

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 12/01838/FULL1

Ward:
Bromley Town

Address : 47 Homesdale Road Bromley BR2 9TN

OS Grid Ref: E: 541186 N: 168353

Applicant : McCullochs

Objections : YES

Description of Development:

Change of use of existing building together with erection of an extension at rooftop level and elevational alterations to provide 14 two bed flats and 2 one bed flats, 4 surface level car parking spaces, refuse and recycling store and cycle store

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads

Proposal

- The proposal seeks permission to extend, convert and refurbish the existing office building to residential accommodation which would create a new development of 16 units.
- The extension would be located at roof level, which would be positioned as single aspect units that front onto Homesdale Road.
- The tenure split would be provided as follows:

Plot Number	Unit Type	Tenure	Minimum Gross Internal Area (m2)
1	2 bed / 4P	Rented	85
2	2 bed / 4P	Rented	76
3	2 bed / 3P	Rented	65
4	2 bed / 3P	Rented	70
5	2 bed / 3P	Private	
6	2 bed / 3P	Private	
7	1 bed / 2P	Private	
8	2 bed / 3P	Private	
9	2 bed / 3P	Private	
10	2 bed / 3P	Private	

11	2 bed / 3P	Private	
12	1 bed / 2P	Private	
13	2 bed / 3P	Private	
14	2 bed / 3P	Private	
15	2 bed / 3P	S/O	63
16	2 bed / 3P	S/O	61

- It has been provisionally indicated that the 4 ground floor units would be the rented units and Flats 15 + 16 on the second floor being the shared ownership units.
- Notwithstanding the above, the scheme is put forward as potentially 100% affordable housing, although in order to keep options open, 35% of the accommodation (by habitable rooms) will be secured by the S106 Obligation / Agreement and the remaining provision will depend on circumstances at the time.
- There are in total 14 x 2 bed flats with 3 habitable rooms which equates to 42 habitable rooms and 2 x 1 bed flats with 2 habitable rooms which equates to 4 habitable rooms, with the total provision therefore being 46 habitable rooms.
- The proposal comprises of 1 and 2 bedroom units within an urban area, therefore the residential density of the site equates to 177 dwellings per hectare.
- The proposal would include on-site car parking, utilising the existing undercroft car park to provide 14 spaces in this area, plus an additional 4 spaces at ground level in the yard at the rear of the site, which would include disabled parking spaces.
- There will be the provision of private and communal amenity areas on site, along with refuse and recycling store and bicycle storage for 16 bicycles.
- The application is accompanied by a statement demonstrating the recent history of the building, including unsuccessful efforts made to market the property for continued commercial use.

Location

The site is located on the northern side of Homesdale Road at its junction with Great Elms Road, Woldham Road and Old Homesdale Road, adjacent to the former Enterprise House to the west, which has been demolished following the grant of planning permission for housing development. On the opposite side of the road is Garrard House and Sussex House, both office blocks, which have been subject of permissions for residential development. Permission was granted in 2006 at Garrard House for 69 flats, and for the combined site of Garrard and Sussex House for 105 flats.

The application site comprises an existing office building on three levels with a semi-basement. The existing building dates from the late 1970s and contains parking at semi basement level under the building with access from Woldham Road. Immediately abutting the rear of the site is Woldham Place comprising modern two storey semi-detached and terraced residential properties. The existing office building has brick facades and a flat roof.

Comments from Local Residents

Nearby residents were notified of the application and representations were received, which can be summarised as follows:

- shared road behind the site is used by Rosing Apartments and 47 Homesdale Road;
- is already in very poor condition;
- no mention is made of work to be done on this road, they have merely mentioned its existence;
- the condition of the road is not sufficient to support the number of vehicles that will use it;
- developers should commit to resurfacing the road during development works;
- no mention made of disabled access to 47 Homesdale Road other than 2 parking spaces for disabled users;
- at least 2 ramped entrances should be provided (one front, one rear) and level access to all properties on the ground floor;
- it is appreciated that the developers are adapting an existing building, people who cannot climb stairs should never be excluded from a building;
- resident at the rear of the site – when building was in office use at least had some privacy during evenings and weekends;
- already overlooked by residential properties, the addition of more flats will increase this feeling.

