
Appeal Decision

Site visit made on 24 July 2017

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27th July 2017

Appeal Ref: APP/G5180/W/17/3172294

Penge Library, 186 Maple Road, Penge, London, SE20 8HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Perrotta against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/04736/FULL1, dated 11 October 2016, was refused by notice dated 15 December 2016.
 - The development proposed is conversion and extension to provide educational facilities at ground floor (use class D1) and three self-contained flats at first and second floor levels.
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Decision

1. The appeal is allowed and planning permission is granted for conversion and extension to provide educational facilities at ground floor (use class D1) and three self-contained flats at first and second floor levels at Penge Library, 186 Maple Road, Penge, London, SE20 8HT in accordance with the terms of the application, Ref DC/16/04736/FULL1, dated 11 October 2016, subject to the conditions contained in the attached Schedule.

Preliminary Matters

2. I have used the description of development contained in the Council's decision as this describes the proposal more succinctly than the application form.
3. The appeal includes amended drawings (P-003A and P-001A) which involve minor alterations to the proposed building to accommodate cycle storage provision. A street scene drawing and Transport Statement are also included. The Council does not object to their submission and has had the opportunity to comment upon them during the appeal process. As such, I am satisfied that no party would be prejudiced by me taking them into account and have determined the appeal on this basis.
4. In light of the submitted Transport Statement, the Council accepts that the development would not be detrimental to highway safety or convenience and so its second reason for refusal is overcome. As such, it is not necessary for me to consider this matter.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area.

Reasons

6. The site comprises a single storey former library building on the corner of Maple Road and Blenheim Road with an attached two storey extension to the rear. The building is utilitarian in appearance and the Council accept that it is of little architectural merit. A mix of building types of various age, design and height surround the site creating an eclectic street scene. The building abuts the back edge of the pavement on Maple Road, similar to the commercial ground floor use adjacent and other buildings in the street. The first and second floors of the adjacent building are set back from this building line with its blank gable end apparent above the appeal property.
7. The proposed development would involve the addition of two stories below a hipped roof that follows the footprint of the building with its chamfered corners. This would be similar to the arrangement on the opposite corner of Maple Road and Blenheim Road. Other detailed design features are also reflected such as the brick banding of the existing building.
8. I do not share concerns that the development would appear anomalous or intrusive. In my view, it is the existing single storey building which is incongruous in the street scene in this prominent corner location. The addition of appropriately designed upper floors would improve its visual relationship with the surrounding buildings, which tend to be much taller. This includes the adjacent three storey building, notwithstanding that its upper floors are set back from the street. I see no reason why the appeal property should not stand proud of these upper floors, particularly given the positive benefits that would arise in providing a corner feature and appropriate sense of enclosure to the street. The extension would also improve the buildings visual relationship with the existing two storey rear extension, creating a more appropriate transition from Maple Road to the subsidiary street beyond.
9. Overall, I consider that the proposed development would be of an appropriate scale and appearance. The proposal would not harm the character and appearance of the area and I find no conflict with Policies BE1 and H7 of the Unitary Development Plan (2006), which require a high standard of design that maintains the character of the area; Policies 7.4 and 7.6 of the London Plan, which have similar objectives; the detailed guidance contained within the Council's General Design Principles Supplementary Planning Guidance; or the design principles contained in Part 7 of the National Planning Policy Framework (the Framework).
10. The Council has proposed a number of conditions in the event that planning permission is granted. In addition to the standard time limit for commencement of development, I have confirmed the approved plans and the approved ground floor use in the interests of certainty.
11. Details of the proposed materials are secured to ensure an appropriate appearance for the development and protect the character of the area. It is necessary to require details of proposed refuse storage to ensure that suitable space is made available and to protect character and appearance. I have secured the proposed cycle parking facilities to encourage sustainable modes of travel and in light of the schemes car free nature.
12. The Council highlights that the site is within an Air Quality Management Area declared for NO_x and that measures are required to minimise emissions.

Although not included in the Council's proposed list of conditions, I have required a scheme to ensure that local air quality is not harmed in accordance with paragraph 124 of the Framework.

13. I have not found it necessary to require details of surface water drainage as the site is already almost entirely covered with buildings and the footprint of the developed area will not change. Furthermore, drainage is a matter dealt with through the Building Regulations process. It is also unnecessary to require details of crime prevention measures as the scheme will provide an active frontage to the public realm and the Council has not identified any particular crime issue affecting the area, or any policy requirement. I have not attached a condition requiring future marketing literature to specify that the development is car free because the Transport Statement does not identify any severe traffic impacts or parking stress and the condition would be unenforceable in that there is no recourse if the literature did not comply that would facilitate a car free development.
14. In light of the above, and having considered all other matters, the appeal is allowed.

Michael Boniface

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, P-001A, P-002, P-003A, P-004, P-005 and SC-001.
- 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.
- 5) Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with the submitted details, the bicycle parking/storage facilities shall be permanently retained thereafter.
- 6) The ground floor unit hereby permitted shall be used only for a Class D1 educational facility and for no other purpose within the Class D1 Use Class.
- 7) No development shall take place until a scheme to minimise the impact of the development on local air quality has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme.