

SECTION '2' – Applications meriting special consideration

Application No : 11/02429/FULL1

Ward:
Cray Valley East

Address : Olleys Posh Wosh 151 Sevenoaks Way
Orpington BR5 3AQ

OS Grid Ref: E: 547137 N: 168886

Applicant : Mr Altan Ramadan

Objections : YES

Description of Development:

Erection of a canopy at front for temporary 5 year period
RETROSPECTIVE APPLICATION

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding Birds
Stat Routes

Proposal

- The proposal is a retrospective application for the erection of a canopy at front for temporary 5 year period
- The canopy has a height of 4m and dimensions of 10m by 16m. The canopy is sited in the front forecourt of the premises and is used for car washing and valet services.
- The canopy includes floodlighting onto the forecourt.

Location

Olley's Posh Wosh is sited on the eastern side of Sevenoaks Way and is sited within a designated Business Zone. This side of Sevenoaks Way comprises several business and industrial uses, with residential properties opposite on the western side of Sevenoaks Way.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- The Little Chislewick Residents' Association has objected on the basis of light disturbance, that the canopy should be removed as it has not received planning permission and that the canopy has a visual impact
- A petition opposing the application has been received from some residents of Sevenoaks Way raising concerns about unauthorised development at the site, visual impact and detrimental effect of floodlighting especially in winter.

Comments from Consultees

No technical highways objections are raised.

No technical drainage comments have been made.

No Environmental Health objections are raised.

At the time of writing the report, no Thames Water, English Heritage or Environment Agency comments had been received, although flood risk prevention information has been provided by the applicant. Any further comments will be reported verbally at the meeting.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE1 Design of New Development, BE16 (Ancient Monuments and archaeology) and T18 (Road Safety) of the Unitary Development Plan.

PPS25 (Development And Flood Risk) and London Plan Policies 4A12-13 are also a consideration.

The site is within a designated Business Area.

Planning History

There is no recent relevant planning history on the site. The site has been used as a car wash for several years.

A variation of condition application was allowed on appeal under ref. 04/03833 for the continued use of premises without complying with Condition 2 of 91/2638 (to permit occupation of part by unrelated office).

Conclusions

The main issues relating to the application are the effect that it has on the character of the area and the impact that it has on the amenities of the occupants of surrounding residential properties. The impact on archaeological resources, highway safety and flood risk are also considerations.

The proposed canopy is sited adjacent to the highway and is in use by the existing car wash business. The canopy is prominent and visible from the wider area, however it is commensurate with the scale of development in this commercial area and its overall appearance is not considered to be harmful, in particular as the structure has no sides.

In respect to the amenities of the neighbouring properties, the hours of operation of the business are not proposed to be altered and the canopy is sited a considerable distance from the neighbouring residential properties opposite. It is not considered that the visual impact of the canopy is severe when viewed from opposite Sevenoaks Way and the structure is considered not to harm the overall character of the area, which comprises large buildings in industrial and business usage.

The canopy is fitted with floodlighting which subject to appropriate hours of operation is also not considered to harm the amenities of the neighbouring properties, which are approx. 45m away from the canopy. It is considered that a condition to restrict the hours of use of the floodlighting to those of the car wash business would be suitable to prevent any night time disturbance.

Having had regard to the above it was considered that the siting, size and design of the proposed canopy is acceptable in that it does not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. No flood risk, highway safety implications or archaeological implications are considered to result from the proposal.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/02429, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACE01 Limited period - buildings (1 insert) 05/10/16
 ACE01R Reason E01
- 2 Floor levels within the development hereby permitted shall be set no lower than existing levels and flood proofing of the development shall be incorporated where possible. Details of any flood proofing/resilience and resistance techniques shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this decision.

Reason: In order to comply with guidance set out in PPS25 (Development And Flood Risk) and in order to minimise the risk of flooding.

- 3 The floodlighting on the canopy hereby permitted shall only be used during the lawful permitted hours of opening and the floodlights shall not be used at any other times.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of nearby residential properties.

Reasons for granting permission:

In granting planning permission the Local Planning Authority had regard to the

following policies of the Unitary Development Plan:

BE1 Design of New Development
BE16 Ancient Monuments and Archaeology
T18 Road Safety

The development is considered to be satisfactory in relation to the following:

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c) the highways policies of the development plan
- (d) the archaeological interest of the local area
- (e) the flood risk potential of the area

and having regard to all other matters raised.

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