

SECTION '1' – Applications submitted by the London Borough of Bromley

Application No : 15/01822/FULL1

Ward:
Bromley Town

Address : Beacon House Old Homesdale Road
Bromley BR2 9LJ

OS Grid Ref: E: 541288 N: 168512

Applicant : Ms Aimee Rayner

Objections : YES

Description of Development:

Continued use as a training centre (Use Class D1) and refurbishment works to existing building comprising entrance feature, replacement windows/doors, rooflights, rendering and landscaping works.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Gas Holder Stations
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 5

Proposal

The application seeks planning permission for external refurbishment works to the existing building, including:

- Replacement window and door openings, curtain walling to front elevation and removal of existing asbestos roof
- Replacement metal profile roof and rooflights
- Rendering of the east elevation of the warehouse
- New fencing and refuse storage building
- Demolition of single storey lean-to at the rear of the warehouse
- New lift
- Infilling of 2 of the accordion shutter warehouse doors and replacement of remaining warehouse door with roller shutter door
- Cycle storage shelter.

When planning permission was granted for the change of use of the building from its previous use as a dairy depot to an educational training facility falling within Class D1 of the Use Classes Order, that permission was subject to condition 3 which specified that the D1 use permitted could only be operated by Springboard Bromley, which was an educational charity providing a construction training facility. The site has been purchased by the London Borough of Bromley to provide a facility for Burwood SEMH School. This application seeks to remove condition 03

to allow the continued use of the premises for purposes within Class D1, as a vocational training facility.

Location

The application site lies on the northern side of Old Homesdale Road. The area is mixed in character, with a small concentration of non-residential/commercial premises interspersed with residential dwellings and the rear gardens of residential dwellings fronting neighbouring streets.

The site lies opposite the rear gardens of dwellings fronting Homesdale Road and is bounded to the north by the rear gardens of dwellings fronting Gundulph Road. To the west of the site is a large MOT garage/vehicle repairs business and to the east of the site are further commercial premises.

The land to which the application relates measures 2658m² and is occupied by a three storey building with large warehouse at the rear. The frontage building and single storey portal frame warehouse at the rear are constructed of brick with small rendered panels. The three storey building has an asphalt roof and the warehouse building has an asbestos roof.

Consultations

Comments from Local Residents

2 letters were received in response to the Council's neighbour notification and their comments may be summarised:

- strongly object to the proposal. The Springboard students demonstrated antisocial behaviour on several occasions necessitating police attendance, including breeze blocks being thrown into the garden and abusive language, loud music and fighting. The neighbour expressed concern that the Burwood School student body might behave in a similar manner.
- It is good that the building will continue in use as an educational college and it will benefit many young people. However, the motorbike workshop would be quite close to neighbouring gardens. There is concern that the boundary on the college's side may not be sufficiently secure and it would be appreciated if planting could be added to the boundary wall so as to create a screen from the factory style building and car park area, in addition to providing extra security for residents.
- Would the proposed gym area be available for community use during the evenings and weekends?

Comments from Consultees

No objections are raised from a technical highways perspective, subject to conditions relating to the parking area and the provision of cycle parking.

No objections have been raised from an Environmental Health perspective, subject to an informative in respect of pollution control.

Planning Considerations

National Planning Policy Framework

Paragraph 72 of the NPPF states that "local planning authorities should take a proactive, positive and collaborative approach" to meeting the requirement for a sufficient supply of school places, to meet the needs of existing and new communities.

The London Plan, March 2015 (Further Alterations to the London Plan)

Policy 3.18 relates to educational facilities and states in respect of planning decisions that "development proposals which enhance education and skills provision will be supported."

Para. 3.103 states that land already in educational use should be safeguarded. The great weight afforded by para. 72 of the NPPF to the need to create, expand or alter schools is emphasised.

Unitary Development Plan

Policies BE1 (Design of new development), C7 (Educational and pre-school facilities), C3 (Access to buildings for people with disabilities), T2 (Assessment of transport effects), T3 (Parking), T7 (Cyclists) and ER7 (Contaminated Land) of the Unitary Development Plan are of material relevance to the assessment of the application proposals.

Planning History

The planning permission ref. 02/04047 which granted permission for the former use of the premises falling within Class D1 by the Bromley Springboard educational charity was personal to that user. The reason for the personal condition was to enable the Council to reconsider the situation in the event of a change of user, in the interest of the amenities of the area.

Prior to the change of use, the site was used as a milk retail distribution depot, with that use confirmed by way of a Section 53 determination in 1986 (ref. 86/2736).

The permission was also subject to a condition relating to the hours and days of operation (not before 8am or after 9.30pm on any day, and not at all on Sundays, Bank Holidays, Christmas Day and Good Friday).

Conclusions

The main issues in the determination of this application are the impact of the proposals on the visual and residential amenities of the area, and the impact that the proposed change of site operator would have on the amenities of the area. In addition, the educational use of the site in terms of the social and community benefits that such uses are considered to confer, as referred to in the NPPF and the London Plan, is a material consideration in the assessment of the proposals.

It is considered that the elevational alterations proposed would improve the aesthetics of the site, which as existing presents a rather tired and utilitarian appearance. The refurbishment, including the alterations to the arrangement of fenestration and the infilling of 2 of the accordion warehouse bay doors, would not have an adverse impact on the visual amenities of the area but would rather improve the external appearance of the site. The building lies within a pocket of commercial buildings, and the building would not therefore appear out of character, since the character of the area is already mixed in nature. The building and site generally would be seen in the context of the adjacent commercial buildings and the rear gardens of residential dwellings, rather than the front of dwellings.

In assessing the proposal it is necessary to take into account the site's location in relation to the surrounding residential area. While the site backs onto and faces residential gardens, the D1 use of the site has operated for some years, and the site's position in relation to a cluster of non-residential uses in Old Homesdale Road mitigates to an extent the impact of the non-residential use on the residential character of the area.

The proposed new refuse store, fencing and cycle canopy would be sufficiently distant from nearby residential property to limit the impact of these elements on residential amenities.

The strong objection received regarding previous antisocial behaviour by the students of the former training establishment is noted but is not considered to override the strong weight afforded to the reuse, refurbishment and development of educational facilities. It is acknowledged that non-residential uses in residential areas can be prone to eliciting concern regarding the impact of the use, including noise and disturbance. In the context of the application site, however, its position in between non-residential uses means that the potential impact on a non-residential use is limited.

The applicant has submitted a detailed Transport Statement and no objections are raised to the proposals from a technical highways perspective.

With regards to the removal of condition 03 of the previous permission, Members may consider that the use of the site for vocational training in association with Burwood School would be an appropriate use. However, if Members are minded to grant planning permission, it may be expedient to apply a suitable condition to secure a degree of control over any future change in the operation of the site, to enable the assessment of such a change in the light of circumstances at that time and in the interest of the amenities of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

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 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

- 3 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.**

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 4 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.**

Reason: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 5 The use shall not operate on any Sunday or Bank Holiday, Xmas Day or Good Friday nor before 8.00am or after 9.30pm on any other day.**

Reason: In order to comply with Policy C7 of the Unitary Development Plan and in the interests of the residential amenities of the area.

- 6 The premises shall be used for a non-residential education and training centre and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: To enable the Council to reconsider the situation in the event of a change of user in the light of the circumstances at that time, in the interest of the residential amenities of the area and the transport impact of an alternative use of the site.

You are further informed that :

- 1 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**