

SECTION '2' – Applications meriting special consideration

Application No : 18/03023/FULL1

Ward:
Plaistow And Sundridge

Address : 48 - 50 London Lane Bromley BR1 4HE **Objections: Yes**

OS Grid Ref: E: 540121 N: 170334

Applicant : Mr K Keaveny

Description of Development:

Change of use from Care Home (Use Class - C2) to temporary accommodation to house homeless families (Use Class - Sui Generis)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 7
Smoke Control SCA 5

Proposal

Planning permission is sought for the change of use from a Care Home (Use Class - C2) to temporary accommodation to house homeless families (Use Class - Sui Generis). The period of use sought is for a duration of 3 years only.

No external alterations are proposed to the building. However the building will undergo internal alterations to facilitate 16 flatlet style units ranging in size from 21m² to 55m². This comprises of a total of 29 bed spaces across the units. Each unit is self-contained with their own bathroom and kitchen areas. No communal areas are provided except for access and circulation corridors to the flats.

An office is proposed within the basement. This is indicated not to be manned at all times. One field based property manager with working hours of Monday to Friday (08.30 - 17:30) will manage the property involving communal weekly inspections and quarterly property inspections. Residents will have access to staff 24/7 via phone.

The application was supported by the following documents:

- Planning Statement
- Design and Access Statement
- Supporting Statement
- Transport Statement
- Marketing Statement
- Management Plan

Location and Key Constraints

The site is located on the south side of London Lane and comprises a two storey semi-detached building originally constructed as a pair of residential dwellings. To the east of the existing site is No52 which is a detached building currently converted to flats. Opposite the site are similar semi-detached residential dwellings and also the main entrance from the highway to the Parish Church of England Primary School. Surrounding the site generally, are two storey residential dwellings.

The site is not located in a conservation area nor is the building listed.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received. Many letters have reiterated points in other letters. The main issues and points raised are summarised as follows:

Support

- Comments that everybody needs a place to live and why shouldn't this sector of the community be accepted at this location?
- Important to help and support those in need and to put the life critical needs of others ahead of any other concerns re traffic, parking etc.
- People being talked about do not pose a threat to the safety of children just because they're homeless. We pose a bigger threat to them by turning them away in their time of need.
- Keeping families together who are facing such a stressful and trying time should be the focus here and not wild assumptions about alcohol and drug abuse.
- The Borough does not currently have sufficient housing for homelessness and we as a community should be supporting those in need.

Objections

- Increase in noise and disturbance due to the change of occupier type.
- An unacceptable level of high density. Increase by 50% in the number of people living at the property.
- Concerns regarding an increase in traffic and on street parking in the vicinity due to inadequate on-site parking to cater for the number of occupants.
- Increase in traffic comings and goings to the property will affect safety of school children opposite.
- An inappropriate change of use opposite a school.
- Is temporary housing for families or individuals.
- Large flat like dwelling doesn't fit with the local surroundings.
- Concerns regarding the community impact of temporary accommodation.

- Concerns about potential safeguarding risk to children, parents and staff at the school opposite due to the level of crime and social issues often associated with the proposed occupier type.
- Negative impact of change of use to the character of largely residential and family area.
- Inappropriate re-use of business premises which provides much needed service for elderly and/or end of life patients within the local community.
- Over-development of the building with excessive amount of tenants.
- Additional residents will cause strain on local services.
- Concerns with impact of extra waste on street amenity
- Concerns that the change of use could bring with it anti-social behaviour and increase in crime in the area.
- Building is too small for the numbers of residents proposed.
- An old people's home is much less impact on character of area as opposed to the proposed homeless family use.
- No staff on site seems entirely inappropriate.
- Concerns to where will the elderly be rehoused?
- Lack of sufficient amenity space provided on site.
- This scheme is not comparable to other similar schemes allowed in the Borough.
- Management proposals for the facility are inadequate. Concerns that as there is no one on site problems will easily arise.
- Three year time period is misleading. Site will not revert back to a care home.
- Concerns that house values will decline due to association with this accommodation type.
- Care home should be retained due to lack of provision in the Borough.
- An unsuitable location and overdevelopment.
- Concerns with regard to impact on sewage and drainage.
- Proposal is not for families but mainly individuals.
- Other vacant buildings in Borough better suited.
- Concerns about the property being the right type and potential fire risk of the level of occupation.
- A high density provision of temporary accommodation is out of character for the area and will be to the detriment of the existing community.
- A petition has also been received with 79 signatories objecting to the application.

