

SECTION '2' – Applications meriting special consideration

**Application No :** 10/02755/FULL3

**Ward:**  
**Plaistow And Sundridge**

**Address :** 1 Edward Road Bromley BR1 3NG

**OS Grid Ref:** E: 540891 N: 170303

**Applicant :** Mr W Hilaire

**Objections :** YES

**Description of Development:**

Single storey rear extension and change of use to Class C2 (residential institution) comprising mother and baby living accommodation with communal lounge, kitchen/diner, I.T suite and ancillary office/staff administration rooms  
RETROSPECTIVE APPLICATION

Key designations:

**Proposal**

Retrospective planning permission is sought for the extension and conversion of the building to a Class C2 (Residential Institution) to provide mother and baby living accommodation with ancillary office/staff administration rooms.

Revised floorplans and planning statement received on 7th January show the conversion of the building into 8 one bedroom units for residents with communal rooms including kitchen/diner, lounge and IT/assessment room. There are also ancillary staff office rooms on the ground floor and a sleep over room on the second floor for support staff.

The building provides temporary accommodation for young single mothers and their new born babies and the intention is for this to be available for persons referred by LBB Social Services and other local authorities. The organisation operating the facility is known as New Beginnings which aims to accommodate residents aged 16-19 with family and emotional/relationship problems and provide specialised support. Each resident would carry out independent living and the objective of the facility is to support the independence of the individual but also provide interaction amongst other residents. The aim is to teach life and mothering skills to the residents via an on-going programme until they are considered able to cope independently, then they leave the facility. It is anticipated that the length of stay would vary between 1-2 years depending upon the need for support.

The facility also provides onsite staff assistance including a full time unit manager, 2 part time support staff and 1 part time administrator. The staff are available on a 24 hour rota with sleep over accommodation on the second floor.

In addition, retrospective permission is sought for a single storey rear flat roof extension which incorporates the kitchen/diner. The extension measures approx. 4.7m in depth by 6.7m in width and is approx. 3.8m in height when scaled from the submitted plans. This extension is separated from the flank boundary with No.3 by approx. 1m.

## **Location**

The application site comprises a large 2/3 storey detached property located on the western side of Edward Road, close to the junction with Lodge Road, opposite to the east and Plaistow Lane to the south. The site does not lie within an Area of Special Residential Character or a Conservation Area but the Sundridge Avenue Conservation Area does lie adjacent to the site at the rear. The character of the area is predominantly residential comprising large properties in single residence although some in the vicinity of the site have been converted into flats. There are also a number other residential institutions within the immediate area including a residential home for those in need of psychiatric support at 17 Edward Road and a private nursing home at No.19. In addition, supported housing used by LB Bromley exists at Charles Darwin House, Lewis King House and Allum House in Plaistow Lane for single, non-offenders with support needs and Look Ahead Mother and Baby Unit at 4 Hawes Road.

## **Comments from Local Residents**

Numerous letters of local objection have been received including representations from the Sundridge Park Residents Association which are summarised below:

- the area is already heavily trafficked by parents taking children to school and commuter parking. The use will exacerbate the situation with the comings and goings and present a danger to the mothers and children,
- lack of respect for planning rules as works have already been carried out,
- the proposal represents an over intensive use of the property,
- Edward Road is a residential road and the conversion to an institution would undermine the character and de-value properties in the road,
- there are already a number of institutional establishments in the area including housing for mothers and babies, hostel for the homeless, and residential care homes for the elderly and those with psychiatric problems,
- the use will result in noise, disturbance and potentially anti-social behaviour if the occupants are in troubled relationships,
- limited space for on-street parking,
- the supporting information with the application is inconsistent and inaccurate as the use has not been in operation for 12 months,
- the single storey rear extension was erected in the last 12 months and other works including the enlargement of the dormers, conversion of garage and new windows have been carried out,

- the rear extension impacts upon the neighbouring properties in terms of overlooking, shadowing, loss of sun-light, day light and cooking smells when the kitchen is in use,
- the transient nature of the use will undermine the stable population of the area.

