Location 2 Rectory Grove London SW4 0DZ

Ward Clapham Town

Proposal Application Change of use of existing buildings to provide two dwelling houses involving a second floor side/front extension, new means of vehicle access, provision of 1 off street car parking space, insertion of a window to the side elevation at first floor level, removal of four trees (2 front and 2 rear), new boundary treatment, landscaping works and internal alterations (Town Planning and Listed Building applications received).

Applicant Mr P Lachenal

Agent Mr Jim Bailey
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2 Richfield Place
12 Richfield Avenue
Reading
RG1 8EQ

Date valid 23 March 2010

Case Officer Miss Agnieszka Nowak

Applications References 10/01044/FUL 10/01052/LB

Recommendations Grant Planning Permission
Grant Listed Building Consent

Constraints Conservation Area
East London Rail Extension
Listed Building
Archaeological Priority Areas

Advert Publication Date 15th August 2010

Site Notice posted on 30th July 2010

1. **Summary Of Main Issues**

1.1. The considerations material to the assessment of the proposal are as follows:

- The principle of loss of a community facility on site;
- The impact of the proposed external alterations on the special historic interest of grade II listed building and the surrounding conservation area;
- The impact of the proposed change of use and the proposed external alterations on the residential amenity of the neighbouring occupiers;
- Acceptability of the standard of residential accommodation;
- The impact of the proposed development on trees; and
- The impact on parking stress, traffic congestion and highway safety in the area.

2. **Site Description**

2.1. The property is a mainly three storey (with basement) building with a two storey element that together with 94 Larkhall Rise forms a pair of semi detached houses. The building was previously owned by Lambeth Council and was last used as a Community and Educational Centre.

2.2. The building is Grade II Listed and stands within the Rectory Grove Conservation Area where Rectory Grove meets Larkhall Lane. It is considered to make a positive contribution to the character and appearance of the area.

2.3. The two storey Victorian element is terminated by a parapet which rises and falls on the façade for decorative effect. Its visual subservience and the street corner location allows the original 1777 house to remain the dominant element of the composition. However, the rear half of this addition was raised in the 1970s and has a part flat and part sliding roof which follows the section of the internal staircase. This part of the building is large and bulky but still manages a certain level of subservience due to its rearward location.

3. **Planning History**

3.1. Planning permission (ref: 86/01792/PLANAP) was granted on 30.11.1987 for the use of the building as a community educational and employment counselling centre together with elevational alterations and boundary treatment.

3.2. Planning (ref: 01/03055/FUL) and listed building consent (ref: 02/00034/LB) was granted on 19.06.2002 for internal alterations, along with removal of windows to flank elevation and formation of patio to rear on basement level and associated alterations.
3.3. Planning (ref: 09/03638/FUL) and listed building consent (ref: 09/03635/LB) refused on 15.01.2010 for the change of use of existing buildings to provide two dwelling houses involving a second floor side/front extension, new means of vehicle access, provision of 2 off street car parking spaces, insertion of a window to the side elevation at first floor level, removal of four trees (2 front and 2 rear), new boundary treatment, landscaping works and internal alterations.

4. Scheme Details

4.1. There are two applications to be considered in this report:

Application A – full planning permission ref: 10/01044/FUL and Application B – listed building consent ref: 10/01052/LB.

4.2. It is proposed to change use of existing buildings to provide two dwelling houses involving a second floor side/front extension, new means of vehicle access, provision of 2 off street car parking spaces, insertion of a window to the side elevation at first floor level, removal of four trees (2 front and 2 rear), new boundary treatment, landscaping works and internal alterations.

4.2. The proposed residential accommodation would comprise of 2 x 4 bedroom houses. The houses would share a communal front garden and the rear garden would be divided into two by a hedge.

5. Consultation Responses

5.1. On 6th April 2010 a total of 62 consultation letters were sent to the following addresses on:
- Ingleton House, 2A Rectory Grove;
- Wardens Flat, Ingleton House, 4 Rectory Grove
- Grove Court, 99 Larkhall Rise;
- 90, 92, 99, 97, 101 Larkhall Rise;
- 1, 1A, 3, 3A, 4 Rectory Grove;
- 1, 3 Netherford Road;

5.2. During the consultation process the Council’s attention was drawn to the fact that the occupiers of the adjoining property no 94 Larkhall Rise have not been consulted. As a result, a consultation letter has been sent directly to the property in question on 20th April 2010.

5.3. Additional consultation exercise has been undertaken between 27th July and 5th September 2010 seeking views on the proposed amendments to the vehicle parking arrangement within the front garden.

5.4. The following Groups/Amenity Soc.'s/consultees were notified:
Clapham Society – no in principle objection;
TFL Road Network Development – no objection;
Education - Head of Asset Management – no response to date;
LBL Crime Prevention Unit - no in principle objection;
LBL Planning Policy – no objection;
LBL Transport/Highways – no objection;
LBL Conservation and Design – no objection;
LBL Streetcare – no objection;
LBL Arboricultural Officer – no objection;

5.4. A site notice was displayed in the vicinity of the application site on 13th April 2010 and a press advert was published in Lambeth Life on 15th April 2010. Additionally, following the reception of the amended plans, a further site notice was displayed on 30th July and a further press advert was published in Lambeth Life on 15th August 2010.

