

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/05849/FULL1

Ward:
Copers Cope

Address : 63 Copers Cope Road Beckenham BR3
1NJ

OS Grid Ref: E: 536785 N: 170367

Applicant : Springhead Capital Management &
Omega Mears

Objections : YES

Description of Development:

CHANGE OF USE FROM CARE HOME (CLASS C2) TO A TEMPORARY
RESIDENTIAL SUPPORT CENTRE / HOSTEL (SUI GENERIS)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

- Temporary change of use for up to 3 years from Nursing Home (Use Class C2) to a residential support centre/hostel to provide short-term accommodation for people on the Council's housing waiting list (Use Class Sui Generis)
- No external alterations are proposed however the building will undergo some updating internally including the provision of additional kitchen/dining areas
- 41 bedrooms will be provided (5 x single bedrooms/35 x double bedrooms/1 x disabled bedroom)
- 5 communal kitchen/dining areas are proposed along with family room/shared communal facilities and quiet areas
- 30 bedrooms will be ensuite and additional shared W/Cs and bathrooms will be provided
- An office is proposed on the ground floor and a staff room on the lower ground floor and the building will be staffed 24 hours per day, 365 days of the year

The applicant has submitted the following documents in support of their application:

Supporting letter/Planning Statement ref.26791/A3/AJ (Dec 2016):

In summary, this document concludes that the proposal will bring a vacant former care home back into useful occupation whilst contributing towards meeting an

identified need for additional accommodation for people on the Council's housing waiting list. The applicant considers that the proposal accords with planning policy and that it would not harm the character or visual amenity of the area, nor would it result in an unacceptable impact on residential amenity. The applicant refers to 2 recently approved developments in Orpington (ref's 13/01055/FULL2 and 15/00969/FULL2).

Management Plan by Omega Mears (Nov 2016):

This document sets out a comprehensive strategy for the management of the premises and the conduct expected of staff.

Supporting Statement from the London Borough of Bromley's Housing Department (Dec 2016):

This sets out the case for why additional temporary accommodation is required. It states that the number of households in temporary accommodation in Bromley more than doubled between 2011 and 2016. The proposed accommodation will provide cost effective, local, supported temporary accommodation for local households, against the alternative use of nightly paid accommodation, ensuring they are close to local support networks, employment and schooling. Furthermore, the intensive housing management and support service will provide residents with the help they need to gain the necessary skills to sustain independent living and to avoid repeat homelessness in the future.

Marketing letter from B&K Consultancy (June 2015):

This letter outlines the marketing activities that have taken place in relation to the site and the responses which have been received along with feedback received. It recommends that approaches be made to alternative use purchasers, such as residential developers, since these types of enquiries have been more prevalent and offers have been received in respect of re-developing the site for residential use.

Location

- The application site is approximately 0.11 hectares in area and is positioned on the corner of the junction of Copers Cope Road and Park Road;
- it comprises a large detached building maximum three storeys in height which has been in use as a Nursing Home under Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- The building is currently vacant;
- To the north of the site on the opposite side of Park Road is the boundary of the edge of the Copers Cope Conservation Area which extends north along Copers Cope Road and to the east as far as No.48 Park Road;
- Immediately to the west of the site is No.123 Park Road, a detached dwellinghouse;
- To the south of the site, at No.53 Copers Cope Road, is a four storey flatted development;
- The surrounding area is predominantly residential in character comprising large flatted developments as well as single dwellinghouses;
- New Beckenham train station lies approximately 40m to the west of the site

- The application site is within an area with a public transport accessibility level (PTAL) of 2 (on a scale of 0 - 6b where 6b is the most accessible).

