



ROBINSON ESCOTT PLANNING LLP



CHARTERED TOWN PLANNING AND DEVELOPMENT CONSULTANTS

DOWNE HOUSE, 303 HIGH STREET, ORPINGTON, KENT BR6 ONN, TEL:01689 836334 FAX: 01689 878091

Email: enquiries@replanning.co.uk Website: www.replanning.co.uk

Chief Planning Officer
Planning Department
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley BR1 3UH

29 June 2017

Our Ref: JA/RP/15/37/HC

Dear Chief Planner,

**CHANGE OF USE OF GROUND AND FIRST FLOOR FROM
SPORTS HALL (USE CLASS D2) TO RESIDENTIAL (C3) INCORPORATING
THE EXISTING RESIDENTIAL UNIT IN THE ROOFSpace TO
FORM A SINGLE 4 BEDROOM DWELLING, NEW VEHICULAR ACCESS
ONTO BRACKEN HILL LANE AND ASSOCIATED REPLACEMENT
FENCING (PART RETROSPECTIVE) – REVISED APPLICATION FOLLOWING
APPLICATION REF: 14/03400/FULL1 AND SUBSEQUENT PLANNING APPEAL**

On behalf of the applicant, Mr R Pooke, I enclose this revised planning application which seeks retrospective planning consent for the change of use of the former leisure centre building on site to form part of the residential dwelling at Flat 39, Blythe Wood Park, Bromley, BR1 3TN. The application also includes the creation of a vehicular access onto Bracken Hill Lane and associated replacement/alterd boundary treatment. A cheque in the sum of £385 is enclosed, which I believe to be the appropriate fee.

RELEVANT PLANNING HISTORY

You will be aware that the site has a detailed planning history. Of most relevance to this current submission is application ref: 14/03400/FULL1 and the subsequent planning appeal.

Despite a positive recommendation from the Council's planning officer, the application was refused by Members on 2nd July 2015. It is important to identify that the planning officer's report to Members, and Members themselves at various earlier planning committees, had no concerns with the loss of the former sports facilities on site in light of the information submitted to the Council. The Council's highways engineer also raised no objection, in principle, to the application (which included the creation of a vehicular access onto Bracken Hill Lane, and stated in the officer's report that *'I would not have an objection to the application for a crossover as the application is for a change of use of the building to residential and not for dual use as a gym and a flat'*. Your highways officers were clear that a

house on its own would not generate additional traffic on this quiet residential road, and that the access would not interfere with the free flow of traffic resulting in any detrimental harm to highway safety.

The application was the subject of a significant body of local objection, and the Council's decision to refuse planning permission was the subject of an appeal. This appeal (ref: APP/G5180/W/15/3136177) was dismissed on 21st April 2016, however, the Inspector made some important comments which are relevant to this revised proposal. This revised planning application seeks to directly address the comments made by the Inspector in her report.

The main issues considered in the earlier appeal were the effect of the proposed development on highway safety, the effect on the character and appearance of the area, and any impact on the living conditions of neighbouring properties with regard to noise and privacy. The Inspector's Report is attached to this submission, and it is clear that the introduction of a vehicular access point and a hardstanding area for car parking does not harm the character and appearance of the area. Indeed, the Inspector specifically made reference to the introduction of a hard surface on site, stating that *'This would not be disproportionate to the large size of the site'*. Similarly, in respect of the living conditions of neighbouring properties, the Inspector considered that, *'the proposed development (which including the creation of the access and the hardstanding area towards Bracken Hill Lane) would not harm residential amenity and there would be no conflict with UDP Policy BE1''*.

The Inspector considered the detailed Tree Survey and Report which accompanied the application to the Council, and concluded that the development would not pose any significant risk to the health of any retained trees on site. This Tree Survey accompanies this revised application, and remains relevant to this revised proposal. No retained trees or any trees which are the subject of a Tree Preservation Order would be affected by the proposed access onto Bracken Hill Lane, which would serve the new dwelling which would be created as a result of the change of use.

The sole issue arising from the earlier appeal was the conditions of highway safety, given that insufficient sightlines and visibility splays were proposed from the access. Following the appeal decision, the applicant has been in contact with the Council's highways engineers as well as his architect and highway consultants, to ensure that a satisfactory solution can be found to deal with the sole issue arising from the earlier appeal.

