

SECTION '2' – Applications meriting special consideration

**Application No :** 11/03983/FULL2

**Ward:**  
**Bromley Town**

**Address :** 23 Bromley Common Bromley BR2 9LS

**OS Grid Ref:** E: 541163 N: 168137

**Applicant :** Bromley Womens Aid

**Objections :** YES

**Description of Development:**

Change of use to a womens refuge (Sui Generis use)

**Key designations:**

Conservation Area: Bromley Common  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Locally Listed Building

**Proposal**

Planning permission is sought to convert this semi-detached property into a women's refuge run by Bromley Women's Aid. The application is summarised as follows:

- accommodation will be provided for 7 women (plus children) fleeing domestic violence
- proposed ground floor would have 2 bedrooms (1 en-suite, 1 with wash basin), a living room, kitchen and utility room and staff office
- proposed first floor has 5 bedrooms (4 with en-suite), a family bathroom and additional w.c.
- charity workers would be present at the property during 9am and 5pm and would be on call during other weekday and weekend hours
- 4 car parking spaces proposed to the front of the site
- no external changes are proposed to the building

In the supporting design and access statement, the Agent explains the role of Bromley Women's Aid and goes into detail about the need of the services that the charity provides. The Agent has also submitted further information dated 7th February 2012 addressing some of the concerns raised in the letters of objection. These documents are available to views with the file.

**Location**

The application property at present is used as two flats, although there is no planning history relating to the use. The building is Locally Listed and is sited within the Bromley Common Conservation Area. This section of Bromley Common is also designated as part of a strategic route.

The semi-detached two storey property is located to the north-eastern side of Bromley Common, relatively close to the junction with Homesdale Road and Hayes Lane. The property has a garden of approximately 47m long with residential properties in Wellington Road to the rear. It is noted that both properties either side of the application site are residential single family dwellinghouses, with the wider area also mainly characterised by residential properties.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- concerns about loss of private residential dwelling to public organisation
- neighbour disputes- more difficult if owned by public organisation
- should only be considered if 21 and 23 were being converted to refuge together
- should be operated from a detached building
- value and saleability of 21 should be protected
- work of the organisation is invaluable but need to consider impact
- properties are locally listed and in conservation area
- 21 and 23 joined by central wall and central chimney stack, date back to 1822
- originally had interconnecting doors
- these are family homes, not suitable for 'multiple family occupancy'
- concerns about drainage- long history of problems with blockages
- smells and odours from both properties interact due to ventilation
- issues with smelling tobacco smoke
- concerns over fire safety- fire spread beneath underfloor ventilation and above the floors in the roof space
- fire safety would need to be updated and is not suitable for house in multiple occupation
- concerns about increased risk introduced by multi-occupancy family unite
- women staying in refuge may be pursued, harassed or stalked by ex-partners
- introduce new risk to area- e.g. arson, forced entry, violence, burglary
- proposed change of use would be out of character with local area and conservation area
- even if drainage, fire safety, security issues are addressed use is still out of character in the conservation area
- proposal seeks to use unauthorised use to justify use
- general shortage of family homes
- 7 residents (plus children) is excessive amount of residents
- over-use of rear garden

- no knowledge or evidence of the quality of how Bromley Women's Aid properties are run
- conspicuous position on main road
- no evidence about groups measures to protect residents
- insufficient staff supervision
- opportunities to cause trouble in evenings and weekends more likely
- inaccuracies in documentation and plans
- questions over security
- would permission make it suitable for other types of refuge?
- how will facility be managed?

Any further comments will be reported verbally at the meeting.

### **Comments from Consultees**

Metropolitan Police- given the intended use as refuge for vulnerable women would expect suitable measures to be employed to provide safe environment. No details submitted and suggest condition be attached to ensure 'Secure by Design' principles are met.

Highways- No objections raised in principle

Waste- No objections raised in principle

Environmental Health (Housing)- detailed comments provided

### **Planning Considerations**

The proposal falls to be considered primarily with regard to the following policies in the Unitary Development Plan:

- BE1 Design of New Development
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- C1 Community Facilities
- C5 Facilities for Vulnerable Groups
- C6 Residential Proposals for People with Particular Accommodation Requirements
- H1 Housing Supply
- H4 Supported Housing
- T3 Parking
- T18 Road Safety

The London Plan Policies: - 3.8 Housing Choice  
- 3.17 Health and Social Care Facilities

Circular 03/2005 – Changes of Use of Buildings and Land : Para 65 states that all private and voluntary homes (except residential care homes with three beds or less) have to be registered with the local social services authority. Registration can be refused on the grounds that the home would not provide adequate services or

facilities reasonably required by residents or patients. The land use planning considerations local planning authorities will need to concern themselves mainly with are the impact of a proposed institution on amenity and on the environment. If permission is granted, it does not follow that registration with the relevant authority will follow.

