

Committee Date	18.04.24	
Address	32A Clarendon Way Chislehurst BR7 6RF	
Application Number	23/03825/FULL2	Officer - Jennie Harrison
Ward	St Paul's Cray	
Proposal	Change of use of a single dwelling house (C3a) to residential care home (C2) as a children care home.	
Applicant	Agent	
Ms Kehinde Adenola		
Bithoms Support Services Ltd 32 A Clarendon Way Chislehurst Bromley BR7 6RF		
Reason for referral to committee	Councillor call in	Councillor call in Yes – Cllr Price called in due to the appropriateness of change of use and PTAL

RECOMMENDATION	Permitted
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 17</p>
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Representation summary	Letters to neighbours were sent out on the 21.08.2023	
Total number of responses		84
Number in support		0
Number of objections		84

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would help to address the need for children’s care home spaces in the Borough.
- There would be no significant increase in trip generation.
- No significant alterations would be made to the existing property.
- The outward appearance would be of a single dwelling and would therefore have no significant impact on the Area of Special Residential Character.
- The conversion of the garage would have no significant detrimental impact on character and appearance nor neighbouring amenity.

2. LOCATION

- 2.1. The site hosts a two storey detached dwelling on the Southern side of Clarendon Way, Chislehurst. The property lies within Marlings Park Estate Area of Special Residential Character (ASRC).

Figure 1: Location Plan



3. PROPOSAL

- 3.1. Planning permission is sought to convert an existing C3 dwelling into a C2 children's care home. The provided statement details that there would be no more than 3 children between the ages of 8 and 16.
- 3.2. The statement also details that the home will be registered with OFSTED under 'Emotional and Behavioural Difficulties'.
- 3.3. It goes on to state that there would be three staff members on site at any given time, comprising of two overnight with an additional manager on site Monday – Friday between the house of 09:30 and 17:00, stating that changeovers of staff will be kept to a minimum to reduce traffic.