Consultations

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

- Will make area unsafe for children walking to the nearby school
- There will be drug dealing and other illegal business in the under passage next to New Beckenham Station
- This area is fully residential with no shopping facilities or other facilities that the proposed residents may want and so is completely unsuitable
- Astounded that Bromley Council closed care home for the elderly to replace with a halfway house
- Worried how many families will be housed as many local residents are elderly and prone to noise
- traffic from New Beckenham station creates parking problems
- no street lighting
- do not wish to feel even more vulnerable
- the area will be "exposed" to the problems of the residents at the centre
- behavioural problems, anti-social behaviour, increase in crime, creation of fear in neighbourhood, noise, littering, criminal damage, loitering
- additional congestion
- potential for more accidents on Copers Cope Road
- why is it necessary to wait for 2 years prior to building a block of luxury flats?
- Discrepancy over length of period of use
- Area is not very well lit and slightly "off the beaten track"
- Not the right place for a homeless shelter
- Not in keeping with residential nature and ambience of Beckenham
- Detrimental to local residents
- Could become a permanent fixture
- This application and the Lawful Development Certificate application are mutually exclusive
- Proposed use does not fall within Class C2 or any other use class, it is sui generis
- Guidance on the use of temporary conditions does not support a three year period which is being sought
- If the use accords with planning policy it is not appropriate to seek to make the permission temporary
- The need identified by the Council's Housing Department has no planning relevance to this specific application
- There is no evidence of any unsuccessful marketing
- Inadequate parking
- The site has a low PTAL rating and is therefore not easily accessible by public transport
- The intensification of use which will have an impact on amenity is not resolved by management within the hostel itself
- No jobs available nearby

- There were problems when this property was a Barnados home with youths living there
- Number of dwelling units excessive for the size of the site and will result in congestion
- Would be better to use for care to release hospital beds
- The Council should be focusing on securing self-contained accommodation
- Report does not indicate the building is unsuitable for use as a care home
- No assurance that the occupants will be families
- Beckenham tram stop is not 'nearby'
- Management Plan heightens fears
- Don't want to live amongst people with issues again
- Insufficient supporting evidence on the socio-economic impact of the proposals on the local community.

The Council's Highways Development Engineers: no objections subject to occupiers of the development not having access to a motor vehicle which should be secured through the tenancy agreement.

The Council's Environmental Health Team: no objections from a pollution perspective; the Housing Enforcement Officer has provided detailed comments on the internal living standards of the proposed accommodation in accordance with LB Bromley's adopted standards for HMO's.

Planning Considerations

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

BE1 Design of New Development
 BE13 Development Adjacent to a Conservation Area
 C1 Community Facilities
 C5 Facilities for Vulnerable Groups
 C6 Residential proposals for people with particular accommodation requirements
 H4 Supported Housing
 IMP1 Planning Obligations
 T1 Transport Demand
 T2 Assessment of Transport Effects
 T3 Parking
 T7 Cyclists
 T8 Other Road Users
 T9 and T10 Public Transport
 T18 Road safety

Planning Obligations SPD (2010)

The final consultation for the Preferred Submission draft Local Plan was completed on December 31st 2016. It is expected that the Examination in Public will commence in 2017. The weight attached to the draft policies increases as the

Local Plan process advances. These documents are a material consideration (albeit it of limited weight at this stage). Policies relevant to this application include:

Draft policy 11: Specialist and Older People's Accommodation
Draft policy 21: Opportunities for Community Facilities
Draft policy 30: Parking
Draft policy 32: Road Safety
Draft policy 37: General Design of Development
Draft policy 42: Development adjacent to a Conservation Area
Draft policy 99: Residential Accommodation
Draft policy 125: Delivery and implementation of the Local Plan

In strategic terms, the application falls to be determined in accordance with the following policies of the London Plan (March 2015):

3.5 Quality and design of housing developments
3.8 Housing choice
3.9 Mixed and balanced communities
3.14 Existing Housing
3.16 Protection and enhancement of social infrastructure
6.3 Assessing effects of development on transport capacity
6.9 Cycling
6.10 Walking
6.13 Parking
7.1 Lifetime neighbourhoods
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.5 Public Realm
7.8 Heritage assets and archaeology
7.13 Safety, security and resilience to emergency
7.14 Improving Air Quality
8.3 Community infrastructure levy

