

SECTION '2' – Applications meriting special consideration

Application No : 12/02006/FULL3

Ward:
Bromley Town

Address : 6 Blyth Road Bromley BR1 3RX

OS Grid Ref: E: 539851 N: 169808

Applicant : Mrs Gillian Wallis

Objections : YES

Description of Development:

Change of use from office use (Use Class B1) to nursery (Use Class D1) on the ground floor and 2 one bedroom flats on the first floor and 1 bedsit on the second floor. Construction of part 1/2 storey rear extension and elevational alterations together with the formation of play areas and a car park area at the rear.

Key designations:

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

Proposal

This proposal seeks permission for the change of use from office use (B1) to nursery (D1) at ground floor level together with creation of 2 x 1 bedroom flats and one studio flat.

To provide an access to the residential accommodation on the upper levels, the construction of part 1/2 storey rear extension and elevational alterations is proposed.

A total of 18 car parking spaces are proposed, including 2 disabled parking bays. The car parking area would be screened with a buffer zone along the boundary with the properties to the rear, no's 13 - 17 Park End.

It is anticipated that the proposed use would create 8 full time and 2 part time jobs (a total of 9 FTE's).

Location

The application site lies on the northern side of Blyth Road, some 35 metres from its junction with London Road and hosts a two storey detached property. The

surrounding area encompasses variety of land uses with properties at no's 8 and 10 Blyth Road being used as nurseries.

The application site does not fall within any conservation area and it has no designation under the Unitary Development Plan, however it lies just outside the Bromley Town Centre boundary.

Comments from Local Residents

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

- concerns relating to the construction hours and noise;

Comments from Consultees

Highways: no in principle objection;

Waste: domestic refuse and recycling to be placed EOC;

Crime Prevention Officer: no in principle objection;

Environmental Health (Housing): concern raised to the means of escape.

Education and Care Services: support.

Planning Considerations

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

BE1 Design of New Development;

C1 Community Facilities

C7 Educational and Pre-School Facilities;

H12 Conversion of Non-Residential Buildings to Residential Use;

EMP3 Conversion or Redevelopment of Offices;

EMP5 Development outside Business Areas;

EMP6 Development outside Business Areas – non conforming uses;

T2 Assessment of Transport Effects;

T3 Parking;

T18 Road Safety;

At strategic level, the most relevant London Plan policies are:

3.16 Protection and enhancement of social infrastructure;

3.18 Education facilities;

3.5 Quality and design of housing developments;

3.8 Housing choice;

4.2 Offices;

6.13 Parking;

7.3 Designing out crime;

7.15 Reducing noise and enhancing soundscapes.

The National Planning Policy Framework 2012.

Planning History

95/01385/FUL – Single storey rear extension and extension to hard standing – Permission granted on 09.08.1995.

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.

The National Planning Policy Framework constitutes a material consideration in determining planning applications. The Framework asserts that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

Policy EMP3 states that the conversion or redevelopment of offices for other uses will be permitted only where it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises; and there is no likely loss of employment resulting from the proposal.

Policy EMP6 provides that where outside of the designated business areas (as is the case here) non-conforming business uses may be acceptable provided there is no significant adverse impact on the amenity of the surrounding properties.

In this instance the building has been vacant since February, when the previous occupiers went into administration. It is argued that although no marketing exercise has been carried out, there is no lack of vacant office space within the local area and the refurbishment of the building to provide office space that would meet current Health and Safety Standards would not be cost effective.

The proposed change of use to nursery would create 8 full time and 2 part time jobs (a total of 9 FTE's), therefore, despite a loss of business premises, there would be a gain in the number of jobs which carries significant weight and lessens the impact of the loss of employment land.

Further, it is noted that the Council's Education and Care Services support the proposed childcare provision stating that other nurseries run by the applicants (no's 8 and 10 Blyth Road) are rated as 'Outstanding' by OfSTED. It is stressed that full day care in the borough continues to be insufficient and with the impact of one form entry to schools, and the proposed increased government funding for two year olds, childcare provision for 0-3 year olds will be in demand.

