

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

Application No : 15/01690/FULL3

Ward:
Orpington

Address : First Floor 155 - 159 High Street
Orpington BR6 0LN

OS Grid Ref: E: 546315 N: 166354

Applicant : C/o Mr Milan Babic

Objections : No

Description of Development:

Second floor extension above existing building and first/second floor rear extension and part conversion of upper floors from office (B1) to 9 x residential flats (4 x one bedroom, 2 x two bedroom, 2 x three bedroom and 1 x four bedroom) and alterations to front elevations (153-159 High Street Orpington)

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Smoke Control SCA 29

Proposal

Planning permission is sought for the following:

- second floor extension above existing building and first/second floor rear extension
- part conversion of upper floors from office (B1) to 9 x residential flats (4 x one bedroom, 2 x two bedroom, 2 x three bedroom and 1 x four bedroom)
- alterations to front elevations (153-159 High Street Orpington)

The application is accompanied with a Flood Risk Assessment, Parking Survey, Design Statement and report into the availability of offices in Orpington.

Location

The application site currently comprises A1 retail shop on ground floor, with offices on the upper floor. The site forms part of the Orpington town centre Primary Shopping Frontage and also Flood Zone 2 and 3. The site is also within a moderate (4) PTAL area.

Consultations

Comments from Local Residents

Nearby neighbours were consulted about the application and no comments were received.

Comments from Consultees

Highways- No objections are raised in principle subject to the Applicant agreeing to provide the first occupiers of the residential units with 2 years membership to a car club and 20 driving hours.

EH (Pollution)- No objections raised

Drainage- No objections raised

Thames Water- No objections raised

Planning Considerations

In considering the application, the main policies are considered as follows:

- Policy BE1 - Design of New Development
- Policy H1- Housing Supply
- Policy H7- Housing Density and Design
- Policy H12- Conversion of non-residential buildings to residential use
- Policy EMP3- Office Development
- Policy T3- Parking
- Policy T18- Road Safety
- Policy S1- Primary Frontages

Supplementary Planning Guidance 1 and 2

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments
Mayor of London's Housing Supplementary Planning Guidance

National Planning Policy Framework

Planning History

3 similar applications were withdrawn under references 07/00554 in February 2010 and 07/02630 in September 2007. Records show that under ref. 08/00751 an application was heard at Plans-Sub Committee on 31st July 2008 where Members resolved to grant planning permission subject to the prior completion of a legal agreement. It appears that this agreement was never signed by the Applicant and the application was finally withdrawn by the Chief Planner in May 2010.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the streetscene, the impact that it would have on the

amenities of the occupants of surrounding residential properties, and the impact on traffic and parking demand.

The principle of developing the site has been established by the granting of planning permission under ref. 08/00751. From assessing the previous plans (ref. 08/00751) there appears to be a number of differences between these plans and those now sought under the current application. The changes to the current scheme are notably the increase in the width of the rear extension (by approximately 4m) to include the section adjacent to the boundary with Nos 149-151 to the north, and the reduction of the amount of office space retained at first floor level. The height and scale of the proposed extension remains comparable to the approved applications and Members may consider the scale of the building to be acceptable in this location.

Members will need to give careful consideration to the proposed layout and the amount of development proposed. The proposed rear extension would extend over an existing flat roof by approximately 7.7m with a further area (approximately 3m) allowed for amenity spaces to these properties. The proposed residential units would remain accessible from the high street entrance as previously shown under ref. 08/00751.

The main impact of the proposal would be the addition of the new second floor over the existing building when viewed from the High Street. The proposal would increase the height of the building by approximately 3.3m resulting in a 3 storey building. When viewing the existing building from the streetscene, the application site is surrounded by buildings of varying heights (mainly two and three storeys). The building to the south of the site (No.161, is retail at ground floor and a fitness club on upper floors), however the building to the north (Nos 149-151 which is currently vacant) is slightly lower than the application building at only two storeys. The main effect of the increase in height at the application site would therefore be as you view the building coming southwards down the High Street. The proposal would be approximately 2.8m higher than Nos. 149-151 and there would be a large bare flank elevation facing this direction. However Members will note that the site is set back from the main building line along the High Street, which would assist in reducing the impact of the proposed development. Members may consider that the proposal would not be significantly different to the increase in roof height from two to three storeys which currently exists from the application site to the neighbouring property to the south (No.161) and on the basis that the principle of such development has been established through the granting of planning permission under ref. 08/00751 this type of development is acceptable.

To the rear of the property, the proposed development would involve a first/second floor extension. Although the extension at first and second floor would be reasonably deep, sufficient distances would be maintained to the adjoining buildings (approximately 3m to No.161 and between 4-5m to No. 151 and given that the properties surrounding the application site are office buildings and not residential properties and therefore Members may consider this aspect of the proposal acceptable.

The proposed residential units and room comply with The London Plan and Housing SPG (2012) minimum requirements outlined in the guidance, with a minimum of 8sqm for a single bedroom and 12sqm for a double bedroom. The proposed schedule of accommodation provided as part of the application (Page 9 of the Design Statement) shows that all 9 units exceed the minimum space standards and on that basis Members may agree that the resulting accommodation was be satisfactory for future occupiers.

In terms of the proposed loss of existing office space, Policy EMP3 states that the conversion or redevelopment of offices for other uses will be permitted only where;

- (i) it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing the premises; and
- (ii) there is no likely loss of employment resulting from the proposal.

The plans provided indicate that approximately half of the existing office on the first floor will be lost as a result of the application which is less than previously indicated on the drawings provided under ref. 08/00751. From visiting the site, it was evident that the current offices at the site were in use. As part of the application, evidence has been provided from Jenkins Law Ltd which suggests that there is generally poor demand for offices Orpington. Given that that office space would still be available at the site and that the application would not result in a total loss of the commercial use on the upper floors, this aspect of the development is, on balance, considered acceptable.

The Council's Highways officer has been consulted and no objections have been raised in principle to the car free housing proposed at the site. The applicant is expected to provide the first occupiers of the residential units with 2 years membership of the local car club and 20 driving hours. This has been suggested as a condition attached to this report.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/01690 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION: Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: Section 91, Town and Country Planning Act 1990.

- 2 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

- 4** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 5** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 6** Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Reason: In order to comply with Policy T3 of the Unitary Development Plan 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 to amenities and prejudicial to road safety.

- 7** No part of the development hereby permitted shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of arrangements for future occupiers to join an established car club in the local area. The approved arrangements shall be in occupation of any part of the development.

Reason: In order to provide for the transport needs of the development and comply with Policies T3 and T18 of the Unitary Development Plan.

You are further informed that :

- 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