 5.4 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF.
- 5.5 In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan.
- 5.6 As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 5.7 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211 and 215 of the NPPF.

### Ministerial Statement: Planning for Growth (23 March 2011)

- 5.8 The Statement sets out that the planning system has a key role to play in rebuilding Britain's economy by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

### London Plan (July 2011)

- 5.9 The London Plan policies relevant to this application are:
- Policy 4.8 Supporting a successful and diverse retail sector
  - Policy 6.9 Cycling
  - Policy 6.13 Parking
  - Policy 7.2 An inclusive environment
  - Policy 7.4 Local character
  - Policy 7.6 Architecture

### Core Strategy

- 5.10 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the Borough's statutory development plan.

The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

- Objective 4: Economic Activity and Local Businesses;
- Objective 10: Protect and Enhance Lewisham's Character;
- Spatial Policy 3: District Hubs;
- Policy 6: Retail hierarchy and location of retail development;
- Policy 15: High quality design for Lewisham;
- Policy 16: Conservation areas, heritage assets and the historic environment.

## Unitary Development Plan (2004)

5.11 The saved policies of the UDP relevant to this application are:

URB 3 Urban Design;  
URB 6 Alterations and Extensions;  
URB 8 Shopfronts;  
URB 9 Signs and Hoardings;  
URB 10 Roller Grilles and Shutters;  
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas;  
ENV.PRO 11 Noise Generating Development ;  
HSG 4 Residential Amenity ;  
STC 1 The Shopping Hierarchy ;  
STC 6 Major and District Centres – Other Shopping Areas.

## Emerging Plans

5.12 According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

5.13 The following emerging plans are relevant to this application.

## Development Management Plan

5.14 The Development Management Local Plan – Further Options Report, is a material planning consideration but is at an early stage of preparation. Public consultation took place during December and January 2013. Therefore, in accordance with the NPPF, the weight decision makers should accord the Further Options Report should reflect the advice in the NPPF paragraph 216.

5.15 The following policies are considered to be relevant to this application:

1. Town centre vitality and viability
13. District centres shopping frontages
18. Shopfronts, sign and hoardings

## **6.0 Planning Considerations**

6.1 The main issues to be considered in respect of this application are:

- a) Principle of Change of Use
- b) Design

- c) Highways and Traffic Issues
- d) Impact Upon Neighbouring Properties

(A) Principle of Change of Use - DC/13/82357

- 6.2 The established use of the premises is as a launderette (Sui Generis), which had been operating for many years until ceasing in April 2013. The application seeks consent to change the use to an estate agents (Use Class A2). The premises are located within a Major District Centre.
- 6.3 The applicant has provided a letter from the owner of the launderette, who has stated the following points;
- Our family has been running the business for 12 years;
  - Recent years have seen a marked decrease in the need for a launderette of this kind. We can only speculate that this is due to the pricing and availability of home washing appliances;
  - There are a number of alternative launderettes in the immediate area;
  - It is clear from the appearance of the property that the building is in need of significant repairs. We do not have the funds to satisfy the level of works needed;
  - If the application for change of use is unsuccessful, the decision to close the launderette business will stand – not only will the property not benefit from much needed works....the property would likely remain vacant.
- 6.4 Objections were received prior to the closure of the launderette toward the proposed change of use on grounds that it would result in the loss of a community facility.
- 6.5 Officers acknowledge that the launderette was popular amongst local people over the years, however it is not agreed that it falls within the category of being a community facility. Core Strategy Policy 19 Provision and maintenance of community and recreational facilities refers to community centres, community halls, offices for voluntary organisations, places of worship and informal premises such as pubs where community groups often meet.
- 6.6 A launderette provides a service for customers, as does a shop or restaurant, but it is not considered to be a meeting place or facility in the same vein as the examples given above.
- 6.7 If the launderette was considered to be a community facility, according to saved policy LCE 2 Existing Leisure and Community Facilities, the Council would consider a change of use if it could be demonstrated there was a proven lack of local need for such facilities and the building needs updating and this cannot be achieved at reasonable cost, all of which have been confirmed by the owner.
- 6.8 The applicant has provided a list of alternative launderette services, the nearest being in Brockley Rise and Kirkdale, an approximate 13 minute walk from the application site. This may not be as convenient for Forest Hill occupiers as the application premises were, however it must be acknowledged that launderettes are perhaps not as common as they once were due to an increased number of people owning washing machines.

