

SECTION '2' – Applications meriting special consideration

Application No : 14/03092/FULL1

Ward:
Cray Valley East

Address : First Centre West Buses Ltd Faraday
Way Orpington BR5 3QT

OS Grid Ref: E: 546782 N: 168224

Applicant : Downham Properties Ltd

Objections : YES

Description of Development:

Erection of three buildings subdivided into nine units for B1(c), B2 and B8 uses, together with associated roads, parking and landscaping

Key designations:

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

Proposal

The proposal relates to an industrial development at the site of a former bus depot which occupies the NW corner of Faraday Way, and falls within the designated St Mary Cray Business Area. A total of nine commercial units of varied sizes (ranging in height from 9.0m to 9.5m) will be arranged as three rows and constructed either side of an access road which will connect the site to the neighbouring industrial area along Faraday Way.

The scheme will comprise of 4768sq metres (GEA) of floor space for Class B1(c) (light industry), B2 (general industrial) and B8 (storage or distribution) uses. It is proposed that the uses will be interchangeable, since the scheme will be built on a speculative basis. To enable the development to take place the land will be re-contoured.

The proposal includes an External Lighting Proposal scheme; a Drainage Strategy; and a proposed drainage layout.

The application is accompanied by a Planning Statement; a Design and Access Statement; a Noise Impact Assessment; a Transport Statement; Swept Path Analyses; an Archaeological Desk Based Assessment; an Arboricultural Impact

Assessment, Arboricultural Method Statement and Tree Protection Plan; an Ecological Assessment; and Energy Strategy Report

Location

The site occupies an area of 0.79 ha and has a significant fall in levels across the site, including in relation to the residential areas to the west of the site. The area to the west comprises of residential properties, including Roundlyn Gardens. The northern site boundary adjoins a railway line and embankment.

The site is situated within the St Mary Cray Industrial Business Park, a Designated Business Area. In addition, the site is situated within an Area of Archaeological Significance.

Comments from Local Residents

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

- concerns regarding proposed uses of the units and hours of operation and potential noise disturbance (24 hours is undesirable)
- concern at length of time taken to develop the site and potential noise and dust
- height of the development should not exceed what is shown on the planning application
- concern at who will own and maintain the new fencing and landscaping fronting Roundly Garden once the new units have been erected
- development will overlook neighbouring rear garden; the building should be no taller than the existing building and should not contain windows facing neighbouring properties
- generally supportive of the development, but Use Class B2 seems very broad, especially given the 24-hour usage and the site proximity to neighbouring residential properties
- proposed height of Unit 6 could impede views from neighbouring property
- Design & Access Statement and Planning Statement quote contradictory heights for the proposed buildings
- west boundary needs attending to, including in relation to vegetation cover
- noise buffer along the western boundary is desirable

Comments from Consultees

No technical Highways objections have been raised, subject to conditions

No objection has been raised by the Council's Drainage Consultant, subject to conditions.

No objection has been raised by Thames Water.

English Heritage does not recommend an Archaeological Requirement in regard to the proposal.

No objections have been raised by Transport for London in regard to the loss of the bus depot, or in terms of its public transport accessibility or cycling provision. However, it requests that the level of parking is reduced to encourage use of public transport, and that electric vehicle charging points should be provided.

No objection has been raised by Network Rail, subject to various construction and landscaping-related stipulations, including a note that any works to the retaining wall which adjacent to the railway boundary will need to be approved prior by NR by NR to the commencement of any works.

Any further comments will be reported verbally at the meeting.

Planning Considerations

The following London Borough of Bromley Unitary Development Plan (UDP) policies are relevant to this proposal:

BE1 Design of New Development
BE16 Ancient Monuments and Archaeology
EMP4 Business Areas
EMP4

This policy advises that, within the Business Areas identified on the Proposals Map only the following uses will be permitted:

- (i) Class B1, provided that the use does not impede effective operation of neighbouring businesses and large new offices meet provisions of Policy EMP1;
- (ii) Class B2; or
- (iii) Class B8; large scale warehousing development over 1000 sqm will be permitted only in the St Mary Cray Business Area.

10.18 The Business Areas consist largely of land with established light industrial and warehousing uses. The Council wishes to safeguard a supply of such land in the Borough to provide for the growth and development of business and industry. Consequently, proposals in the Business Areas for uses not within Use Classes B1 to B8 will not normally be permitted.

10.19 The Business Areas provide appropriate locations for uses within the Business (B1) and General Industry (B2) Use Classes. The St Mary Cray Business Area is identified in the London Plan as an Industrial Business Park. Proposals likely to be detrimental to the amenities of adjoining residential areas, however, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, will be resisted.

10.22 Proposals for new business developments will be expected to provide a high standard of landscaping which makes appropriate provision for biodiversity as well as space for vehicle circulation and parking.