### **Comments from Consultees**

No technical objections are raised to the application from a Highway or Waste Services point of view.

Crime Prevention Officer: The residents will be in an age group in which crime and anti-social behaviour problems are common. The applicant should incorporate measures to make the building safer and more secure including door entry system, secured doors and laminated glazing. This can be covered by a Secured by Design planning condition.

Environmental Health: The property is a Licensed House in Multiple Occupation (HMO – in accordance with the Housing Act 2004). As such it has met all the appropriate HMO standards relating to fire precautions, provision of amenities, management and electrical safety and minimum room sizes. The property is licensed for five years, effective from 11th March 2010, with the maximum occupancy set at 16 persons in 8 households.

Children’s Commissioning Team: It is understood New Beginnings have been open for nearly a year and have not had any placements from any authorities. LB Bromley do not use this resource and do not make referrals to them.

Housing Development Team: The planning statement submitted by the applicant claims that the site has been operating for approximately 12 months as a Mother and Baby Unit, receiving referrals from LB Bromley Social Services and that it is registered with Social services and Ofsted. Following in-house checks neither Children and Young Persons, Adult and Community Services, Social Services nor the Housing division have made any referrals to this facility. Housing cannot support the application as concerns relate to whether the Ofsted inspection process has been completed. In addition, no information has been provided to show where the referrals have come from. If from other Boroughs this would raise concerns regarding the ‘move on’ policy in place and the potential risk of importing housing need from other Boroughs. Residents referred to this facility from other boroughs would potentially leave with a local connection and be eligible for LBB’s Housing Register.

### **Planning Considerations**

The proposal falls to be considered primarily with regard to the following policies in the Unitary Development Plan:

- BE1 Design of New Development
- BE13 Development Adjacent to a Conservation Area
- H4 Supported Housing

- C5 Facilities for Vulnerable Groups
- C6 Residential Proposals for People with Particular Accommodation Requirements
- T3 Parking
- T18 Road Safety

The London Plan Policies: 3A.1 Increasing London's Supply of Housing  
3A.5 Housing Choice  
3.A.13 Special Needs and Specialist Housing

### PPS 3 Housing

Circular 03/2005 – Changes of Use of Buildings and Land : Para 65 states that all private and voluntary homes (except residential care homes with three beds or less) have to be registered with the local social services authority. Registration can be refused on the grounds that the home would not provide adequate services or facilities reasonably required by residents or patients. The land use planning considerations local planning authorities will need to concern themselves mainly with are the impact of a proposed institution on amenity and on the environment. If permission is granted, it does not follow that registration with the relevant authority will follow.

### Planning History

With regard to the planning history of the site, it is understood that prior to the applicant taking over the property in 2009, the building appeared to have been in use as six flats/bedsits. There is no evidence that the use of the building as a HMO has the benefit of planning permission or a lawful development certificate although it had previously been licensed under the Housing Act.

Under Building Control ref. BC/09/07520 an initial notice was submitted to the Council for the refurbishment of flats 1-6 which was monitored by an Approved Inspector and not be Bromley Council.

In addition, the applicant states that the rear extension was in situ prior to his ownership and can be seen on the ordnance survey plan which dates back many years. Only works to the façade and roof covering have been undertaken. However, there is no record of planning permission or approval under the building regulations for the rear extension.

Furthermore, in a letter dated 4th November 2010 from the applicant, it is stated that the building is vacant of residents as at 1st November 2010 but is being used as a day to day assessment centre until further referrals.

Under ref. 10/01727, retrospective planning permission is sought for the retention of the front boundary wall and railings on the site which can also be found on this agenda.

### Conclusions

The main issues relating to this application are the impact of the development and appropriateness of the use of the building as a residential institution on the character of the area; the impact on the amenities of the occupiers of neighbouring properties; and the impact of the proposal with regard to general conditions of safety on the highway.

The area is predominately residential in character and comprises a mix of single dwelling, flats and other residential institutions within close proximity to the site. In this case, the use of the building provides accommodation, training and support for up to 8 individual households with ancillary staff office accommodation. The building has been converted and meets the requirements under the Housing Act and has sufficient space to accommodate a maximum of 16 residents (mothers and children) under which it is officially licensed from an Environmental Health point of view.