5.5. There have been three (3) written representations received. The responses received are summarised in the table below.

<table>
<thead>
<tr>
<th>Nature of Objection</th>
<th>Response</th>
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| The felling of the mature lime tree in the forecourt. | The existing Lime tree in the front garden is proposed to be retained. The Design and Access states that the 1 x Hornbeam tree and 1 x Ash tree to the front of the property may be removed. 

The Council’s Arboricultural Officer has been consulted and submitted the following comments:

“I have no objection to the proposal as the Ash tree is causing significant structural damage to the boundary wall and the Hornbeam is a poor specimen planted beneath the canopy of the larger Lime tree that is to be retained situated to the front of the site.

It is my view that the removal of the Ash and Hornbeam trees would require removal in time anyway irrespective of development, and that those trees most important to the character and the appearance of the streetscape (the larger Oak and Lime) have been retained.”

In the light of the above, it is considered that the proposal is in line with the aspirations of Policy 39 of the UDP. |
The frontage of the building would be much enhanced by extending it as brickwork with two windows to match the existing terrace frontage, rather than a different design.

The principle of the extension has been considered under the previously refused application (ref: 09/03638/FUL) when it was found to be unacceptable due to its lack of subservience.

The Council recognises the fact that the application property and its adjoining neighbour have been evolving independently since they were built and currently represent different historic interest and architectural merits. Consequently, the proposal to reinforce the lost uniformity is considered as inappropriate. The proposal should ensure that the existing special historic interest of grade II listed building is respected.

The Conservation Officer has expressed his support to the scheme which is considered to be an improvement on the previous proposal. As such, the proposed front/side extension would retain the subservience required and the historic integrity of the building would not be unacceptably affected.

Accordingly, the scheme is now considered acceptable and in line with the requirements of Policies 33, 36, 45 and 47.

5.6. The Clapham Society offered the following comment:

“The mansard roof approach to the extension is supported, because it effectively maintains the different character between the Victorian extension and the Georgian host building. All the windows of the Georgian part of the building should reflect that period (six over six sashes) as proposed in the Design and Access statement but not illustrated on the drawings. The mansard roof extension should be properly detailed and traditional materials used.”

6. Relevant Policies

6.1. National and Regional Guidance

6.1.1. Central Government advice/guidance is contained in a range of Government Circulars, Planning Policy Guidance Notes (PPG) and/or Planning Policy Statements (PPS). These contain general policies which aim to guide the local planning authority in securing good local planning policies based on
real and sound objectives and the need to provide high quality, well thought out and sustainable developments, which make a positive contribution to the locality and which help to protect or enhance the environment.

6.1.2. The following national guidance is considered of particular relevance to this application:

**PPS1 [Delivering Sustainable Development]**
PPS1 sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. It states that good design is indivisible from good planning and encourages planning authorities to secure high quality and inclusive design for all development.

**PPS3 [Housing]**
PPS3 sets out the Government's overarching planning policy framework for delivering the Government's housing objectives. The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities.

**PPG4 [Industrial, Commercial Development and Small Firms]**
PPG4 spells out the Government's key aim to encourage continued economic development in a way which is compatible with its stated environmental objectives. Economic growth and a high quality environment have to be pursued together.

**PPG13 [Transport]**
PPG13 deals specifically with transport, particularly the way in which transport integrates with planning. PPG13 seeks to: promote sustainable transport choices; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking, and cycling; and, reduce the need to travel, especially by car. The Guidance encourages the location of traffic generating uses close to public transport, to encourage sustainable transport modes. PPG13 also encourages the production of travel plans to raise awareness regarding the impacts of travel decisions.

**PPS 5 [Planning for the Historic Environment]**
PPS5 sets out the Government's planning policies on the conservation of the historic environment.
6.2. The London Plan (2004 – as amended)

6.2.1. The London Plan was consolidated in February 2008 and now includes alterations that have been made since it was adopted in February 2004. The London Plan is the Mayor’s development strategy for Greater London and provides strategic planning guidance for development and use of land and buildings within the London region.

6.2.2. It seeks to accommodate significant growth in ways that respect and improve London’s diverse heritage while delivering a sustainable world city and, proposes to achieve this through sensitive intensification of development in locations well served by public transport.

6.2.3. All Borough plan policies are required to be in general conformity with the London Plan policies.

The key polices of the plan considered relevant in this case are:

Policy 3A.1 Increasing London’s supply of housing
Policy 3A.2 Borough housing targets
Policy 3A.3 Maximising the potential of sites
Policy 3A.4 Efficient use of housing stock
Policy 3A.5 Housing choice
Policy 3A.6 Quality of new housing provision
Policy 3A.18 Protection and enhancement of social infrastructure and community facilities
Policy 3C.17 Tackling congestion and reducing traffic
Policy 3C.23 Parking strategy
Policy 4B.1 Design principles for a compact city
Policy 4B.8 Respect local context and communities
Policy 4B.11 Heritage conservation


6.3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Lambeth is the London Plan (‘consolidated with Alterations since 2004’ published in February 2008) and the London Borough of Lambeth Unitary Development Plan (UDP): Policies saved beyond 5th August 2010, with material considerations including planning policy statements and planning policy guidance.

