

**Application No : 15/00969/FULL2**

**Ward:  
Orpington**

**Address : Manorfields Avalon Road Orpington  
BR6 9BE**

**OS Grid Ref: E: 547651 N: 165567**

**Applicant : Mr M Harrison**

**Objections : YES**

**Description of Development:**

Change of use from care home for the elderly (Class C2) to short term accommodation for the homeless (Sui Generis), refuse store and alterations to fenestration

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Local Distributor Roads  
Smoke Control SCA 31

**Proposal**

Planning permission is sought for the change of use of the existing building from a care home for the elderly (Class C2) to short term accommodation for the homeless (sui generis). A total of 42 units will be provided (24 x one bedroom, 15 x two bedroom and 3 x three bedroom units), with shared/communal facilities.

The planning application is submitted by The London Borough of Bromley Housing Needs, Education and Care Services Department and managing agents Orchard & Shipman. It is noted that the Education and Care Services Department is entirely separate from the Planning Department and the application has been considered on its own merits in the context of prevailing planning policy.

The planning application is accompanied by a Planning Statement (contained in the covering letter), Secure by Design Review, and Capability Statement (providing details in respect of the proposed management of Manorfields). These documents provide a detailed explanation of the proposals and a concise overview of the main points is provided below.

The site will provide accommodation for homeless families. The buildings will be converted into 42 units (24 x one bedroom, 15 x two bedroom and 3 x three bedroom units), ranging in size with shared/communal facilities, with the aim of ensuring that a wide range of homeless individual's and families' needs are catered for. 17 car parking spaces are provided as part of the proposal (in front of the

building adjacent to Avalon Road and to the east of the building within the confines of the existing site).

Tenants will be referred direct by the managing agents, Orchard & Shipman, and by Bromley's Housing Department. Potential tenants will have to be assessed as homeless and have the right to live within Bromley. It is indicated that the accommodation will predominantly be occupied by families to provide short term temporary housing for periods of between 12 and 16 weeks until more permanent accommodation can be identified. All tenants will have low to medium support needs.

In terms of the management of the facility, the applicants have advised as follows. A member of staff will be present on site 24 hours a day, 365 days a year, who will manage the facility, support tenants and ensure that any complaints are dealt with swiftly. Local residents will be given a 24 hour number to call if they experience any problems related to the facility. Robust management of the facility will ensure that criminal or anti-social behaviour will not be tolerated and any impacts arising from the facility on local residents will be kept to an absolute minimum. Appropriate door entry systems and access control systems will be provided as set out in the Secure by Design Report that accompanies the application.

The Capability Statement submitted to accompany the application provides further details on the management of the proposed facility together with the experience of the operator, Orchard & Shipman in running such facilities.

The external changes to the existing building have been kept to a minimum and comprise the following:

- The insertion of two windows in the western elevation which fronts onto Leeds Close;
- The replacement of a glazed door with a new UPVC window in the southern elevation;
- The erection of a detached bin store located on the eastern side of the building and the formation of an enclosed bin store which (which would be attached to the building) on the western side;

In response to comments received from Environmental Health Housing (as set out above) the proposal has been amended as follows:

- Rooms 56, 57 and 64 now have windows. The applicant's agent has advised that these were all existing windows and were omitted due to an oversight on the original drawing;
- Ground Floor Studio flat (Room 22) has been increased in size and now exceeds the minimum requirement on 20 sqm. This has been achieved by the deletion of Room 19 which was a former store room;
- Bathroom facilities for Rooms 12, 38, 52 and 89 have been upgraded to bathrooms that comprise a hand basin, W/C and either a bath or shower facilities. These were originally shown as toilets (hand basin and W/C facilities).

- The kitchens to Rooms 81 and 108 have been increased from two sets of appliances to three sets. All three kitchens within the building will therefore have three sets which, as stated in the EH response, is acceptable given that the kitchens are combined with large dining room/living areas. This will ensure that the provision of kitchen facilities allows for the appropriate occupation of the HMO.

Internal alterations have also been kept to a minimum, and do not require planning permission in their own right.

The applicants have undertaken consultation with local residents to inform the design of the proposals. They circulated leaflets informing local people and seeking any feedback on the proposals. They have provided a brief summary of the main themes in respect of the responses as part of the application submission.

### **Location**

The application site is located on Avalon Road, opposite the junction with Avalon Close. The area surrounding the site is predominately residential. The site is bounded to the north by 'Manor Fields' which is a small cul-de-sac of terraced bungalows providing 'homes for the aged'. The site shares its boundaries to the south and east with a number of existing dwellinghouses. To the west, the site shares its boundary with the grounds and playing fields of Burwood School.