In the light of the above, Members may agree that in relation to Policy EMP3 and EMP5 the demand for childcare in the borough outweighs the lack of information regarding the loss of office and that on balance the proposal is acceptable.

The proposed rear extension is considered to achieve satisfactory level of subservience to the host dwelling and would have a limited impact on the visual

amenities of the surrounding streetscape would not result in a significant change to the visual amenities of the location. To this end, Members may agree that the proposal is considered acceptable and in line with the requirements of Policy BE1.

With regard to the impact to the amenities of neighbouring residential properties, given the geographic orientation of the application building, as well as the bulk of the proposed extension and its siting in relation to the separation distances, no undue loss of residential amenity to the occupiers of property immediately to the east – no. 4 Blyth Road is anticipated. The building no. 8 Blyth Road, currently used as nursery, would also not be affected in that respect. Members may also agree that given the location of the application site, the character of the surrounding area as well as the nature of the surrounding land uses any potential impact on the living conditions of the adjoining and neighbouring occupiers in terms of noise, disturbance and traffic movements would not be materially harmful, hence would not conflict with the aims of UDP Policies BE1 and EMP6 as well as Policy 4A.20 of the London Plan.

In terms of the standard of the residential accommodation proposed, the minimum gross internal floor areas of all flats would generally comply with the space standards set out in the London Plan (Policy 3.5). All habitable rooms, except for bathrooms would have fenestration providing for natural light, outlook and ventilation. It is noted that no outside amenity space is proposed; however this is considered acceptable, as due to their location just outside the Bromley Town Centre boundary, the units would be suitable to house smaller, non-family households. Members may agree, therefore, that on balance, the proposed development would provide an acceptable level of internal amenity, thereby satisfying the requirements of Policy H7 of the Unitary Development Plan.

With regards to the transport impact, the application site benefits from moderate public transport accessibility levels (PTAL 3). The proposed scheme would incorporate the provision of 18 car parking spaces; however a travel survey has been submitted indicating the current travel modes of the users to enable an estimation of the likely affects that the proposal would have on parking demand. The survey was reviewed by the transport planner and no objections were raised. Notwithstanding that, the applicant would be requested to demonstrate measures to encourage reduced reliance on car travel to the site (Travel Plan) and this would be secured by a way of condition.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character or appearance of the surrounding area. Members are therefore requested to determine that on balance the proposal is acceptable and worthy of permission being granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02006, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
ACC04R Reason C04
- 3 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 4 ACH32 Highway Drainage
ADH32R Reason H32
- 5 ACH30 Travel Plan
ACH30R Reason H30
- 6 ACI21 Secured By Design
ACI21R I21 reason
- 7 ACJ01 Restriction on use (2 inserts) a nursery D1
Reason: In order to comply with Policies BE1 and EMP6 of the Unitary Development Plan and in the interest of the amenities of nearby properties.
- 8 ACK01 Compliance with submitted plan
Reason: In the interests of the residential amenities of the adjoining properties and the visual amenities of the area, in line with Policy BE1 of the Unitary Development Plan.
- 9 The use of the ground floor for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 8:00 and 18:00.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of nearby properties.
- 10 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- BE1 Design of New Development
- C1 Community Facilities
- C7 Educational and Pre-School Facilities
- H12 Conversion of Non-Residential Buildings to Residential Use
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development outside Business Areas
- EMP6 Development outside Business Areas – non conforming uses
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety

Policies (London Plan)

- 3.16 Protection and enhancement of social infrastructure
- 3.18 Education facilities
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 4.2 Offices
- 6.13 Parking
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The National Planning Policy Framework 2012.

INFORMATIVE(S)

- 1 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)).