6.3.2. It should also be noted that the Lambeth Local Development Framework Core Strategy was submitted to the Secretary of
State for examination on 26th March 2010. The Core Strategy is still subject to change and has little weight until it has been through the examination process. As such the UDP saved beyond 5th August 2010 is still the principal document for determining planning applications.

6.3.3. The following policies of the adopted Lambeth Unitary Development Plan (2007) are considered relevant to this application:

Policy 6  Development of Brownfield Sites
Policy 7  Protection of Residential Amenity
Policy 9  Transport Impact
Policy 10  Walking and Cycling
Policy 14  Parking and Traffic Restraint
Policy 15  Additional Housing
Policy 23  Protection and Location of Other Employment Uses
Policy 26  Community Facilities
Policy 33  Building Scale and Design
Policy 36  Alterations and Extensions
Policy 39  Streetscape, Landscape & Public Realm Design
Policy 45  Listed Buildings
Policy 47: Conservation Areas
Policy 56  Waste

6.4. Supplementary Planning Guidance


6.4.2. Supplementary Planning Document on Housing Development and House Conversions (July 2008).

7. Planning Considerations

7.1. Land Use

7.1.1. Policy 6 relates to brownfield sites and states that in the interest of achieving sustainable development (including protecting Greenfield sites), development of previously developed urban land (including conversions, use of empty property and changes of use) will be maximised, whilst protecting the nature of conservation interest that some Brownfield sites possess.

7.1.2. Policy 15 in the UDP states that, unless the plan expressly promotes, allows or protects other uses, housing is an appropriate use on all sites which can provide a suitable residential environment for existing and future residents. In
particular, the policy promotes conversions and re-use of empty buildings (unless retention of viable uses is protected by other plan policies), where a more flexible approach towards development standards will be applied, subject to the maintenance of a high quality residential environment. In accordance with London Plan Policy 3A.2, boroughs should seek to exceed the targets for additional homes set out in Table 3A.1. The supporting text in paragraph 3.15 refers to a "...'plan, monitor, and manage approach' to ensure that the London Plan delivers as many additional homes each year as is reasonably possible and is consistent with housing requirements".

7.1.3. As the current use falls within the D1 use class Policy 26 should also be considered. Sub paragraph 4.12.2. defines ‘community facilities’ and includes D1 use class uses for the provision of education. Criterion (c) advises that the loss of a community use falling within the D1 use class will be resisted unless:

(i) A facility of equivalent functionality is replaced locally, or adequate planning obligations are secured to mitigate against its loss. This would require securing or improving facilities of equivalent functionality in the area and ensuring their long-term viability; and

(ii) Both the site and any buildings are unsuitable and/or unviable for redevelopment for community uses for which there is a local shortage or deficiency.

Exceptionally a reduction in the size of a community facility on or off-site may be permitted where the facility is too large for modern needs, or the cost of repairs or replacement buildings of equivalent size are prohibitive, and the development is essential to secure community use (with equivalent community access) on the remainder of the site or elsewhere.

7.1.4. Policy 23 Protection of Other Employment Uses provides a definition of employment uses, this includes amongst other things employment training. Whilst the policy does state that if the use would be defined as a community facility within the plan then this would not be considered an employment use, it is clear that there remains some conflict within the two definitions when considering employment training uses which are defined as use class D1 but also specifically listed in Policy 23 as an employment use. As such it is considered that regard should also be given to Policy 23. Criterion (b) states that on sites outside KiBAs, where land is or has last been in employment use, loss of floorspace (in particular B1 business use floorspace for small businesses) to non-employment use will not be permitted, unless, amongst other things, it is a listed building or a building of significant historic merit which contributes to the character and appearance of a
Conservation Area, designed for and reverting to residential use.

7.1.5. As the property is listed, Policy 45 is also of relevance, this policy states in relation to change of use that wherever possible, the original use of an historic building should be retained, particularly if it is residential. If the use has been changed from the original, restoration to the original may be desirable. In some cases, the survival of the building may entail finding an alternative appropriate re use – this should minimise damage to historic or important features and statutory requirements, such as fire escapes and services, will need to be integrated sensitively.

7.1.6. The application would result in the loss of a community use which is contrary to Policy 26. The application has not been accompanied by details of whether a facility of equivalent functionality has been replaced locally, nor have planning obligations been secured to mitigate the loss as required by criterion (c) (i). The applicants have stated the following as a justification for the loss of the community use:

“The loss of a community use will not be harmful to the amenities of residents, because the Council sold the property in the knowledge that it was most recently in D1 use and the need for such uses was not considered to outweigh the need for the Council to raise the maximum consideration from the sale of capital asset. Officers have expressed the view that if the Council considered the retention of the community use to be important, it could have placed a covenant on the property, which it hasn’t.”

7.1.7. It is clear that the Council has disposed of the property and therefore the building was surplus to requirement in terms of its need as an educational or community facility required for the Council. This however does not demonstrate that the building is unsuitable and/or unviable for community uses for which there is a local shortage. It appears that the applicants have not explored any avenues for any medium term re-use or refurbishment of the building for a community use by any organisations other than the Council. The applicants have only established that the Council themselves did not require the building for educational or community purposes. The application does make reference to constraints of community groups in terms of often having large costs associated with leasing/buying buildings such as this. Nothing has however been submitted with the application to suggest that this is the case with this property and to support this view. Therefore the change of use would not technically meet the requirements of Policy 26(c).
7.1.8. It is considered that regard should also be had to the objectives of Policy 23 and Policy 45 given the nature of the use being that of both a community use and an employment use. Policy 45 states in relation to change of use that wherever possible, the original use of an historic building should be retained, particularly if it is residential. Policy 23 also supports this approach and allows the loss of employment uses where it is a listed building designed for and reverting to residential use.