Comments from Consultees

Trees and Landscaping – The proposal indicates that the three lime trees on the Homesdale Road frontage will be removed, which are a feature in this part of Homesdale Road and it would be preferable if they could be retained. However it is appreciated that they are close to the front of the building and would make residential accommodation unacceptably dark. It is considered that in view of their proximity to the building the making of a TPO would not be appropriate, so if the application is permitted a landscaping condition could be imposed so that provision could be made for the planting of replacement trees of more suitable species.

Crime Prevention – The application should be able to achieve Secured by Design accreditation in respect of design / layout and part 2 physical security, with the guidance of 'New Homes 2010' and by incorporating accredited, tested, certificated products.

Drainage – No concerns raised.

Environmental Health – No objections in principle subject to a condition relating to gas boilers.

Highways Engineer – The development would be accessed from the existing vehicular entrance at the rear from Woldham Road, leading to the car parking area which is considered to be acceptable. In terms of car parking provision, fourteen

parking spaces are located in the existing undercroft car park, with 4 spaces, including the allocated disabled spaces, being provided at ground level close to the rear door to the building. Therefore eighteen spaces are offered by the development, which is considered acceptable. 16 cycle parking spaces are also to be provided, which is considered to be satisfactory.

Housing Development stated that the scheme is located with good access to the local amenities, employment opportunities and transport links of Bromley town centre (with good connections to both central London and the rest of the borough). There is a very high demand for affordable housing in this area. As such, this is considered to be a suitable location for the provision of affordable housing.

The application is put forward as 100% affordable housing with 35% of the accommodation (by habitable rooms) secured by the S106 Obligation / Agreement, which achieves the requirement under Policy H2. The identification of specific units of affordable housing should be outlined within the S106 agreement.

The RP partner to this scheme has advised that due to the existing building limitations the provision of three bedroom units is not possible, and it is considered that this is the case. In addition, whilst SPD 6.6 expects a minimum of 10% of all housing including the affordable housing to be wheelchair accessible in larger residential developments, given the constraints of access and layout to the existing building, it is considered not possible that compliant wheelchair standard units could be provided in this scheme.

In terms of design and quality standards, as outlined within SPD 6.10-6.18 (updated), the proposed unit floor areas do meet the minimum size standards outlined within the LHDG/London Plan. However it is noted in the planning application that full compliance with the standards cannot be achieved due to the constraints arising from this being an existing building.

Planning Considerations

Planning Considerations

In considering the application the following UDP Policies are relevant:

- H1 Housing supply
- H2 Affordable housing
- H7 Housing density & design
- H12 Conversion of non-residential buildings to residential
- BE1 Design of new development
- EMP3 Conversion or redevelopment of offices
- EMP5 Development outside business areas
- T1 Transport demand
- T3 Parking
- T5 Access for people with restricted mobility
- T7 Cyclists
- T18 Road Safety
- C3 Access to buildings for people with disabilities

IMP1 Planning Obligations

The following London Plan policies are relevant:

- 3.2 Improving health and addressing health inequalities
- 3.3 Increasing Housing Supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed-use schemes
- 3.9 Mixed and balanced communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character

The National Planning Policy Framework (NPPF) is also of relevance in the determination of this application.

Planning History

In terms of the most recent property history at the site, permission was refused under ref. 08/04250/FULL1 for a six storey block comprising 7 one bedroom / 11 two bedroom / 10 three bedroom flats with 25 car parking spaces / bicycle parking / refuse and recycling storage for the following reasons:

1. The proposal constitutes an overdevelopment of the site at an excessive residential density which is out of character with the surrounding area and contrary to Policies H7 and BE1 of the Unitary Development Plan;
2. The proposed development, due to its excessive height, bulk and mass, and unsympathetic design and materials, would detract from the appearance and character of the locality, contrary to Policy BE1 of the Unitary Development Plan; and
3. The proposal would detract from the residential amenities of the area, in particular due to overlooking from the rear balconies, and would provide insufficient amenity space for future occupiers of the development, contrary to Policy BE1 of the Unitary Development Plan.