The application was re advertised on 30/10/2018 following amended plans to revise the internal layout of the proposed units. Many letters have reiterated points in previous responses. The main issues and points raised since are summarised as follows:

- Not right location for such a facility. Totally out of character for the type of neighbourhood.
- Anti-social behaviour, mess and noise will increase.
- Concerns regarding parking and impacts to the highway due to extra families.

- A primary school is opposite. With homeless families come social issues making school children uncomfortable and unsafe.
- Concerns for the social effects in the area.
- Proposed property risks a major impact on safety and wellbeing of the residents, and will alter the makeup of the neighbourhood.
- Concerns if the scheme is for homeless families or homeless persons.
- Are adequate support facilities provided to cope with complex needs of the residents.
- Application does not fulfil homelessness definition criteria.
- Proposed use is an unfit use of a property in an area of predominantly privately owned family homes.
- Concerns regarding waste disposal.
- Concerns regarding extent of local neighbour notification.
- Property could easily be sold to be converted back to private family housing in keeping with the local area.
- Problems will occur in this sort of housing outside of hours when duty officer is around leading to frustration on residents and local community.
- Security and support provided by telephone is different to other schemes with on site support.
- Revised proposals do not address unsuitable accommodation. Amended plans show that the vast majority of the units are smaller than those set out in guidelines.
- Units appear substandard, too small with no shared communal facility, so may be considered an overdevelopment.
- Rear garden inadequate to accommodate all families and would greatly impact adjoining neighbours with noise and general disturbance.
- Refuse collection area appears inadequate.

Comments from Consultees

Environmental Health Housing Officer:

I reviewed these plans and the architect has now followed all of our advice regarding fire precautions. We do not have any objections to the revised plans.

Environmental Health Pollution Officer:

No objections.

Highways:

The applicant is proposing 16 units in total within the main property comprising 12 studios, 2 x 1 bed units and 2 x 2 bed units.

The Transport for London full PTAL Report confirms that the site has a moderate PTAL of 3, with 6b being the highest and 1 the lowest.

The flats will have access to the rear garden area either from the side of the property where there is a large shed which will be converted into a secure cycle store providing secure cycle parking for at least 16 cycles.

The applicant is suggesting there is capacity for 8 cars to park off-street. Required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m. Out of the 8 parking spaces provided only 5 meet the Council's requirement.

I am of the opinion that not all the occupiers will own a car, considering this application is for the homeless families. I think only 3 or maximum 4 will own a car. Therefore I raise no objection to the proposal.

Housing:

The Council have been in discussions with the applicant regarding this proposal, and LBB Housing fully supports the application. The Council's statutory duties under homelessness legislation mean that there is considerable demand for good quality self-contained in-borough accommodation for homeless applicants. Settled homes are hard to find and the Council has duties to ensure people are housed while they secure themselves a long term home. If granted this application would deliver 16 valuable units of accommodation - 12 studios, 2 x 1 bed units and 2 x 2 bed units.

The model proposed involves arrangements that are tried and tested. The applicant would engage a private registered social landlord to manage the property on their behalf and the Council would have 100% nomination rights to the properties. The model used would be similar to that used in other projects in the south of the borough. We appreciate that local residents have concerns. We hope that the success of previous projects would go some way towards addressing those concerns. Manorfields is perhaps the best comparison as it is next to a school and in a predominantly residential area. There is a high level of community engagement and quick responses to any concerns as well as annually scheduled resident meetings.

