

SECTION '2' – Applications meriting special consideration

Application No : 12/00955/FULL1

Ward:
Cray Valley East

Address : Land Rear Of 28 Kent Road Orpington
BR5 4AD

OS Grid Ref: E: 547051 N: 167402

Applicant : Mr John Ralph

Objections : YES

Description of Development:

Demolition of existing workshop office (Class B1) building and erection of part one/two storey office (Class B1) building

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Local Distributor Roads

Proposal

It is proposed to demolish all the buildings on the site, and erect a replacement part one/two storey office building which would contain 145sq.m. of floor space.

It would take the form of an L-shape with the two storey element contained at the rear.

The office would operate between 9am-6pm Mondays to Fridays, and would employ 5 members of staff.

Location

This site is located to the rear of Nos.26-28 Kent Road, and is occupied by vacant single storey workshop/office buildings, some of which have been recently demolished. It lies within an Area of Archaeological Importance, and adjacent to St. Mary Cray Village Conservation Area to the rear. It has a pedestrian access from Kent Road between Nos. 28 and 30, but there is no vehicular access to the site, and thus no on-site parking.

Comments from Local Residents

Letters of objection have been received from nearby residents whose main concerns are summarised as follows:

- a two storey building is unacceptable
- loss of outlook and privacy from rear of residential properties
- lack of parking for staff may lead to increased pressures for parking in the close vicinity
- revised proposals do not overcome previous grounds for refusal
- design of building is out of character with surrounding area
- lack of adequate servicing of the building.

Comments from Consultees

The Council's highways engineer considers that the surrounding area could adequately accommodate any parking requirements of the current proposals given the small scale of the office use proposed, and the previous workshop use of the site.

Concerns were initially raised about the use of the existing access to the site, which almost fronts the roundabout junction of Lower Road and Kent Road, for servicing and delivery purposes. However, the applicant has confirmed that there would be only monthly deliveries of standard office consumables such as stationery, while small items related to the business, such as lighting elements and electronic switchboards, may be delivered no greater than twice monthly. Most items related to the proposed business as a lift engineer company would be delivered directly to the site of each job.

The previous use of the site was as a metal window manufacturing workshop which had weekly deliveries of materials, and pick-ups of the final built products from the site. Given the small scale of the proposed office use and limited deliveries associated with it, no highways objections are raised subject to conditions limiting the hours of deliveries to outside peak times, restricting the storage to the office use, and requiring the submission of a Construction Management Plan to ensure that construction traffic can serve the site safely with minimum impact on traffic.

No objections are raised to the proposals from an Environmental Health point of view, subject to infomatives regarding compliance with the Control of Pollution and Environmental Protection Acts.

No objections are seen from a drainage or waste disposal point of view, and Thames Water have no concerns.

English Heritage consider that no archaeological fieldwork would need to be undertaken prior to the determination of the application, but a condition should be attached requiring a written scheme of investigation prior to commencement of development.

Planning Considerations

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

BE1 Design of New Development
BE13 Development Adjacent to a Conservation Area
BE16 Ancient Monuments and Archaeology
EMP6 Development Outside Business Areas
T3 Parking
T18 Road Safety

Planning History

Permission was refused in March 2012 (ref.11/03241) for the demolition of the existing workshop/office building, and the erection of a part one/two storey office (Class B1) building with mezzanine floor, on the following grounds:

- 1 The proposed building would, by reason of its size, height and close proximity to neighbouring residential properties, have a seriously detrimental impact on the amenities of those residents through loss of outlook, privacy and light, thereby contrary to Policies BE1 and EMP6 of the Unitary Development Plan.
- 2 The proposals would be lacking in car parking provision and adequate servicing arrangements, and in the absence of information to demonstrate otherwise, the proposals are likely to result in an increase in pressure for parking in the surrounding roads which would be detrimental to residential amenity and to the free flow of traffic and conditions of safety in the highway, thereby contrary to Policies T3 and T18 of the Unitary Development Plan.

No appeal has been lodged to date.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the surrounding area, on the amenities of the occupants of surrounding residential properties, and on the parking/traffic situation in the close vicinity.

The proposals would not comprise a change of use as the permitted use of the site is for Class B1 office/light industrial purposes, therefore the principle of redevelopment is considered acceptable.

The current proposals differ from the recently refused scheme in the following main ways:

- the first floor element is now confined to the rear eastern corner of the building
- the overall bulk of the building is reduced
- the main western part of the building is reduced from 4.5m in height to 2.7m

- the windows in the western flank elevation of the building are now removed
- the first floor window in the southern elevation of the rear part of the building is now removed
- the building extends 0.5m further forward
- further information has been submitted regarding servicing, deliveries and parking in the surrounding roads.

The replacement building would be larger than the existing/previous single storey buildings on the site, but only the very rear part of the building would now have first floor accommodation above, and the first floor window which previously faced the rear elevations of properties fronting Kent Road has now been omitted.

The building would extend a metre closer to the western flank boundary than the existing building, however, it would be only single storey with a sloping roof, and there would be no windows in the flank elevation facing the rear garden of No.30 adjacent.

The revised proposals are now considered to adequately overcome the previous concerns regarding loss of outlook, light and privacy to neighbouring properties.

With regard to highways issues, the revised proposals included additional information regarding the nature of the proposed and previous uses, along with a parking survey of surrounding roads, and subject to safeguarding conditions, the proposals are not considered to be unduly harmful to parking provision in the close vicinity, nor have a detrimental impact on the free flow of traffic and conditions of safety in the highway.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03241 and 12/00955, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 5 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 6 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 7 | ACK01 | Compliance with submitted plan |

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area.

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| 8 | ACK04 | Demolition of existing building (see DIO | |
| | ACK04R | K04 reason | |
| 9 | ACK05 | Slab levels - no details submitted | |
| | ACK05R | K05 reason | |
| 10 | ACK08 | Archaeological access | |
| | ACK08R | K08 reason | |
| 11 | No deliveries shall be made to or from the site between the hours of 08.00 hours and 09.30 hours, nor between the hours of 16.00 hours and 18.00 hours. | | |
| | ACJ08R | J08 reason (1 insert) | BE1 |
| 12 | The storage area shown on Drawing No.P-P-01 shall only be used for storage ancillary to the office use hereby permitted, and for no other purpose. | | |
| | ACJ08R | J08 reason (1 insert) | BE1 |

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- BE13 Development Adjacent to a Conservation Area
- BE16 Ancient Monuments and Archaeology
- EMP6 Development Outside Business Areas
- T3 Parking
- T18 Road Safety

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

- (a) the visual impact in the surrounding area
- (b) the impact on the amenities of the occupiers of nearby residential properties
- (c) the impact on the adjacent Conservation Area
- (d) the impact on parking and traffic in the close vicinity

and having regard to all other matters raised, including neighbours concerns.

INFORMATIVE(S)

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| 1 | RD129 | EHO – Contact Pollution Team |
| 2 | If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing. | |

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