10.23 Warehousing and distribution perform an important role in the local economy. The traffic generated by warehousing, however, can cause local environmental problems. Good connections to the strategic road network are needed to enable heavy goods vehicles to avoid passing through residential and shopping areas. The St Mary Cray Business Area, with its links to the M25 and its position on the edge of the urban area, is the only location in the Borough that meets these criteria.

London Plan

The relevant London Plan policies are listed below:

Policy 2.17 - Strategic Industrial Locations

Strategic

A The Mayor will, and boroughs and other stakeholders should, promote, manage and, where appropriate, protect the strategic industrial locations (SILs)

Planning decisions

B Development proposals in SILs should be refused unless:

- a they fall within the broad industrial type activities outlined in paragraph 2.79
- b they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework or borough development plan document
- c the proposal is for employment workspace to meet identified needs for small and medium sized enterprises (SMEs) or new emerging industrial sectors; or
- d the proposal is for small scale 'walk to' services for industrial occupiers such as workplace crèches or cafes.

Policy 2.6 - Outer London: Vision and Strategy

Policy 2.7 - Outer London: Economy

The National Planning Policy Framework also constitutes an important planning consideration in assessing this proposal. In particular, I would draw your attention to Section 1 - "Building a strong competitive economy", and Section 7 - "Requiring good design".

Planning History

The site formed part of a depot for a electricity company until around 1985 when the depot was split up and a number of the individual sites along Faraday Way were developed. The bus depot was permitted in 1995 (under reference 95/01844) and the planning history since then has been solely related to that use.

Conclusions

The main considerations in this case relate to the appropriateness of the proposed uses on the St Mary Cray Industrial Business Area and the potential of this scheme to provide for growth and development of business and industry in the Borough; its impact on the amenity of neighbouring residential properties; and the acceptability of the overall design, including the proposed landscaping scheme.

The proposal is located in St Mary Cray IBA which accounts for 41% of all designated business area Floorspace in the Borough. Detailed boundaries of SILs are for identification on DPD proposals maps. Therefore, the proposal for 4768sq m of mixed B1(c), B2, B8 Floorspace is in line with Policy EMP4, the London Plan and is supported by the NPPF. These uses also match the adjacent buildings on Faraday Way.

Although the Borough is ranked as 'restricted' for the transfer of industrial land to other uses, the proposed B1(c), B2 and B8 floorspace contributes to the emerging Local Plan's objectives of providing industrial floorspace to support the economic growth of the Borough. The redevelopment of the site does not involve the loss of prime Strategic Industrial Land, since the site comprises a disused bus depot which has been derelict for a few years. Furthermore, the proposal will provide a boost to jobs in the local area.

It is Council policy to safeguard a supply of business land for the future growth and development of business industry. Retaining existing commercial sites around the Borough has significant sustainable development advantages in terms of providing both local employment opportunities and local services. Many of the small sites within the Borough are occupied by local independent traders, providing specialist services, who form an important part of the local economy. The findings of a GVA Grimley Economic Development and Employment Land study (2010), DTZ Retail, office, Industry and Leisure Study (2013) and the Mayor of London's projections for job creation in the Borough emphasise the importance of ensuring a supply of business sites to meet future need.

Taking the above points into consideration, it is considered that the proposal accords with the UDP, given the site designation as a Business Area. Whilst it is recognised that this proposal is a speculative development which seeks a flexible Class B1(c)/B2/B8, no objection is raised on this basis since it is considered that all of these uses will be consistent with the nature of the St Mary Cray IBA. Furthermore, it may be considered that such flexibility enhances the possibility of the site being redeveloped.

Taking account of the relationship between the application site and neighbouring residential properties situated to the west, particularly along Roundlyn Gardens and Lynmouth Rise, it is considered that there will be adequate screening and

separation between the buildings to ensure no significant loss of amenity. For much of its distance, there is already a substantial amount of screening along the western side boundary adjoining Roundlyn Gardens, made up of 3m-high fencing and various shrubs. The proposal incorporates a detailed landscaping scheme which will include new tree planting which will enhance this existing screening. Furthermore, there is a notable drop of 4m between the application site and Roundlyn Gardens - as illustrated in the proposed site sections. Accordingly, it is considered that the proposed buildings within the site will appear discreet from neighbouring residential properties. Additional environmental health safeguards relating to noise will be reported verbally at the meeting, following discussions between the Agent and the Council.

From a general design perspective, it is considered that the scheme has been well designed and landscaped and that this will not adversely affect local character.

Taking the above into consideration, Members are advised to support this application.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/03092 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) the premises shall be used for employment uses and for no other purpose (including any other purpose in Classes B1, B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to comply with Policy EMP4 of the Unitary Development Plan which seeks to safeguard Business Areas in the borough.

- 3 Units 1 - 6 shall not operate before 07:30 and after 20:00 on any day.