PPS1 Delivering Sustainable Development (Para 5) states "Planning should facilitate and promote sustainable development by ... ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities"

PPS3 Housing (2011) goes further: "The Government is seeking to create sustainable, inclusive, mixed communities in all areas ... The specific outcomes that the planning system should deliver are a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas" (paragraphs 9-10); in particular, paragraphs 20-24 are concerned specifically with 'Achieving a mix of housing.'

## **Planning History**

There is no recent planning history at the site. It is noted however that planning permission was refused twice in the 1980s for the erection of three bungalows at the land rear of 19 – 23 Bromley Common.

## **Conclusions**

The main issues relating to this application are the impact of the development and appropriateness of the use of the building as a residential institution on the character of the area; the impact on the amenities of the occupiers of neighbouring properties; and the impact of the proposal with regard to general conditions of safety on the highway.

The area is predominately residential in character and comprises a mix of single dwellings and flats within close proximity to the site. In this case, the use of the building would provide accommodation and support for up to 7 individual households (women and children) with ancillary staff office accommodation which would be staffed during weekday hours. The building has been not yet been converted but it is noted that the requirements under the Housing Act (2004) would need to be met. From an Environmental Health (Housing) is it stated that there has sufficient space to accommodate a maximum of 15 residents (mothers and children, with varying numbers in each bedroom).

With the potential for up to 15 residents (7 mothers and 8 children) and the comings and goings of support staff, it is likely that the activity on site will be increased with the number of people using the property throughout the day and evening. However, whilst this increase in activity is noted, it may be considered that the nature of the use is unlikely to be loud or overly disruptive to local residents. The women and children using this facility will be seeking refuge from domestic violent situations and a place to recover whilst seeking advice and support. Whilst there is likely to be a material increase in the intensity of use when

compared to a single dwellinghouse, Members will need to consider whether this increase in intensity would be significant to warrant grounds of refusal on this basis.

Local concerns primarily relate to the nature of the proposed use, security concerns, the impact of the proposal on the conservation area and the problems of noise and disturbance associated with such uses. The provision of residential accommodation would be appropriate in a residential location and normally the identity of the user or type of person to be accommodated is not a land use matter. It is noted that there are no external changes proposed to the property, however Members will need to take the concerns raised by local residents in account when assessing the application and consider the impact of the proposed refuge on the amenity and the environment in general.

With regard to the nature of the occupation, no technical objections have been raised to the use of the building as a women's refuge in principle from the local Crime Prevention Officer. It is acknowledged however, that additional security measures should be carried out to the building which could be secured by planning condition. No technical objections have been received by the Council's Highways engineer with regard to the proposed parking on the site.

On balance, given the nature of the proposed use of the building as a women's refuge with ancillary staff office use, Members will need to consider whether the proposed intensity of use of the building represents an overdevelopment of the site and whether the use would have a significant impact upon its character and those residents living within it.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/03983, excluding exempt information.

as amended by documents received on 07.02.2012

### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |  |                 |   |
|--|-----------------|---|
| 0  | D00002          | If Members are minded to grant planning permission the following conditions are suggested:  |
| 1  | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years  |
| 2  | ACK01           | Compliance with submitted plan  |
| <b>Reason:</b> In the interest of the residential amenities of the nearby residents. |                 |   |
| 3  | ACI21<br>ACI21R | Secured By Design<br>I21 reason   |
| 4  | ACH03<br>ACH03R | Satisfactory parking - full application<br>Reason H03   |
| 5  |                 | The premises shall be used for a women's refuge and for no other purposes.  |
| <b>Reason:</b> In the interest of the residential amenities of the local residents.  |                 |   |
| 6  |                 | The permission shall enure solely for the benefit of Bromley Womens Aid whilst in ownership of 23 Bromley Common, and for no other persons. |

**Reason:** In the interest of residential amenities of the local residents.

7 No more than 15 persons (a maximum of 7 adults and 8 children) shall be accommodated at the site at any one time.

**Reason:** In the interest of residential amenities of the local residents.

**Reasons for granting permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan and the London Plan:

- BE1 Design of New Development
  - BE10 Locally Listed Buildings
  - BE11 Conservation Areas
  - C1 Community Facilities
  - C5 Facilities for Vulnerable Groups
  - C6 Residential Proposals for People with Particular Accommodation Requirements
  - H1 Housing Supply
  - H4 Supported Housing
  - T3 Parking
  - T18 Road Safety
- 3.8 Housing Choice
- 3.17 Health and Social Care Facilities

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to the adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the privacy of occupiers of adjacent and nearby properties
- (f) the safety of pedestrians and motorists on the adjacent highway
- (g) the safety and security of building and the spaces around them
- (h) accessibility to the building
- (i) the housing policies of the development plan
- (j) the transport policies of the development plan
- (k) the neighbour concerns raised during the consultation process

and having regard to all other matters raised.

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposal constitutes an over intensive use of the premises by reason of the anticipated level of activity on the site resulting in an unacceptable level of noise and disturbance which would be harmful to the amenities of adjoining residential occupiers and out of character with the surrounding

residential area, thereby contrary to Policies BE1, H4 and C5 of the Unitary Development Plan.

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