

1.                           **Application No : 09/03467/EXTEND**                           **Ward :**  
**Bromley Town**

**Address : 37 London Road Bromley BR1 1DG**                           **Conservation Area:NO**

**OS Grid Ref: E: 539882 N: 169836**

**Applicant : Skillcrown Homes Ltd**                           **Objections: NO**

**Description of Development:**

Application to extend time limit for implementing permission ref. 06/01742 for the demolition of existing building and redevelopment for mixed use with office/ B1 at ground floor and 12 residential starter homes on three storeys over to include 2 parking spaces, cycle provision and refuse storage

**Proposal**

This proposal is to extend the time limit for implementing a development at No 37 London Road. The application was originally refused by the Council in August 2006 but allowed on appeal on 15th February 2007 (APP/G5180/A/06/2026328). The scheme is for a four storey mixed use development, comprising office/B1 at ground floor level, with 12 residential flats above, with two parking spaces, and cycle provision and refuse storage (ref. 06/01742). The applicants are now wishing to renew this permission that was allowed on appeal.

Following recent changes in planning legislation it is now possible for applicants to ‘renew’ permissions – that is to apply for a new permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. This measure has recently been introduced to make it easier for developers and LPAs to keep planning permissions alive for longer during the economic downturn.

**Location**

The site is located on the north-west corner of the junction of London Road (A21) and Blyth Road, and comprises No.37 London Road, a building with an industrial warehouse-like appearance, which was formerly a snooker club.

The site is located on the fringe of Bromley Town Centre and is mixed in character. Immediately adjacent to the north is a ‘Kwik Fit’ car repair centre, and on the opposite side of London Road is a four storey office building, behind which is a ‘Big Yellow’ storage building in Farwig Lane. Blyth Road is a quiet and attractive tree line residential street, comprising substantial detached Victorian dwellings, some of which have been converted to flats, or are used as child nurseries and offices.

**Comments from Local Residents**

None received to date.

### **Comments from Consultees**

Although a highway ground of refusal was raised in relation to the earlier application regarding the level of parking proposed, this was not accepted by the Inspector. This being so, and there having been no significant change in circumstances, it would not be appropriate to raise it in relation to this renewal.

From a drainage standpoint there are no objections.

The Crime Prevention Design Advisor of the Metropolitan Police has no comments to make.

### **Planning Considerations**

The following policies are relevant to consideration of this application:

UDP:

- BE1 Design of new development
- BE2 Mixed use developments
- H2 Affordable housing
- H3 Affordable housing
- H7 Housing density and design
- EMP9 Office employment

Government Guidance:

- PPS1 Delivering Sustainable Development
- PPS6 Planning for Town Centres
- PPG13 Transport
- Greater Flexibility for Planning Permissions Guidance (Nov 2009)

London Plan:

- 3A.3 Maximising the Potential of Sites
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities

### **Planning History**

A development at No.2 Blyth Road for the demolition of the existing hotel and the erection of a three storey block comprising 9 flats was granted permission (ref. 07/04535) in July 2008. This has not been implemented.

Permission was recently refused on this site by the Plans Sub-Committee (26.11.09) for a 97 bedroom hotel, with Class A2/B1 office floorspace at ground floor level, fronting London Road and 34 basement parking spaces for use by the hotel (ref. 09/02375). It is understood that it would have been a 'Travelodge' hotel.

## Conclusions

The main issues in this case are: the effect of the proposal on the character of the area; the impact on the amenities of occupiers of surrounding property; the principle of this type of development in this location; and highway issues.

In respect of all these matters, the scheme has been considered acceptable by an Inspector (APP/G5180/A/06/2026328) in 2007. The Inspector's decision is an important material consideration and is on file for Members to view. As there have been no significant changes in situation since that time, it is not considered any sustainable objections can be raised to this proposal.

Members will note that, since this application was originally lodged in May 2006, the UDP policy on affordable housing has changed. Following the adoption of the most recent UDP in July 2006, on schemes over 10 units, affordable provision is now required. This means that this scheme is now in principle within the threshold for provision of affordable housing (UDP policies H2 and H3).

Whilst recent Government Guidance "Greater Flexibility for Planning Permissions" states that changes in policy should be taken into consideration, it also advocates that local planning authorities should, in dealing with renewal applications, adopt a positive and constructive approach. The development proposed in this application has already been judged acceptable by an Inspector in 2007. In the light of this, and taking into account all other relevant considerations, it is considered that this application for renewal of permission is acceptable, notwithstanding the change in affordable housing policy.

Accordingly, it is recommended that permission be granted with the conditions that were previously imposed by the Planning Inspector.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACC01        Satisfactory materials (ext'nl surfaces)  
      ACC01R      Reason C01
- 3     No windows other than those expressly authorised by this permission shall be constructed on any of the elevations of the building hereby permitted without the prior written approval of the local planning authority.  
      ACI13R       I13 reason (1 insert)   BE1
- 4     Construction work shall not begin until a scheme for protecting the proposed residential units facing onto London Road from traffic noise has been submitted and approved in writing by the local planning authority; all works which form part of the approved scheme shall be

completed before any part of the development hereby permitted is occupied.

**Reason:** to comply with the provisions of the Unitary Development Plan and to ensure a satisfactory standard of amenity for future occupiers.

5 No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the means of enclosure for the storage of refuse and a plan indicating the positions, design, materials and boundary treatment to be erected. Thereafter, the means of enclosure and boundary treatment shall be erected in accordance with the approved details before any building is occupied.

ACA07R Reason A07

6 AJ02B Justification UNIQUE reason OTHER apps

#### Policies (UDP)

BE1 Design of new development

BE2 Mixed use developments

H2 Affordable housing

H3 Affordable housing

H7 Housing density and design

EMP9 Office employment

#### Government Guidance:

PPS1 Delivering Sustainable Development

PPS6 Planning for Town Centres

PPG13 Transport

Greater Flexibility for Planning Permissions Guidance (Nov 2009)

#### Policies (London Plan)

3A.3 Maximising the Potential of Sites

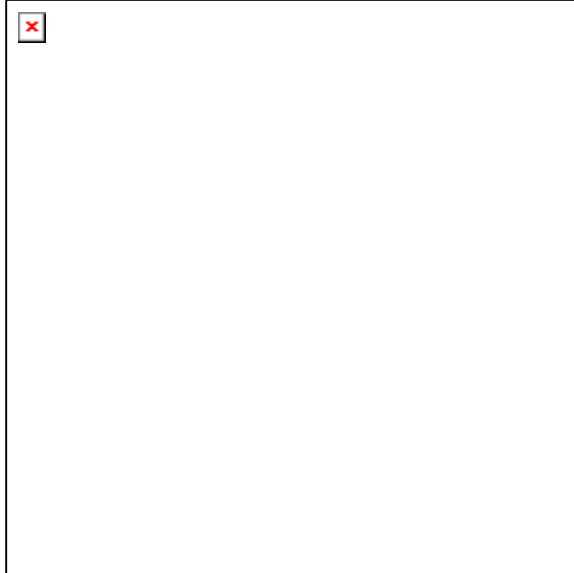
4B.1 Design Principles for a Compact City

4B.8 Respect local context and communities

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