This square shaped site is occupied by a range of buildings (predominantly single storey) that previously formed part of Manorfields Care Home (for the elderly). The care home closed in 2012 and the buildings have since remained vacant. The applicant has advised that the care home closed as it was no longer suitable as a care home as the standard of accommodation did not meet modern standards and the costs of upgrading it to the required standard was prohibitive.

The existing buildings enclose a central courtyard that is grassed and contains a number of mature trees. Vehicular access to the site is achieved from Avalon Road via Leeds Close, or via an access located along the eastern boundary of the site. Car parking is provided on an area of hard standing in front of the buildings on Avalon Road.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application by letter. In addition a site notice was displayed at the site and an advertisement published in the local press.

#### Letters of Objection

A substantial number of representations were received (350+) in respect of the application. Comments received in response can be summarised as follows:

- Unsustainable development;
- Disruption, noise crime and anti-social behaviour;

- Inappropriate site location;
- Change character of area, totally unsuitable and out of keeping;
- Intensification of use of the site and more comings and goings which is unacceptable;
- Don't accept no material increase in activity when compared to care home;
- Impact on local amenities, transport, schools, medical and social care facilities;
- Inappropriate for homeless people to have shared facilities;
- Too remote and inaccessible and too far from local services and facilities;
- Increase in traffic/congestion;
- Insufficient car parking and access to local transport facilities;
- Overcrowding;
- Residents fear for their safety and that of their property;
- Ideally suited as home for the elderly and the use should be reinstated;
- Security measures have not been clearly explained;
- Met Police Designing Out Crime team have concerns;
- Access to Leeds Close will be compromised, due to overcrowding and car parking;
- Bellegrove is not a comparable example as it is not in a primarily residential area;
- Shortage of care home spaces for elderly
- Illogical to put home for homeless next door to school for troubled teenagers;
- Management of the site could change and can't be guaranteed;
- Site should be redeveloped for housing;
- Residents of homeless accommodation will be cut off from services/facilities unless they have a car but there is insufficient car parking
- Assurances by Orchard & Shipman underplay problem related incidents at their facilities;
- The homeless accommodation would be harmful to those who would be accommodated in it;
- The proposals do not confirm the exact number or types of persons to be housed here;
- In the event that the application is granted a Condition should be imposed seeking to cease the operation of the facility within 5 days of the date of opening, in the interests of the future development of the site and residential amenity.

A detailed letter was also received from the AAAG (Avalon Area Action Group) which the group advises has in excess of 250 members. The letter summarises the representations of its members which are outlined above. The group claims that the applicant is clearly 'The London Borough of Bromley' and there is a risk that the application will not be considered fairly as a result of that and that there is a risk of pre-determination. AAAG also expresses concern about what it considers to be the cursory nature of the applicant's pre-application consultation and the lack of detail contained within the planning application. It criticises the fact that it considers that there are no supporting studies on the likely impacts of the proposals.

AAAG emphasises that the proposal is not directly comparable with Bellegrove as indicated by the applicant's agent. AAAG describes them as fundamentally different and suggests that the operation of Bellgrove cannot be used as evidence of how the Manorfield proposal would operate if permitted.

AAAG suggests that the site is inaccessible and unsustainable, and insufficient evidence has been submitted to justify what it considers to be an inadequate level of car parking provision. It indicates that a Transport Assessment should have been submitted to provide the evidence base to realistically identify the number of trips that the proposal will generate and to justify the level of car parking proposed.

AAAG questions whether the impact on local services has been properly assessed and it directly questions whether there are sufficient school spaces to accommodate the additional demand generated by this proposal.

AAAG expresses strong concerns about the impact of the proposal on the safety and security of local residents. It considers that the application proposal does not provide sufficient detail on the numbers and types of people that would be housed within the scheme and the level of support and care that they will require.

AAAG summarises its position by indicating that it considers that the proposal is unsustainable, in breach of the development plan in numerous respects, and is widely harmful in its impacts, and it challenges the track record of Orchard and Shipman.

#### Support

One letter has been received which includes comments indicating that there has been a lot of scaremongering about the proposals and that things need to be kept in proportion.

#### **Comments from Consultees**

Cleansing - No objections received.

Designing Out Crime Adviser - advises that the measures proposed would not at present result in achieving Secured by Design Certification because they do not meet the enhanced security standards required. As a result the application does not demonstrate how such measures are to be incorporated into the development. However, the Metropolitan Police adviser has also indicated that he sees no reason why the application should not be able to achieve secured by Design Certification and the Guidance of New Homes 2014, by incorporating accredited, tested and certificated products and by target hardening specific areas. He has therefore suggested that a Secured by Design condition should be attached to any permission and the wording should be that the development will achieve certification, not merely seeking to achieve accreditation.

