

Committee	PLANNING COMMITTEE (A)	
Report Title	24 OMMANEY ROAD SE14 5NT	
Ward	Telegraph Hill	
Contributors	Kate Hayler	
Class	PART 1	Date 14 MARCH 2012

Reg. No. DC/11/78716 as revised

Application dated 07.11.11 completed 19.1.12, revised 09.02.12 and email dated 21.2.12

RIBO Associated Ltd on behalf of Mr E Egypt

Proposal The alteration and conversion to provide 1 two-bedroom self-contained flat and 1 three bedroom self-contained maisonette.

Applicant's Plan Nos. OMM/150A/01 (Received 7/11/11),
 OMM/150A/05 (Received 9/11/11);
 OMM/150A/02 Rev B, OMM/150A/03 Rev A,
 OMM/150A/04 Rev A (Received 9/02/12),
 Report in Support of Planning Application Rev A,
 Sustainability Statement (Received 16/11/11),
 email dated 21.2.12

Background Papers

- (1) Case File DE/305/24/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan (July 2011)

Designation Telegraph Hill Conservation Area
 Telegraph Hill Article 4(2) Direction

1.0 Property/Site Description

- 1.1 The subject property is a two storey plus semi-basement mid-terrace Victorian dwelling house, situated on the northern side of Ommaney Road within the Telegraph Hill Conservation Area, the whole of which is subject to an Article 4 Direction. It appears from the site visit that the property is currently being used as a HMO, with a kitchen fitted on the second floor to serve the residents of that floor. There is no record of planning permission being granted for the use of the property as an HMO and given that the property is described as a single dwelling house in the officer's report on a 2010 application, it seems unlikely that the HMO use could be established as lawful.
- 1.2 Ommaney Road is largely made up of three storey terraces of matching design with canted bays and entrance doors and windows to the semi basement served by steps leading up to the front path. The main front entrance to the properties are at raised ground level and are served by paths and steps many of which feature original tiles and railings. The properties feature three storey original rear extensions with bay windows to the rear elevation with large gardens measuring approximately 21m long.

1.3 The application site has been subject to a number of alterations over the years including the installation of metal windows, a wooden fence and a porch to the front and a lean-to rear extension. There is no record of these changes having been authorised and they are not considered to make a positive contribution to the appearance of the property and the wider Conservation Area. However, these alterations have been in place since 2007 and no enforcement action has been taken. It is likely that they are now immune from enforcement.

2.0 Planning History

2.1 **Nov 2008:** Planning permission was refused for the conversion of the property to provide 2 one bedroom flats and 1 two bedroom maisonette. The officer's recommendation for approval was overturned by members of the Planning Committee for the reason that it would not provide a three bedroom family unit.

2.2 **Oct 2009:** Planning permission was again refused for a revised scheme for the conversion of the property, into 2 one bedroom flats and 1 three bedroom maisonette, together with the construction of a single storey ground floor extension to the rear of the existing original rear projection.

2.3 The reason for refusal was as follows:

The proposed conversion, by reason of inadequate room sizes and awkward layout, would fail to provide suitable accommodation for a family as part of the conversion, to the detriment of the stock of family housing in the Borough and, as such, would be contrary to Policies HSG 5 Layout and Design of New Residential Development and HSG 9 Conversion of Residential Property in the adopted Unitary Development Plan (July 2004).

2.4 **Sept 2010:** Planning permission was again refused for the conversion of 24 Ommaney Road SE14, to provide 2 two bedroom, self-contained flats and 1 three bedroom, self-contained maisonette, together with the installation of two roof lights in the rear roof slope.

2.5 The proposed two bedroom flats were located on the lower ground and upper ground floor whilst the three bedroom maisonette was located on the first floor with one of the bedrooms located within the roof space of the property.

2.6 The reason for refusal was as follows:

The proposed conversion fails to provide access to secure, private and readily accessible garden space for the proposed three bedroom 'family' unit and by reason of inadequate room sizes and awkward layout, would fail to provide suitable accommodation for a family as part of the conversion, to the detriment of the stock of family housing in the Borough and, as such, would be contrary to Policies HSG 5 Layout and Design of New Residential Development, HSG 7 Gardens and HSG 9 Conversion of Residential Property in the adopted Unitary Development Plan (July 2004).

2.7 An appeal against the refusal of this application was dismissed in August 2011.

3.0 Current Planning Application

3.1 The Proposal

3.2 The present application proposes the conversion of the existing property into one 3 bedroom maisonette and one 2 bedroom flat.