7.1.9. The change of use would, despite the use being protected by plan policy, still conform with the overarching objectives of Policies 23, 26 and 45 as the development would result in a listed building that was formally in residential use to revert back to this use. While the loss of a community facility is regrettable, it is considered that on balance, when having regard to the building being listed and development allowing the property to revert back to its original residential use, that the loss of the community facility in this instance should be allowed. The development would also assist in increasing the housing stock within the borough which is consistent with the objectives of Policy 15 and would therefore assist the Council is meeting its housing targets. Furthermore, the development would make effective use of a brownfield site, through the conversion of an empty building to residential use and providing additional housing in an accessible location which is consistent with the objectives of Policy 6.

7.1.10. In light of the above, it is considered that the change of use to residential should be supported having regard to the individual circumstances of the site, particularly as the development would result in the listed building reverting back to residential use. This fact is important and outweighs the technical shortcoming of the applicant statement with regard to re-use of the site as a community facility as required by Policy 26 (c). The proposal is therefore considered to meet the objectives of Policies 6, 15, 23, 26 and 45 and is acceptable in this regard.

7.2. Design and Conservation Considerations

7.2.1. Policy 45 (e) advises that development which adversely affects the setting of a listed building, or significant views of a listed building, will be refused.

7.2.2. Policy 47 seeks to preserve and enhance the character of conservation areas in conjunction with other policies. It also asserts that development should preserve and reinstate characterful traditional uniform boundary treatment of the area.
7.2.3. Policy 33 of the UDP relates to the design of new development and extensions, of particular note is the requirement for all development to be of a high standard in design and layout, and take into account height, bulk, scale, materials and colour, character and amenities of an area. For development affecting conservation areas or listed buildings (or their setting), protecting or enhancing their character and appearance should take precedence.

7.2.4. Policy 36 (a) states that alterations and extensions should generally be subordinate to and in keeping with the appearance of the original building.

7.2.5. Policy 39 of the UDP asserts that development should provide or enhance an uncluttered, consistent, simple, accessible and co-ordinated public realm, with robust and appropriate materials and landscape design, enhancing the setting, connections and spaces between buildings. Where possible, traditional forms of street furniture will be restored, or reinstated following authentic local patterns and styles.

7.2.6. The Council's SPD asserts that side extension should normally:
- Be subsidiary to the main dwelling in scale, height and position;
- Be set back from the front building line;
- Maintain a 1m gap between the completed structure and the side boundary to avoid visual terracing and maintain side space between properties; and
- Designed so that the roof design is compatible with that of the main building or adhere to an established design in the surrounding area.

7.2.7. The proposal relates to a grade listed building, one of a pair of semi detached houses dating from 1777. Each house was extended to the side in the 19th Century. In the case of the application property the extension is subservient in terms of its height – allowing an appreciation of the form of the original. At one time the property was used as a school and in the 1970s it would appear that the interior was substantially altered and at the same time part of the side extension was rebuilt to accommodate an escape stair. This element has a modern roof form and the related external alteration - windows etc. are also modern. These 1970s elements are not considered to contribute to the special interest of the building.

7.2.8. The previous planning and listed building applications on this site were refused. Whilst the principle of a change of use from
community facility to residential was supported, the Conservation Officer considered that insufficient analysis of the special interest of the building was provided. There was no clear information submitted on what would and would not be retained, no information on the drainage routes and servicing for the additional bathrooms and on how the cupboard would be accommodated under the basement staircase.

7.2.9. The new bathrooms at first and second floor of the 1777 house, the removal of the original flank window along with new cornices at basement and second floor level were also considered to have adverse impact on historic fabric / plan form / historic integrity of the building. Additionally, the roof addition on the flank was regarded as overly dominant and harmful both to the setting and integrity of the 1777 building.

7.2.10. In response to the above concerns, the architect has amended the scheme, removing the unsympathetic bathrooms at first and second floor level and reducing the height and bulk of the front/side extension by introducing a mansard design to the front of the building. The Conservation Officer has raised no objections to the proposed changes which are considered to be a much improvement on the previous scheme. As such, the current proposal for a front/side extension would retain the subservience required, whilst the historic fabric / plan form / historic integrity of the building would not be unacceptably affected.

7.2.11. It is therefore considered that the proposed development would preserve the special interest of the building and the character and appearance of the Rectory Grove Conservation Area. Accordingly, the scheme is now considered acceptable and in line with the requirements of Policies 33, 36, 39, 45 and 47.

7.2. Amenity Impact

Internal Amenity

7.3.1. Policies 15 and 33 of the UDP state that development which creates new residential units, should provide a high standard of internal amenity.

7.3.2. The Supplementary Planning Document (SPD) on housing developments and housing conversions applies in the determination of applications involving all forms of residential development, including conversion of buildings formerly in other uses into residential use. The SPD states that all rooms should be designed according to their use. They should have
an adequate area, width, length, shape, door arrangement, height, noise insulation and natural lighting and ventilation. There should be adequate circulation space, in the form of a hallway or lobby so that it is possible to enter or leave one habitable room without passing through another habitable room.