It is important to note that the demands on the Council due to homelessness continue to increase. The number of people living in Temporary Accommodation (TA) and the cost of this continues to rise with nightly paid placements dominating overall provision.

In order to meet continued demand for TA the Council has a procurement strategy which seeks to secure units in a variety of ways. The most expensive are spot purchased nightly paid units - the main terms currently offered by private sector landlords and agents. Projects like the one set out in this application provide a more cost effective alternative. Also, key advantages are that this will be newly refurbished and at the heart of the Borough.

If this application is successful it would be another key project in the range of housing options that assist the Council in delivering an effective response to homelessness.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4th December 2017 and the Inspectors report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of affordable housing
- 3.14 Existing Housing
- 3.16 Protection and enhancement of social infrastructure
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage

- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 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
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Unitary Development Plan

- BE1 Design of New Development
- C1 Community Facilities
- C5 Facilities for Vulnerable Groups
- C6 Residential proposals for people with particular accommodation requirements
- H1 Housing Supply
- H4 Supported Housing
- H7 Housing Density and Design
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T8 Other Road Users
- T9 and T10 Public Transport
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Emerging Local Plan

- 1 Housing supply
- 4 Housing design
- 11 Specialist & Older Peoples Accommodation
- 21 Opportunities for Community Facilities
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision

- 37 General design of development
- 112 Planning for Sustainable Waste management
- 113 Waste Management in New Development
- 115 Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Supplementary Planning Guidance

Housing: Supplementary Planning Guidance. (March 2016)
Accessible London: Achieving an Inclusive Environment (2014)
SPG1 General Design Principles

Planning History

The relevant planning history relating to the application site is summarised as follows:

85/02145/FUL: Conversion into 3 bed-sitting rooms on first and second floors. Refused 03.10.1985.

86/01254/FUL: Formation of vehicular access at No50 and hard standing area at No 48/50 semi-detached houses. Refused 19.06.1986

87/00482/FUL: Conversion to old peoples home with three storey rear extension and formation of additional vehicular access to classified road. Approved 07.05.1987

93/02752/FUL: The formation of shared driveway with 2 car parking spaces at rear. Approved 23.12.1993

02/03688/FULL1: Single storey rear extension for additional bedrooms, reduction in ground level to accommodate detached single storey building for office/training centre and glazed walkway. Refused 24.04.2003

03/03009/FULL1: Single storey rear extension for 6 additional bedrooms and basement office. Approved 20/10/2003.

This application has not been implemented on site.

12/01490/FULL1: Installation of 5 solar thermal collector panels to the rear elevation. Approved 2/07/2012

15/04609/FULL1: Demolition of No 52 London Lane and construction of two storey building with accommodation in roof space to link to existing nursing home at 48-50 London Lane. Single storey extension to rear of 48-50 London Lane together with associated landscaping and vehicular access alteration. Refused 22.12.2015,

The refusal reasons related to the developments prominent siting, scale, height, bulk, massing, design, site coverage and spatial relationship to the existing and adjacent dwellings in the locality in this prominent location, representing a cramped overdevelopment of the site which would have appeared detrimental to and out of character with surrounding development and harmful to neighbouring amenity and the visual amenities of the area.

Insufficient information to demonstrate the capacity of the existing access and car park to accommodate satisfactorily the additional traffic generated by the development was also considered to be likely to prejudice the free flow of traffic and general road conditions in and around the site.

Considerations

The main issues to be considered in respect of this application are:

- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- Other (drainage/flooding/noise/pollution)
- CIL

Principle

The NPPF (2018) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The NPPF (2018) at paragraph 91 states that planning policies and decisions, in turn, should aim to achieve places which promote social interaction including opportunities for meetings between people who might not otherwise come into contact with each other; are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Furthermore, at paragraph 92 it states that planning policies and decisions shall provide the social, recreational and cultural facilities and services the community

needs by planning 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; and 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.