The 2015-16 Minor Alterations (MALPs) have been prepared to bring the London Plan in line with the national housing standards and car parking policy. Both sets of alterations have been considered by an independent inspector at an examination in public and were published on 14th March 2016. The most relevant changes to policies include:

3.8 Housing Choice
6.13 Parking

The relevant London Plan SPGs are:

Housing (March 2016)
Accessible London: Achieving an Inclusive Environment (2014)

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account. The most relevant paragraphs of the NPPF include:

14: achieving sustainable development
17: principles of planning
56 to 66: design of development
69-70: promoting healthy communities
128 -137: heritage assets

Planning History

There is an extensive planning history attached to this site. The most relevant applications are as follows:

89/02526/FUL: Planning permission granted for change of use from children's home to nursing home, conversion of basement into flat, part single storey/part three storey rear extension and three storey external fire escape.

92/02698/FUL: Planning permission granted for enlargement of nursing home to include 4 storey side extension, entrance ramps and canopy to front with alterations to front car park.

94/02351/FUL: Part basement/2 storey/4 storey side/rear extension to nursing home access ramp detached pagoda and 4staff parking spaces with vehicular access at rear, amended fenestration to flank elevation of 4 storey side extension granted permission under ref.92/2698.

16/05422/PLUD: Change of use of nursing home (C2 use) to residential support centre providing accommodation, care, support services and training to occupiers under Use Class C2. LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - APPLICATION WITHDRAWN

Conclusions

The main issues to be considered in respect of the current proposal are:

- Acceptability of the loss of the existing nursing home use and acceptability, in principle, of the proposed use;
- Impact on neighbouring amenity;
- Highways impacts;
- Housing Issues;
- Planning Obligations.

Acceptability in principle

The NPPF, at paragraph 69 states that planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;

- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and

- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

Furthermore, to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs (Para 70, NPPF).

Proposals which would result in the loss of social infrastructure in an area where there is a defined need for such a use will be resisted. In the case of redundant or vacant premises, their suitability for the provision of other forms of high quality social infrastructure for which there is a defined need in the locality should be considered (Policy 3.16, London Plan). Policy 3.14 of the London Plan relates to existing housing and identifies the need to retain existing housing stock for all elements of the community and paragraph 3.83 refers to the retention of existing sites providing an element of care and indicates that where shortfalls of specialist housing needs have been identified the possibility of using these sites for other providers of specialist or supported needs accommodation should be explored.

UDP policy C1 is the current adopted policy in respect of the retention of community uses however this does not specifically identify the retention of C2 Care Home uses. Draft Policy 11 of the Draft submission Local Plan resists the loss of sites currently providing specialist accommodation unless it can be demonstrated that there is no demand for the existing accommodation and no demand for sites from alternative providers, or there is equal or greater replacement provision of improved specialist accommodation in an alternative appropriate location. Although this is a draft policy its weight is increasing as the Local Plan progresses.

At the same time the London Plan makes clear that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments and promotes mixed and balanced communities across London stating that "Local Authorities' homelessness strategies will also be important tools in delivering this aim" (Para 3.58, policies 3.8 and 3.9). Furthermore, policy H4 of the UDP permits

proposals which increase the provision of supported housing, except where it can be demonstrated that there would be significant harm to residential amenity.

Shared accommodation or houses in multiple occupation is a strategically important part of London's housing offer, meeting distinct needs and reducing pressure on other elements of the housing stock, though its quality can give rise to concern (Para.3.55, London Plan).

According to the applicant, the application site ceased to operate as a nursing home on 4th September 2016 and has been vacant since then. A supporting document was received on 2nd Feb 2017 confirming that the site has been marketed since September 2014, however, limited interest was received in respect of the continued use of the site as a care/nursing home. Furthermore, the overall feedback received was that the internal layout makes the building inadequate for meeting current requirements for accommodation and accessibility. They conclude that it would not be viable to redevelop the site for a care home or nursing home use.

