

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 19/04799/FULL1

**Ward:**  
**Bromley Common And  
Keston**

**Address :** Al-Emaan Centre Croydon Road Keston **Objections: Yes**  
**BR2 8HF**

**OS Grid Ref:** E: 541965 N: 165134

**Applicant :** Mr Omar Taha

### **Description of Development:**

Retrospective planning application for a glazed screen located under an existing canopy, creating an external storage area

Key designations:

Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Smoke Control SCA 22  
Stat Routes

### **Proposal**

Retrospective planning permission is sought for a single storey side extension to the existing building which is used as a mosque. The applicant has provided details that the side extension is used for storage in associated with the wider use of the Al-Emaan Centre.

### **Location**

The application site is located on the northern edge of Croydon Road, near the junction with Oakley Road and comprises a former church which is now used as a mosque (Al-Emann Centre). Directly east of the site is a garden centre. North of the site is Ravenswood School. The site is included within the Metropolitan Green Belt boundary.

### **Consultations**

Nearby residents were consulted in relation to the application and one letter of representation was received, which can be summarised as follows:-

- The development will lead to an intensification of the Al Emann Centre with potentially more worshippers
- There are already problems with traffic congestion and parking.
- The new structure is in clear breach of a previously refused application.

A full copy of the detailed objection letter can be found on the file.

### **Comments from Consultees**

Highways - The application is a retrospective planning application for a glazed screen located under an existing canopy, creating an external storage area. I am of the opinion that there cannot be any additional congestion in the area because of this storage space.

Recently some additional yellow lines were introduced within Oakley Road. This has improved traffic flow from Keston Mark.

Drainage - no comment

Environmental Health (Pollution) - no objection

### **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 development plan for Bromley comprises the Bromley Local Plan (2019), the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

NPPF (2019)

13. Protecting Green Belt Land

## London Plan (2016)

- 4.7 Retail and town centre development
- 7.4 Local Character
- 7.5 Public Realm

## Bromley Local Plan (2019)

- Policy 20 Community Facilities
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 49 Green Belt

## Planning History

Under planning application ref:- 16/04809/FULL1 retrospective planning permission was granted for no:16 Velux Skylights.

Under planning application ref:- 14/04652/FULL1 planning permission was refused for the addition of a mezzanine floor within the church hall and single storey side extension. New car parking layout, hard landscaping and new boundary fence.

The reason for refusal read as follows:

1)The proposed additional floorspace, hardstanding and car parking constitutes inappropriate development within the Green Belt, harmful to its openness and character and no very special circumstances are considered to exist to warrant the setting aside of normal policy considerations. The proposal is therefore contrary to Policy G1 of the Unitary Development Plan, Policy 7.16 of the London Plan and the NPPF.

2) The proposed extension would result in an increase in the capacity of the building and the number of visitors which could be accommodated at the site, which could not be reasonably controlled by condition. As a consequence of the limited accessibility of the site by means other than private vehicles this is likely to lead to indiscriminate parking and manoeuvring in the vicinity of the site, causing harm to the free flow of traffic on the A232 and the amenities of the area, contrary to Policies BE1 and T18 of the Unitary Development Plan.

The above mentioned application was also dismissed at appeal on the 18th March 2015 with the Inspector citing that the parking arrangement on the front forecourt would harm the character and appearance of the Green Belt and very special circumstances did not exist to outweigh the totality of harm. Furthermore the extension had the potential to result in an undesirable increase in activity leading to extra pressure on already limited parking with overspill on-street parking resulting in increased risks to other highway users and harmful to highway safety.

12/03448/FULL1 - Change of use of church to restaurant for use by garden centre, demolition of extension, garage and canopy, new single storey side/rear extension, creation of new access path and steps, and elevation alterations - permitted but not implemented.

11/02519/OUT - Conversion of church building to residential use to provide 2 four bedroom units and 1 three bedroom unit, to include introduction of mezzanine level, new dormer windows, elevation alterations and new porch and associated car parking and bin store at rear - permitted but no reserved matters submitted and permission has now expired.