7.3.3. The proposal is considered to afford an acceptable level of internal amenity having regard to natural lighting, ventilation and circulation - through use of windows and high floor to ceiling heights. Each habitable room within the dwelling is provided with access to natural lighting and ventilation. All individual rooms would meet the specifications set down in the SPD. It is therefore considered that the proposal would satisfy the requirements of Policies 15 and 33 of the Unitary Development Plan and the guidance set out in the Supplementary Planning document.

_Amenity of Neighbouring Residents_

7.3.4. Policies 33 and 36 state that new developments should protect the residential amenity of existing and future residents by having an acceptable standard of privacy and acceptable impact on levels of daylight and sunlight. They should not create unacceptable overlooking, an undue sense of enclosure and where appropriate they should provide sufficient outdoor amenity space.

7.3.5. Given the size and siting of the proposed alterations and extensions it is considered that no loss of daylight and sunlight or creation of a sense of enclosure to the adjoining properties would result.

7.3.6. With regard to privacy it is noted that the proposed new and replacement windows and doors would not lead to loss of privacy.

7.3.7. Policy 7 of the UDP recognises and seeks to protect the right of people to the quiet enjoyment of their home. Policy 54 states that noise generating development should be located and operated so as to limit pollution to acceptable levels, in terms of not creating a statutory nuisance, or as specified in National Air Quality Objectives, and to protect the amenity and character of an area.

7.3.8. The proposed use of the site would be residential and there is likely to be little noticeable difference for adjoining and surrounding residents between the established and the proposed use of the property. Notwithstanding that, any transmission of noise between neighbouring properties would
be secured through necessary compliance with Building Regulations. There are also other legislative measures in place that would more appropriately deal with noise nuisance from the residences if they occur.

7.3.9. With respect to refuse, Policy 56 of the UDP requires new development to have adequate provision for safe storage and collection of refuse and recycling. More specifically Lambeth’s Guidance for Waste and Recycling Storage and Collection Requirements provides specific advice on refuse and recycling stores with regard to provision, location and access.

7.3.10. The above guidance states that development of up to 10 households should provide a minimum of 80 litres storage capacity per bedroom and space for Council provided orange recycling sacks. The Council’s Sustainable Waste Management team has requested that 1 x 240 litre wheeled bin will need to be allocated for refuse and an additional space will need to be identified for orange recycling bags.

7.3.11. Details of refuse/recycling storage provision have been supplied by the applicant and it is considered that there would be sufficient space to accommodate waste and recycling facilities. Notwithstanding that, if the scheme was recommended for approval, a condition would be proposed requesting further details of the refuse arrangements to be submitted to the Council to warrant that there is enough capacity to ensure compliance with the requirements of the London Borough of Lambeth’s ‘Waste and Recycling Storage and Collection Requirements: Guidance for Architects and Developers’ and also to ensure the provision of these facilities would not detract from the special interest of a listed building.

7.4. Highways and Transportation Issues

7.4.1. Policy 9 of the UDP states that planning applications will be assessed for their transport impact, including cumulative impacts on highway safety; on the environment and the road network; and on all transport modes, including public transport (in particular, the impact on demand for and the operation of public transport), walking and cycling. The policy goes on to state that any increase in traffic generated by development, should not increase levels of traffic congestion, lead to a situation where the condition of highway safety is reduced, cause material harm to the speed and/or reliability of bus and other public transport services or undermine traffic reduction and/or management measures.
7.4.2. Policy 14 requires all development to ensure that adequate parking and traffic restraint measures are in place. Table 6 states that developments of this type in this location can provide a maximum of 1 off-street car parking space per dwelling.

7.4.3. Policy 10 endorses the facilitation of walking and cycling journeys as a way to lessen the reliance on less sustainable modes of transport.

7.4.4. The site is located within CPZ Clapham ‘C’ and has a PTAL score of 3, which is considered ‘moderate’. There are no designated bays outside the property, meaning the proposed crossover would not reduce available on-street parking. Given local levels of car ownership, the proposals are likely to generate up to 2 cars, one of which will be accommodated by the off-street parking, and the other on-street. The off-street parking space is proposed within the forecourt of the property, accessed by a proposed crossover onto Rectory Grove. This number of spaces meets Lambeth’s maximum parking standards. No parking survey has been submitted with the application but historical data for the area suggests that there is sufficient capacity on-street to accommodate the additional vehicle and therefore a permit free clause is not necessary.

7.4.5. The Design and Access Statement states that the vehicle would be able to enter and exit the space in forward gear, and the submitted swept path illustrates how this would be achieved. The Transport Planner who reviewed the proposal confirmed that the applicant would need to consult with Lambeth Highways regarding construction of a crossover, before full consent can be given. The applicant would have to cover the cost of constructing the new crossover, required line marking, any necessary Traffic Orders and the relocation of the lamp column. The applicant should also gain written confirmation from BT that the existing manholes can be relocated or reinforced. Lastly, the entrance gates must not open outwards on to the Highway.