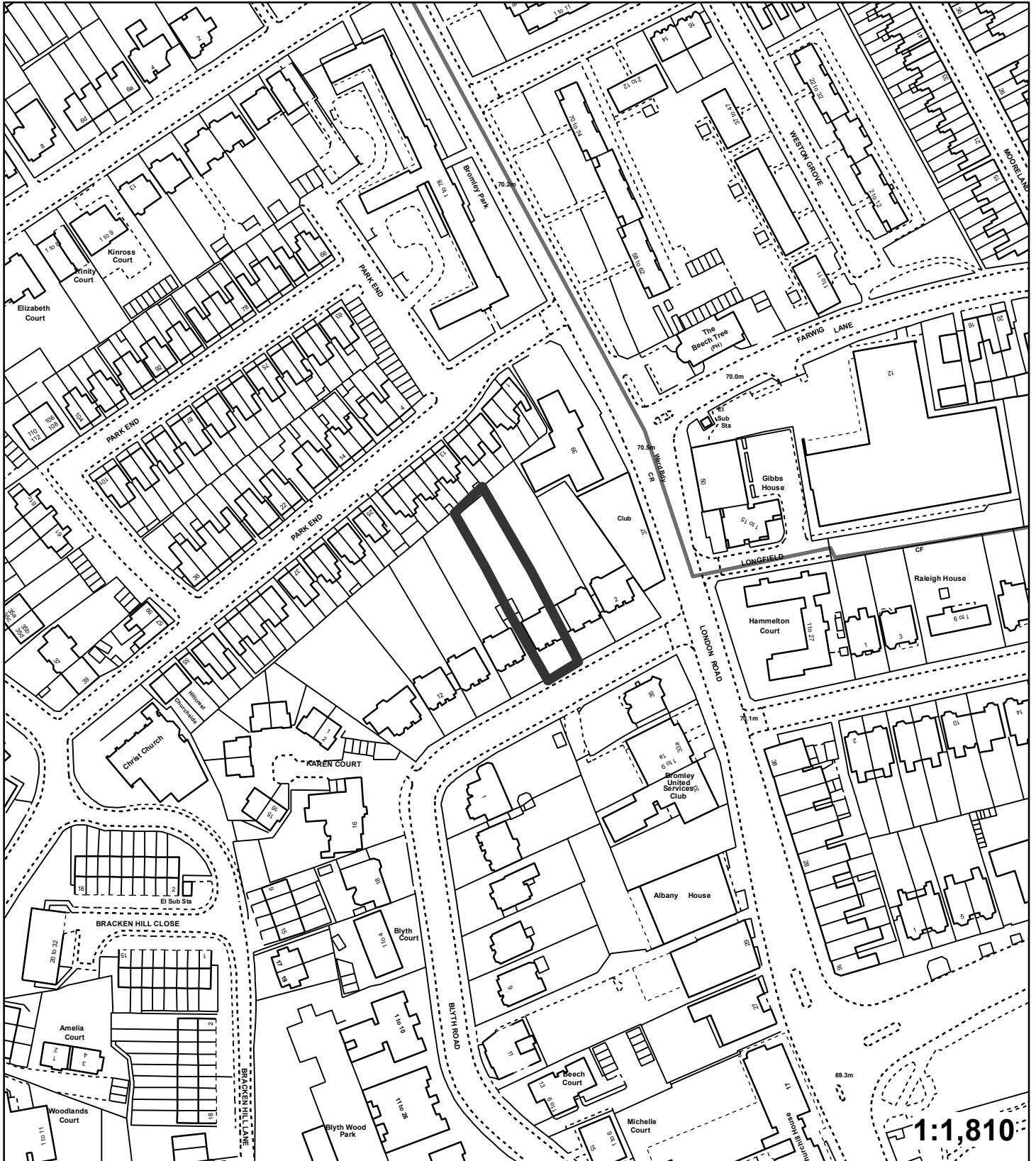
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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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"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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