3.3 The proposed 3 bedroom maisonette would be on the ground and lower ground floor and would have direct access to the large rear garden. On the ground floor, the unit would comprise a living room measuring 17.5sqm, a double bedroom measuring 12.2sqm and a single bedroom measuring 9.5sqm and a bathroom and separate WC. At lower ground floor level, the unit would comprise a second reception (dining room), a separate kitchen measuring 14.8sqm and a master bedroom measuring 18.05sqm with en suite WC and shower. Overall the unit measures approx. 117sqm.

3.4 The proposed 2 bedroom flat is located on the second floor. It would comprise a double bedroom measuring 10.9sqm and a second bedroom measuring 9.6sqm, an open plan dining room/ living room/ kitchen measuring 22.5sqm and a bathroom. Overall the unit would measure 61sqm.

3.5 In terms of external alterations, the application proposes the installation of a small window on the rear flank wall and the demolition of the lean-to extension and the installation of French doors. At the front, the only external alteration will be the installation of a bin enclosure although no details have been provided.

3.6 The application initially proposed the raising of the front path and moving the steps to provide for a new lower ground level front door below the stairs. The Council's conservation officer objected to this change and, as it was not necessary to facilitate the development, the Applicant agreed to remove this part of the proposal from the application.

3.7 Supporting Documents

3.8 A Design and Access Statement has been submitted with the application which provides details of how the scheme addresses policy and access requirements.

3.9 The application is also supported by a Sustainability Statement which sets out the sustainability measures that will be investigated by the applicant for inclusion in the scheme.

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 Letters of consultation were sent to 16 neighbouring properties as part of the planning application process, together with the Telegraph Hill Society. Notices were displayed on site and in the local press. Ward Councillors were also notified.

Written Responses received from Local Residents and Organisations

4.3 One letter of objection has been received from the Telegraph Hill Society setting out the following concerns:

- There is a high number of conversions in the area and this is having a cumulative impact on parking and resulting in a loss of family housing;
- Potential loss of chimney stack as chimney breasts are shown as removed from upper rooms;
- Lack of detail and contradictory nature of application – not clear if windows will be replaced with timber windows. If application approved request condition requiring reinstatement of wooden sash windows, to remove existing porch and reinstate front door in traditional design;
- Concerned that there will not be sufficient accommodation for wheelie bins;
- If application approved request condition requiring replacement of front boundary railings, wall and gate pillars and tiles to path;
- Concern that the conversion would add to existing parking stress; and
- If application approved request condition preventing pipes, wires and services being fixed to front elevation.

(Letter is available to Members)

Amenity Societies' Panel

4.4 The following comments were received from the Amenity Societies' Panel:

The application is inconsistent with the drawings.

The front elevation drawings show the retention of the replacement doors and windows in an incompatible style. The application states that the windows and doors will be replaced with timber framed doors matching original style.

The side elevation drawing and the application state that there will be "new steps and railings to match existing [style]". The drawing however suggests that the style will not match the existing style which is incompatible with the character of the area. The new steps and railings should match the original style of the property.

Insufficient detail given about proposed designs for these items.

Highways and Transportation

4.5 No response

Conservation Officer

- 4.6 The Council's Conservation Officer objected to the alterations to the front path and creating new front door to basement (works that have now been removed from the application).

5.0 Policy Context

Introduction

- 5.1 In considering and determining applications for planning permission the local planning authority must "have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations" (Section 70 (2) of the Town and Country Planning Act 1990). 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. This approach is reflected in PPS 1, where, at paragraph 8 (and again at paragraphs 28 and 31), it is confirmed that, where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise. 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).

Planning Policy Statements (PPS) and Planning Policy Guidance (PPG)

- 5.2 Planning Policy Guidance and Statements of relevance to the application include:

Planning Policy Statement 1: Delivering Sustainable Development (2005)
Planning Policy Statement 3: Housing (2010)
Planning Policy Statement 5: Planning for the Historic Environment (2010)

Ministerial Statement: Planning for Growth (23 March 2011)

- 5.3 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)

- 5.4 The London Plan policies relevant to this application are:

Policy 3.4 Optimising housing potential
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.15 Water use and supplies
Policy 6.9 Cycling
Policy 7.4 Local character

Policy 7.8 Heritage assets and archaeology

Core Strategy

- 5.5 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 2: Housing provision and distribution

Objective 10: Protect and enhance Lewisham's character

Policy 8: Sustainable design and construction and energy efficiency

Policy 14: Sustainable movement and transport

Policy 15: High quality design for Lewisham

Policy 16: Conservation areas, heritage assets and the historic environment

Unitary Development Plan (2004)