- 6.9 Paragraph 70 of the NPPF states planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs. It is clear from the owners' statement that the launderette was no longer viable and was forced to close due to poor custom. For the reasons discussed, officers raise no objections to the principle of a change of use from a launderette.
- 6.10 Estate agencies are common in Forest Hill – the applicants, Pedder, already occupy a smaller unit on London Road, whilst four existing units operate within close proximity of the application site. Should permission be granted, Pedder would close their existing office – at the time of writing this report, it was unclear whether new occupiers of that unit had been identified.
- 6.11 Due to the prominent location of the application property, any long term vacancy of the unit would be apparent, reflecting poorly upon the vitality and amenity of the parade and Forest Hill generally.
- 6.12 The use would provide employment for up to 7 members of staff, including 6 full time employees and 1 part time, amounting to significantly more than the launderette use.
- 6.13 It is also acknowledged that the applicants propose to undertake significant alterations to the front elevation of the building, which is currently in a poor condition.
- 6.14 In considering these matters, the proposed use as an estate agents would appear to be of benefit to the application property and the area generally. Officers therefore raise no objection to the intended A2 use.

#### Design

- 6.15 The proposed alterations to the shopfront would include the removal of tiles to the existing stallriser, the removal of the front shutter and shutter box and the provision of timber framed windows and entrance door. No replacement shutter is proposed.
- 6.16 The Conservation officer, who has been involved in discussions with the applicant, has raised no objections to the proposed works. The present shop unit dates from the late 1950s/ 60s, and officers consider the tiles that clad the stallriser and the unsightly shutter and shutter box serve to result in an unsympathetic and visually obtrusive appearance that harms the character of the building.
- 7.17 Subsequently, the Conservation officer raises no objections to the new shopfront, and considers the proposal would improve the appearance of the building whilst succeeding in preserving and enhancing the Forest Hill Conservation Area. Nevertheless, a Condition is suggested regarding the submission of joinery details for the new timber shop windows and shop door to ensure the proposed works are executed to an appropriate standard.

#### (B) Signage: DC/13/82358

- 6.18 Paragraph 67 of the NPPF states poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable

impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

- 6.19 Policy URB 3 Urban Design states that the Council will expect to achieve a high standard of design in extensions to existing buildings, while ensuring that schemes are compatible with, or complement the scale and character of existing development. Scale and mass of development will be taken into consideration where a new development might be out of scale with the existing surrounding development.
- 6.20 URB 9 Signs and Hoardings states that shop signs, including projecting signs, should normally be located at fascia level. Moving digital displays and message boards and intermittent or flashing signs will not normally be acceptable.
- 6.21 Officers raised initial concern toward the appearance of the proposed trough lighting, where it would be fixed onto the projecting cornice. This would have resulted in the trough lighting appearing overly prominent, detracting from the traditionally designed fascia.
- 6.22 In light of the officer concerns, the applicant amended this element to position the trough light below the cornice, thereby improving upon the visual impact upon the host building.
- 6.23 In accordance with CIBSE standards, the illuminated signage would not exceed 2 lux spill onto the nearest residential window. Environmental Health are therefore satisfied with the lighting.
- 6.24 Overall, officers consider that the proposed alterations to the shopfront and provision of illuminated signage to be acceptable, and would not result in visual harm to the character or appearance of the property, parade or the Forest Hill Conservation Area generally.