7.4.6. No details of cycle parking provision are given. Policy 14 requires that a minimum of 1 cycle space be provided per dwelling and these must be secure, weatherproof and accessible. It is therefore considered appropriate that a condition is added to this consent, should it be granted, requiring details of cycle parking to be provided and approved by the Council.

7.5. Trees, Biodiversity and Landscaping
7.5.1. Policy 39 (Streetscape, Landscape & Public Realm Design) of the UDP seeks to ensure developments include landscape design that enhances the area. Further, Policy 39 (d) asserts that the removal of or major works to trees of high amenity value will only be permitted where they are assessed as hazardous, causing proven structural damage to property (where supporting information has been provided and when all other viable alternatives have been explored), or where it can be proven that a protected tree is unreasonably interfering with an individual’s enjoyment of his/her property.

7.5.2. The reference made to trees in the Design and Access states that the 1 x Hornbeam tree and 1 x Ash tree to the front of the property may be removed.

7.5.3. The Council’s Arboricultural Officer has been consulted and submitted the following comments:

“
I have no objection to this as the Ash tree is causing significant structural damage to the boundary wall and the Hornbeam is a poor specimen planted beneath the canopy of the larger Lime tree that is to be retained situated to the front of the site.

It is my view that the removal of the Ash and Hornbeam trees would require removal in time anyway irrespective of development, and that those trees most important to the character and the appearance of the streetscape (the larger Oak and Lime) have been retained.

The existing trees shown to be removed at the rear of the property (Drwg No. 636/05A) and as outlined in the Design and Access Statement are poor specimens in their own right and would not require retention as part of this proposal.

The 1 x Cherry tree and 1 x Silver Birch tree shown to be removed should be replaced as part of the proposal and this matter should be controlled by condition.

I note that the scheme involves a proposed parking bay to be located in proximity to the Lime tree to the front of the property and also the existing Lime tree at the rear. In order to avoid the risk of damage to the root system of these 2 no. trees the parking bay should be installed using a no-dig construction method.

Should the above tree related matters be subject to an appropriate Tree Protection condition, I am satisfied that the proposal accords with Policy 39 of the adopted UDP.”
7.5.4. In the light of the above, it is considered that the proposal is in line with the aspirations of Policy 39 of the UDP.

7.6. Community Safety/Designing out crime

7.6.1. Policy 32 of the UDP requires that developments should enhance community safety. Development will not be permitted where opportunities for crime are created or where it results in an increased risk of public disorder. This requirement is contained within Section 17 of The Crime and Disorder Act 1998 which imposes an obligation on the local planning authority to consider crime and disorder reduction in the assessment of planning applications.

7.6.2. No evidence has been submitted to demonstrate that the proposed change of use would result in increased criminal activity or anti-social behaviour. It is beyond the scope of this assessment to hypothesise that this may occur without the benefit of supporting evidence. Any criminal behaviour would be a criminal matter and outside the scope of planning legislation.

7.6.3. Notwithstanding that, the Crime Prevention Advisor who reviewed the proposal recommends that following points 1 – 8 be adhered to by the applicant to reduce mitigate local crime risks:

1 External communal lighting should adhere to BS 5489 white light is preferred for areas where CCTV is used and elsewhere high pressure sodium is acceptable. A Lighting engineer should be consulted to provide a well designed scheme. This should be in vandal resistant housings providing even light with no shadows or voids and minimal light pollution. A minimum uniformity rating of 25% and above with a colour rendition index rating of 60 and white light where CCTV is used is desirable.

2 A design solution should be sought to include an area of defensive space to the side of this property before this application is progressed.

3 Bin stores should be inside a secure building or structure with a lockable door fitted with a slam shut facility to discourage Arson, prostitutes, drug addicts and rough sleepers.

4 Separate individual cycle storage cages are ideal and we find these units are most popular with residents. The cycle storage proposed should be securely fixed to the ground within a secure and lockable area. The door should be robust, fit for purpose and have a slam shut facility and
the rack or stand should enable the cycle frame to be secured at two independent points.

5 The building should be designed to minimise climbing opportunities. Drainpipes should be flush fitting or recessed into brickwork away from windows or potential access points to inhibit climbing. The rear flat roof should as far as possible restrict open access to other roofs or the adjacent flats.

6 Vulnerable doors and windows must comply with the SBD minimum standards and be fitted with a minimum of 6.4mm laminated glass. Vulnerable areas include all basement and ground floor windows and any windows that can be easily accessed such as those above the entrance porch or flat roof.

7 Patio Doors should have 3 point locking an anti lift device fitted and the sliding door on the inside with 6.4MM laminated glass.

8 The side and rear perimeter fence should be a minimum of 2m in height with trellis on top.

7.6.4. In the light of the above, it is considered that subject to these items being provided, the proposal meets the requirement of Policy 32 of the UDP.

8. Conclusion

8.1. Listed Building Consent and full planning permission are sought for the change of use of existing buildings to provide two dwelling houses involving a second floor side/front extension, new means of vehicle access, provision of 2 off street car parking spaces, insertion of a window to the side elevation at first floor level, removal of four trees (2 front and 2 rear), new boundary treatment, landscaping works and internal alterations.

8.2. The principle of the proposed land use is unobjectionable and the proposed alterations and extensions would preserve the special interest of the listed building and the character and appearance of the Rectory Grove Conservation Area. As such, the current proposal successfully addresses the previously raised concerns and satisfies the requirements of the relevant policies and guidance.