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

URB 3 Urban Design

URB 6 Alterations and Extensions

URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas

HSG 4 Residential Amenity

HSG 5 Layout and Design of New Residential Development

HSG 7 Gardens

HSG 9 Conversion of Residential Property

Residential Standards Supplementary Planning Document (August 2006)

- 5.7 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

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

- a) Principle of Development
- b) Standard of Residential Accommodation
- c) Design
- d) Highways and Traffic Issues
- e) Impact on Adjoining Properties
- f) Sustainability and Energy

Principle of Development

- 6.2 Policy HSG 9 Conversion of Residential Property of the UDP states that the Council will allow the conversion of larger dwellings into self contained flats where the scheme would result in an increase in suitable accommodation provided that:
- the scheme would not have an unacceptable impact on residential amenity;
 - the property is suitable for conversion having a floor area of over 130sqm;
 - the scheme would not result in an unacceptable impact on highways safety due to additional parking requirements; and
 - it is not possible to retain sufficient area of the original garden to provide a suitable setting for the property and amenity space.
- 6.3 The policy also states that the Council will normally require at least one family unit to be provided in every conversion scheme unless it is satisfied that the dwelling is unsuited for family occupation because of its location or character.
- 6.4 The property is well over 130sqm and the principle of its conversion is therefore acceptable. In addition, the proposal includes the provision of a 3-bed family unit with access to the large garden area. The Telegraph Hill society have objected to the loss of larger family housing but the quality of the family unit that will be provided by the proposed conversion is considered to be high, with generous room sizes, two reception rooms and access to a large private garden. The conversion of the property into flats is therefore considered acceptable provided that a suitable quality of accommodation will be created and that there will be no unacceptable impact on highways or amenity.
- 6.5 The Telegraph Hill Society has objected to the cumulative impacts on conversions in the area. It is suggested that this has an unacceptable impact on the availability of family accommodation and results in an unacceptable impact on parking. The proposed conversion provides a high quality family unit which will continue to make a positive contribution towards mixed and balanced communities and is likely to be more affordable to young families wishing to remain in the area. The issue of parking is dealt with below.

Standard of Residential Accommodation

- 6.6 The proposed arrangement of the two units represents a significant improvement on past schemes in terms of layout. The 3-bed family maisonette will have direct access to a large garden in accordance with Policy HSG 7 of the UDP and retains the majority of the room layouts and original features of the properties.
- 6.7 The Council's Residential Standards SPD (2006) sets out guidance for the conversion of properties. The document states that all habitable rooms shall have reasonable daylight and outlook and that rooms in semi-basements, should not in themselves form a separate unit of accommodation but should form part of a unit, unless they can be provided with adequate natural lighting and outlook.
- 6.8 With regards to the family unit, it is considered that all habitable rooms will have good access to daylight and good outlook, except for some of the rooms in the semi basement. However, these rooms form part of a maisonette with rooms on

the ground floor in accordance with the SPD and the standard of accommodation for this unit overall is considered to be high. All of the rooms in this unit exceed the room size standards set out in paragraph 5.4 of the SPD.

- 6.9 With regard to the 2-bed unit, whilst the living area is marginally below the floorspace standards set out in the SPD, the rooms all have good levels of daylighting and outlook and the quality of the accommodation provided is considered to be acceptable. This unit will not have access to private amenity space, but given that it is not a family unit this is not considered to be sufficient reason to refuse the application.
- 6.10 On balance, the standard of accommodation provided by the new flats is considered to be acceptable.

Design

- 6.11 Following objections received from the Council's Conservation Officer, the Amenity Societies' Panel and the Telegraph Hill Society, the changes to the front of the building are limited to the installation of bin storage and no longer propose raising the steps to the upper ground floor to allow the installation of a new door. The steps and railings will therefore remain as existing. No details of the bin storage has been provided and the Conservation Officer has commented that improvements to the boundary treatment and landscaping to the front of the property will need to be made to mitigate the harm having additional bins outside the property will cause to the character and appearance of the conservation area. Conditions are therefore recommended requiring details of the bin storage arrangements to be submitted, but also requiring details of landscaping and boundary treatment to be submitted.
- 6.12 With regard to the proposed changes to the rear of the property, it is considered that the removal of the existing lean-to extension would be an improvement as the extension is constructed of materials that are not sympathetic to the conservation area and it is in a poor state of repair. The Telegraph Hill society have objected to the design of the replacement door and a condition is recommended requiring details of the new window and door to be submitted and approved by the Council prior to its installation so that the Council can be satisfied that they will be in keeping with the wider conservation area.
- 6.13 The Amenity Societies' Panel and the Telegraph Hill Society have objected to the lack of detail submitted in support of the application in terms of the proposed external alterations and the inconsistencies between the drawings and the design statement. The Applicant has confirmed in an e-mail that the external alterations are limited to the installation of a new window and door to the rear of the property and the new bin enclosure at the front of the property. It is recommended that details of these elements can be dealt with by condition. It has been suggested that additional works should be done to the property to reinstate original features such as timber sash windows and remove non-original features such as the porch that has been fitted to the front entrance, the removal of the gate piers and replacement of the tiles in the pathway. However, the Applicant has confirmed in the e-mail that no works are proposed to these elements (other than the front boundary treatment to incorporate the new bin store) and it would not be reasonable to require these works to be carried out.