Reason: To comply with Policy BE1 of the Unitary Development Plan and in order to safeguard the amenities of neighbouring residential properties.

- 4 ACK01 Compliance with submitted plan
ACK05R K05 reason
- 5 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
- 6 ACD06 Sustainable drainage system (SuDS)
AED06R Reason D06
- 7 ACA03 Compliance with landscaping details
ACA03R Reason A03
- 8 ACA08 Boundary enclosures - implementation
ACA08R Reason A08

9	ACC07	Materials as set out in application
	ACC07R	Reason C07
10	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
11	ACH16	Hardstanding for wash-down facilities
	ACH16R	Reason H16
12	ACH22	Bicycle Parking
	ACH22R	Reason H22
13	ACH23	Lighting scheme for access/parking
	ACH23R	Reason H23
14	ACH29	Construction Management Plan
	ACH29R	Reason H29
15	ACH32	Highway Drainage
	ADH32R	Reason H32

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)).

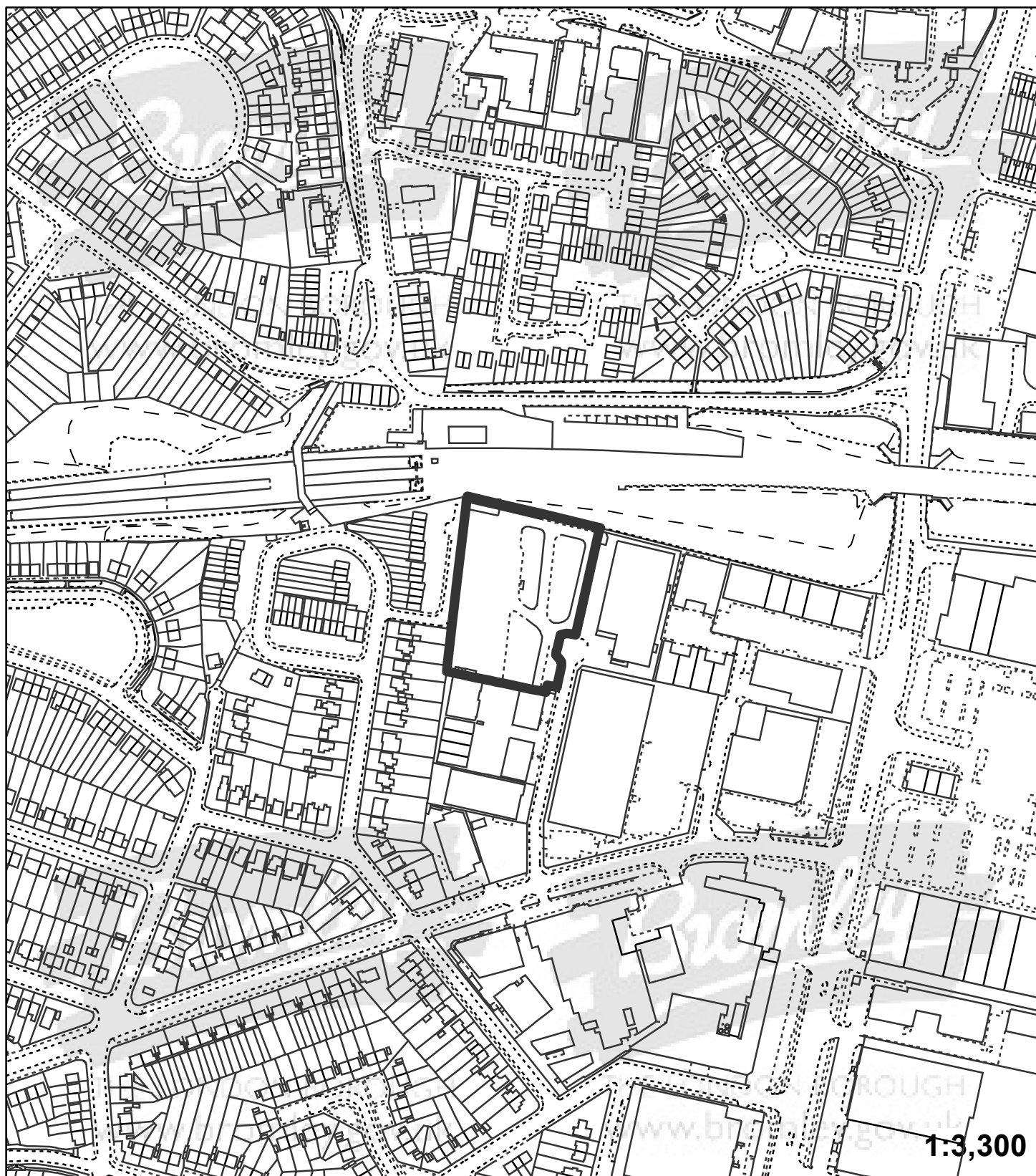
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

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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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