9. Recommendation

9.1. Grant Planning Permission (Application A) subject to conditions.
9.2. Grant Listed Building Consent (Application B) subject to conditions.
Summary of the Reasons (Full Planning Permission – Application A):

In deciding to grant planning permission, the Council has had regard to the relevant policies of the Development Plan and all other relevant material considerations. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following policies were relevant:

- Policy 6   Development of Brownfield Sites
- Policy 7   Protection of Residential Amenity
- Policy 9   Transport Impact
- Policy 10  Walking and Cycling
- Policy 14  Parking and Traffic Restraint
- Policy 15  Additional Housing
- Policy 23  Protection and Location of Other Employment Uses
- Policy 26  Community Facilities
- Policy 33  Building Scale and Design
- Policy 36  Alterations and Extensions
- Policy 39  Streetscape, Landscape & Public Realm Design
- Policy 47  Conservation Areas
- Policy 56  Waste

Summary of the Reasons (Listed Building Consent – Application B):

In deciding to grant Listed Building Consent, the Council has had regard to the relevant Policies of the Development Plan and all other relevant material considerations. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant:

- Unitary Development Plan (2007):
  - Policy 45: Listed Buildings

Conditions (Full Planning Permission – Application A)

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.

   Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 and Section 51 of the Town and Country Planning Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice.
Reason: For the avoidance of doubt and in the interests of proper planning.

3. Detailed construction drawings (1:10, 1:5 and 1:1 scale as appropriate) of the following shall be submitted to and approved in writing by the Local Planning Authority before any building work commences: dormer window, rebuilt chimney stack, steps, timber gates as well as all new internal joinery, including staircase. This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the Conservation Area. (Policies 33, 36 and 47 of the Unitary Development Plan (August 2007) refer.)

4. All new external materials (brickwork, copings, slates etc) shall match the existing closely. Samples shall be made available on site for inspection by the Council. No work shall commence until approval in writing is issued by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved samples.

Reason: To safeguard and enhance the visual amenities of the locality and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the Conservation Area. (Policies 33, 36 and 47 of the Unitary Development Plan (August 2007) refer.)

5. All new windows shall be single glazed in timber to match the profiles and dimensions of surviving historic windows on the building unless otherwise approved in writing by the Council.

Reason: To safeguard and enhance the visual amenities of the locality and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the Conservation Area. (Policies 33, 36 and 47 of the Unitary Development Plan (August 2007) refer.)

6. Details of all soil and waste pipe routes shall be submitted to and approved in writing by the Local Planning Authority before any building work commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the Conservation Area. (Policies 33, 36 and 47 of the Unitary Development Plan (August 2007) refer.)
7. All external vents and extracts shall terminate in airbricks. Their design, size and siting shall be submitted to and approved in writing by the Local Planning Authority before any building work commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the Conservation Area. (Policies 33, 36 and 47 of the Unitary Development Plan (August 2007) refer.)

8. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscape design which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped, without the prior written permission of the local planning authority.

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity (Policy 39 of the Unitary Development Plan (2007) refer).

9. All planting, seeding or turfing comprised in the approved details of landscape design shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development (Policy 39 of the Unitary Development Plan (2007) refer).

10. Notwithstanding the gate design shown on drawing 636/05/B, a revised design showing a flat top to the gate shall be submitted to the Council along with detailed construction drawings (1:10, 1:5 and 1:1 scale as appropriate) of the basement railings, boundary wall (brick bonding, copings etc), ironwork (bars, standards, hinges, finials etc.).

Reason: To safeguard and enhance the visual amenities of the locality and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the Conservation Area. (Policies 33, 36 and 47 of the Unitary Development Plan (August 2007) refer.)
11. Prior to the occupation of any of the residential units hereby permitted, details of the provision to be made for cycle parking (min. 2) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details before the residential units hereby permitted are occupied and shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport (Policies 9, 10 and 14 of the Unitary Development Plan (August 2007)).

12. The entrance gates shall not open outwards on to the Highway.

Reason: To avoid hazard and obstruction being caused to users of the public highway. (Policy 9 of the Unitary Development Plan (2007)).

13. Details of refuse and cycle storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority prior to the initial occupation of the development hereby permitted. The refuse and cycle storage facilities shall be provided in accordance with the approved details prior to the occupation of any of the flats and shall thereafter be retained as such for the duration of the permitted use.

Reason: To ensure that adequate provision is made for the storage of refuse on the site, in the interests of the amenities of the area (Policies 9, 33, 56 of the Unitary Development Plan (2007)).

14. Details of the proposed access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No other part of the development shall be occupied until the new means of access has been sited, laid out and constructed in accordance with the approved details.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policies 9 and 14 of the Unitary Development Plan (2007) refer).

15. Details of parking, garaging, manoeuvring and the loading and unloading of vehicles shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The parking, manoeuvring and loading/unloading area shall be laid out and made available for use in accordance with the approved scheme before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose, or obstructed in any way.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policies 9 and 14 of the Unitary Development Plan (2007) refer).
16. No other part of the development shall begin until visibility splays have
been provided on both sides of the access between a point 2.4 metres
along the centre line of the access measured from the edge of
carrigeway and a point 40 metres along the edge of carrigeway
measured from the intersection of the centre line of the access. The
area contained within the splays shall be kept free of any obstruction
exceeding 0.6 metres in height above the nearside channel level of the
carrigeway.