The application is also accompanied by a letter from LB Bromley Housing Department (Dec 2016) which sets out the need for accommodation for homeless persons. In essence, a reduction in new build accommodation, increases in private sector rents and changes within social housing has meant that the number of people in temporary housing has dramatically increased in recent years. The proposal will provide 41 units of cost-effective temporary accommodation, providing residents with the support and skills they need to sustain future independent living.

In terms of accessibility, it is noted that although the site is in an area with a fairly low PTAL rating of 2, New Beckenham station is located within 40m of the site and there is a bus stop within approximately 160m of the site serving bus routes which go near to Beckenham junction station and direct to Beckenham High Street. As such occupiers of the development would be able to access nearby amenities without reliance on private transport.

As confirmed in the accompanying letter from the Council's Housing Department, there is clear need for temporary residential accommodation for homeless families in the Borough and the supporting marketing information submitted confirms that the existing use as the building as a nursing or care home is demonstrably no longer in demand. Furthermore, there is a strong emphasis in national and local policy towards the need to create mixed and balanced communities and promoting social inclusion and more sustainable and healthy communities. In this respect, the proposed residential support centre/hostel is considered acceptable, in principle, in this predominantly residential location.

Impact on residential amenity

There have been numerous objections received from local residents regarding concerns over increased noise, crime and anti-social behaviour in the vicinity of the site and around the existing pedestrian subway to the west of the site. Paragraph 3.1.24 of the Draft Submission Local Plan recognises the importance of ensuring that the impact of community facilities in respect of noise, hours of operation,

highway safety or other environmental impacts are appropriately mitigated, for example through planning conditions or obligations. Similarly, adopted policy BE1 of the UDP seeks to ensure that occupiers of neighbouring buildings are not harmed by noise and disturbance while policy C5 states that facilities for vulnerable groups will be resisted where it can be demonstrated that such development would have a significant adverse effect on residential amenity.

In contrast to the existing lawful use of the site as a nursing home (Use Class C2), the proposed sui generis use would constitute a material change of use of the site with different characteristics to the previous use, particularly in terms of the external effects on the character of the area and on local residents which are likely to be more significant since residents of a nursing home will generally be less mobile than residents of the proposed homeless hostel who will be able to come and go more freely.

However, it is noted that the facility will be staffed at all times, including by onsite security at night time and 24 hours per day at the weekend to help ensure it has minimal impact on local residents. In addition, the supporting statement from LBB's Housing Department assures there are a clear set of proposals to ensure that lines of communication are continually available for local residents to report any concerns. It is also important to recognise that the hostel facility would accommodate a range of people on the Council's housing waiting list, whose backgrounds and needs are diverse and include families and those with children, vulnerable young adults and others whose needs arise from health care or other issues. As such it is unlikely that the proposed development, given the diverse nature of its occupants, would give rise to a significant loss of amenity to local residents.

Furthermore, the applicant states that the staffing levels will be significantly less intensive than that required for the care home and while there may be some intensification of use in terms of numbers of residents; this will be off-set in part by the reduction in the staff numbers. 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.

There are no external alterations proposed to the main building or within the site's curtilage which would impact on the daylight, outlook or privacy of occupiers of adjacent buildings and, overall, the proposal is unlikely to significantly impact on the character and appearance of the area or on adjacent Heritage Assets.

Nevertheless, it is suggested that a time-limiting condition for the proposed use is applied to any grant of planning permission, reflecting the temporary length of use required by the applicant. This would enable the impact on local residents to be reconsidered in light of the circumstances at that time and also to enable reconsideration of the loss of the C2 use in light of the adopted Local Plan and the demand for specialist accommodation. The NPPG, at paragraph 014, provides guidance on the use of time limiting conditions, stating that where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, these will rarely pass the test of necessity. However, circumstances where a

temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area. There is no presumption that a temporary grant of planning permission should be granted permanently.