With the potential for up to 16 residents and the comings and goings of support staff and visitors, it is likely that the activity on site will be increased with the number of people using the property throughout the day in the evenings when the neighbourhood should be peaceful and quiet. Whilst the 6 flats which previously existed on this site could have accommodated a number of occupants given the nature of the use and the support facilities for its residents, in comparison there is likely to be a material increase in the intensity of use.

Local concerns primarily relate to the over concentration of Class C2 residential uses in the immediate vicinity of the site including 2 residential homes at Nos. 17 and 19 Edward Road and the problems of noise and disturbance associated with such uses. Concerns also refer to the transient nature of the use of the building would impact upon the stability of the local population, impacting upon the residential character of the area and the amenities of neighbouring residents. The provision of residential accommodation would be appropriate in a residential location and normally the identity of the user or type of person to be accommodated by reference to age or other characteristic is not a land use matter however Members will need to consider the impact of the proposed institution on amenity and the environment in general.

With regard to the nature of the occupation, technical objections have not been raised to the use of the building as a mother and baby unit in principle from the local Crime Prevention Officer. It is acknowledged however, that additional security measures should be carried out to the building which could be secured by planning condition.

With regard to the single storey rear extension the applicant claims that this extension has been in situ for more than 4 years and only re-roofing and works to the façade have been carried out, however there is no history of planning permission or building regulation approval having been granted. It is apparent that single storey rear extensions are a feature to many of the neighbouring properties along this side of the road. The extension is set approx. 6m away from the flank boundary with No.1a and approx. 1m to the boundary with No. 3 and projects beyond the rear building line of the adjacent properties. There is close boarded fencing along both flank boundaries with further planting particularly along the

boundary with No.1a which helps to screen the extension. Whilst the occupiers of No.3 have a view of the extension given its proximity to the boundary, Members may consider that the favourable north-western orientation, flat roof design and the reasonable degree of separation to the windows of habitable rooms in that property, are sufficient to ensure that the extension is acceptable without serious detrimental harm to the amenities of the adjoining properties by reason of loss of light, privacy and prospect.

Turning to highway matters with particular regard to parking, the applicant states that no on-site parking is provided. Although no technical objections are raised from a highway point of view given the nature of the use of the property and the likely low car ownership of its residents, there is scope for on site parking to the front of the property which can accommodate approx. 2/3 cars. It is not considered therefore that the proposed use would result in a significant increase in demand for on-street parking and as such, would not be prejudicial to highway safety or other road users.

On balance, the single storey rear extension maybe considered acceptable without detrimental harm upon the amenities of the adjoining owners. However, given the nature of the proposed use of the building as a mother and baby unit with ancillary staff office use and the existence of other Class C2 uses further along Edward Road and within the immediate area, Members may consider that the intensity of use of the building represents an overdevelopment of the site and the cumulative impact of such institutional uses in the area would have a significant impact upon its character and those residents living within it.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01727 and 10/02755, excluding exempt information.

as amended by documents received on 09.11.2010 07.01.2011

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal constitutes an over intensive use of the premises by reason of the anticipated level of activity on the site resulting in an unacceptable level of noise and disturbance which would be harmful to the amenities of adjoining residential occupiers and out of character with the surrounding residential area, thereby contrary to Policies BE1, H4 and C5 of the Unitary Development Plan.
- 2 The proposal if permitted would lead to a proliferation of Class C2 (Residential Institutions) uses in this area and as such, the cumulative effect would be significantly detrimental to the residential character of the area, contrary to Policies BE1, H4 and C5 in the Unitary Development Plan.

