

SECTION '2' – Applications meriting special consideration

Application No : 15/01398/FULL1

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:

Erection of roof extension over part of building to provide B1(a) office accommodation

Key designations:

Smoke Control SCA 8

Proposal

This application was deferred by the Planning Sub-Committee which convened on 2 July 2015 in order to await the outcome of an appeal decision relating to a previous application at the site.

An appeal has been submitted against non-determination of this application but at the time of agenda publication had not been validated by the Planning Inspectorate.

The previous report is repeated below with relevant annotations and revisions added.

This scheme is for the provision of a mansard roof extension to the existing block to provide additional 2585sq ft. /240 sq. metres of additional floor space at third floor level to create one additional office suite. The proposed mansard roof would occupy the section of roof between the existing projecting core/tank room of the building and a projecting element at the SE end of the building. The extension will include three balconies to the rear elevation.

The proposed plans also include elevational alterations to the existing building, including partial rendering and cladding, the provision of new uPVC windows, and alterations to the existing front glazed entrance to incorporate a dark grey aluminium finish. The application submission states that the existing 50 off-street parking spaces will remain in place.

This application is accompanied by a Planning, Design & Access Statement.

In a supporting letter dated 5 August, the agent has suggested that, in a considering a previous proposal at the site, the Planning Inspector dismissed the appeal solely on the grounds that, in his opinion, the proposed mansard roof on that part of the building adjacent to the gardens of Crest View Drive would have an adverse impact on the visual character of this backland area. The agent goes on to say that this revised scheme, by contrast, would not result in any increase in height on that part of the building adjacent to the gardens of Crest View Drive. The agent argues that the proposal accords with the findings of the Inspector.

Location

The application site is located to the SE corner of Crest View Drive, in close proximity of its junction with Queensway which forms the western part of Petts Wood District Centre. The site adjoins residential development to the north and west. The neighbouring properties to the north comprise of two-storey suburban houses, whilst the building to the west (along the facing side of the road) forms a four-storey block of 12 flats of modern appearance. A public car park adjoins the site beyond its southern boundary, and a railway line beyond its eastern boundary.

Consultations

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

- current height of Mega House is in keeping with neighbouring properties
- additional storey will make the building more dominant and taller than surrounding buildings
- excessive parking demand in the area requires further restrictions
- proposal will enable the entire building to be updated
- support for proposal

Comments from Consultees

From a technical Highways perspective, looking at the parking standards for the whole building, including the additional floor, the parking provision would meet UDP standards.

Planning Considerations

The application falls to be determined in accordance with Policies BE1, T3 and EMP2 of the Unitary Development Plan (UDP) and the National Planning Policy Framework (NPPF).

The most relevant London Plan (2015) policies are as follows:

6.13 Parking

7.2 An inclusive environment

7.4 Local character

7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

Under application ref. 14/02500, Prior Approval was granted in respect of the change of use of the existing building from Class B1(a) office use to residential Class C3 use to provide 29 flats. The proposal also reduced the number of parking spaces within the site to around 32 (subject to the final layout being agreed) from the existing 50.

Under ref. 14/04311 planning permission was granted in respect of elevational alterations to the existing building.

Under ref. 14/04309 an application for the erection of a roof extension to form part fourth floor to provide office accommodation was refused on the following ground:

"The proposal, by reason of its excessive scale, bulk and height, would result in an overly prominent structure within the streetscene, which would adversely affect the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan."

That application was the subject of an appeal which was dismissed on 30 July 2015. The Planning Inspector concluded, at Para 9 of the Appeal Decision that:

In my view the impact of the appeal building on the rear gardens of the houses on the east side of Crest View Drive is greater than its effect on the street scene. Because it extends well back from the street frontage the main 3-storey part of the building forms a 9m high wall of development just over 13m to the south of the nearest of these gardens. Increasing the height of the building by around 2.5m would have an adverse impact on the visual character of this backland area... the height and bulk of the extended building would appear out of scale and dominant within its surroundings. Taken with the effect of the extension on the street scene I consider that the impact justifies the refusal of permission.

Neighbouring site: Mortimer House, 40 Chatsworth Parade

Of relevance, under ref. 10/03144 planning permission was granted in December 2010 in respect of a three-storey rear extension and an additional storey to part of the existing block (to form a part-4 and part-3 storey building) to provide additional office accommodation incorporating new entrance and alterations to car parking layout. That scheme was not implemented.

Subsequently, under ref. 11/00538, an application relating to the neighbouring building at Mortimer House (situated to the southern side of the adjoining public car park) involving for a four-storey extension and an additional two storeys to the

existing offices to provide part four/ five storey building, was refused for the following reasons:

"The proposal, by reason of its excessive scale, bulk and height, would result in an overly prominent structure within the street scene and would impact detrimentally on the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan."

"The proposed development would be detrimental to the amenities now enjoyed by the residents of properties adjoining the site by reason of loss of prospect and visual impact as a result of the four storey rear extension, contrary to Policy BE1 of the Unitary Development Plan."

This latter application was subsequently dismissed at appeal.

