

SECTION '2' – Applications meriting special consideration

**Application No :** 13/02042/FULL2

**Ward:**  
**Cray Valley West**

**Address :** Kennedy House Murray Road Orpington  
BR5 3QY

**OS Grid Ref:** E: 546790 N: 168690

**Applicant :** Mr S Miah

**Objections :** NO

**Description of Development:**

Change of use of part ground floor from storage (Class B8) to vehicle hire business and storage of vehicles.

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency

**Proposal**

It is proposed to use the southern single storey part of Kennedy House as a vehicle hire business, which would include the storage of up to 15 vehicles within the building, accessed via the existing driveway adjacent to the eastern boundary of the site. A further 4 cars are shown to be accommodated along the driveway.

The proposed opening times would be:

Monday - Friday: 08.00-19.00  
Saturday - 08.00-14.00  
Sunday - Closed

The applicant has confirmed that no bodywork or mechanical repairs would take place on the site.

**Location**

Kennedy House lies within the Sevenoaks Road/Cray Avenue designated business area, and is in a Strategic Industrial Location (SIL) as designated by the London Plan. The building is currently vacant, but was previously used for office/storage

uses, most recently by South London Healthcare NHS Trust. The northern part of the building is three storeys in height while the southern part is single storey.

### **Comments from Local Residents**

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

### **Comments from Consultees**

From a highways point of view, there is sufficient room on site for the parking proposed, therefore, no objections are raised to the proposed vehicle hire business subject to limiting the numbers of vehicles parked both inside and outside the building.

No objections are raised to the proposals from an Environmental Health point of view.

### **Planning Considerations**

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

BE1 Design of New Development  
EMP4 Business Areas

The London Plan (2011)  
NPPF

### **Planning History**

A retrospective application (ref. 13/02473) is currently under consideration for the change of use of the ground floor of the northern part of Kennedy House from offices (Class B1) to a place of worship (Class D1).

### **Conclusions**

The main issues relating to the application are the effect that the change of use would have on the Business Area, and the impact on the amenities of the occupants of surrounding properties.

The proposal is for a change of use from storage (Class B8) to a vehicle car hire business which is a sui generis use. In Business Areas, Policy EMP4 generally resists uses that do not fall within Use Classes B1 to B8, however, if the premises have been empty for a long period of time, and there is evidence that it has been marketed, consideration should be given for other complementary uses so long as they would not impact on the surrounding businesses or any nearby residential properties.

The applicant has provided evidence that the building has been vacant for a year, and that the letting agents commenced marketing on 24th October 2012. The letting agents have confirmed that during this time they have had very little interest from Class B business users, the main interest coming from gyms and dance companies.

Policy 2.17 (Strategic Industrial Locations) of The London Plan states that development proposals in SILs should be refused unless they fall within the broad industrial type of activities. It could be considered that a vehicle hire business would fall within the broad industrial type of activities, and given the proposed opening hours and fairly limited vehicle movements, the proposals are not considered to adversely affect surrounding businesses nor any nearby residential properties.

Having had regard to the above it was considered that the proposals are acceptable in that they would not have a detrimental effect on the Business Area, nor result in a significant loss of amenity to local residents or surrounding businesses.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02042, excluding exempt information.

as amended by documents received on 24.09.2013 03.10.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01          Commencement of development within 3 yrs  
          ACA01R        A01 Reason 3 years
- 2      ACK01          Compliance with submitted plan  
          ACK05R        K05 reason
- 3      No more than 15 vehicles shall be accommodated within the building, and no more than 4 vehicles shall be parked along the driveway within the site, in accordance with the submitted drawing no. PC/2013/001 received on 3.10.13.  
          ACH03R        Reason H03