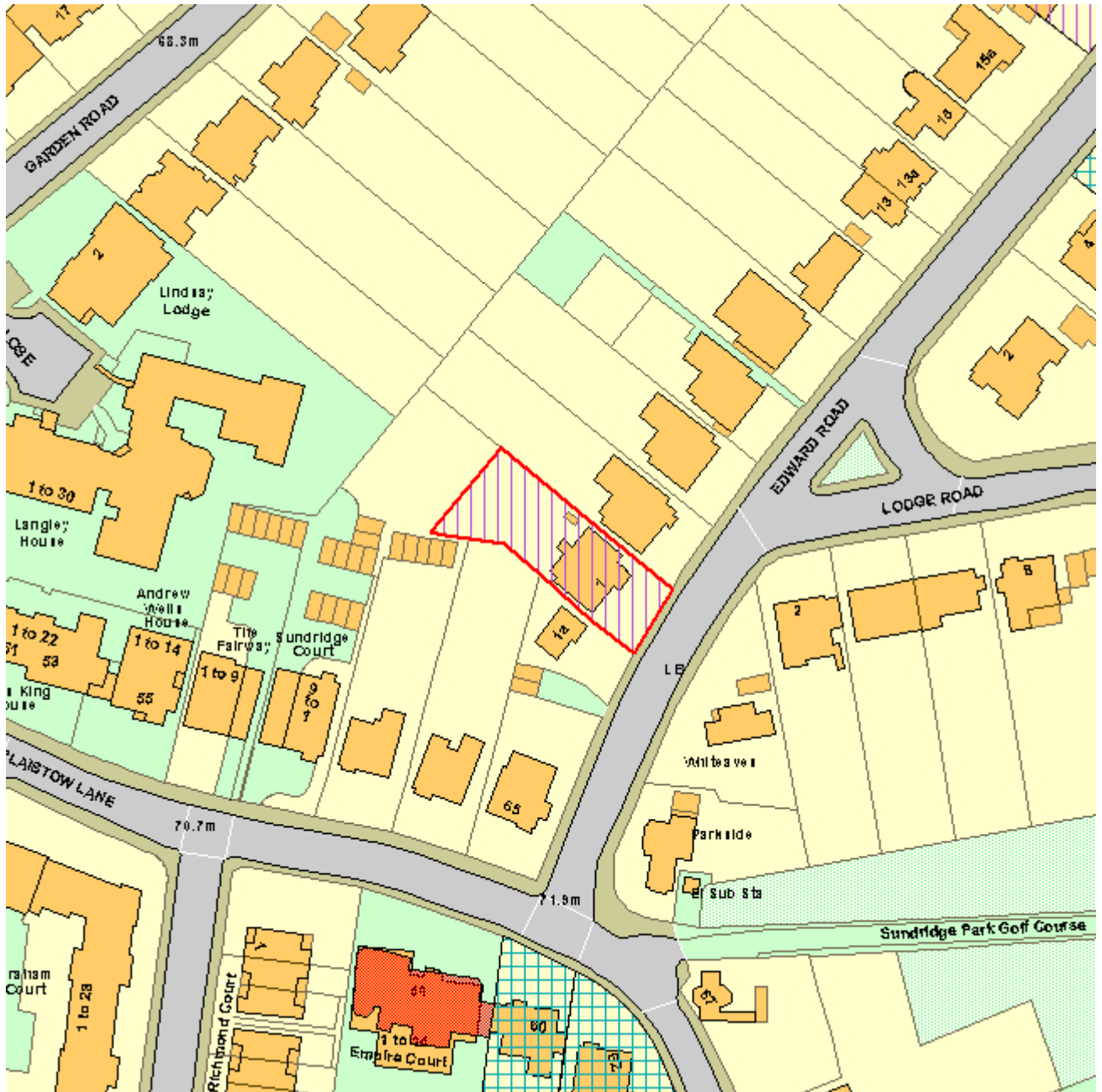
## **FURTHER RECOMMENDATION:**

Proceed with Enforcement Action to cease the authorised use of the building.

Reference: 10/02755/FULL3

Address: 1 Edward Road Chislehurst BR7 6BD

Proposal: Single storey rear extension and change of use to Class C2 (residential institution) comprising mother and baby living accommodation with communal lounge, kitchen/diner, I.T suite and ancillary office/staff administration rooms RETROSPECTIVE APPLICATION



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661