Figure 2: Existing ground floor plan

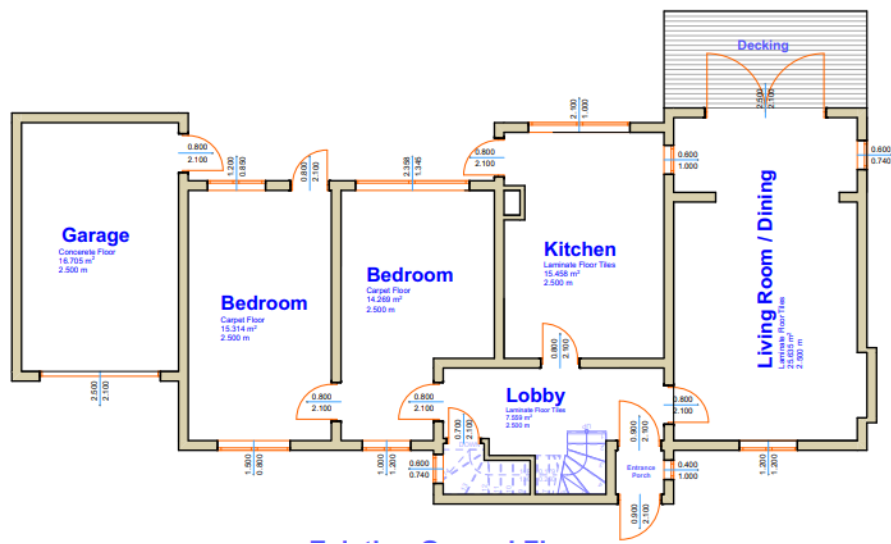


Figure 2: Proposed ground floor plan

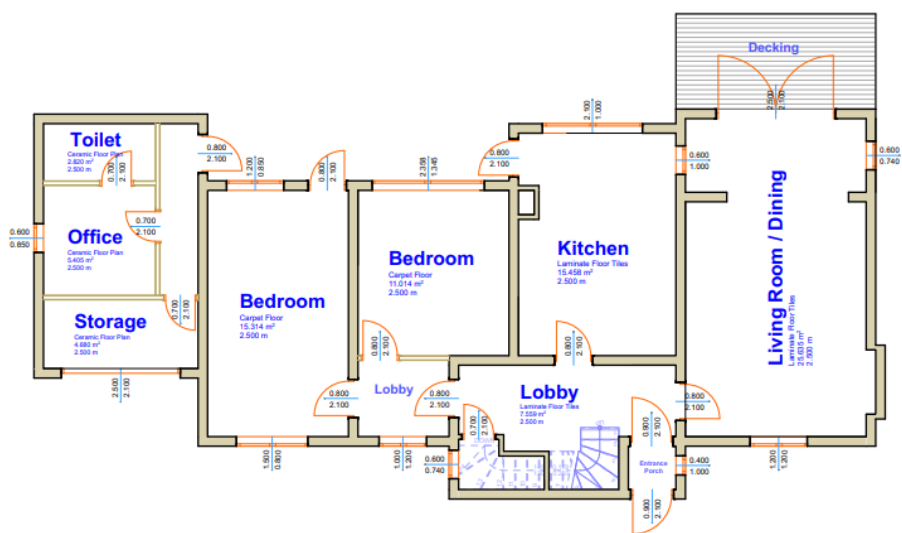


Figure 3: Existing and proposed first floor plan (no change)

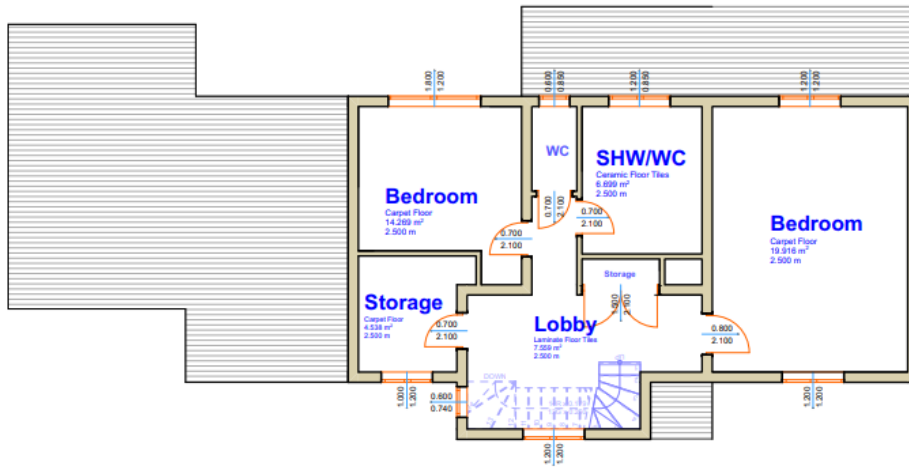


Figure 4: Existing and proposed front elevation (no change)



Figure 5: Existing and proposed rear elevation (no change)



4. RELEVANT PLANNING HISTORY

- 4.1. The relevant planning history relating to the application site can be summarised as follows:
- 4.2. 17/00565/FULL6 - Two storey front extension , part one/two storey side and single storey rear extensions with associated elevational alterations – Refused
- 4.3. 17/02492/FULL6 - Proposed two storey front, side and rear extension and single storey side extension and elevational alterations including the insertion of windows – Permitted
- 4.4. 18/00649/FULL6 - Two storey front, side and rear extension and single storey side extension and elevational alterations including the insertion of windows (amendment to approved ref 17/02492/FULL6 to include a single storey front extension, increase in ridge height, 3 dormers to rear and elevational alterations) – Permitted
- 4.5. 18/02445/FULL6 - Two storey front extension, two storey rear extension, loft conversion to include rear dormers, double glazed curtain wall to front elevation and proposed front boundary wall and piers to be built in wrought iron, and double vehicular access gates to a maximum height of 1750mm – Permitted
- 4.6. 23/02715/PLUD - Change of use of a single dwelling house (C3a) to residential care home (C3b) as a children care home The property is intended to be a children residential home for young people between the age of 8-16 (Lawful Development Certificate Proposed) – Proposed use/development is not lawful