THE REVISED PROPOSAL

The application continues to propose a change of use of the former leisure facilities on site to form part of Mr Pooke's residential dwelling. This element of the proposal is unchanged from that earlier submitted to the Council, to which there was no objection.

The applicant has gone to significant lengths to provide evidence in the form of a Technical Note provided by Transport Planning and Infrastructure Ltd which shows that suitable measures can be taken to ensure that levels of highway safety are not prejudiced. The submitted plans show the existing situation on site (given that this application is part



retrospective), and a suitable solution to deal with the highway safety concerns raised by the Planning Inspector.

The existing hardstanding area can be utilised with fence panels removed to the north and south of the slightly repositioned access point, to create visibility splays in both directions from the access junction. These visibility splays of 2.0m x 15.6m are achievable with the removal of some of the existing wall bordering the site, although this will not impact on any existing trees to be retained. The sightlines take account of a radar speed survey which was undertaken by the appellant's consultants between Friday 24th March and Friday 30th March, which recorded vehicle speeds passing the proposed access location on Bracken Hill Lane. This radar speed survey was requested by the Council's highways engineers.

The data contained within the survey demonstrates that a negligible number of vehicles pass the site on any given day. Vehicle speeds are very low, with no vehicles recorded as travelling above 20mph.

The steps taken with the revised vehicular access and parking layout directly address the concerns raised by the Inspector. It should be highlighted again that the Inspector found that there was no harm to the character and appearance of the area arising from the provision of a new access point onto Bracken Hill Lane and a hardstanding area for parking, nor would there be any materially harmful impact on the amenities of neighbouring properties. There has at no point been any objection, in principle, to the conversion of the former leisure facilities to form part of the residential dwelling on site.

RELEVANT PLANNING POLICY CONSIDERATIONS

The relevant policies of the Bromley Unitary Development Plan (2006) are set out below.

Policy BE1 sets out general Development Control criteria to enable an assessment to be made as to whether the design of the development is of a high standard, achieves a good layout; respects the amenities of neighbouring residents and those of future occupants.

Policy BE7 relates to railings, boundary walls and other means of enclosure, and sets out that the Council will seek to ensure the retention of railings, walls, planting to hedgerows of native species and other means of enclosure where they form an important feature of the street scene. High or inappropriate enclosures which would erode the open nature of the area would also be resisted, and the policy goes on to say, that the rationale for the retention of boundary enclosures is to ensure that there is no adverse effect on the character and appearance of an individual area.

Policy H12 states that the Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactory quality of accommodation and amenity. Applicants are required to demonstrate that the premises are genuinely redundant.



Policy C1 explains that consent will be granted for proposals that result in the loss of community facilities where there is no longer a need for them. A return to residential use for community facilities located within residential properties may be acceptable where the use has ceased.

Policy T18 states that when determining planning applications, the Council will consider as appropriate the potential impact on road safety and will seek to ensure road safety is not adversely affected.

CONCLUSIONS

This revised proposal has been informed by further detailed technical assessments carried out by the applicant in respect of existing highway safety conditions, and in the form of a radar speed survey to accurately judge the level of vehicle movements along the street. The revised access and hardstanding as shown on the submitted plans provides for appropriate visibility splays and sightlines which directly addresses the concerns of the previous Planning Inspector. It should be highlighted again that this was the sole issue relating to the earlier application on site.

The conversion of the redundant sports facilities has already taken place and this application is, therefore, retrospective in nature. There has not been an objection to this element of proposals on site at any point, nor have any objections been raised to this element of the application by local comments or objections.

The Tree Report and Survey carried out on behalf of the applicant previously shows that the creation of a hardstanding and a vehicular access point would not harm any retained trees on site, nor would any trees which are the subject of a Tree Preservation Order be affected by the proposal. No objection has previously been raised by the Council's Tree Officer in respect of any harmful impact in this regard.

There is a significant planning history on site, and the Council would be aware that an Enforcement Notice has been served to the applicant which is the subject of a separate planning appeal. It is our view, however, that the steps taken following the dismissal of the earlier planning appeal directly address any concerns raised, such that planning permission should reasonably be granted for this revised proposal.

I trust you have all the necessary information such that our client's application can be registered and determined. However, should you require any further information, please do not hesitate to contact me in the first instance.



Yours faithfully

A handwritten signature in black ink, appearing to be 'Joe Alderman', written in a cursive style.

Joe Alderman MA MRTPI

ROBINSON ESCOTT PLANNING

Email: joe@replanning.co.uk

*Enclosures