

SECTION '2' – Applications meriting special consideration

Application No : 14/02500/RESPA

Ward:
Petts Wood And Knoll

Address : Mega House Crest View Drive Petts
Wood Orpington BR5 1BY

OS Grid Ref: E: 544257 N: 167744

Applicant : G K Goldman Klein Ltd

Objections : YES

Description of Development:

Change of use of office building from Class B1(a) office to Class C3 dwelling house. to provide for 29 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 seeks a change of use of office building from Class B1(a) office to Class C3 dwelling house to provide for 29 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 50 parking spaces within the existing car park

Location

The site is located on the eastern side of Crest View Drive, in close proximity to Queensway. The site comprises a large detached commercial building, bound by residential properties to the north and west, a railway line to the east and public car park to the south.

An amended site plan was received on 24th July 2014 to correct an error on the original submission.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations received (including the Petts Wood & District Residents' Association) are summarised as follows:

- changes were intended to allow empty or underused buildings to be brought back into use

- application is not in the spirit of the changed rules
- developer taking advantage to make money
- disagree that the proposal would not have an impact on traffic
- increased vehicular movements to rear and side of No.2 Crest View Drive
- concerns about light pollution
- parking issues- inadequate sized car park
- would like further detailed drawings to assess impact residential amenity
- impact on privacy
- impact on tranquil surrounding
- impact on value of property
- need asbestos report
- believe there to be bats nesting in the building
- demolition and construction noise would be detrimental to local area and High Street
- Petts Wood becoming oversaturated
- propose that bays are painted along Crest View Drive to reduce issues with cars being parked across driveways
- impact on school places in the area
- office block is economically viable

Network Rail were notified of the application (adjoining owner) and no objections were raised.

Comments from Consultees

Highways- no objections have been raised. The proposed 50 parking spaces is in excess of the UDP standards of 1 per unit.

Environment Agency- assessed application to have low environmental risk and no objection were raised.

Environmental Health (Pollution)- no objection raised regarding contamination but concerns over potential railway noise

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.

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.

Members will note that this is a 56 day application and as such a decision must be made by 18th August.

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 24.07.2014

RECOMMENDATION: GRANT PRIOR APPROVAL

Subject to the following conditions:

- 1 ACH02 Satisfactory parking - no details submit
Reason: In order to comply with Policy T3 of the Unitary Development Plan and the NPPF, and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental and prejudicial to road safety.
- 2 AC115 Protection from traffic noise (1 insert) rail
ADI15R Reason I15

INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the

Community Infrastructure Levy Regulations (2010). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 The Applicant may be required to apply for other consents directly from the Environment Agency. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them. The applicant should contact 03708 506506 or consult the Environment Agency website to establish whether a consent will be 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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