

SECTION '2' – Applications meriting special consideration

Application No : 12/00298/FULL2

Ward:
Cray Valley East

Address : Unit 3 Lagoon Road Orpington BR5 3QX

OS Grid Ref: E: 547111 N: 167915

Applicant : Tromsostan Ltd

Objections : NO

Description of Development:

Change of use from general industry (Class B2) to a gym and martial arts facility (Class D2)

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Business Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding

Proposal

This proposal is for the change of use from general industry (Class B2) to a gym and martial arts facility (Class D2).

Location

The application site is located to the east of Cray Avenue within the designated St. Mary's Cray Business Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

No comments were made by the Metropolitan Police Crime Prevention Design Advisor.

The Council's Highways Division were consulted who stated the site is within a moderate (4) PTAL area. The site is on an industrial estate and there is no dedicated pedestrian route through to the unit. It is not clear about the level of lighting that is present. This may not make it attractive for pedestrians to use the site and encourage the use of the car.

There are 12 car parking spaces associated with the site. The application indicates that there will be 9 staff at the facility and although it gives the likely busiest times it does not provide any likely number of customers. The Council's Highways Engineer therefore requested that the applicants provides information about the likely numbers of people who will use the facility, including the maximum number of people on site at one time, with as much detail as they have available. This was requested on 21st March 2012 but as such no response has been received from the applicant.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development
EMP4 Business Areas
T3 Parking

The National Planning Policy Framework 2012 and London Plan 2011 are also key considerations in the determination of this application.

Planning History

There is no recent planning history relating to this property.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The site is located within a designated Business Area and as such Policy EMP4 of the UDP is a key consideration in the determination of this application, it states:

Except where sites allocated for other uses are identified in the Schedule of Proposal Sites, in the Business Areas identified on the Proposals Map only the follow uses will be permitted:

- (i) Class B1, provided that the use does not impede effective operation of neighbouring businesses and large new offices meet provisions of Policy EMP1;
- (ii) Class B2; or
- (iii) Class B8; large scale warehousing development over 1000 sqm will be permitted only in the St Mary Cray Business Area.

Concerns are raised to the proposal with regards to the loss of a business unit in a designated business area as it would be contrary to Policy EMP4. The Council wishes to safeguard a supply of such land in the Borough to provide for the growth and development of business and industry. Consequently, proposal in the Business Areas for uses not within Use Class B1 to B8 will not normally be permitted. Business Areas provide appropriate locations for uses within the Business (B1) and General Industry (B2) Use Classes, which provide a sufficient, though limited, supply of good quality sites for modern business development.

As such the proposal would involve the unsatisfactory loss of a business unit within a designated Business Area, contrary to Policy EMP4 and it is recommended permission be refused on this basis.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00298, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would result in the loss of a business unit within a designated Business Area required for the growth and development of business and industry and as such is contrary to Policy EMP4 of the Unitary Development Plan 2006.

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