5. CONSULTATION SUMMARY

A) Statutory

Children's Services: Property is within half a mile of St Mary's Cray – Bromley should actively be encouraging applications from providers within the residential care sector given the level of need for placements

Designing out crime: No objection

Highways: The Planning Statement indicates that the property will be for up to 3 young people between the ages of 8 – 16. There will be 2 members of staff on site with a Manager during the working week. There are 4 bedrooms indicated. The garage is shown as being converted.

The site has a low (1b) PTAL so the majority of trips are likely to be by car. I note a number of objections refer to the traffic and parking issues likely to arise. Looking at the information supplied, the main parking impact would be during the change over time for the staff when there could be 5 cars present or a visitor during the day when there would

be 4 cars. There is parking for 2 cars on the frontage of the property. It may be helpful to increase the parking to 3 spaces so parking can be accommodated on site for most of the time.

There is some current on-street parking on Clarendon Way and there is a flank wall adjacent to the property where on-street parking is unlikely to cause any issues.

Trip generation is likely to be slightly higher than from a house of a similar size but not significantly so.

An additional parking space would reduce any impact on the highway but, based on the information with the application, there is unlikely to be a such a significant impact on the highway to sustain a ground of refusal.

It may also be helpful to condition the number of staff and children on site at any one time.

B) Local Groups

None were received.

C) Adjoining Occupiers

Highways (addressed in paragraphs 7.1.5 & 7.6)

- Increased noise, traffic and disturbances
- Traffic is busy on the road at all times of day
- There have been serious car accidents on the road
- Increase in pollution
- Parking outside the property would be unsafe
- Conversion of the garage only allows for 1 onsite parking space

Appropriateness of the site (addressed in paragraphs 7.3)

- Restrictive covenant on the building – cannot be run as a business
- Location is not suitable for such a facility
- Doesn't comply with London Plan policy S3 & S4
- Lack of suitable internal playspace
- Transport connections in the area are bad
- Very little outside space in the front and rear gardens
- There are no local community activities or opportunities for social integration
- Turning a property that is too small into a children's care home is not conducive to maintaining ASRC
- Property is unsuitable for the use
- Previous criminal activity means property would not be safe for children
- The property would not meet the requirements of Policy 11
- Property is not close to any amenities
- Internal layout does not look suitable to house 2 carers and 3 children
- Not enough bedrooms
- Inappropriate location and accommodation

- House cannot support such a wide age range
- The Council should explore alternatives for the welfare of the children
- There are no local activities for children to partake in

Character of the area (addressed in paragraphs 7.4)

- Inappropriate in this area
- Will ruin the residential area
- Alter the character of the neighbourhood
- Would alter the residential character of the area
- Would have a detrimental impact on ASRC
- Use is not in keeping with the ASRC

Neighbouring amenity (addressed in paragraphs 7.5)

- Essential to preserve the peaceful and family-orientated community
- Disruption will have negative impact on neighbours
- Concern around anti social behaviour
- Property and plot size is insufficient
- Concerns about community safety
- There should be safeguarding in place for existing residents
- Increased noise and disturbance from the property
- Potential for an increase in crime
- Antisocial behaviour will have a negative impact on residents wellbeing
- CCTV will be required for such a property and privacy will be impacted

Other matters (addressed in paragraphs 7.3 & 7.5)

- Decrease in property values
- The council should assess alternative locations
- Previous illegal activity
- Care home on Marlings Park was shut down because it caused trouble
- Potential risk associated with children with behavioural issues
- Negative impact on mental health of neighbours
- Bithoms is not Ofsted registered or CQC audited
- Unreputable company proposed to run the care home
- Possible fraudulent information given about Bithoms
- Implication that the landlord or company are involved in an illegal financial arrangement
- No records available for any other sites to suggest it is satisfactory and genuine company providing children services
- Inaccuracies in submission relating to dates of work started
- Bithoms do not have the required accreditation to run a care home
- The Council has a duty of care when housing vulnerable children
- Deliberately vague information submitted
- Drug problems in the wider areas