Highways Impacts

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. For facilities for vulnerable groups, parking requirements will be dependent upon the nature of the facility.

The proposal will utilise 7 existing car parking spaces to the front of the site, accessed from Park Road, for staff and disabled users only. Concerns have been raised by local residents regarding additional parking and traffic congestion in the site's vicinity. The applicant maintains that housing will only be made available to those without a motor vehicle, which can be secured through a clause in the tenancy agreement and a condition is recommended accordingly. Furthermore, as set out above, the proposed use is unlikely to result in a significant intensification of the number of vehicle trips to the site given that staffing numbers will be lower than for the previous use of the site.

Cycle parking should also be provided in accordance with policy 6.9 and table 6.3 of the London Plan. The applicant has confirmed in their planning statement that opportunities for the provision of secure cycle parking spaces exist within the site and a cycle parking condition is recommended accordingly. Details of the provision of refuse and recycling facilities are also required by way of condition.

Overall, the proposal is therefore considered acceptable from a highways and road safety perspective.

Housing Issues

Density:

In relation to the proposed development, The London Plan SPG; Housing, confirms that the density matrix at table 3.2 of the London Plan relates only to Use Class C3 dwelling houses. It is not intended for applications to short term serviced

accommodation, student hostels, or residential institutions (Para.1.3.12, Housing SPG).

Standard of Residential Accommodation:

The Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies. The standards set out the minimum level of quality and design that new homes should meet, however, the SPG makes clear that the standards do not apply to specialist forms of housing which are not in the C3 use class such as student housing, care homes and homes in multiple occupation. In the case of the application proposal, the standard of accommodation being proposed would, in this instance, not fall under the remit of the planning system.

Furthermore the access standards, which are set through the Part M of the Building Regulations, do not generally apply to dwellings resulting from a conversion or change of use (para.2.1.13, Housing SPG).

Planning Obligations

The London Plan, at policy 3.16, states that Borough's should ensure that adequate social infrastructure provision is made to support new development, particularly in areas of major new development. The Council's Planning Obligations SPD supplements the policies of the UDP and sets out the requirements and mechanisms for infrastructure contributions. Education and health contributions, it states, will only usually be sought from major residential developments and specialist accommodation will normally be excluded from education calculations. This application does not fall within the statutory definition of a 'major development' as the site less than 1ha in area and the proposal does not involve the provision of any additional floorspace. Also, being a specialist form of accommodation, the proposal would not be liable to provide contributions towards health or education infrastructure.

Summary

The application site has been marketed for a continued Class C2 use (as a care home) and the use of the building for such uses is demonstrably no longer in demand. Furthermore, there is a defined need for temporary residential accommodation for homeless families in the Borough. In this instance the application site is considered suitable for the proposed residential support centre/homeless people's hostel use in terms of its accessibility to sustainable transport modes and the highways impacts it would have which are also considered acceptable.

While it is clear the external effects of the proposed use would be more significant than that of the previous use as a nursing home, in this instance it is not considered that the impact on local residents would be harmful enough to warrant refusal of the application, particularly as the applicant is only seeking a temporary change of use for up to 3 years (including a 1 year period of internal

modifications/refitting), which would see this empty property brought back into use prior to any longer term regeneration plans coming forward for the site.

Background papers referred to during production of this report comprise all correspondence on the file refs 16/05849/FULL1 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 31.01.2017 02.02.2017

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The use hereby permitted shall be discontinued on or before the 28th February 2020**

Reason: In order to comply with Policies BE1 and H4 of the Unitary Development Plan and so that the situation can be reconsidered in the light of the circumstances at that time and in the interest of the amenities of the area.

- 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 Policies BE1 and H4 of the Unitary Development Plan and in the interest of the residential amenities of the area.

- 3 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 4 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.

- 5** 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 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 6** Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

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.