

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

**Application No :** 19/04776/FULL1

**Ward:**  
**Penge And Cator**

**Address :** Melvin Hall Melvin Road, Penge,  
London SE20 8EU

**Objections:** Yes

**OS Grid Ref:** E: 535226 N: 169787

**Applicant :** Melvin Hall Community Group

#### **Description of Development:**

Seasonal use of community hall to provide overnight sleeping venue in connection with the Bromley homeless shelter

#### **Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 32

#### **Proposal**

The application seeks planning permission for the seasonal use of Melvin Hall to provide overnight sleeping accommodation in connection with the Bromley Homeless shelter.

16 bed spaces would be provided with an additional two overnight volunteers.

It would operate 7 nights a week from January - March.

The hours of operation would be 8:45pm until 7am the following morning (8am on Sundays).

#### **Location and Key Constraints**

The site is located at the south-eastern end of Melvin Road close to the junction with Croydon Road. Melvin Hall is a single storey detached building, which is used as a community hall.

The site is bounded to the south-east by the rear gardens of detached properties fronting Nos. 70-76 Croydon Road. To the north-west there is a boundary fence between the flank boundary with No.22 Melvin Road and an open area of hardstanding / estate road which backs onto Capel Court along with the properties fronting Melvin Road and Padua Road.

## **Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and the following representations were received:

### **Objections**

- The hall was a very successful hub for the elderly of Penge ran by Age UK Monday - Friday before it was taken away from them.
- The hall is on a small residential road and is being hired out of various groups and family parties 7 days and evenings a week which causes noise and nuisance to near residents.
- The whole site is beginning to look run down and the car park used for fly tipping. The hall should be given back to the elderly to take the strain off local services.

### **Support**

- Excellent idea to use the hall for such a useful, caring purpose. It was used last winter for this purpose.
- Would like to see the hall used generally for such good work, as it was for age concern, rather than let out for noisy out-of-control parties, which disturb residents and where parking is impossible.

Please note the above is a summary and the full text is available on the council's website.

## **Comments from Consultees**

Highways Department - No objections. The proposal would not have a significant impact on the parking demand within the local area.

Environmental Health - No objections

## **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.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- The degree of consistency of the relevant policies in the emerging plan to the policies.

The Bromley Local Plan was adopted in January 2019.

The development plan for Bromley comprises the Bromley Local Plan (2019) & the London Plan (March 2016).

### Draft New London Plan

The ‘Intend to Publish’ version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.

The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.

Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan, and the London Assembly can veto the plan. These factors affect the weight given to the draft plan. At this stage, the Council’s up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations

The application falls to be determined in accordance with the following policies:

### London Plan Policies

3.16 Protection and enhancement of social infrastructure.

7.4 Local character

### Local Plan

20 Community facilities

30 Parking

32 Road Safety

37 General Design of Development

119 Noise Pollution

### **Planning History**

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

84/01901/LBB Extensions and adaptations for additional facilities for day centre. Permission.

91/02666/FUL Single storey rear extension. Permission.

10/01385/FULL1 Erection of metal palisade fencing across part of side boundary. Permission .

11/03035/FULL1 Replacement aluminium windows. Permission.

## **Considerations**

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

- Principle of development
- Highways
- Neighbouring amenity

### Principle

Policy 20 of the BLP relates to development and community facilities. This policy states that the Council will promote the quality of life and the health and wellbeing of those living and working in Bromley and engage with providers and agencies to ensure the provision, enhancement and retention of a wide range of appropriate social infrastructure.

The applicant's supporting statement submitted with the application provides some background information about the current proposal. It explains that 'Melvin Hall Community Group (MHCG) is a registered charity run as a community resource for the people of Penge, attended and supported by the wider community. Last winter season, in response to local need, MHCG, local churches and Living Well came together with The Bromley Homeless Shelter, to create a winter night shelter provision (Bromley North-West) using Melvin Hall as an overnight sleeping venue for those currently without a home.' The ambition is that a similar type and level of provision would be provided seasonally for three months, from January to March every year and until there is no longer a need. In order to carry this out MHCG has been advised that they need landlords consent (Bromley Council), and in order to obtain this they have been advised that planning permission should first be applied for.

