

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

Application No : 14/02507/RESPA

Ward:
Orpington

Address : Temple Gate House 115 - 123 High Street Orpington BR6 0LG

OS Grid Ref: E: 546378 N: 166471

Applicant : Mr S Sawkins

Objections : NO

Description of Development:

Change of use of office building from Class B1(a) office to Class C3 dwelling house. To provide for 8 one bedroom flats and 13 two bedroom flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO)

Proposal

The proposal is for the change of use of the first, second and third floors from Class B1(a) office to Class C3 dwellinghouses to form a total of 21 flats comprising of 8no one-bedroom flats and 13no two-bedroom flats.

Members should note that this is a 56 day application for Prior Approval in respect of transport and highways impact, contamination, and flooding risks under Class J, Part 3 of the General Permitted Development Order (as amended).

This is central Government legislation that came into force on 30th May 2013.

Location

The application site is situated toward the northern end of Orpington High Street and fronts the Primary Shopping Frontage. The rear of the site contains an access yard and parking area which are accessed via Bruce Grove.

Comments from Local Residents

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

Comments from Consultees

Highways - The Council's Highways Engineers have inspected file and have sought clarity on the following points:

1. It is not clear how would residents access their flats after parking their vehicles in the car park especially the users of disabled bays? Is the entrance door to the flats at the rear?
2. The bicycle storage does not look big enough. Is it big enough to store 21 cycles?
3. How refuse lorry will collect the waste from the site, as bins are too far from Bruce Grove? This needs to be checked with waste service as well?
4. Parking arrangement for ground floor, (details of business and number of staff members using current car parking facility). Is it 1 space per business?
5. Also the applicant should submit details of lights for access / car park. The applicant should contact police and take advice about the security of car park i.e. secure by design.

The Agent has responded to the above points and Members will be updated on the Highways Engineers' response.

The Environment Agency have considered the application and have raised no objection in respect of the proposal.

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.

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

Planning History

The site has a detailed planning history relating to the existing use on site; these applications are not relevant to the determination of this Prior Approval application.

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 within Flood Zone 1, 2 or 3

Given that the Council is limited to assessing the application against the three criteria set out above, Prior Approval is not considered to be required in this instance.

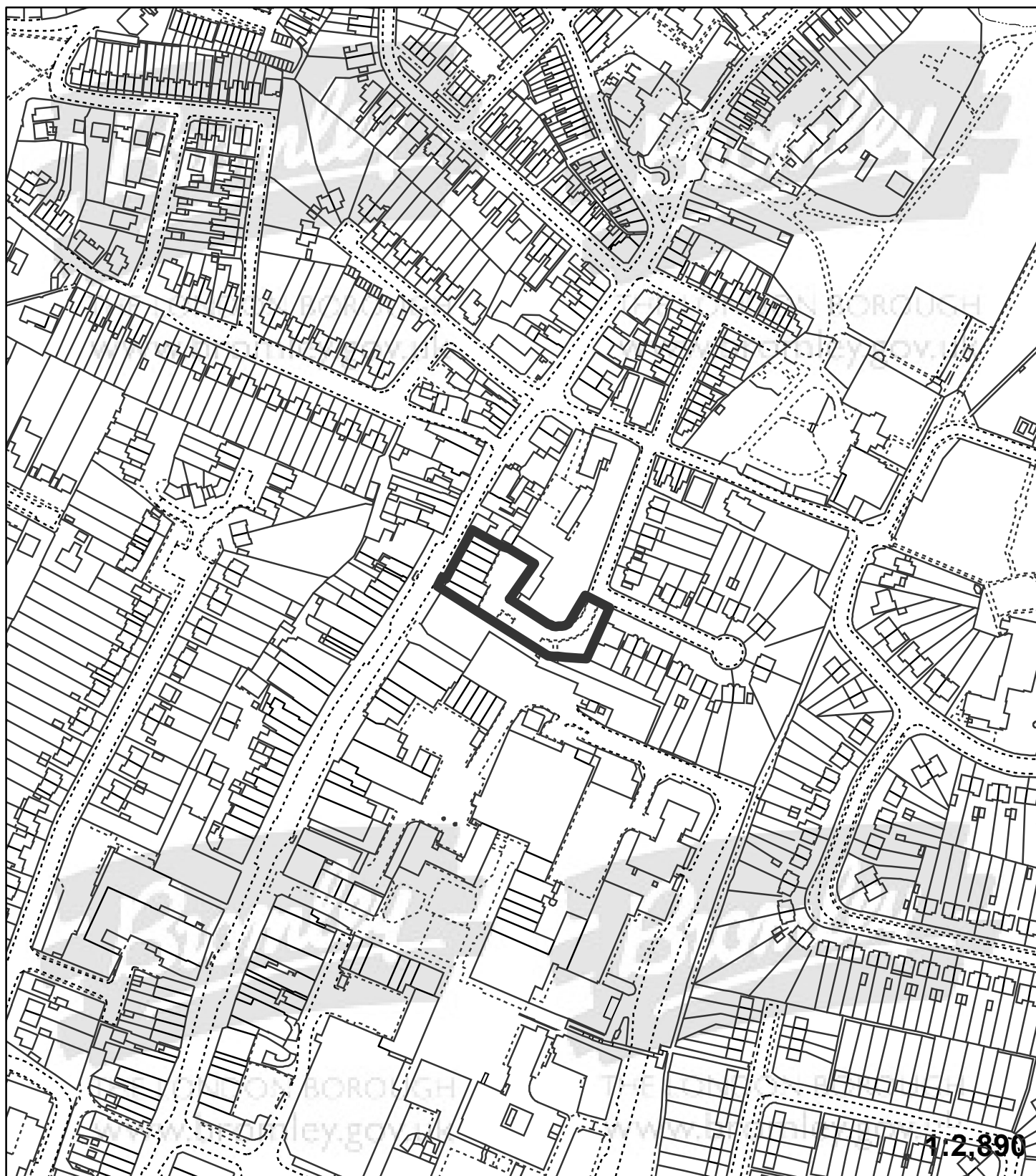
Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED