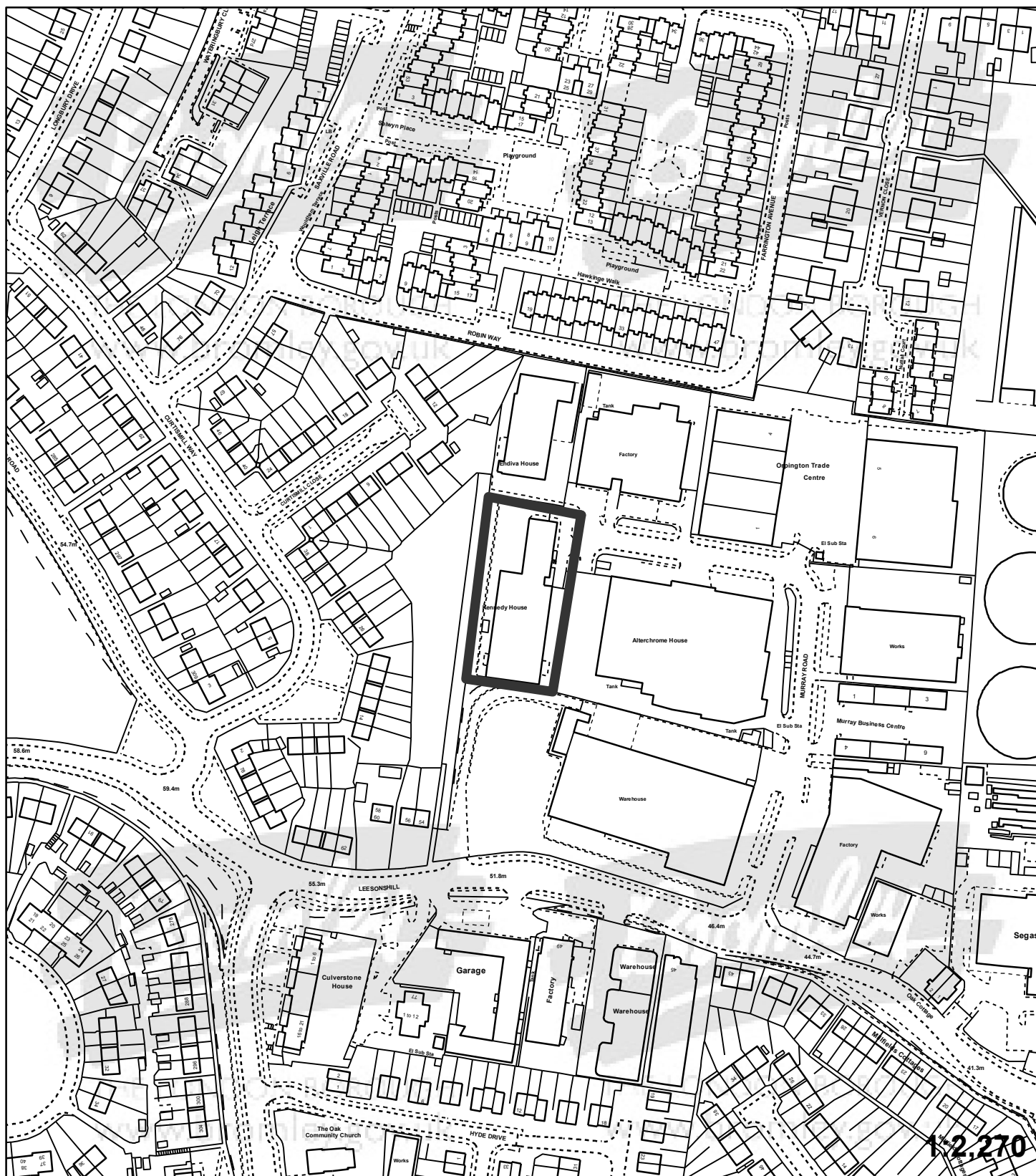
## **INFORMATIVE(S)**

- 1      This proposal also requires approval under the Petroleum (Consolidation) Act 1928 and application must be made to London Fire and Emergency Planning Authority, 169 Union Street, London, SE1 0LL; telephone 020 8555 1200; e-mail: info@london-fire.gov.uk (service covered: Monday to Friday 8am to 5pm).  
(N.B. This informative applies to petrol filling stations and parking areas within buildings which are capable of accommodating 12 or more cars (including basement car parks).

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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