The existing building is used as a community hall. The proposed use as overnight sleeping accommodation would only be operational for a temporary three month period each year. The primary use as a community hall would remain, but the proposal would provide much needed support for a vulnerable part of the community overnight when the hall is not typically in use.

This type of use, which supports a wider community function, would help a number of vulnerable people during the coldest parts of the year. The provision of this type of necessary social infrastructure is considered to be consistent with Policy 20 of the BLP. It is not considered that the character of the established use would

change and the proposal would not materially prejudice the established community facility. Therefore, the principle of the use within this established community building is considered to be acceptable.

### Highways

The site has a car park to the side and rear, however the proposal used would unlikely generate significant levels of vehicular trips given the nature of the intended use. It is within an established community venue and no objections have been raised by the Council's highways team. Therefore the highway impact is considered to be acceptable.

### Neighbouring amenity

Melvin Hall is an established community hall set within a wider residential context.

As already noted, the proposal would be for a temporary three month period, used seasonally between January and March, until there is no longer a requirement for the use. It would be located within an existing community centre and would be carried out overnight, with the provision of up to 16 bed spaces for referrals, together with two overnight volunteers. The centre would therefore house a maximum of 18 people per night. The hours of operation would be from 8:45pm until 7am the following morning and up to 8am on Sundays. The proposal is considered to be consistent with the existing community function of the building. The number of spaces and comings and goings associated with the proposal is not considered to be out of character with the established use of the site.

The sleeping venue is one part of the support provision. Wider support is provided through a cluster of church venues around Penge Town Centre, which are the host meal venues. Each host church meal venue is within a 15 minute walk from the sleeping venue. Only referred people are able to attend the meal and sleeping venues. The supporting statement highlights that last year, 35 guests in total were supported in the Bromley North-West shelter throughout the season. It highlights that the shelter has established processes and a record of good shelter management, with set procedures in place. These include a safeguarding and referral process. The referral process historically includes the Advice Services, Thames Reach, Living Well and Bromley Council. Each person who is referred is required to sign a 'guest agreement' which sets out the shelter rules and behaviour expectations. The shelter knows who is expected on any given night. There would be two volunteers staying at the shelter each night and it would not operate on a 'turn-up' basis. Additionally, it would be a 'dry' shelter, with no alcohol or drugs.

It is considered that conditions controlling when the use takes place, hours of operation and number of users could reasonably be imposed to ensure that there is no material change in the character of the site, which could impact negatively on neighbouring residential amenities, including increased noise and disturbance resulting from additional comings and goings later into the evenings/overnight.

In light of the established use of the site, number of users and temporary seasonal nature of the use it is considered that there would not be material harm to neighbouring residential amenities as a result of the proposed use.

## **Conclusion**

Having regard to the above, it is considered that use is acceptable in principle and would not result in an unacceptable highway impact. Furthermore, there would be no harm to neighbouring residential amenities.

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.

## **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: To comply with Section 91 of the 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.**

- 3      The use hereby permitted shall only be operational seasonally during the months of January, February and March only and at no other times of the year.**

**Reason: In the interest of neighbouring residential amenities, amenities of the area in general and in order to comply with Policy 37 of the Bromley Local Plan (2019)**

- 4      The use hereby permitted shall only be operational between the hours of 20:45pm to 7am Monday to Saturday and between the hours of 20:45pm to 8am on Sundays and Bank Holidays.**

**Reason: In the interest of neighbouring residential amenities, amenities of the area in general and in order to comply with Policy 37 of the Bromley Local Plan (2019)**

- 5      No more than 16 bed spaces (16 guests) shall be accommodated at any one time.**

**Reason: In the interest of neighbouring residential amenities, amenities of the area in general and in order to comply with Policy 37 of the Bromley Local Plan (2019)**