

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

**Application No :** 17/03287/FULL1

**Ward:**  
Orpington

**Address :** 257 - 259 High Street Orpington BR6  
0NY

**OS Grid Ref:** E: 546208 N: 166088

**Applicant :** Mr A. Low

**Objections :** YES

### **Description of Development:**

Alterations to existing building including replacement and addition of windows, installation of render to facades, repositioning and part enclosure of fire escape stair and erection of terraces at 2nd and 3rd floor levels

### **Key designations:**

Smoke Control SCA 29

### **Proposal**

Prior approval was granted in March 2017 (ref.17/00266) for the change of use of the second and third floors of Nos.251-259 High Street, Orpington from Class B1(a) offices to Class C3 residential to form 34 flats (22 studios and 12 one bedroom flats). Ten car parking spaces were proposed within the rear parking area accessed from Gravel Pit Way, and sheltered cycle parking was provided for 34 bicycles.

The approval was subject to conditions inter alia to prevent residents from applying for residents parking permits, and giving residents membership of the local car club.

Planning permission is now sought for alterations to the existing building in order to accommodate the conversion of the second and third floor into 34 flats which comprise the replacement and addition of windows, the installation of render to the facades, the repositioning and part enclosure of the fire escape stair, and the addition of terraces/balconies.

An application has also been submitted to add a fourth floor containing an additional 9 flats (ref.17/03781) which is under consideration elsewhere on the agenda.

### **Location**

The site is located on the eastern side of the High Street within the Primary Shopping Frontage, and backs onto Gravel Pit Way. It contains retail uses on the ground and first floors, and vacant office space on the second and third floors.

Residential dwellings in Homefield Rise back onto the rear part of the site, whilst dwellings in Lancing Road lie some distance away on the opposite side of Gravel Pit Way.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received, including from Lancing Residents' Association, which can be summarised as follows:

- \* overdevelopment of the site
- \* overlooking of nearby dwellings and gardens from balconies and windows
- \* increase in noise and disturbance from increased number of residents in the area
- \* inadequate parking
- \* increased traffic
- \* bin stores unacceptable next to residential gardens
- \* parking at the rear would cause difficulties with deliveries to the shops
- \* the fire escape should be fully enclosed to prevent antisocial behaviour
- \* the screening proposed to balconies is inadequate
- \* nearby development proposals will already impact on the area
- \* the proposed residential units are cramped
- \* detrimental impact on pedestrian safety.

### **Comments from Consultees**

Highways consider that conditions 3 (lighting of the access road and parking area), 4 (prevention of a residents' parking permit) and 5 (membership of the car club for residents) imposed under the Prior Approval application (ref.17/00266) have not be addressed under the current application. However, the current application is just for external changes to the building, and the proposed conversion to 34 flats would still be subject to the conditions imposed under the Prior Approval granted.

No objections are raised to the proposals from the Council's Environmental Health (Pollution) Officer.

### **Planning Considerations**

The following policies of the Unitary Development Plan are of relevance to this application:

#### **BE1 Design of New Development**

The Council is preparing a Local Plan. The submission of the draft Local Plan was made to the Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The relevant policies are as follows:

#### **Draft Policy 37 - General Design of Development**

### **Conclusions**

The use of the second and third floors of this building for 34 flats has already been established by the Prior Approval application granted in March 2017, therefore, the main issues in this case are the impact of the proposed external changes to the building on the character and appearance of the area, and on the amenities of neighbouring residential properties. This application must be considered as a stand alone proposal which could be implemented independently of the change of use prior approval.

#### **Impact on character and appearance of the area**

With regard to the impact on the street scene, the proposed second floor replacement windows in the front elevation would be of a different size and design to the first floor windows, but this would not detract from the overall appearance of the building. The third floor is set back approximately 7m from the front elevation of the building, and the proposed addition of balconies would not be very visible within the street scene. The use of render to the front elevation would not detract from the appearance of the building.

The changes to the rear part of the building involve amendments to the arrangement of windows, the addition of side-facing balconies, and the re-positioning and part enclosure of

the fire escape staircase. The rear elevation would be rendered, and the side elevations would be a mixture of brick and render. The appearance of the building would not be harmed by the proposed changes, and it would not appear out of character with the surrounding area.

#### Impact on residential amenity

The existing building has windows at second and third floor level in the northern flank elevation which currently overlook the neighbouring dwellings in Homefield Rise and their rear gardens, and although the proposed installation of balconies in this elevation may give rise to some additional overlooking of these properties or the perception of being overlooked, there would be a separation of 30m between the second floor terraces (which would have 1.8m high opaque screens surrounding them) and the adjacent dwellings, whilst the third floor balconies would be set a further 5m back. On balance, these changes are not considered to significantly add to the overlooking, or sense of overlooking, of these dwellings to warrant a refusal on residential amenity grounds.

Concerns have also been raised by residents in Lancing Road whose properties back onto Gravel Pit Way regarding overlooking from balconies on the southern flank elevation of the building, however, these dwellings are situated some distance away from the building (80-100m), and the terraces and balconies proposed in the southern elevation would be largely screened from these properties by the enclosed fire escape staircase towards the rear of the building, and by 1.8m high opaque screens to the terraces. The proposals are not therefore considered to cause undue overlooking of neighbouring properties in Lancing Road.

#### Conclusion

The proposed external changes to the building are not therefore considered to have a significantly detrimental impact on the character and appearance of the area, nor on the amenities of neighbouring residential properties.

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: 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 Details of the means of privacy screening for the terraces shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.**

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

**You are further informed that:**

- 1 The conditions attached to the prior approval for the conversion of the second and third floors of the building into 34 flats (ref.17/00266) still apply and must be complied with.**