

Application No: 14/02086/RESPA

Ward:
Orpington

Address: Berwick House 8 - 10 Knoll Rise
Orpington BR6 0EL

OS Grid Ref: E: 546117 N: 166111

Applicant: Mr T Farrant

Objections: YES

Proposal

- The proposal seeks a change of use of Berwick House from Class B1(a) office to Class C3 dwellinghouses to form 6 studio flats, 66 one bedroom and 13 two bedroom flats.
- The proposal is a 56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO.
- The change of use proposal will provide 23 parking spaces including one disabled parking space within the car park and the 2 spaces located outside the entrance to the car park will remain unchanged.

Location

The site is located on the northern side of Knoll Rise, in close proximity to Orpington High Street. The site comprises a large detached commercial building, bound by commercial properties to the south and east and residential dwellings to the north and west.

Comments from Local Residents

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

- Overlooking and loss of privacy
- Inadequate car parking and increase in traffic
- Noise and disturbance/light pollution
- Environmental health problems would arise from the development
- Existing tenant's lease has not expired
- Transport Statement and car parking information is incorrect
- Density of the development would be out of character with the area
- Waste storage and management issues

The Orpington Business Forum objects to the proposal as the loss of office space will make it more difficult for small businesses to come to town. Staff in these businesses could live locally and shop locally, whereas residents in any new housing accommodation may travel outside Orpington to work. At a time when significant investment to attract shoppers to the High Street area is just beginning, this change of use would contradict development plans.

Comments from Consultees

Technical highways comments have been received. A Transport Statement was submitted with the application. This included a Parking Stress survey. This showed that there were spaces available overnight but the only available parking during the day, apart from at the end of Vinson Close, within 200m of the site are Pay & Display or Disabled parking bays. There is already a high demand for on-street parking so it is suggested that future residents of the development are prevented from applying for resident's permits. Para 45 of the TS makes reference to likely car ownership but gives no numbers. From the previous census car ownership for small rented flats would give a requirement of between 29 – 38 spaces. This would give a shortfall of 6 – 15 spaces and a shortfall of 47 – 56 spaces from the UDP standards. The TS indicates that the applicant is willing to allocate one of the parking bays for use as a car club bay should the demand arise. There is no indication of how that demand would be measured. This is a good site for a car club where there are facilities nearby but residents may want the occasional use of a car. A car club bay and car should be provided on the site. It would make sense to use Hertz who operate the bay in the High Street. The adequacy of the refuse storage/collection arrangements would need to be agreed with Waste Services. Cycle parking should be under cover and secure. Conditions are suggested.

The submission includes an Environmental Review and no objection is raised by Environmental Health (Pollution) within the grounds for consultation for the prior approval process.

Planning Considerations

The application requires the Council to consider whether prior approval is required in relation to the conditions set out in J2, Class J of Schedule 2, Part 3 of the General Permitted Development Order 2013.

Planning History

There is no recent planning history at the site that is relevant to the current scheme. Planning permission was granted in recent years for air conditioning units, heat pumps and entrance canopies.

Conclusions

Following an amendment to the Town and Country Planning (General Permitted Development) Order which came into force on 30th May 2013, Class J permits the change of use of a building and any land within its curtilage from Class B1(a) (offices) to Class C3 (dwellinghouses).

The application calls for the Council to establish whether Prior Approval is required as to:

- (a) transport and highways impacts of the development
- (b) contamination risks on the site; and
- (c) flooding risks on the site

In this respect:

- (a) no objection is raised from the Council's Technical Highways department.
- (b) the site is not within a site identified as contaminated land;
- (c) the site is not in a Flood Zone 1, 2 or 3.

Given the above, on balance it is considered that Prior Approval should be granted in this instance and therefore Members are advised to grant Prior Approval.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/02086 set out in the Planning History section above, excluding exempt information.

Recommendation: GRANT PRIOR APPROVAL

CONDITIONS

**H03
H22
H29
H31
H33**