Policy 3.16 of the London Plan states that 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 3.14 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.

At the same time the London Plan makes clear that Londoner's 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).

Policy C1 of the UDP is the current adopted policy in respect of the retention of community uses however this does not specifically identify the retention of Use Class C2 care homes.

Policy H4 of the UDP supports the increase of the provision of supported housing. Draft Policy 11 of the emerging Local Plan reiterates this need supporting the provision of specialist housing across all tenures where they are conveniently located for a range of local shops, services and public transport, appropriate to the mobility of the residents, and they provide appropriate parking and suitably landscaped amenity space.

The policy further details that proposals involving the loss of sites currently providing specialist accommodation will be resisted 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.

A Supporting Statement and Marketing Statement has been received with the application.

The Supporting Statement details the success of the current facility in the sector. It also details that because of its capacity of 22 persons, the long term viability of the site is not strong as generally a capacity of 40 beds is required to achieve this.

The Marketing Statement sets out the financial issues facing the current operator to keep the facility running, the preference for larger facilities by potential users and staffing. It is also advised that the current financier is unable to continue funding the facility in the long term. No direct marketing of the site has taken place for a different end user of the current facility. The Statement also details that discussions with the LB Bromley Housing Department has detailed the need for accommodation for homeless persons in the Borough.

The potential closure of the care home is regrettable and it would appear on balance that its future viability as a going concern is not possible. It is acknowledged that this may change in the future. However, in the interim it would be beneficial to seek alternative temporary uses that would also address the needs of the community in terms of a specialist housing provision.

The Council's statutory duties under homelessness legislation mean that there is considerable demand for good quality self-contained in-borough accommodation for homeless applicants. The National Planning Policy Framework (NPPF) encourages planning authorities to plan for a mix of housing based on current and future demographic trends and to consider a range of specialist housing.

The proposal will provide 16 flatlet units with 29 bed spaces of cost-effective temporary accommodation for homeless persons. The number of people in temporary housing has dramatically increased in recent years due to a reduction in new build accommodation, increases in private sector rents and changes within social housing. The proposal will provide homeless 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 moderate PTAL rating of 3, Sundridge station is located approximately 0.5km of the site and bus stops also within close proximity. As such occupiers of the development would be able to access nearby amenities without reliance on private transport.

As confirmed in the accompanying comments from the Council's Housing Department, there is clear need for temporary residential accommodation for homeless families in the Borough and the supporting information submitted confirms that the existing use as the building as a nursing or care home is uncertain. 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 accommodation to house homeless families and individuals is considered acceptable, in principle, in this predominantly residential location.

On this basis, it is recommended that a temporary permission is granted for 3 years which will allow the site to return its former use at that time should a return to a care home use become a viable option. On balance in the interim the use of the site will remain as a specialist form of housing which is a finite resource in the Borough but for a different sector of the community that is also in need of provision.

Density

In relation to the proposed development the London Plan Housing SPG 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).

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout

and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

There are no alterations to the building to facilitate the proposed use. An area of hardstanding will remain to the front curtilage only as existing. In this respect it is considered that the existing physical character and appearance of the building is maintained and importantly also maintains the current relationship in terms of the buildings setting within the application site and wider area.

Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

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 Use Class C3 such as student housing, care homes and homes in multiple occupation. In the case of the application proposal, this is considered a specialist form of housing and as such the standard of accommodation being proposed would, in this instance, does not fall under the remit of the Housing SPG.

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).

Nevertheless the Council's Environment Housing Officer has reviewed the revised layout proposed for the units under the remit of the Housing Act and not raised any objections to the revised layout of the units for the specialist accommodation intended.