10/01683/FULL1 - single storey canopy to side of building - permitted

## **Considerations**

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

- o Background/context/planning history
- o Impact to the Green Belt
- o Highways
- o Neighbouring amenity

### **Background/Context/Planning History**

The application site is the former Keston Methodist church which is now being used as a mosque known as Al-Emaan Centre. Planning permission was refused in 2014 for the addition of a mezzanine floor within existing church hall and single storey side extension, new car parking layout, hard landscaping and new boundary fence. The application was also dismissed at appeal.

In 2016 retrospective planning permission was granted for 16 skylights which had been inserted into the roof. The current application before the Council seeks retrospective planning permission to allow for the erected side extension which was completed in 2017.

The agent has provided additional information to Officers stating that the side extension was formerly used as an outside storage area which was enclosed to form a side extension. The information provided states that the area's use has not changed since it became enclosed when it was used for the following uses; artefact area for school and scout visits to the mosque, food drop offs for a food bank in Penge, storage of toys and refreshment area for mother and child meet ups, items for yearly community open days and charity collections.

The accompanying information further states that the area (30sqm) is also being used during Friday prayers for 30minutes a week. This is used for a limited number of people and not used for prayer at any other time. The reason for enclosing the area was to protect people already using the area from adverse weather

conditions. Furthermore the area has becoming worn down and in need of maintenance. Enclosing the area allowed the mosque to protect the stored items.

The side extension provides a limited space and is used by the same number of visitors/attendees and has not lead to an increase in attendees.

### Impact to the Green Belt

Green Belt policy seeks to protect the openness within the Green Belt although this is not specifically defined, but can be taken to mean the absence of visible development. The effect of a development on the openness of the Green Belt is primarily a matter of its nature, scale, bulk and site coverage (including any associated external activity, e.g. storage or parking).

The proposal should be considered under section 13 of the NPPF (Protecting Green Belt land) paragraph 145 of the NPPF and Policy 49 of the Bromley Local Plan.

NPPF para 145 addresses extensions to existing buildings which are not inappropriate if

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

Policy 49 of the Bromley Local Plan states that the construction of new buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:

- Extension or alteration of the building that it does not result disproportionate additions over and above the size of the original building.

The proposal seeks to add a small side extension to the eastern side of the existing mosque. This is not considered to be inappropriate development within the Green Belt constituting a limited extension to the building which does not result in disproportionate additions over and above the size of the original building. This view was upheld by the appeal inspector.

### Highways

Parking provision exists for 16 parking spaces including two disabled spaces.

The appeal inspector when considering the side extension as part of the 2014 application stated in paragraph 20 that the proposal had the potential to result in an undesirable increase in activity at the site and lead to extra pressure on the limited parking available and could result in increased risk to highway safety.

The Highways Officer was consulted as part of the current application and is of the opinion that the side extension has not lead to any additional congestion in the area. It is noted that some additional yellow lines have been introduced in Oakley Road which has improved traffic flow from the Keston Mark.

Whilst the side extension was refused as part of the 2014 application and dismissed at appeal. The side extension has been in situ for over 2 years and has not lead to significant overspill parking on-to neighbouring side streets or had a harmful effect on highway safety to warrant the refusal of the current application.

#### Impact to local residents

One letter of representation has been received from the Keston Residents Safety Group who are concerned that the development has led to an over intensification of the mosque with more worshippers and in turn more cars and on-street parking and congestion. These issues have been raised with the Council's Highways Officer who has not raised any objections.

#### **Conclusion**

The proposed side extension is not considered to be inappropriate development in the Green Belt or led to an increased number of worshippers which has significantly increased on-street parking or congestion in the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 19/04799, 14/04652, 12/03448 & 11/02519 set out in the Planning History section above, excluding exempt information.

#### RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.