

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 13/04115/FULL2

Ward:
Copers Cope

Address : 182A High Street Beckenham BR3 1EW

OS Grid Ref: E: 537221 N: 169412

Applicant : Ayerst Environmental Ltd

Objections : YES

Description of Development:

Change of use to a mixed use of B1 and B8

Key designations:

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

Proposal

This application seeks to use the site for mixed B1 and B8 without restriction as previously conditioned under planning permission ref. 81/01037.

The supporting statement advises that the applicants are an asbestos consulting company who advise on the safe clearance of asbestos produces. The office accommodation will be shared by their 'sister' company Arque who are an accountancy practice. The two companies are primarily office based which will occupy 90% of the building. Part of the remaining 10% will be used by the Applicants as a laboratory for the testing of asbestos samples in a controlled environment under HSE requirements with a small storage area utilising part of the ground floor. The statement advises that they are local companies who are moving into larger premises more suited to their operations.

There are approximately 50 employees of which 50% work on site and visit the office periodically for supplies and materials, therefore there will be approximately 25-30 people working in the building at any one time.

Hours of operation are proposed as 0800 - 1800 hours Mondays to Fridays and 0800 - 1300 Saturdays. Some occasional access may be required on a Sunday.

It is proposed to operate a one way system within the site with access to the site gained from the High Street and egress via the Drive.

Location

The site is a large two storey building situated to the rear of High St, Beckenham within an area of Archaeological Significance. To its east and south sits the Primary Frontage to the High Street (with some residential above) and to its west sits residential property. The immediate vicinity to the north hosts 182B High Street, Beckenham which is now used as a dance studio (Use Class D2).

Comments from Local Residents

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

- insufficient parking
- unsuitable location for distribution centre in respect of constant flow of commercial vehicles
- unsuitable to have asbestos with residential one side and food outlets the other
- insufficient information regarding the asbestos use which may be B2
- concerns for future potential of overlooking
- don't know impacts especially for weekend working - could be noisy - not enough information; therefore non-office activities should be prohibited over the weekend
- extent of laboratory testing and storage be limited by planning condition

Comments from Consultees

Transport for London (TfL) note the site is accessed from Beckenham High Street which forms part of the Strategic Road Network (SRN). No objections are raised from their point of view due to the scale and nature of the application it is unlikely to have any significant adverse impacts on traffic flow on the SRN.

Highways comments note that the development is located to the west of High Street, Beckenham. High Street, Beckenham (A222) is a London Distributor Road (LDR). There are Pay & Display parking bays in proximity of the premises, also there is a car park close by and the site is located within a high PTAL area of 4. On the basis that there is no intensification of the use of the building no Highways objections are raised. The parking bays indicated on the submitted drawing are sub-standard although some parallel bays could be provided. Relevant conditions could be considered appropriate in the event of a recommendation for permission.

No objections are raised from an Environmental Health (pollution) point of view.

No comments are raised by the Greater London Archaeological Advisory Service (GLAAS).

Planning Considerations

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

BE1 Design of New Development

EMP6 advises that outside designated Business Areas the Council will only permit non-conforming business uses where there would be no significant adverse impact on the amenity of the surrounding properties.

Planning History

The planning history of the application site as a whole is extensive; of particular relevance is application ref. 81/01037 which granted planning permission for a two storey side extension for use as store and internal staircase, subject to conditions.

Condition ii of this permission states:

' the premises shall be used for an electrical goods warehouse and for no other purpose (including any other purpose in Class X of the schedule of the Town and Country Planning (Use Classes) Order 1972)'.

NB: Class X - Use as a wholesale warehouse or repository for any purpose

The more recent planning history of the site includes refusals under refs. 11/02995 and 12/00896 for mixed use at the site including A3/A4 use.

An additional application has been received under ref. 13/02417, which seeks general refurbishment, extension and alterations to the building, for consideration.

Conclusions

Given that the current planning use of the building is B1/B8 the main issues relating to the application are the effect that the proposal to continue the use of the building for B1/B8 purposes without the restriction to electrical goods (ref. 81/01037) 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.

Local concerns are raised over any future potential for overlooking. These concerns will be addressed within the separately submitted application ref. 13/04217.

The proposed floor plans indicate a greater proportion of office to storage than the existing. Local concerns raise disturbance as a potential problem however there is an existing B1/B8 use to the site and given the greater proportion of proposed office use will likely result in less disturbance from deliveries and the associated loading/unloading. Given the existing use of the site no Highway objections are raised to the proposal although relevant conditions relating to parking spaces and cycle parking are suggested.

Concerns are also raised regarding the asbestos testing; the supporting statement advises that 10% of the space will be given over to storage and laboratory for the testing of asbestos samples and additional information supplied advises that '...by law we are not allowed to undertake the removal of any asbestos materials, other than for sampling'. Comments from the Council's Environmental Health state 'I understand the concern of residents, given the level of publicity given to asbestos these days, but am confident that the testing poses no risk to residents and consequently can confirm that I would have no objections to permission being granted'. It seems that the Council have used Ayerst for many years to test their own samples and are familiar with their operation. Environmental Health additionally comment that 'on the premises, essentially they just stain small suspected asbestos samples and look at them under microscopes to see whether they are asbestos and what type. The activities are all contained within the lab and strictly regulated by health and safety law. Deviation from safe procedures would also mean risking their UKAS accreditation which is essential to the business'.