The proposal is a straight conversion of the original building. All of the rooms have access to windows with many being dual aspect. The level of privacy for future residents is considered acceptable.

Therefore, while the size of some rooms may be small when considered against minimum standards for residential accommodation, the proposed development is considered to be fit for purpose as temporary accommodation for homeless persons. Furthermore, when weighed against the need to provide temporary housing for homeless households, the standard of accommodation is not

considered to be severely detrimental to outweigh the benefit of providing a needed form of housing.

Highways

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

The site is located in an area with PTAL rate of 2 (on a scale of 1 - 6, where 6 is the most accessible). The property is relatively well served by public transport in the vicinity and sufficient parking will be provided on site for use by staff and contractors. No residents parking is to be provided as detailed in the submitted Management Plan. The Council's Highways Officer has not raised any objections in this regard. It is therefore considered that there will be minimal impact on parking in the vicinity.

It is noted that concerns have been raised by local residents regarding additional parking and traffic congestion in the site's vicinity. As above 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. 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

The applicant has provided details of a location for cycle storage for 18 cycles. The location details are considered acceptable. However, further information regarding a containment structure and capacity can be sought by condition.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage location for the facility. The

location is considered acceptable subject to further details of a containment structure and capacity to be sought by condition.

Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

There have been many objections received from local residents regarding concerns over increased noise, crime and anti-social behaviour in the vicinity 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.

Policy BE1 of the UDP seeks to ensure that occupiers of neighbouring buildings are not harmed by noise and disturbance. 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 care 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 accommodation to house homeless persons who will be able to come and go more freely.

However, it is noted that the facility will be monitored by field based staff with a management office space also based on site to help ensure the proposal has minimal impact on local residents. A Management Plan has been supplied in this regard. It is also important to recognise that the 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 for the proposed use will be less intensive than that required for the previous use home with 4 part time and 2 full time staff proposed as opposed to a maximum of 12 part time and 24 full time staff which could have potentially been employed by the care home when it was operating at full capacity. Therefore, 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.

Nevertheless, it is suggested that a time-limiting condition as detailed above 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 of planning permission should be granted permanently.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

Conclusion

It has been demonstrated that the use of the building as specialist housing for a continued Class C2 use (as a care home) is not an ongoing viable business.

Furthermore, there is a defined need for temporary residential accommodation for homeless families and persons in the Borough. In this instance the application site is considered suitable for the proposed use.

While it is clear the external effects of the proposed use would be more significant than that of the previous use as a care 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 and the main use of the property remains a provision for specialist housing needs.

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

As amended by documents received on 21.08.2018, 29.10.2018.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The use of the premises as accommodation for homeless persons and households (Use Class - sui generis) hereby permitted shall cease on or before 3 years from the date of the grant of this planning permission.**

Reason: In order that the local planning authority may assess the impact of the use at the end of the limited period hereby permitted and in the interest of the residential amenities of the area in accordance with BE1, C5 and H4 of the Unitary Development Plan.

- 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 UDP and in the interests of visual and residential amenity.

- 3 (a) 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 prior to construction of any above ground works**

(b) The arrangements as approved under part (a) 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 (a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works**

(b) The arrangements as approved under part (a) 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 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.

- 5 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 details as set out in this planning permission 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.

- 6 The premises hereby approved shall be used for the accommodation of homeless persons and households as defined by the Housing Act 2004.**

Reason: To restrict the use of the accommodation to homeless households, ensuring the proposed development meets the specified housing need as outlined in the Management Statement and to ensure the provision of mixed and balanced communities in accordance with Policies 3.8 and 3.9 of the London Plan.

- 7 The development shall operate in accordance with the Ashcroft Housing Management Plan statement received 21st August 2018 hereby approved.**

Reason: In order that the local planning authority is satisfied that the homeless persons accommodation is appropriately managed and in the interest of residential amenities of the area in accordance with BE1, C5 and H4 of the Unitary Development Plan.