- Bithoms is not credible
- Landlord has questionable integrity
- Planning statement is not representative of the real situation
- Previous crimes such as burglary were attributed to the property on Marlings Park
- Neighbours were not notified
- Concern that the application is to hide criminal activity
- The houses along Clarendon Way should remain as homes and not businesses

6. POLICIES AND GUIDANCE

National Planning Policy Framework 2023

NPPG

The London Plan

- D1 London's form, character and capacity for growth
- D2 Delivering good design
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, securing and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing housing supply
- H12 Supported and specialised accommodation
- H13 Specialist older persons housing
- S1 Developing London's social infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 8 Waste capacity and net waste self-sufficiency
- SI 13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Accessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T7 Deliveries, servicing and construction

Bromley Local Plan 2019

- 11 Specialist and Older Peoples Accommodation
- 20 Community Facilities
- 22 Social Infrastructure in New Developments
- 26 Health and Wellbeing
- 30 Parking
- 31 Relieving congestion
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 44 Areas of Special Residential Character
- 77 Landscape Quality and Character
- 79 Biodiversity and Access to Nature
- 83 Non-Designated Employment Land
- 119 Noise Pollution
- 120 Air Quality
- 123 Sustainable Design and Construction

Bromley Supplementary Guidance

- Urban Design Supplementary Planning Document (July 2023)

7. ASSESSMENT

7.1. Principle and location of development – Acceptable

- 7.1.1. Housing is a priority use for all London Boroughs. London Plan Policies H1, H2, H10, D3, D4 and D7 generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.
- 7.1.2. Paragraph 64 of the NPPF also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.
- 7.1.3. This proposal is for the reuse of an existing building C3 dwellinghouse as a C2 residential care home and as such it is not for new C3 dwellinghouses and it moreover comprises a form of specialist accommodation where Local Plan Policy 11 and London Plan Policy H12 apply. Local Plan Policy 11 states that the Council supports 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.
- 7.1.4. As set out in the planning statement the proposal would accommodate up to 3 children thereby contributing towards the supply of care home housing spaces as this would help to address the need for children's care home spaces within the

Borough. Although the site lies in an area with a lower 1b PTAL rating it is a 15 minute walk from St Mary Cray station, including the small shopping parade there. It is also noted that the adjacent road, Leasons Hill is served by the 273, 661 and R1 buses. Given that it would be a residential care home where its residents are less likely to be travelling to and from the site on a daily basis as compared with a non-residential care facility, it is not envisaged that there would be significant trip generation. Overall, there is no objection to the principle of locating this proposal in this location.

7.1.5. It is understood that the development/use would be subject to OFSTED registration, a rigorous process, where matters including the site management and security measures and resident/staff ratio would be assessed.

7.2. Standard of residential accommodation – Acceptable

7.2.1. Bromley Local Plan Policy 4 and London Plan Policies D6 and D7 relate to 'Housing quality and standards', although this is for new building or conversions for C3 dwellinghouses and this does not strictly relate to other forms of residential development such as this C2 care home. Nonetheless, the proposal would provide bedrooms and general living accommodation in line with the internal space GIA and dimensions for bedrooms within the relevant C3 space standards, the rooms would have a suitable level of outlook; indicating that the proposal would provide an overall satisfactory standard and condition of living for the residents. The outbuilding to be used as staff accommodation would also be suitable for this purpose.

7.2.2. The site has a small rear garden with a patio area, this is considered to be sufficient to provide private outdoor amenity space.

7.3. Design and landscaping – Acceptable

7.3.1. 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.