With regard to the impact of the proposed use to the amenities of neighbouring residents, there does not seem to be so much concern raised over the office use of the site rather the implications of the introduction of asbestos sampling into the vicinity. This is a commercial site; it may be considered that: given the limited extent of the area given over to the testing and storage of asbestos; that the extent of the area can be conditioned in the event of a planning permission; that the testing is carried out in fume cabinets under stringent legislation; that quality procedures are administered in accordance with the current Health and Safety Executive (HSE) regulations; that no concerns have been raised from an Environmental Health point of view and that the company is an established company with 30 years of experience in this particular field, the use will not have such a detrimental impact on neighbouring amenities as to warrant a planning refusal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

as amended by documents received on 22.01.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACH02
ACH02R | Satisfactory parking - no details submit
Reason H02 |
| 3 | ACH22
ACH22R | Bicycle Parking
Reason H22 |
| 4 | ACK01
ACC01R | Compliance with submitted plan
Reason C01 |

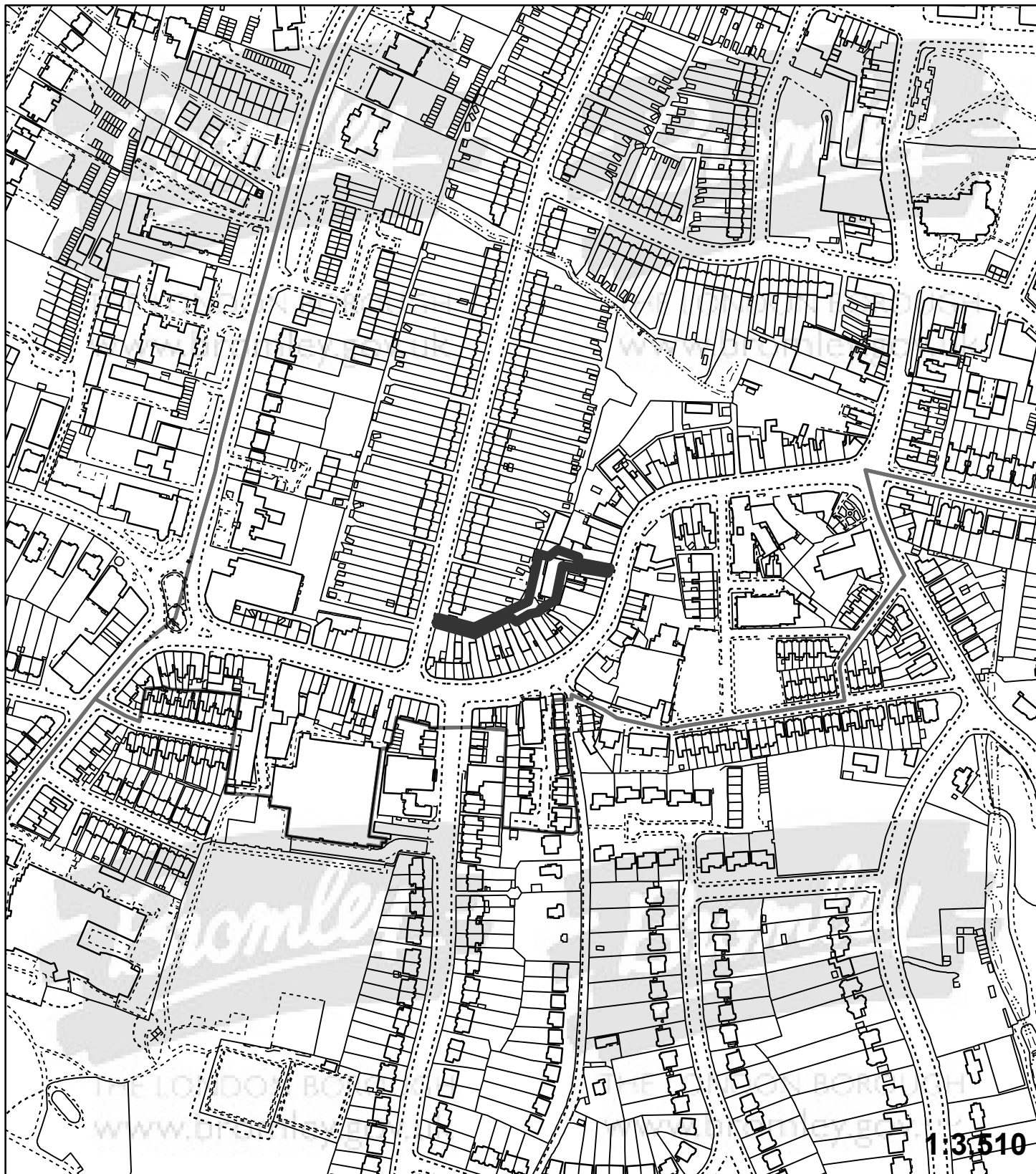
5 No additional floorspace shall be given over to the testing or storage of asbestos samples without the prior written approval of the Local Planning Authority.

Reason: In order to comply with Policies BE1 and EMP6 of the Unitary Development Plan, and in the interest of the residential amenities of the area.

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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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