

SECTION '2' – Applications meriting special consideration

Application No : 13/01392/FULL2

Ward:
Petts Wood And Knoll

Address : 15 Moorfield Road Orpington BR6 0XD

OS Grid Ref: E: 546372 N: 166663

Applicant : Mrs Sarah Durrant

Objections : YES

Description of Development:

Elevational alterations and change of use from office (class B1) to day nursery (class D1) with acoustic fencing.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

It is proposed to change the use of this vacant office building to a children's day nursery (Class D1), with minor elevational alterations proposed. Off-street parking would be provided at the front of the site for pick-up and drop-off only, while the rear yard would be enclosed by acoustic fencing to provide a play area for the children.

The nursery would be open between the hours of 07.30 and 18.00 Monday to Friday, and a total of 29 children would be accommodated between the ages of 3 months - 5 years.

The application is accompanied by a Travel Plan and parking survey.

Location

This detached two storey property is located on the south-western side of Moorfield Road, and has a shared access with No.13 to an open yard at the rear. Off-street parking is provided at the front of the site.

The building was previously used for offices (Class B1), but is currently vacant. No.13 is currently in office use, and uses its rear yard as a car parking area, but the majority of neighbouring properties are in residential use.

Comments from Local Residents

A number of letters of objection have been received from local residents, and the main points of concern are summarised as follows:

- noise and general disturbance to neighbouring properties
- detrimental impact on parking and highway safety
- impractical to ensure that staff and customers will not arrive by car
- number of vehicle movements would be much greater than the previous office use
- side access road to rear parking at No.13 could be obstructed by cars dropping off/picking up
- fencing in of rear play area could obstruct parking movements at No.13
- limited size of outdoor play area for the number of children to be accommodated

Letters of support have also been received from local residents who consider that a nursery use would be of benefit to the local community.

This application was called into committee by a Ward Councillor.

Comments from Consultees

From a highways point of view, the parking survey shows that there are a very limited number of spaces available in the close vicinity, and it is likely that cars would park across drives, on the yellow line, or on the pavement in the vicinity of the site, which is likely to interfere with the free flow of traffic and be detrimental to highway safety.

The Travel Plan submitted proposes measures to reduce the use of the car, such as walking buses, staff meeting children off buses, and the use of car parking stewards. However, it is difficult to ascertain how practical these measures are, and there is no indication that they have worked elsewhere. It is also stated that the majority of staff and customers would be local, but there is no way of ensuring this.

Environmental Health raise no objections in principle to the proposals.

The Bromley Early Years Team are supportive of the proposals, particularly as Orpington is an area of the Borough where full day care is limited, and where affordable childcare would offer the opportunity for parents to seek employment or attend training.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

- C1 Community Facilities
- C7 Educational & Pre-School Facilities
- T3 Parking

Conclusions

The main issues in this case are the loss of the office use, and the impact of the proposals on parking and road safety issues, and on the amenities of neighbouring properties.

Policy EMP3 allows for the conversion of offices for other uses, provided that it can be demonstrated that there is no local shortage of office floorspace, and that there is evidence of long-term vacancy despite marketing of the premises. Furthermore, no loss of employment should occur.

The premises are currently vacant, therefore, no loss of employment would result. However, no information has been submitted regarding the length of time the premises have been vacant, nor any evidence of the marketing of the property for office use.

Policy T18 of the Unitary Development Plan seeks to ensure that development proposals do not have an adverse impact on road safety.

Due to the limited amount of parking available in the close vicinity, and the difficulty of ensuring that parents would not arrive by car, the proposals are likely to result in parking which would interfere with the free flow of traffic and be detrimental to highway safety.

With regard to the impact on neighbouring properties, some noise and disturbance would occur from children being dropped off and picked up, and by outdoor play in the rear play area. However, the number of children to be accommodated at the premises is not excessive for a property of this size, and the proposed opening hours would be limited to normal working hours when a certain degree of noise and activity can reasonably be expected in this area, taking into account that this property was previously in office use. Furthermore, acoustic fencing is proposed around the side and rear boundaries of the site to further reduce any noise impact.

The amenities of neighbouring properties are not, therefore, considered to be unduly affected by the proposals.

Policies C1 and C7 encourage the provision of pre-school and community facilities within the Borough where there is an identified need, and in this respect, Bromley Early Years Team supports the proposals due to the lack of sufficient full day care within Orpington. However, this is not considered to outweigh concerns regarding the detrimental impact on the free flow of traffic and highway safety.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01392, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed use of the premises as a day nursery would result in additional vehicular traffic to the site, and due to limited parking available in the close vicinity, would result in parking prejudicial to the free flow of traffic and conditions of general safety in the highway, thereby contrary to Policy T18 of the Unitary Development Plan.
- 2 The proposals would result in the loss of Class B1 office use, and in the absence of information to demonstrate the length of time the premises have been vacant, or any evidence regarding the marketing of the property for office use, the proposals would be contrary to Policy EMP3 of the Unitary Development Plan.

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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