- 6.14 The Telegraph Hill Society have raised concerns that the removal of the chimney breast on the first floor will result in the chimney stack having to be removed. The Applicant has confirmed that they do not intend to remove the chimney breast from the upper floor (loft floor) and the chimney stack at roof level. The chimney stack at roof level will be structurally supported (to structural Engineer's design & calculations/ Building Control approval).
- 6.15 Overall, the minor external alterations are not considered to result in harm to the character and appearance of the Conservation Area, subject to the new bin enclosure being acceptable (which is subject to condition).

Highways and Traffic Issues

- 6.16 No objection has been received from the Council's Highways team and it is not considered the conversion would harm the local environment or pedestrian safety. The site has very good access to public transport (PTAL 6A) and it is therefore considered acceptable that the scheme does not provide off street parking. This is in accordance with the London Plan which encourages low levels of car parking in areas with good access to public transport and encourages more sustainable means of travel.
- 6.17 No details of the cycle parking facilities have been provided. A condition is recommended requiring details of cycle parking to be submitted and approved.

Impact on Adjoining Properties

- 6.18 It is not considered that the conversion of the property will result in an unacceptable impact on residential amenity. There is a possibility that some overlooking may be caused by the insertion of a new window in the flank wall at semi basement level, but this window serves a bathroom and a condition is therefore recommended that will require the window to be obscure glazed to prevent any loss of privacy to neighbouring occupiers.

Sustainability and Energy

- 6.19 The applicant has submitted a Sustainability Statement in support of the application which confirmed the sustainability measures that will be employed in the conversion. These include the use of roof insulation and high performance windows and doors; the specification of A rated appliances where applicable; and the specification of dual flush toilets and low flow tap fittings to reduce water consumption.

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 including policies in the Core Strategy.
- 7.2 On balance, Officers consider that the principle of the conversion of the dwelling is acceptable given that a generously sized 3 bedroom family unit will be retained with direct access to the garden. In addition, the standard of the accommodation provided by the units is considered to be acceptable.

7.3 The proposal is not considered to have a negative impact on the amenity of neighbouring occupiers or on visual amenity. The scheme would result in the removal of the existing unsympathetic rear lean-to extension and the replacement of the existing wooden fence to the front of the property with a more appropriate boundary treatment.

7.4 The scheme is therefore considered acceptable.

8.0 Summary of Reasons for Grant of Planning Permission

8.1 It is considered that the proposal is appropriate in terms of the quality of accommodation provided and would not result in material harm to the appearance or character of the surrounding conservation area or the amenities of neighbouring occupiers. The proposal is thereby in accordance with saved policies URB 3 Urban Design, HSG 4 Residential Amenity and HSG 9 Conversion of Residential Property in the adopted Unitary Development Plan (July 2004), and Core Strategy Policy 15 High quality design for Lewisham and Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment of the Local Development Framework: Core Strategy (June 2011).

9.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:-

- (1) Prior to the commencement of development full details of any new window and doors shall be submitted to and approved in writing by the local planning authority at a minimum scale of 1:20.
- (2) B05 – Windows – Obscured Glazing
- (3) H12 – Provision for Cyclists
- (4) No development shall commence on site until drawings showing the use of the paved area to the front of the property and the treatment thereof (including refuse/recycling bin storage, planting, paving and boundary treatment) have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the occupation of the residential units and shall be retained for the lifetime of the development.
- (5) B09 – Plumbing or Pipes

Reasons

- (1) To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy URB 3 Urban Design and Policy URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the adopted Unitary Development Plan (July 2004).
- (2) To avoid the direct overlooking of adjoining properties and consequent loss of privacy thereto and to comply with Policy 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).

- (3) In order to ensure adequate provision for cycle parking and to comply with Policy 14 Sustainable movement and transport of the adopted Core Strategy (June 2011).
- (4) In order that the local planning authority may be satisfied with the provisions for refuse collection in the scheme and to comply with Policy 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) and Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
- (5) B09R – Plumbing or Pipes

Informative

The applicant be advised that, for the avoidance of doubt, any further subdivision of the property will require a further application for planning permission.