Environmental Health Housing - EHH has advised that rooms 56, 57 and 64 appear not to have windows and therefore lack natural light and ventilation.

In terms of the ground floor flat (Room 22) the GIA of the flat is 23 sqm which is below the minimum recommended in the London Plan of 37 sqm. In respect of the ground floor flat (Rooms 99-104) the flats GIA will be approx. 53 sqm which is also below the minimum recommended in the London Plan of 61 sqm.

Whilst it would normally not be acceptable to allow a kitchen with three sets of facilities, the kitchens indicated are in excess of 17.5 sqm in size and are combined with large dining/living areas and would, therefore in this case be acceptable for up to 15 persons.

The maximum occupation of the one, two and three room units within the House in Multiple Occupation (HMO) (not the self contained units) will be 50 persons (any age).

Highways - The site is in a low (1b) PTAL area. The proposal include 17 car parking spaces for the 42 units (0.4 spaces per unit). If the flats were for sale we would be looking for 42 spaces. If they were socially rented the UDP standards would give 26 spaces. There seems to be very little information about parking for this type of use. It may be that the car ownership is likely to be lower than with socially rented units by virtue of the position that the occupants find themselves in.

The applicant refers to another similar development at Mickleham Road which is under the same management, where 18 spaces were provided for 38 flats. They indicate that the number of cars parked on site there ranged from 6 during the day to 12 overnight (0.32 spaces per unit) which would equate to 13 spaces for this development. Based on this the 17 spaces would appear to be adequate and I would have no evidence to counteract it.

## **Planning Considerations**

The application should be considered against the following policies:

### Unitary Development Plan

H4 Supported Housing - seeks to increase the provision of supported housing except where it can be demonstrated that there would be significant harm to residential amenity.

BE1 Design of New Development - requires new development to be of a high standard of design and layout, development proposal should be imaginative and complement the scale form and layout of adjacent buildings and areas and should respect the amenity of occupiers of neighbouring buildings.

C1 Community Facilities - proposals for development for changes of use that meet an identified health, education, social, faith or other needs of particular communities will normally be permitted provided it is accessible by means other than the private car and by those that it is intended to serve.

T3 Parking - off-street parking in respect of new developments will be expected to be provided at levels no higher than the parking standards set out in Appendix II of the UDP.

T7 Cyclists - The impact of proposals on cyclists will be considered and the provision of suitable facilities including cycle parking/storage and where appropriate contributions to the Local Cycle Network will be sought.

T18 Road Safety - The potential impact of proposals on road safety will be considered and the Council will seek to ensure that road safety is not adversely affected.

#### London Plan

3.3 Increasing Housing Supply - the Mayor is seeking to ensure that housing need is met.

3.8 Housing Choice - encourages new developments to include a range of housing choice of housing in terms of housing sizes and types that are suitable to meet the needs of a range of housing groups.

3.9 Mixed and balanced communities - promotes communities including mixed tenure and income and developments which foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods.

6.13 Parking - seeks an appropriate balance between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and the use of public transport.

#### NPPF

The National Planning Policy Framework (NPPF), and in particular:

Paragraph 50 of the NPPF emphasises the need for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 51 encourages the bringing back into residential use of empty housing and buildings.

#### **Planning History**

Ref: 07/03468 In January 2008, planning permission was granted for a part two/three storey building comprising a 60 bedroom care home and 16 bedroom specialist care unit with 25 car parking spaces, bicycle parking and refuse storage (not implemented).

Ref: 89/03506 In December 1989 planning permission was granted for a single storey infill side extension.

Ref: 82/02880 In June 1983 planning permission was granted for 8 one bedroom bungalows for the elderly and landscaping details in respect of this proposal were agreed under Ref: 82/0180.

## **Conclusions**

The main issues for consideration in this case will be; the principle of the use, the impact of the proposed use on the character of the area, the impact on the amenities of the occupiers of surrounding residential properties, the impact upon community safety, any visual impact resulting from the external changes to the building, and the impact upon parking levels and the existing road network.

### **The Principle of the Use**

In planning policy terms the proposal complies with the Community Services Objectives outlined in the UDP, and is broadly in accordance with Policy C1 as it comprises a change of use that meets an identified social need. It also contributes to the choice and range of housing available in the Borough and the provision of supported housing which are the objectives of Policy H4 of the UDP and para 3.3 and 3.8 of the London Plan, subject to the proposals not resulting in significant harm to residential amenity.