Reason: To provide adequate intervisibility between the access and the
existing public highway for the safety and convenience of users of the
highway and of the access. (Policies 9 and 31 of the adopted Lambeth
Unitary Development Plan (2007))

17. The development hereby permitted is required to achieve Part 2
Secured by Design accreditation by complying with the Physical
protection standards of SBD and fitting BS certificated enhanced
security products as required, fitted with 6.4mm laminated glass.

Reason: To mitigate crime risks in accordance with the requirement of
Policy 32 of the UDP (2007).

Conditions (Listed Building Consent – Application B)

1. The development to which this permission relates must be begun not
later than the expiration of three years beginning from the date of this
decision notice.

Reason: To comply with the requirements of Section 18(1)(a) of the

2. Detailed construction drawings (1:10, 1:5 and 1:1 scale as appropriate)
of the following shall be submitted to and approved in writing by the
Local Planning Authority before any building work commences: dormer
window, rebuilt chimney stack, steps, timber gates as well as all new
internal joinery, including staircase. and this condition shall apply
notwithstanding any indications as to these matters which have been
given in the application. The development shall thereafter be carried
out solely in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the Listed
Building. (Policy 45 of the Unitary Development Plan (August 2007) refer.)

3. All new external materials (brickwork, copings, slates etc) shall match
the existing closely. Samples shall be made available on site for
inspection by the Council. No work shall commence until approval in
writing is issued by the Local Planning Authority. The development shall
thereafter be carried out solely in accordance with the approved
samples.
Reason: To preserve the special architectural and historic interest of the Listed Building. (Policy 45 of the Unitary Development Plan (August 2007) refer.)

4. All new windows shall be single glazed in timber to match the profiles and dimensions of surviving historic windows on the building unless otherwise approved in writing by the Council.

Reason: To preserve the special architectural and historic interest of the Listed Building. (Policy 45 of the Unitary Development Plan (August 2007) refer.)

5. Details of all soil and waste pipe routes shall be submitted to and approved in writing by the Local Planning Authority before any building work commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the Listed Building. (Policy 45 of the Unitary Development Plan (August 2007) refer.)

6. All external vents and extracts shall terminate in airbricks. Their design, size and siting shall be submitted to and approved in writing by the Local Planning Authority before any building work commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the Listed Building. (Policy 45 of the Unitary Development Plan (August 2007) refer.)

7. Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscape design which shall include indications of all existing trees, shrubs and hedgerows on the site and details, including crown spreads, of those to be retained. None of the trees, shrubs or hedgerows shown for retention shall be removed or felled, lopped or topped, without the prior written permission of the local planning authority.

Reason: To preserve the special architectural and historic interest of the Listed Building. (Policy 45 of the Unitary Development Plan (August 2007) refer.)

8. Notwithstanding the gate design shown on drawing 636/05/B, a revised design showing a flat top to the gate shall be submitted to the Council along with detailed construction drawings (1:10, 1:5 and 1:1 scale as appropriate) of the basement railings, boundary wall (brick bonding, copings etc), ironwork (bars, standards, hinges, finials etc.).
Informatives:

1. The Council will expect all new external detailing to be in accordance with that set out in the Rectory Grove Conservation Area Statement (2009).

2. It is current policy for the Council’s contractor to construct new vehicular accesses and to reinstate the footway across redundant accesses. The developer is to contact the Principal Highways Engineer in the Council’s Highways team on 020 7926 2620 or 079 0411 9517, prior to the commencement of construction, to arrange for any such work to be done. If the developer wishes to undertake this work the Council will require a deposit and the developer will need to cover all the Council’s costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council’s specification.

3. This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.

4. Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council’s Building Control Officer.

5. Your attention is drawn to the need to comply with the requirements of the Control of Pollution Act 1974 concerning construction site noise and in this respect you are advised to contact the Council's Environmental Health Division.

6. As soon as building work starts on the development, you must contact the Street Naming and Numbering Officer if you need to do the following

- name a new street
- name a new or existing building
- apply new street numbers to a new or existing building

This will ensure that any changes are agreed with Lambeth Council before use, in accordance with the London Buildings Acts (Amendment) Act 1939 and the Local Government Act 1985. Although it is not essential, we also advise you to contact the Street Naming and Numbering Officer before applying new names or numbers to internal flats or units. Contact details are listed below.

Street Naming and Numbering Officer
e-mail: rharrison1@lambeth.gov.uk
7. You are advised of the necessity to consult the Council's Streetcare team within the Public Protection Division with regard to the provision of refuse storage and collection facilities.

8. You are advised of the necessity to consult the Principal Highways Engineer of the Highways team on 020 7926 2620 or 079 0411 9517 in order to obtain necessary prior approval for undertaking any works within the Public Highway including Scaffold, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections and Repairs on the Highways, Hoarding, Excavations, Temporary Full/Part Road Closures, Craneage Licenses etc.

9. You are advised to contact the Council's Crime Prevention Design Advisor Ann Burroughs at aburroughs@lambeth.gov.uk to discuss compliance with the requirements of the Metropolitan Police's 'Secured by Design' standards.