

SECTION '2' – Applications meriting special consideration

Application No : 14/03400/FULL1

Ward:
Bromley Town

Address : Blyth Wood Park 20 Blyth Road
Bromley BR1 3TN

OS Grid Ref: E: 539789 N: 169642

Applicant : Mr R Pooke

Objections : YES

Description of Development:

Change of use of ground and first floor from sports hall (use class D2) to C3, incorporating the existing residential unit in the roof space to form a single 4 bedroom dwelling, new vehicular access on to Bracken Hill Lane and associated replacement fencing.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area Buffer 200m
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

Update:

Members may recall that this application was presented to the Plans Sub Committee held on the 4th June 2015. Members resolved to defer the application without prejudice to seek an alternative access could be looked at for this scheme.

This applicant has responded that there is no suitable alternative access point available, given the constraints of the site. Therefore, the scheme has not been amended, as per an attached letter setting out the reasoning for this in some length and the application should be considered in its current form.

The full text of this letter is available to view.

The previous report is repeated below.

Members will recall that this application was to be considered by the Plans Sub Committee held on the 18th December 2014. However, was withdrawn by the Chief Planner on the as additional consultation responses were required with regard to the impact of the proposal on the protected trees within the site.

The Councils Tree officer went on site in December and January to meet the applicant.

As a result the applicant commissioned architects to prepare a revised parking layout (including input from the Councils Highways Officer). This revised plan is supported by an arboricultural assessment. Local residents have been advised of the revised information.

The application seeks permission for the change of use of the ground and first floor from sports hall (use class D2) to C3 incorporating the existing residential unit in the roof space to form a single 4 bedroom dwelling and new vehicular access onto Bracken Hill Lane.

Consultations

Nearby owners/occupiers were notified of the application and comments are summarised as follows:

Objection

- Impact on privacy and ambiance
- existing access from Blythwood Park
- impact on trees
- safety and accident issue
- in 1989 condition that there was no access from Bracken Hill Lane
- works already underway
- set precedent

Support

- using underutilised leisure building and converting to family house

The full text of all submissions are on the file to view.

Highways Department:

The proposed vehicular access to a flat and gym is from Bracken Hill Lane, which is a cul-de-sac.

I would not have an objection to the application for a crossover as the application is for change of use of the building to residential and not for dual use as a gym and a flat.

A house on its own would not generate additional traffic on this quiet residential road. The access, because of its proposed use as a house, will not interfere with the free flow of traffic and will not be detrimental to highway safety.

Trees:

No objections are raised

Planning Considerations

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

BE1 Design of New Development
H12 Conversion of non-residential buildings to residential use.
C1 Community facilities
SPG1 General Design Principles
SPG2 Residential Design Guidance

98/00340/FUL - Change of use of first floor leisure centre from offices to one residential self-contained flat. Conditional permission. Not implemented.

98/03273/FUL - Change of use of first floor of leisure centre from offices to 1 two bedroom flat with elevational alterations including dormers to north and south elevations, replacement of part roof on west elevation by glazed conservatory with projecting balcony. Conditional permission. Implemented.

99/01840/FUL - Additional rooflights and formation of open balcony within roof space on west facing elevations to new flat on first floor of leisure centre granted under application 98/3273. Conditional permission. Implemented.

14/03230/FULL1 - Formation of vehicular access. - refused

14/03278/FULL1 - Fence and gates fronting Braken Hill Lane (part retrospective).- Withdrawn

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 application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

The application proposes the conversion of the ground and first floor of the building to residential use, to form part of the existing dwelling located on the second floor of the building. The existing ground and first floor of the building has a lawful use as a leisure centre for residents of Blyth Wood Park. Policy H12 of the Unitary Development Plan states that the Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactorily quality of accommodation and

amenity. Policy C1 also states that, in most circumstances, planning permission will not be granted for proposals that would lead to the loss of community facilities.

With regard to the principle of the conversion of the ground and first floors of the building to residential use, Policy H12 requires the applicant to demonstrate that the premises are genuinely redundant. A supporting email has been submitted from the director of Blyth Wood Park management company, which sets out the history of the leisure centre, specifically that it has only ever been in use exclusively for the residents of Blyth Wood Park and has not been open to the general public. In light of this information, it is considered that the existing use of the building does not constitute a community facility in terms of UDP Policy C1. The supporting email then goes on to explain that the leisure centre was funded and maintained through the service charge imposed on the leaseholders of the Blyth Wood Estate, however in 2005 the decision was made by the leaseholders and management company to close the leisure centre as it has become prohibitively expensive to keep open. The freehold of the building was then sold to the applicant earlier in 2014. The submitted information is considered to demonstrate that it was not viable for the building to be retained as a leisure centre to serve the residents of Blyth Wood Park and that the building is therefore a genuinely redundant facility. Given this, it is considered that the conversion of the building to residential use is acceptable in principle.

The application does not propose any external alterations to the appearance of the building, however the application does incorporate the formation of a vehicular access and the erection of associated fencing and gates. With regard to the highway safety implications of creating a new access from Bracken Hill Lane to serve the existing building, the Highways Engineer has raised no objection to the proposal, given that it will serve one dwelling and not a dwelling and a leisure centre. With regard to the impact of the erection of the fencing and gates on the character of the area, this side of Bracken Hill Lane is characterised by a relatively unbroken expanse of brick wall and fencing, behind which is sited a number of mature trees. It is noted that objections have been raised by the neighbouring properties regarding the removal of these trees, however the submitted plan does not indicate the felling of any trees. The access would create an opening in the existing fencing, approximately 5 metres wide. However it is not considered that this would adversely affect the character of Bracken Hill Lane, as vehicular accesses are not uncommon features in the wider street scene and the existing trees which contribute positively to the character would remain in place. As such, no objections are raised to the proposal in this regard.

Furthermore, given the nature of the proposal and that no external changes to the building are proposed, it is considered that there would be no adverse impact on the amenities of the neighbouring residential properties. In addition, the relationship of the building with the surrounding properties is such that the conversion would not result in an unacceptable level of overlooking of any neighbouring dwelling.

Having had regard to the above, it is considered that the proposed would not have a detrimental impact on the character of the area or result in a loss of amenity to local residents.

as amended by documents received on 24.04.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to prevent and overdevelopment of the site in the interest of the visual and residential amenities of the area and neighbouring residents.

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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.