Although the proposal results in the change of use of a care home for the elderly, Manorfields closed in 2012 and the buildings have since remained vacant, so no residents will be displaced as part of these proposals. Furthermore, the building requires minimal adaption to provide effective accommodation for homeless persons and the proposal is therefore considered to represent an effective reuse of a vacant building and contribute towards meeting the Borough's housing needs.

### **Impact on Residential Amenity**

In terms of the issue of residential amenity, it is considered that the proposal could result in a more intensive use of the site, with more comings and goings by residents than that associated with the former care home. However, the number of staff required to manage and run the premises and provide the level of care required for the residents is considered to be less than was the case in respect of the former care home. The applicants have advised that the occupiers of the proposed accommodation for the homeless will all have low to medium support needs and will therefore require relatively low levels of care and assistance, when compared to elderly residents. On balance, it is therefore considered that the proposed use will not, in itself, give rise to a significant loss of amenity to neighbouring residents as a result of any intensification of the use.

Members will note that strong objections have been received from local residents, with particular regard to the nature of the future occupiers of the accommodation, and the potential for an increase in noise and disturbance, crime and anti-social behaviour. As noted above, whilst it is acknowledged that there may be a modest increase in the intensification of the use of the site, it is not expected that this will give rise to a significant loss of amenity.

With regard to noise, crime and anti-social behaviour, the Applicant's agent has sought to offer reassurances on this matter, and advises that the premises will be managed by an experienced management company, Orchard & Shipman, who will ensure that a high standard of behaviour is maintained and that any issues that may arise can be tackled promptly. All tenants will be required to sign an occupancy contract, which requires them to adhere to standard terms and conditions relating to their continued occupancy in temporary housing. This ensures that standards and levels of behaviour are maintained and that any issues that arise can be tackled promptly in order to maintain a comfortable environment for residents and not impose on the amenities of neighbours. Planning conditions are proposed in respect of the details of the proposed CCTV system and to ensure that the development achieves the Secure by Design Certification.

On balance it is therefore considered that the proposal is unlikely to have an unacceptable impact on residential amenity, although it is recognised that many local residents do not agree with this and are apprehensive about the proposal and consider that it is likely to lead to an increase in crime and the fear of crime.

### External Changes

The proposal will only involve very limited external alterations to the building, including very limited alterations to fenestration and doors and the construction of two new bin stores, as set out above. It is considered that these external changes will be barely perceptible when the building is viewed from the street.

The proposed bin stores are relatively modest in size and will be well screened from the adjoining sites/properties by the existing confines of the site and boundary screening.

The construction of the bin stores and the other external alterations to the building are therefore not considered likely to result in any adverse impact on the street scene or the visual or residential amenities of the occupiers of surrounding residential properties.

### Highways Impacts and Access Arrangements

The site is located approximately 1 mile from Orpington Town Centre. It is within close proximity to bus stops for the R9 serving both directions which provide access to Orpington town centre.

In respect of parking issues, Members will note the technical advice from Highways which indicates that the parking provision on-site is lower than would be expected for market or affordable housing, but that car ownership for this type of accommodation may well be lower by virtue of the position the occupants find themselves in. Indeed, as the accommodation proposed is specifically for the homeless, it is not anticipated that car ownership levels will be high and Members may agree that in this instance the on-site parking provision of 17 spaces is acceptable, on the basis that any change of use would require planning permission and the matter could be reassessed at that time.

In view of the nature of the proposed use the proposal is considered to provide sufficient car parking for the residents and visitors.

#### House Prices

Any perceived impact of the proposal on house prices is not a material planning consideration.

#### Summary

The proposal will bring a vacant former care home back into useful occupation whilst contributing towards meeting an identified need for additional accommodation for homeless people in the Borough. The concerns raised by local residents are acknowledged, and Members are asked to carefully consider these in the determination of this application. However, on balance, the proposal is considered to accord with planning policy and in particular is not likely to give rise to a significant loss of residential amenity or be detrimental to highway safety and permission is recommended. Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/00969, 07/03468, 89/03506, 82/02880, and 82/0180 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 26.05.2015

#### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
         ACA01R      A01 Reason 3 years
- 2      ACK01      Compliance with submitted plan

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3      ACH19      Refuse storage - implementation  
         ACH19R      Reason H19
- 4      ACH03      Satisfactory parking - full application  
         ACH03R      Reason H03

5      The proposed development is required to Secure by Design Certification prior to the first occupation of the development hereby permitted.

**Reason:** In the interests of safety and security and to accord with Policy BE1 of the Unitary Development Plan.

- 6      ACK21      Details of CCTV scheme  
         ACK21R      Reason K21

#### INFORMATIVE(S)

- 1      You are advised that this proposal is not liable for payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008.