7.3.2. NPPF paragraph 126 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.

7.3.3. NPPF paragraph 130 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.

- 7.3.4. London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.5. The proposal would re-use an existing building, with no changes to the external façade, there would be a conversion of a garage however the garage door would remain in place. It would mostly retain the existing floor layout, with some slight alteration marginally increasing the number of bedrooms, however given the nature of the development/use it would not significantly expand or intensify the occupancy and the general level of activity and character of the building would remain.
- 7.3.6. It would not require specific additional landscaping/planting, and this could be left to the Applicant's choice, although the retention of existing trees and vegetation would be encouraged as this would soften and enhance the use and as open space, landscaping and trees in particular are known to be beneficial to mental health and wellbeing. It is envisaged that some play space may be required for the children, including different areas/equipment for the corresponding age ranges, the Applicant is reminded that this may form part of the landscaping plan and/or any play equipment may itself comprise development requiring planning permission (and as a C2 care home would not have C3 dwellinghouse permitted development rights).
- 7.3.7. Comments received have raised concern with regard to the size of the front and rear garden, however it is considered that, on balance, the outdoor amenity area would not give sufficient reason to refuse the application.

7.4. Neighbouring amenity – Acceptable

- 7.4.1. Policies 4 and 37 of the Bromley Local Plan seek 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.
- 7.4.2. As stated above, the proposal would re-use an existing building without enlargement or significant external alteration and as such it would not increase the building mass with potentially adverse effects on the amenities of neighbouring properties such as outlook or overshadowing effects. It would mostly retain the existing floor layout, with some slight alteration marginally increasing the number of bedrooms however given the nature of the development/use it would not significantly expand or intensify the occupancy and the general level of activity and character of the building would remain.

7.4.3. Comments have been received with regard to the increase in noise and the potential for anti-social behaviour, such as that which was experienced at a similar nearby property at number 51 Marlings Park Avenue, however given the level of occupancy being 3 children and 3 adults, the noise level would not be over and above that which would be expected by a family of 6 living in the property as a family unit, and as such, on balance it is considered that any additional harm would not be so significant as to warrant refusal of the application.

7.5. Highways – Acceptable

7.5.1. 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.

7.5.2. 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.

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

7.5.4. The application site lies in a residential area east of the Town Centre with a PTAL 1b rating (on a scale where 0 has the poorest access and 6b has the best access to public transport services) indicating that the application site and the proposed development would be more dependent upon private transport such as the car or bicycle than on public transport, and indicating a potentially higher demand for car ownership and vehicle parking than an area/development with better public transport accessibility.

7.5.5. Notwithstanding this, according to the application details and the intended operation of the site, the development is unlikely to generate significant additional vehicular traffic movements, with a limited additional impact on highway traffic flows or conditions locally. The proposal would be supported by adequate on-site car parking, with the loss of one small garage which is to be converted. The proposal would not in itself involve significant additional building works to the building, however there are likely to be some building works and construction/contractor traffic, and this should also be managed in the interest of highway safety and free flow of traffic. No technical objections were received from the Council's Highway Department.

8. CONCLUSION

- 8.1. The proposed development would provide a children's residential care home for up to 3 children of 8-16 of years old residential dwellings and this would contribute towards the supply of children's care housing within the Borough. This is considered a benefit of the scheme.
- 8.2. Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not conflict with the principle and location of development, it would not involve the unacceptable loss of an existing dwelling, it would not impact detrimentally on the character of the area, it would not result in a significant loss of amenity to local residents or highway or parking impacts.
- 8.3. There are also no other adverse impacts of the scheme that are considered to significantly and demonstrably outweigh the economic, social and environmental benefits of the scheme when considering the objectives of the NPPF as a whole. Subject to compliance with the approved drawings and documents and implementation of the recommended works undertaken where necessary, it is considered that the application should be approved.
- 8.4. 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: Application Permitted

Subject to the following conditions:

- 1. Standard time limit**
- 2. Standard compliance with plans**
- 3. Materials to match existing**
- 4. Limit number of occupants**
- 5. Limit age of occupants**
- 6. Limit use to C2**

And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary