

SECTION '2' – Applications meriting special consideration

Application No : 12/01982/FULL2

Ward:
Bromley Town

Address : 77 Beckenham Lane Bromley BR2 0DN

OS Grid Ref: E: 539469 N: 169381

Applicant : Mr Raymond Moran

Objections : NO

Description of Development:

Change of use of ground floor from Dental Laboratory (Class B1) to dental surgery (Class D1) and change of use of first floor from 2 bedroom flat (class C3) to dental laboratory (class D1) and elevational alterations.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Ravensbourne FZ2

Proposal

This proposal is for the change of use of ground floor from Dental Laboratory (Class B1) to dental surgery (Class D1) and change of use of first floor from 2 bedroom flat (class C3) to dental laboratory (class D1) and elevational alterations.

Location

The application site is located to the south of Beckenham Lane within a local neighbourhood parade of shops. The site is currently comprised of a two storey mid-terrace property with dental laboratory on the ground floor and two bedroom flat on the first floor, which at the time of visiting the property on 13th September 2012 was vacant. The application site is also located within a Flood Zone 2 and 3.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

The Highways Division state the site is situated on the southern side of Beckenham Road; Beckenham Road (A222) is a London Distributor Road. The development is located within Bromley Town Centre (Southern Zone) of Controlled Parking Zone, with waiting restrictions (No Waiting Mon- Sat, 8:00am to 6:30pm) immediately outside the premises. Also the site is in an area with moderate PTAL rate of 3 (on a scale of 1 - 6, where 6 is the most accessible). Up to 2 car parking spaces can be accommodated on site. Therefore, on balance no objections are raised to the proposal.

The Highways Drainage Division were consulted and state the site is within the flood plain of the River Ravensbourne or one of its tributaries, therefore, this application must be referred to the Environment Agency Thames Region. The site is within the area in which the Environment Agency Thames Water restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries.

No comments were received from the Environment Agency.

Thames Water raised no objection to the proposal in terms of sewerage or water infrastructure.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- BE2 Mixed Use Development
- C1 Community Facilities
- C4 Health Facilities
- H1 Housing Supply
- H7 Housing Density and Design
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- S10 Non-Retail Uses in Shopping Area
- S11 Residential Accommodation
- T3 Parking
- T18 Road Safety

The London Plan and National Planning Policy Framework are also key considerations in the determination of this application.

Planning History

There is a substantial planning history at the site, the most recent of which is outlined below:

In 1995 under planning ref. 95/02192, permission was refused for the change of use of ground floor from bank (Class A2) to restaurant (Class C3) excluding take-away. The ground of refusal was as follows:

“The proposal by reason of cooking odours and general noise and disturbance will result in an unacceptable impact on the residential amenities currently enjoyed by the occupiers of nearby residential properties contrary to Policy S.6. of the Unitary Development Plan”.

In 1997 under planning ref. 97/01761, permission was granted for the change of use of ground floor from bank to retail preparation of dentures and ancillary storage.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties and whether the loss of a residential unit is acceptable in this instance.

In terms of the change of use of the ground floor unit, Policy S5 is a key consideration in the determination of this application, it states:

“In local neighbourhood centres and shopping parades change of use from Class A1 (Shops) to other uses will be permitted provided that:
(i) the use proposed contributes to the range of local services or the provision of local community facilities: and contributes to the vitality of the centre by providing a service or attracting visitors during shopping hours; or
(ii) it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 (Shops) use, as well as a lack of demand for service or community use before other uses are proposed”.

The ground floor unit does not appear to have been in use as a retail premises since 1967 when planning permission was granted for the change of use of ground floor from retail shop to bank under planning ref. 19/67/2436. It is considered that the introduction of a dental surgery will contribute to the vitality of the parade attracting visitors during shopping hours, as required by Policy S1 (i). In addition, the provision of a dental surgery would meet the health needs of the area and given the site is located within a local parade of shops with a PTAL level of 3 the site would be accessible to members of the community it is intended to serve, in line with the requirements of Policy C1 and C4.

No technical objections have been raised from either a highways or environmental health perspective and as such the proposal is not anticipated to have significant detrimental impact on parking, congestion or highways safety nor unduly impact upon the residential amenities of neighbouring properties. Therefore, the change of use of the ground floor of the premises from dental laboratory (Class B1) to dental surgery is considered to be acceptable.

The proposed change of use of the first floor will result in the loss of one residential unit and as such Policy H1 is a consideration, it states:

Making provision for at least 11,450 additional dwellings over the plan period will be facilitated by:

- (i) the development or redevelopment of sites identified in the Schedule of Proposals Sites (Chapter 16) and on the Proposals Map;
- (ii) the development or redevelopment of windfall sites;
- (iii) not permitting the loss of housing through redevelopment or change of use, except where accommodation is unsuitable and incapable of being adapted for continued residential use or where the proposal meets an identified need for community facilities;
- (iv) ensuring efficient use of the existing housing stock, including re-use of vacant buildings and conversion of existing buildings;
- (v) seeking a housing component in mixed use development in and close to town centres;
- (vi) making the most efficient use of sites, in accordance with the density/location matrix at Table 4.2;
- (vii) redevelopment of unneeded employment land subject to the tests of Policy EMP3 and EMP5

While the dental surgery is considered to be a community use the dental laboratory is not considered to provide an identified community facility. The proposal would result in the loss of a two bedroom residential unit through change of use and while the existing residential unit is in need of some minor alterations it is not considered to be unsuitable for continued residential use.

The applicant has provided a supporting letter which states that the existing dental laboratory is in need of reorganisation and it is intended to move this to the first floor and provide a dental surgery on the ground floor. It states the applicant practiced in the south east of London for many years before relocating to Rochester and as such many patients were required to travel to Rochester following the move. The applicant is specializing in Implantology and states “one of the most important aspects of what we are doing is dependant on communication with the dental technicians. To have a lab on-site will be providing the patients (with) a quality of care that can not be provided otherwise”. Given the proposal will result in the loss of a residential unit, Members are asked to consider whether this is acceptable in this instance.

In terms of the impact of the change of use of the first floor from residential to dental laboratory no objections have been raised from the Environmental Health Division from a statutory nuisance perspective. The proposed use of the laboratory would be similar to that currently operating on the ground floor and would operate between 08:00 – 17:00 Monday to Friday and 08:00 – 12:00 Saturdays and not at all on Sundays or Bank Holidays. Given that the proposed use would operate within normal working hours, which could be controlled by way of a condition, this element of the proposal is not anticipated to result in a significant impact on the residential amenities of neighbouring properties to such an extent as to warrant refusal.

Having had regard to the above it was considered that the development in the manner proposed is unacceptable in that it would result in the loss of a residential unit capable of continued use for residential purposes, contrary to Policy H1 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01982, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would be contrary to the provisions of Policy H1 of the Unitary Development Plan which provides that non residential use of residential accommodation which could still be used with or without adaptation for residential purposes will not normally be permitted and this case no justification is seen to depart from these provisions.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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