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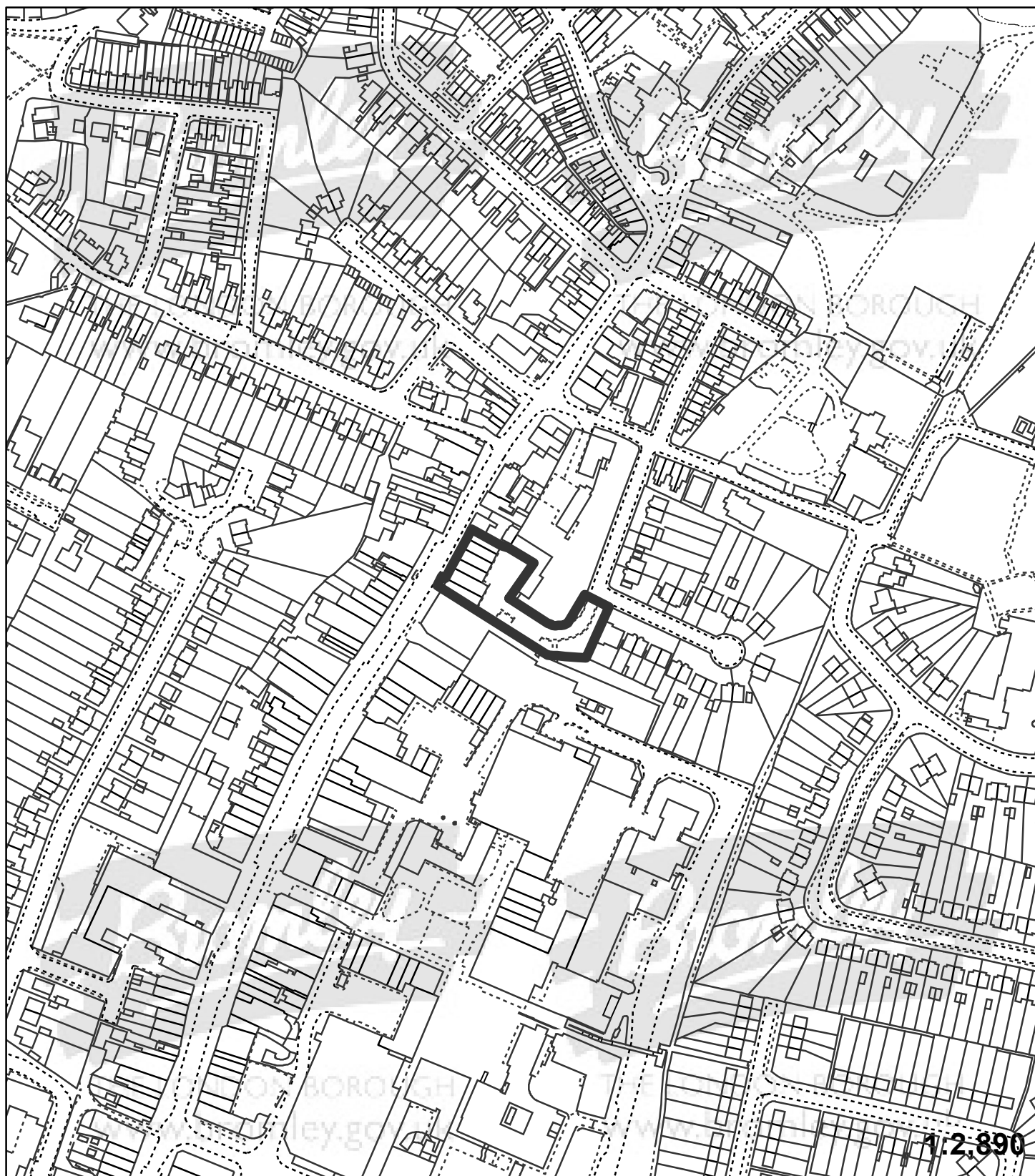
"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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