In terms of relevant planning history at nearby sites, the following summary can be provided:

At Enterprise House, 45 Homesdale Road, Bromley, BR2 9LY, permission was granted under ref. 09/02191/FULL1 for a block between two and six storeys high with semi-basement parking area comprising 82 flats (21 one bedroom/ 55 two bedroom/ 6 three bedroom) with 82 car parking spaces/ cycle parking/ refuse

storage (amendments to scheme permitted under ref 08/01469/FULL1 to change internal floor layouts and external appearance including for wheelchair accessible homes/ to windows/ increase in height to provide parapet to roof).

At Prospect House, 19-21 Homesdale Road, Bromley, BR2 9LY, permission was granted under ref. 08/00893 for five storey rear and third floor extensions to office building to extend office accommodation on ground and first floors and convert/ extend on second and third floors comprising 4 two bedroom and 2 three bedroom flats with 19 car parking spaces at basement level.

More recently at this site, permission was refused under ref. 11/01317 for five storey building comprising 23 one bedroom, 10 two bedroom and 4 three bedroom flats with 21 car parking spaces, bicycle parking and refuse/ recycling storage at basement level, due to inadequate levels of on-site car parking resulting in a detrimental impact upon nearby residents, and the proposal being an overdevelopment of the site at an excessive residential density.

At Sussex House, 8-10 Homesdale Road, Bromley, BR2 9LZ, permission was granted under ref. 10/00756 for six storey block comprising 12 one bedroom, 19 two bedroom and 1 three bedroom flats (including bicycle parking and refuse/ recycling storage within block) and 20 car parking spaces.

At Garrard House, 2-6 Homesdale Road, Bromley, BR2 9LZ, outline permission was granted under ref. 09/01137 for demolition of existing office building and erection of 69 flats together with a services building, refuse store, car and cycle parking, landscaped area, and retention of existing vehicular access from Fielding Lane.

Conclusions

Members will need to carefully consider whether the proposals comply with relevant development plan policies, specifically those within the Bromley Unitary Development Plan, the London Plan and the National Planning Policy Framework.

The main issues in this case are considered to be whether residential development is acceptable in this location, particularly given the authorised office use of the building; the impact of the proposals on the amenities of adjacent occupiers, particularly in Woldham Place; the impact of the proposal upon the parking and traffic conditions in the immediate vicinity; and the visual impact of the proposal on the locality and street scene.

The site falls within the built up area of Bromley and is not allocated for any defined use within the Unitary Development Plan (UDP), nor are there any specific policy designations restricting development on the site. Therefore in principle, Members may find that the site could potentially accommodate some form of redevelopment. This would of course be subject to compliance with other relevant policies of the UDP. The residential development of this site would result in a loss of office space and an employment generating use, however marketing evidence has been submitted as part of the application which indicates that despite extensive

marketing, this building is no longer feasible as office accommodation. As a result, no concerns have been raised in terms of Planning Policy regarding this loss.

Members should be aware that permission has previously been granted for a residential development on the adjacent site 'Enterprise House' which was previously an office block. Permission has also been granted opposite at Garrard House and Sussex house for residential development. Policy EMP5 states that the redevelopment of business sites outside designated Business Areas, such as this will be permitted, provided that:(i) the size, configuration, access arrangements or other characteristics make it unsuitable for B1, B2 or B8 use; and (ii) full and proper marketing of the site confirms the unsuitability and financial non viability of the site for those uses. The applicant has submitted evidence in order to demonstrate that these policy requirements have been met.

The principle of converting office buildings into flats in this area on the opposite side of Homesdale Road has already been established, and given the evidence of the unsuccessful marketing of this property for continued office use, and the fact that it is not situated within a designated business area, Members may find that the conversion into flats is considered acceptable in principle.

The number of flats proposed is not considered excessive for a site in this location, and a S106 agreement would ensure that at least 35% of the units will be marketed for affordable accommodation, with contributions being provided for health and education.