Conclusions

The main considerations in this case relate to the impact of the proposal on local character and townscape and on residential amenity; the appropriateness of this development in this location in light of Policy EMP2 of the UDP and the NPPF; and whether the scheme provides an appropriate amount of parking. In addition, the recent appeal decision referred to above constitutes an important material consideration.

In terms of local character, the application site is situated just beyond the northern periphery of Petts Wood District Centre, and adjoins residential development to the north and west. The development to the north comprises of two-storey houses. The facing block is four storeys in height, but incorporates a substantially smaller footprint (in comparison to Mega House) which measures approximately 300sq metres in area. The buildings to the south fronting Queensway are of two/three storey form and contribute to the modest scale and suburban character of this part of Petts Wood. As noted above, the neighbouring office block at Mortimer House (situated within the opposite side of the public car park) was granted planning permission under ref. 10/03144 for extensions that would have resulted in a part-4 and part-3 storey building. Given its somewhat more concealed location (within close proximity of the railway line and the commercial centre of Petts Wood), it is not considered that this development is directly comparable with the application scheme or provides justification to favour it; furthermore, the Appeal Decision relating to the dismissed 2011 application (ref. 11/00538) highlighted the harm resulting from excessive height.

The previous case (ref. 14/04309) which was assessed before the Inspector, and was the subject of the July 2015 decision, concerned a more substantial roof / third floor addition. In comparison to the application refused under ref. 14/04309 the current scheme has been amended to omit the mansard roof addition above the northern wing of the building so that the extension will be confined above the part of the building which faces toward and is parallel to Crest View Drive and Queensway. The northern wing will remain three storeys in height and retain its existing flat roof. In this context, the proposal should again be considered in terms of its design and impact on the wider streetscene.

In dismissing the above appeal, the Inspector's decision was based in large part, on its impact on the rear gardens of the houses on the east side of Crest View Drive which would be "greater than its effect on the street scene". However, in forming his overall judgement, the Inspector alluded that the cumulative impact of the proposal made the scheme unacceptable ("Taken with the effect of the extension on the street scene I consider that the impact justifies the refusal of permission.").

In respect of the appeal, concerns were raised by the Planning Inspector in respect of the impact of the previous scheme on the neighbouring rear gardens along Crest View Drive. In comparison to that previous scheme, the northern wing of the proposal has been removed with only the eastern element now retained. Whilst there will be an overall wider separation between the development and the northern boundary adjoining the rear gardens of the Crest View Drive properties, the far-NE corner of the extension previously proposed will not only remain, but will be somewhat bulkier in appearance, taking account of the nature of the mansard roof design proposed. As such, it is considered that the concerns expressed by the Inspector will persist, since one of the most dominant aspects of the previous proposal will remain in place. Accordingly, it is considered that the proposal will remain over-dominant when viewed from the rear gardens of the neighbouring Crest View Drive properties.

Although it is recognised that the changes made to the previous application have sought to overcome the grounds of refusal issued in respect of that scheme, further concerns remain in respect of the design of the proposal and its impact on the balanced appearance of the host building. Policy BE1 requires that new development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings. In that regard it is considered that the resultant three/four storey juxtaposition created by this proposal will result in the enlarged building being unsatisfactory in appearance and thereby harmful to the character of the streetscene and the wider area.

In regard to the appropriateness of this office accommodation, Policy EMP2 advises that proposals for office development will be expected to ensure that:

- (i) the shopping functions of the town centres are not impaired;
- (ii) access to the development by means other than the private car can be achieved, if necessary through the use of planning obligations; and
- (iii) on small office schemes mixed use or flexible space for small businesses and start-ups can be achieved.

The policy goes on to advise that schemes that provide facilities for small businesses will be permitted in local centres, provided that the vitality and viability of that centre is not impaired.

In light of the above policy criterion, it is considered that the proposal is acceptable in that the shopping function of the town centre will not be impaired; that there is adequate public transport service provision within close proximity of the site; and

that the additional floor space has the potential to provide a beneficial business resource.

On the matter of parking, this application does not refer to the residential scheme which is the subject of Prior Approval for 29 flats within the existing building (with the associated reduction of parking spaces). The application has been submitted on the basis that this scheme provides an extension to the existing office accommodation with the existing 50 parking spaces remaining. As the existing level of parking provision is to remain, Members may consider that this existing level would be acceptable despite there being a net increase in office accommodation within the site.

In summary, whilst the principle of providing new office accommodation is considered acceptable, particularly given the potential loss of the existing office accommodation, the impact of this scheme on local character, particularly in view of its scale, bulk and height, is considered unacceptable.

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

RECOMMENDATION:

**If a valid appeal has not been received by the Planning Inspectorate:-
APPLICATION BE REFUSED for the reasons below;**

**If a valid appeal has been received by the Planning Inspectorate:-
the APPEAL BE CONTESTED on the grounds set out below:**

- 01: The appearance of the extension is unsatisfactory with little regard for architectural design in relation to form and proportion of individual elements, and will thereby unbalance the appearance of the building and undermine the character of the surrounding streetscene, thereby contrary to Policy BE1 of the Unitary Development Plan.**
- 02: The proposal, with its considerable height and massing, would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth, thereby contrary to Policy BE1 of the Unitary Development Plan.**