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<b>Aylesford</b> Aylesford	<b>572592 158071</b>	<b>17.06.2005</b>	<b>TM/05/01900/FL</b>
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Proposal:	Conversion of three bedroom flat into Housing 21 office
Location:	Charles Busby Court Bentley Close Royal British Legion Village Aylesford Kent ME20 7SG
Applicant:	Housing 21

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## **1. Description:**

1.1 This full application proposes the change of use of the wardens flat to office accommodation for an anticipated eight staff. No external alterations are proposed to the building itself and no additional parking provision is indicated, with staff to use the existing communal spaces. The office would be self-contained apart from sharing the same security entrance with the rest of the block and no office staff would have to pass by any tenants front doors to their flats. There would be no direct access for members of the public if they are visiting the proposed office, with members of staff having to let visitors in at the front door.

## **2. The Site:**

2.1 The wardens flat is on the first floor of Charles Busby Court, a two-storey purpose built sheltered housing block in the centre of the Royal British Legion Village. There is no separate external access to the flat with the only means of access being the existing security doors. Communal parking areas exist to the south of the building on both sides of Admiral Moore Drive.

## **3. Planning History:**

3.1 TM/75/1307                      Approved 11.06.1975  
Details of 83 dwellings and 57 car parking spaces and new access road.

## **4. Consultees:**

4.1 PC: No objections to change of use.

4.2 KCC (Highways): Use of communal parking areas likely to be acceptable for this use.

4.3 DHH: No objections.

4.4 Private Reps: 42/0X/38R/0S + site notice. Objections received on the following grounds:-

- Risk to security from having non residents in the building.
- Dangers of increased traffic.

- Housing 21 acting against its own policies by removing the warden.
- If use of wardens flat is granted there is no opportunity for a warden to move back in at a later date.
- Lack of parking on site.
- Not in accordance with original planning approval.
- Disabled bathroom is adjacent to the office area so embarrassment and loss of dignity from going past office in a state of undress.

A 93 name petition has also been received objecting to the proposal.

## **5. Determining Issues:**

- 5.1 The principal consideration with this application is the impact of the change of use on the residential use of the building. The former wardens flat that is the subject of this application is on the first floor and is reached via the communal security door and the internal stairs or lift.
- 5.2 The applicant states that the office would be used during normal office hours with no weekend or evening working. The workers in the office would not have to walk past the front doors of any of the flats when accessing the office. Given the hours of use, the position of the unit and the fact that there would be no direct public access to the office, the change of use is considered acceptable in principle. An office use is such that it can normally take place in a residential area without causing harm to amenity generally.
- 5.3 Objections have been raised regarding the loss of the wardens flat. The loss of a live-in warden is not specifically a planning consideration and in recent years housing associations are moving away from live-in staff to providing a 'lifeline' style system. There is no legal requirement to provide a live-in warden. It is therefore not possible to justify objections due to loss of the warden.
- 5.4 It has been stated that the removal of the wardens flat would not be in accordance with the original planning approval. There are, though, no conditions requiring the retention of a wardens flat in the development on that approval.
- 5.5 Although concerns have been raised regarding the amount of parking on site, KCC (Highways) considers that, given the amount of communal parking areas available on the site which can be used on a casual basis, the office use would overall not have an unacceptable impact.
- 5.6 Whilst I can sympathise with the concerns of residents about the potential for loss of dignity that would be suffered by residents going to the disabled bathroom I think it is debatable whether this is a material planning consideration in this particular case. In some ways it is more appropriate to regard this as a

management issue for the landlords. It is also worth remembering that residents going to the bathroom would already potentially be seen by other residents and, indeed their visitors. I doubt, therefore, that it would be possible to justify a reason for refusal on this basis.

5.7 It is therefore considered that the proposal is acceptable.

**6. Recommendation:**

6.1 **Grant Planning Permission**, subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (Z001)

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 No members of the general public shall be afforded access to the offices hereby approved, unless accompanied by a member of staff.

Reason: To ensure the security of the residents of the block

3 The business shall not be carried on outside the hours of 09:00 to 17:00 Mondays to Fridays with no working on Saturdays, Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to residential flats within the block.

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