#### Impact Upon Neighbouring Amenity.

- 6.25 The proposed alterations to the host building would not result in any visual impact upon the amenities of neighbouring residential or commercial occupiers.
- 6.26 The applicant has requested the hours of operation be between between 08:00 - 19:00 Monday to Friday, and 10:00 - 16:00 Saturdays. There would be no operation on Sundays or Bank Holidays.
- 6.27 Given the location of the property, which is on a busy road and also within a Major District Centre, these hours are considered acceptable and would be unlikely to result in a detrimental impact upon neighbouring amenity in relation to noise or general disturbance.

#### Highways and Traffic Issues

- 6.28 A number of bus routes operate through this part of Forest Hill, whilst the train station lies directly opposite the application site. Consequently, the PTAL rating is 4. On-street parking within the immediate vicinity is restricted.



6.29 Highways officers have raised no objections to the proposal. It is therefore considered that the proposal would result in no significant parking issues or traffic generation within the area.

## **7.0 Conclusion**

7.1 This application has been considered in the light of policies set out in the development plan and other material considerations.

7.2 On balance, whilst the long standing history and convenience of the existing launderette are acknowledged, officers consider that the proposed change of use to an estate agents would be acceptable in this location and there would be no detrimental impact upon neighbouring amenity.

7.3 In light of this and that officers raise no objections to the external alterations to the building, it is therefore recommended permission is granted for both applications.

## **8.0 Summary of Reasons for Grant of Planning Permission**

8.1 On balance, It is considered that the proposal satisfies the Council's Land Use and environmental criteria and is acceptable in principle, being in accordance with Objective 4 Economic Activity, Spatial Policy 3 District Hubs, Policy 6 Retail Hierarchy and location of retail development and Policy 15 High quality design for Lewisham in the adopted Core Strategy (June 2011) and saved policies URB 3 Urban Design, URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas and STC 1 The Shopping Hierarchy in the adopted Unitary Development Plan (July 2004).

8.2 It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the surrounding area, or the amenities of neighbouring occupiers. The proposal is thereby in accordance with Objective 4 Economic Activity, Spatial Policy 3 District Hubs, Policy 6 Retail Hierarchy and location of retail development, Policy 15 High quality design for Lewisham and Policy 16: Conservation areas, heritage assets and the historic environment in the adopted Core Strategy (June 2011), and saved policies URB 3 Urban Design, URB 6 Alterations and Extensions, URB 9 Signs and Hoardings, URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas, HSG 4 Residential Amenity, and STC 1 The Shopping Hierarchy in the adopted Unitary Development Plan (July 2004).

## **10.0 RECOMMENDATION (A) (DC/13/82357)**

**GRANT PERMISSION** subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:  
Site Location Plan, Design & Access Statement, Heritage Statement, 196-12-03, 03C, 04A, Photos, Supporting Statement dated 6 April 2013 & Email received 12 April 2013.

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) Notwithstanding the details hereby approved, no external works to the building shall commence until the following have been formally submitted to the Council;
- (i) joinery details of the proposed timber shopfront at a scale no less than 1:5;
  - (ii) detailed elevation and section plans at a scale of 1:20.

The development shall be carried out in accordance with the approved details.

**Reason:**

In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy 15 High quality design for Lewisham and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

- (4) The premises shall only be open for customer business between the hours of 08.00 - 19.00 Monday to Friday, and 09.00 - 17.00 Saturdays.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Saved Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

## **INFORMATIVE**

**Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On these particular applications, positive discussions took place, which resulted in further information being submitted.

### **10.1 RECOMMENDATION (B) (DC/13/82358)**

**GRANT ADVERT CONSENT** subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:  
Site Location Plan, Design & Access Statement, Heritage Statement, 196-12-03, 03C, 04A, Photos, Supporting Statement dated 6 April 2013 & Email received 12 April 2013.

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

## **INFORMATIVES**

**Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On these particular applications, positive discussions took place, which resulted in further information being submitted.

The illuminated signage hereby granted shall not exceed 2 lux spill to the nearest residential window, in accordance with CIBSE standards.