Detailed investigation was carried out by the developer in order to provide a wheelchair accessible unit, however on further consideration and discussion with the Council's Housing Development Team and Occupational Therapists, it has been decided that the dimensions of the existing building do not lend itself to providing suitable accommodation for wheelchair users and that the resulting unit would be too compromised for suitable manoeuvrability not only within the unit itself but also in gaining access to the unit. Access issues would be raised due to the car parking at the rear but also because of the access ramp at the front, and a number of internal doors within the main entrance lobby of the building prior to arriving at the front door of the unit, along with maintenance issues relating to continued use of power assisted doors. As such, despite extensive investigation into the provision being carried out by the developer, it has been agreed that the proposal remains acceptable without any wheelchair accessible units and the application has proceeded on this basis.

The plans associated with the application which illustrate the proposed extension show that the built development will be modest in size, set back from the edge of the main building, and should therefore not have any detrimental impact upon the character and appearance of the streetscene nor the amenities of the occupiers of nearby buildings, including residents of Woldham Place.

In terms of character and appearance, it is considered that the construction of an additional level it would not be unduly harmful to the existing development. Indeed the resulting building will remain lower than some nearby buildings. Therefore as long as any proposal takes account of residential amenities of the locality,

Members may find that the design of the proposed extension is in keeping with the host building and adjacent buildings. The local context of the site comprises a mix of flatted and housing residential development alongside a mix of commercial uses and as such there is no predominant character in this location.

Furthermore, no technical objections have been raised in terms of the parking provision, the loss of the three lime trees on the Homesdale Road frontage can be mitigated for by way of landscaping condition for suitable replacement specimens elsewhere on the site.

Members may therefore consider that on balance the proposal to extend, convert and refurbish the existing building on site is considered acceptable in this location.

Any permission will require the completion of a legal agreement to ensure provision of affordable housing as well as appropriate contributions for health and education.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02553 and 12/01838, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 AGREEMENT relating to affordable housing, education and health contributions

and the following conditions:

- | | | | |
|----|--------|--|------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACA04 | Landscaping Scheme - full app no details | |
| | ACA04R | Reason A04 | |
| 3 | ACA07 | Boundary enclosure - no detail submitted | |
| | ACA07R | Reason A07 | |
| 4 | ACC08 | Satisfactory materials (all surfaces) | |
| | ACC08R | Reason C08 | |
| 5 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 6 | ACH16 | Hardstanding for wash-down facilities | |
| | ACH16R | Reason H16 | |
| 7 | ACH18 | Refuse storage - no details submitted | |
| | ACH18R | Reason H18 | |
| 8 | ACH22 | Bicycle Parking | |
| | ACH22R | Reason H22 | |
| 9 | ACH29 | Construction Management Plan | |
| | ACH29R | Reason H29 | |
| 10 | ACH33 | Car Free Housing | |
| | ACH33R | Reason H33 | |
| 11 | ACI15 | Protection from traffic noise (1 insert) | road |
| | ADI15R | Reason I15 | |
| 12 | ACI21 | Secured By Design | |
| | ACI21R | I21 reason | |

- 13 Details of the privacy screens including height, location and a sample of their material shall be submitted to and approved by or on behalf of the Local Planning Authority prior to first occupation of the building and the screens shall be erected in accordance with the approved details and permanently retained thereafter.
ACI24R Reason I24R
- 14 ACK01 Compliance with submitted plan
ACC01R Reason C01
- 15 ACK03 No equipment on roof
ACK03R K03 reason
- 16 The application site is located within an Air Quality Management Area declared for NOx. In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh.

Reason: In order to comply with London Plan Policy 7.14 and in the interest of the amenities of the occupiers of nearby residential properties.

Reasons for granting permission:

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

- H1 Housing supply
- H2 Affordable housing
- H7 Housing density & design
- H12 Conversion of non-residential buildings to residential
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- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character

National Planning Policy Framework

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 adjacent residential properties;
- (c) the Housing policies of the development plan;
- (d) the character of the development in the surrounding areas;
- (e) the impact on the infrastructure of the wider area;
- (f) the amenities of the occupiers of adjacent and nearby properties;
- (g) and having regard to all other matters raised including concerns from neighbours.

INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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